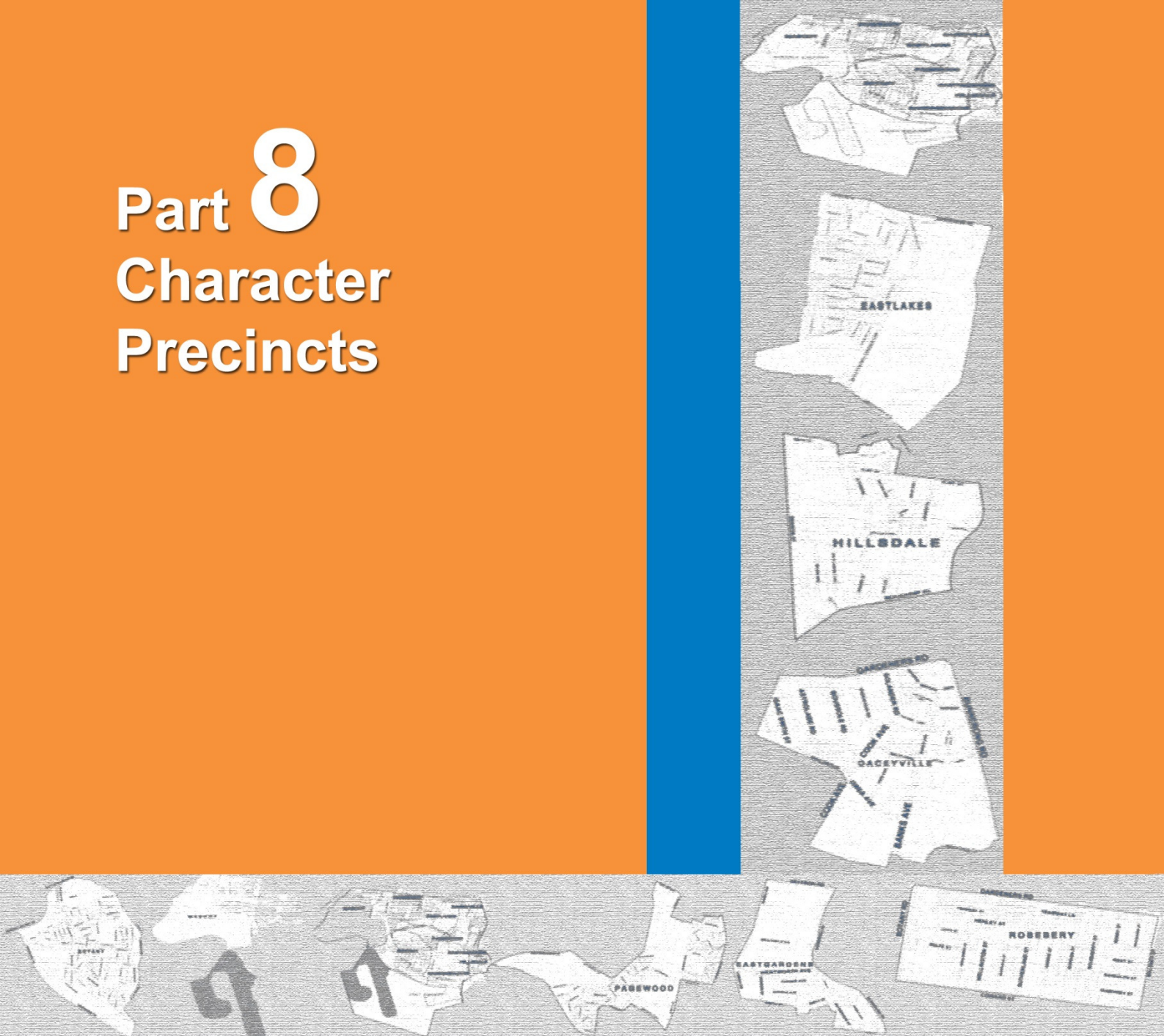


Part 8

Character Precincts

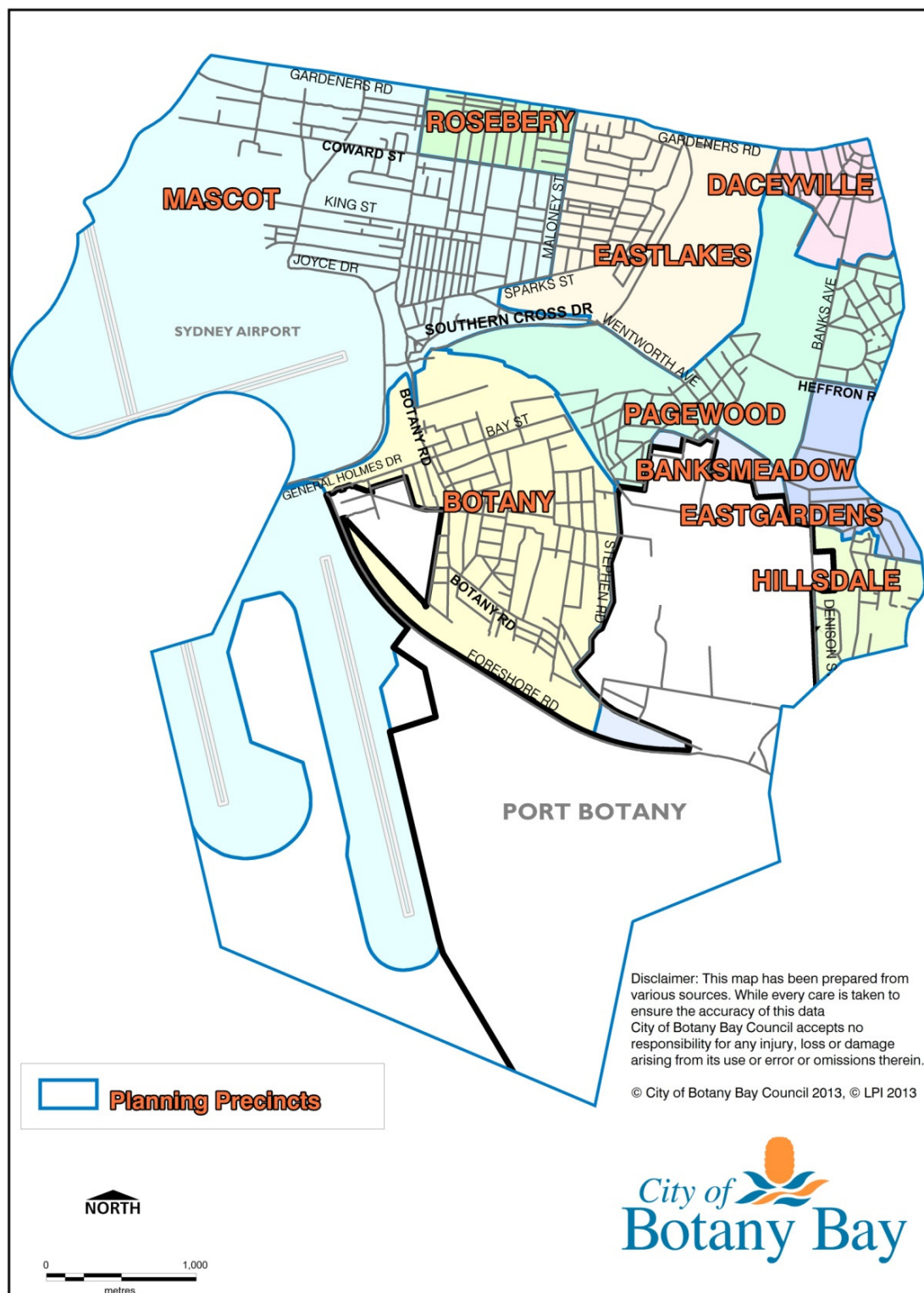


Development Control Plan



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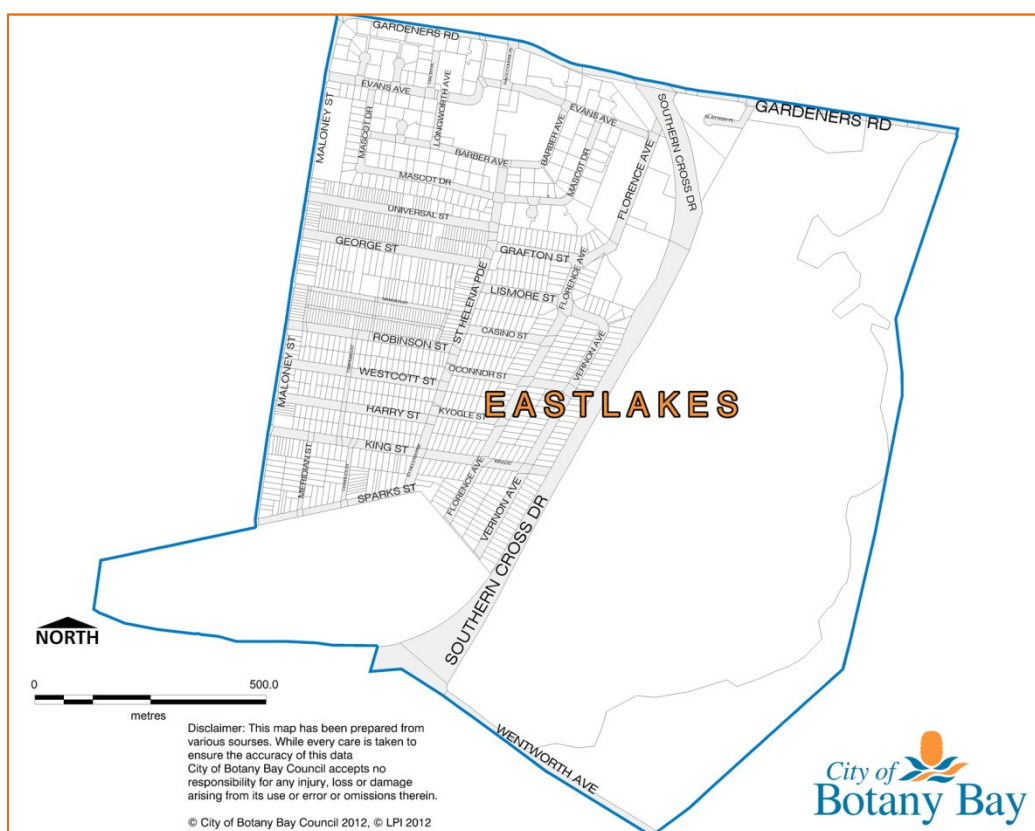


8.1 Eastlakes Character Precinct

8.1.1 Existing Local Character

The Eastlakes Precinct is dominated by the Eastlakes Shopping Centre and residential dwellings (refer to **Figure 1**). The Eastlakes Shopping Centre contains local shops, which is surrounded by high-rise flats (up to 9 storeys) and 3 storey residential flat buildings dating from between 1960-1970. This Precinct has one of the highest population densities in Sydney.

Figure 1 - Eastlakes Precinct



Residential development decreases in scale and density from the shopping centre to the southern part of the Precinct, with the majority of detached (65%) and semi detached dwellings (3%) being located between Maloney Street, Gardeners Road, Southern Cross Drive and the Lakes Golf Course. The Lakes Golf Course is located to the east and provides visual relief and views for a number of the residential properties however this green space is not available to the public but otherwise the Precinct has an undersupply of local open space. The majority of the existing open space is in the form of pocket parks associated with the residential flat building development surrounding the shopping centre. The three (3) main parks (being Eastlakes Reserve, Bridget Tight Reserve, and Edmund Thornton Reserve) within the Precinct provide shaded grassed areas and clusters of mature tree planting. There are a number of pocket parks – being Vernon Street Reserve, Leon



Lachal Reserve and Jerome Dowling Reserve providing passive recreational opportunities. Jerome Dowling Reserve provides a pleasant green space and a link to the Eastlakes Shopping Centre.

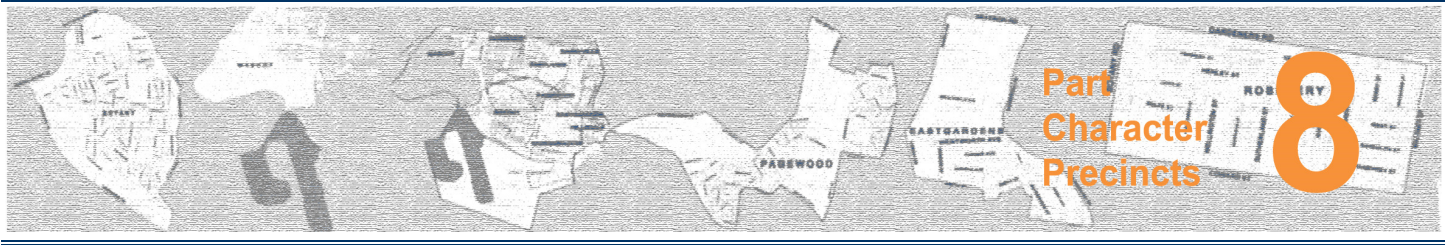
Street landscaping in the Precinct is poor with medium sized trees, bushes scattered along street verges. Fences are a dominant feature in the Precinct and they are approximately 0.8m to 1m in height and constructed of brick, timber or aluminium.

The built form dominates the streetscape with landscaping within allotments varying within the Precinct. However, the existing landscaping and vegetation in lower density areas tends to enhance the built form, creating a pleasant environment. The presence of mature street trees and established plantings in the private domain softens the built form through screening the buildings, providing shade and creating a pleasant contrast to the monotonous similarity of the building styles. The use of setbacks and the placement of open spaces within the development also assist in softening the streetscape. The setbacks and open space areas within a development and the presence of low scale fencing promotes a strong relationship between the public and private domain.

A portion of medium density residential townhouses and terrace style development exist along Universal Street, George Street and Robinson Street. This concentrated cluster of medium density residential developments have resulted in a unique housing style with the Precinct. The front setbacks range from 4m to 6m for one and two storey dwellings and to 8m to 9m for the townhouse developments. This area is generally landscaped with lawns and planted with a range of vegetation types. Garden Street is characterised by hard surfaces such as pavers and concrete.

The subdivision pattern is mixed within the Precinct. The block bounded by Universal Street, St Helena Parade, Robinson Street and Maloney Street contains small allotments of generally 180m² in area which reflects the historical subdivision pattern of the area. The remainder of the Precinct contains larger allotments of between 400m² to 450m² with a majority of these allotments having a north-south orientation.

The function of the road network within and around Eastlakes however is congested due to significant on-street parking, especially within the high density residential area surrounding the Eastlakes Shopping Centre. The parking issue is the result of the lack of off-street parking provided within the residential flat buildings that were constructed in the period 1960 - 1970.



8.1.2 Desired Future Character

Function & Diversity

- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Maintain the Eastlakes Precinct as a residential area that is characterised by predominately dwelling houses, with attached houses and residential flat buildings in the areas surrounding Eastlakes Shopping Centre.
- Encourage Eastlakes Shopping Centre as the retail hub for the Precinct.
- Encourage a small Neighbourhood Centre at the corner of Maloney Street and King Street to service the day to day needs of that part of the Precinct.
- Encourage an increased height (to a maximum of 9 metres) and density in the form of terrace style housing in Special Area H2 (refer to **Figure 2** and **Part 4A - Dwelling Houses**).

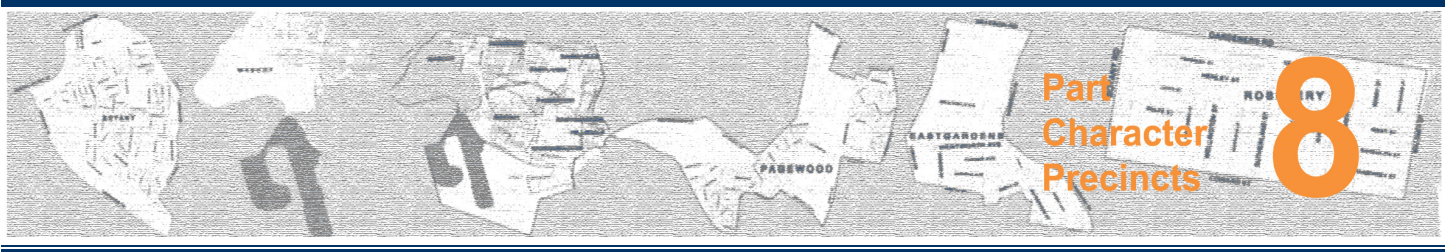
Form, Massing, Scale & Streetscape

- Encourage development to follow the topography of the land.
- Encourage development with two storeys or 2 storeys with attic to a maximum height of 9 metres, characteristic of the scale of the area and significant landscaping in the front setbacks in the land bounded Universal Street, St Helena Parade, Garden Street and Maloney Street. The maximum ridge height of such development to be consistent with adjoining two (2) storey buildings.
- Encourage residential flat buildings with four (4) storeys and a pitched roof surrounding Eastlakes Shopping Centre (where permissible) unless the site area is over 2000m² which then permits a FSR of 1.5:1 and 2 to 6 storeys (a maximum height of 22 metres).
- Maintain and enhance single and two storey dwellings with a pitched roof in the remainder of the Precinct.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development which complements the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.



The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.

Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and
 - Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

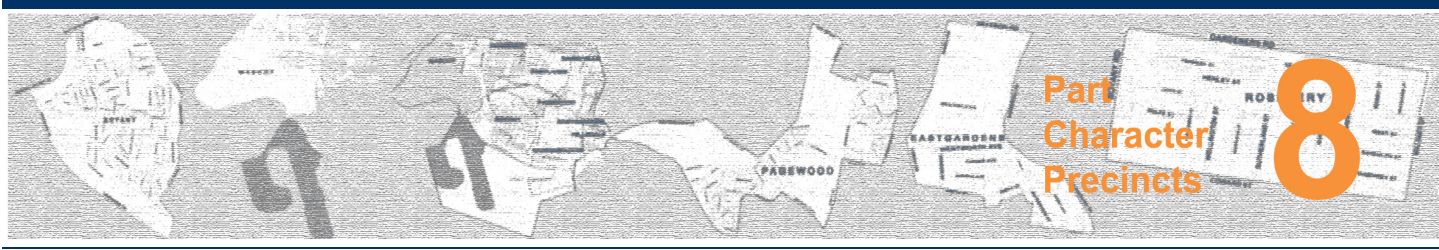
- Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
- Side setbacks, where they are consistent within a street are to be retained unless the development is for subdivision within the block bounded by Universal Street, St Helena Parade, Garden Street and Maloney Street where 6m wide allotments are encouraged (refer to **Subdivision** below). Nil setbacks will be considered on merit, depending on side setbacks of adjoining development and orientation of allotments.

Landscaping

- Encourage landscaping within the front and side setback to soften the built form particularly in high density terraces, units and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.

Heritage

- Promote sympathetic urban design and uses that protect and enhance the character and the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.



Fencing

- Encourage and retain fencing character, styles and height for each street which may in some circumstances include no fences.

Noise

- Ensure that development along Gardeners Road and Southern Cross Drive is designed to minimise traffic noise transmission.
- Ensure that development is designed to minimise aircraft noise transmission in accordance with AS 2021.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

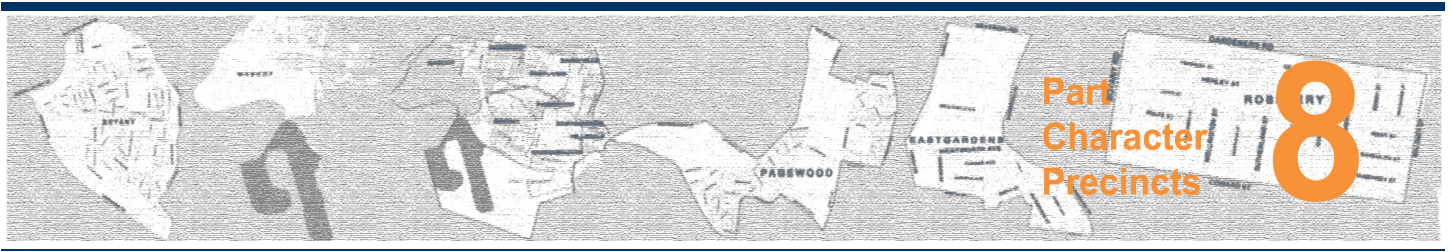
- Retain and preserve the rectilinear grid pattern within the Precinct.
- Encourage 5 metre wide frontage allotments in the block bounded by Universal Street, St Helena Parade, Garden Street and Maloney Street (known as **Special Area H2**) (refer to **Figure 2** and **Part 4A - Dwelling Houses**). (**Note:** Building height is restricted to a maximum of 9 metres.)
- Encourage 5 metre wide frontage allotments for land that fronts Maloney Street only (King Street to Gardeners Road) with the maximum building height limited to 9 metres. (Refer to **Figure 10 – Special Area H1** of this Part.)

Public Domain and Environment

- Promote pedestrian links in and around the Eastlakes Shopping Centre including streets links to public open spaces.
- Provide sufficient open space to meet a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the Precinct.
- Preserve residential amenity by reducing impact from non-residential uses such as traffic, noise and air pollution.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.
- Encourage efficient and effective design of development on north-south facing allotments to maximise solar access.



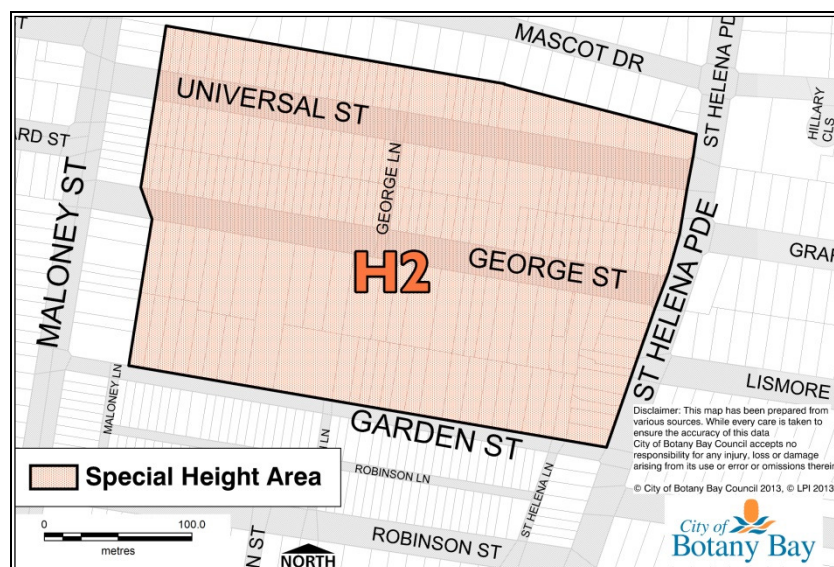
Traffic and Access

- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct by means of traffic calming measures.
- Promote walking and cycling by providing a safe pedestrian environment in the Eastlakes Shopping Centre.

Views

- Retain existing views.

Figure 2 - Special Height Area H2



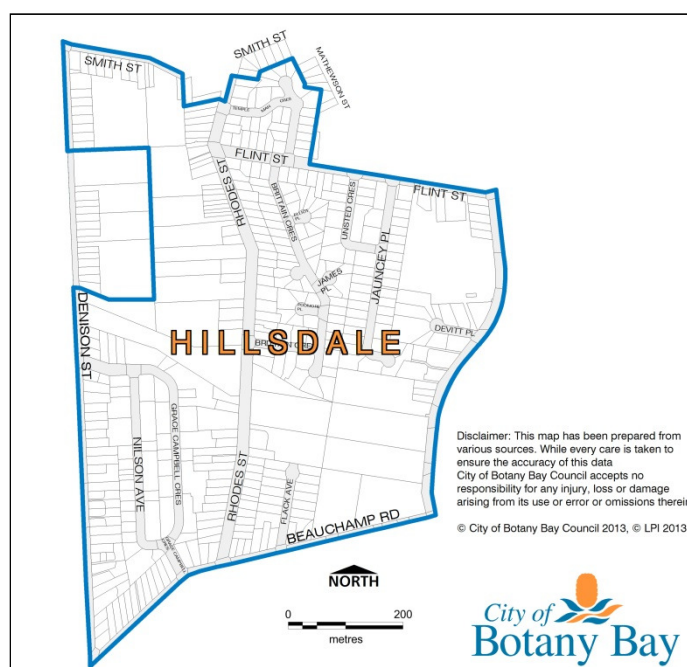


8.2 Hillsdale Character Precinct

8.2.1 Existing Local Character

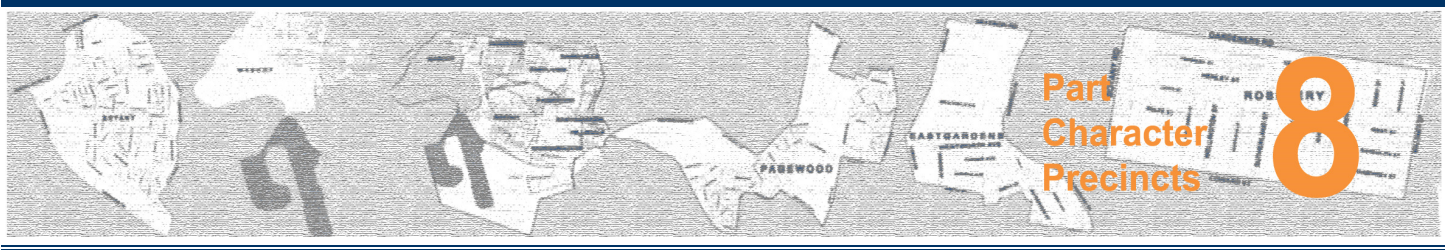
The Hillsdale Precinct is located in the south-eastern corner of the City. The Precinct is generally bounded by Smith Street, Bunnerong Road, Beauchamp Road and Denison Street (refer to **Figure 3**).

Figure 3 - Hillsdale Precinct



Residential flat buildings (RFB) ranging from two and three storeys are the dominant building type of multi unit residential style in the Precinct. There are approximately 210 flat buildings in this Precinct, with the majority being walk-up flat buildings with car parking located within the ground level and residential units located in the two and three storeys above. The sites were traditionally detached dwelling sites redeveloped for flat buildings in the 1960s-1970s. This resulted in undersized allotments producing narrow buildings with limited internal amenity to individual units. The size of the allotments has also impacted on the amenity of the building by providing limited building separation and minimum site area for landscaping and open space. Car parking also provided at ground level (around the building) results in the majority of the site being paved. Any open space provided, typically at the rear of the buildings, is also used for clotheslines and garbage bin storage, which further reduces usable open space. The building style and nature of development reflects the provisions of the era in which they were built. The buildings in many cases have been strata subdivided and have been poorly maintained.

Villa and townhouse developments occupy the western side of Nilson Avenue and are in the vicinity of Flint Street, Unsted Crescent and Jauncey Place. Dwelling Houses are scattered throughout the Precinct, however



a larger cluster of dwellings are located on Rhodes Street, (south of the Rhodes Street Reserve) and along Beauchamp Road/Denison Street.

The allotment sizes and subdivision patterns created in the 1960-70s have resulted in numerous strata subdivided RFBs with a lack of redevelopment potential. Subdivision patterns in the area are an issue due to the creation of irregular shaped allotments around cul-de-sac street layouts. These irregular (triangle-shaped) allotments are difficult to redevelop because they cannot accommodate an RFB with adequate separation between adjoining sites and setbacks to rear and side boundaries for the provision of communal open space and deep soil zones. There is potential for redevelopment for multi-unit housing in Flint Street, Nilson Avenue and Rhodes Street.

The focal points for retailing and services are found within the Hillsdale Local Centre. Hillsdale Local Centre is within the B2 Local Centre zone and provides major supermarkets and specialty stores with Southpoint Towers containing 116 high-density residential units. Under the Botany Bay Local Environmental Plan 2013 the B2 Local Centre has been expanded to include additional land fronting Bunnerong Road and Flint Street.

The Botany Bay Local Environmental Plan 2013 also rezones a number of parcels along Smith Street and Rhodes Street to facilitate employment and housing.

The Precinct and part of the adjoining suburb of Eastgardens is bounded by a well-established road network to service the significant employment generating land uses which are located within the suburb of Banksmeadow. The boundary roads are Wentworth Avenue to the north, Denison Street to the west, Bunnerong Road to the east and Beauchamp Road to the south. As a result, Hillsdale Precinct (and the residential part of Eastgardens) is somewhat isolated from other residential areas including Botany, Pagewood and Eastgardens town centre.

The Precinct presents an average quality public domain that is impacted by heavy traffic volumes particularly along Denison Street, Beauchamp and Bunnerong Roads and Wentworth Avenue and to a lesser extent Rhodes & Smith Streets. Open space areas include disjointed pocket parks with poor connections through the public domain and limited ability to service the public. Rhodes Street Reserve is one large linear park that bisects Hillsdale however this park lacks the facilities for public use as a recreation area and is owned by a State Government Authority which impacts on the ability of Council to provide equipment and undertake upgrade works.

The residential setbacks within the Precinct are consistent. The setbacks for the newer industrial sites are over 15 metres to allow for car parking and truck manoeuvring within the front setback.

Fences are varied in height and style but the majority of residential fences are of a low-scale, whilst industrial properties have either a low brick or high wire fencing.

The Hillsdale Precinct has experienced an encroachment of industrial land uses into the residential setting along Denison Street, Smith Street and Rhodes Street. This expansion of industrial land uses has intensified the industrial and residential land use conflict in this part of the Precinct.

The Hillsdale Precinct is not affected by ANEF noise contours, Acid Sulfate Soils or a low lying groundwater table thereby reducing the environmental issues that are commonly experienced in other parts of the LGA. There is however an overland flow path that runs from Smith Street between Denison Street and Rhodes Street which may constrain development in its path.



Risk

The Botany / Randwick industrial area forms a significant industrial complex of State and National significance. The location of the industrial area, within the vicinity of residential areas, has required that safety studies into the cumulative risk of industrial activity be undertaken to quantify and measure hazard risk associated with such activities.

The Department of Planning & Environment has released three studies that investigate industrial operations and make land use planning recommendations. Studies released to date include the '*Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany*' (1985), the '*Port Botany Land Use Safety Study*' (1996) and the '*Botany / Randwick Industrial Area Land Use Safety Study*' (2001).

A Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany - 1985

Analysis of hazard risk implications within the Botany / Randwick Industrial area was first examined in 1985 by Planning NSW (formerly the Department of Environment and Planning) within a report titled '*A Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany*'. The risk assessment study was initiated by the Department in response to concerns expressed by community groups and local councils about the intensification of potentially hazardous installations and associated facilities in the area and their risk implications on nearby residential land uses.

The recommendations from the 1985 study that relate to residential risk implications and land use controls under recommendation 12, state that:

- No intensification of residential developments should be allowed within areas identified in the study;
- Provisions within a planning instrument that permit an increase in existing residential dwelling density should be reviewed;
- New residential intensification within the cumulative risk areas identified within the study should be the subject of the Director's concurrence.

The study had no status under the Environmental Planning and Assessment Act 1979 and subsequently relied on the support of Council to implement the recommendations contained in the study. Council has supported the recommendations of the study relating to land use planning and has in practice referred residential development applications, which aim to intensify development to Planning NSW for concurrence.

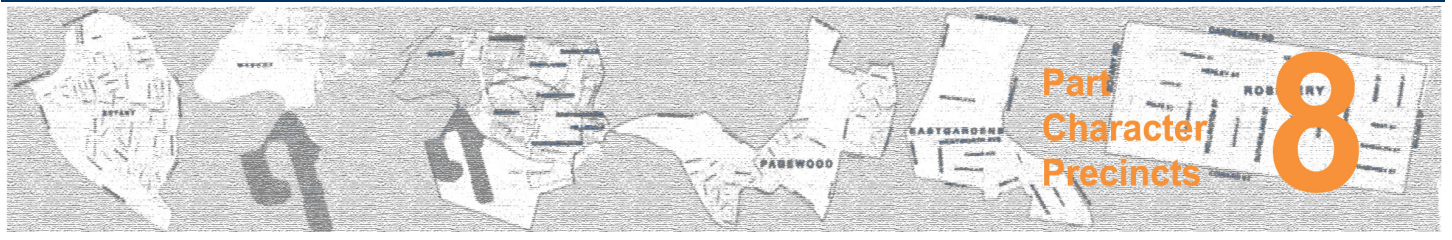
Port Botany Land Use Safety Study – 1996

Port Botany is a major infrastructure facility that handles and accommodates activities involving hazardous materials including - loading / unloading, storage and distribution of dangerous goods and materials.

The Port Botany Land Use Safety Study was undertaken by the Department of Planning to update the 1985 Study, develop updated cumulative risk contours (to provide a framework for assessment and decision making for future developments) and formulate a strategic land use safety framework.

The recommendations of the Study were:

- Future developments in the Port should undergo early risk assessment and comprehensive environmental impact processes to demonstrate that the use will not contribute to any cumulative risk – as identified in the Port area.



- Development controls are put in place to ensure there is no significant increase in the number of people exposed to risk – as identified in the residential risk contour.
- Individual site studies are undertaken to develop programs that are then implemented to create risk reduction and safety management measures.
- The Port and Port users prepare emergency plans / procedures and fire prevention / protection systems.
- The Port and Port users adopt a program to ensure the community is adequately informed on Port activities, associated risks and safety management measures.

Botany / Randwick Industrial Area Land Use Safety Study

Planning NSW in 2001 published the 'Botany / Randwick Industrial Area Land Use Safety Study' with the objectives of:

- Updating the 1985 cumulative risk study for the Botany / Randwick industrial area;
- Developing a framework for the efficient assessment and decision making for future developments; and
- Formulating a strategic land use safety framework for future developments in the Botany / Randwick Industrial Area and surround land uses.

The review investigated two cases based on two industrial scenarios. The cases were aimed at identifying the cumulative risk levels resulting from the industrial area under the current conditions (pre – 2001) and a predicted future case (2001). An explanation of the cases are as follows:-

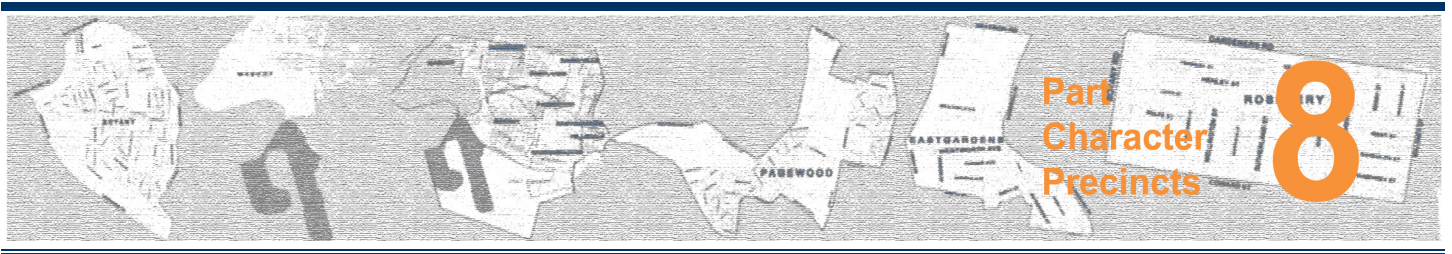
- The Existing Case (Pre-2001): The Orica mercury cell chlorine plant and chlorine liquefaction facilities and associated bulk chlorine storage. Risks associated with the chlorine plant include incidences such as a chlorine vapour cloud release due to equipment failure or due to fire / radiation impacts on the plant and storage from a fire in the vicinity.
- The Future Case (2001): The Existing Orica chlorine plant being replaced with membrane production facilities. The bulk storage of chlorine has ceased. The removal of chlorine liquefaction and storage on site will reduce the likelihood of chlorine releases occurring.

It should be noted that Council received a letter from the then Planning NSW dated 31 October 2002 advising that the recommendations in the Land Use Safety Study for the *Future Case* now apply. The *Future Case* applied from 31 October 2002.

The key findings of the Botany / Randwick Industrial Area Land Use Safety Study has been a significant improvement in the cumulative risk areas that result from the industrial operations located within the Botany / Randwick industrial area.

Recommendations that resulted from the study were:

1. Future developments in the Botany / Randwick industrial area should be subject to early risk assessment and comprehensive environmental impact processes to conclusively demonstrate they will not contribute to risk impacts outside the industrial area that are inappropriate for surrounding land uses.



- Encourage and promote low density residential accommodation in the form of detached/attached dwellings on the eastern side of Denison Street south of Rhodes Street Reserve with a 2 storey (8.5 metres) height limit.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development which complements the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms which are characteristic of the prevailing designs within the street.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

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- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.

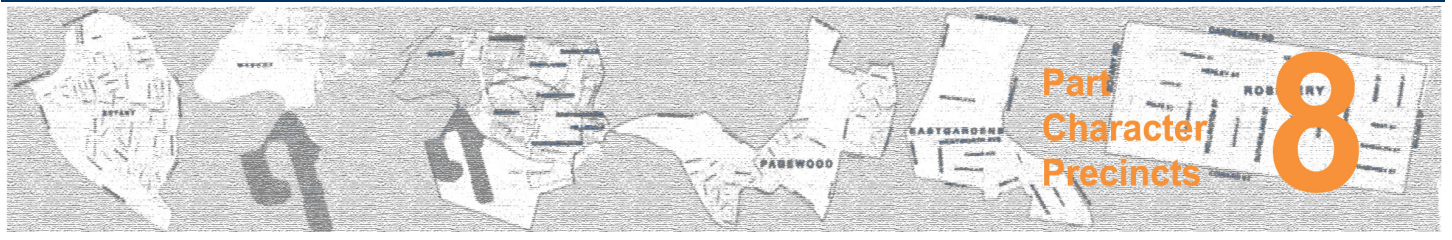
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- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and
 - Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.



Setbacks

- Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
- Retain side setbacks where they are consistent within a street.

Landscaping

- Encourage landscaping within the front and side setback to soften the built form particularly in high density terraces, units and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.

Heritage

- Promote sympathetic urban design and uses that protect and enhance the character and the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.

Fencing

- Encourage and retain fencing character, styles and height for each street which may in some circumstances include no fences.

Noise

- Ensure development along Denison Street, Beauchamp Road and Bunnerong Road is designed to minimise traffic noise transmission.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- Retain the residential rectilinear grid pattern within the Precinct.
- Encourage the amalgamations of allotments for the redevelopment of existing residential flat buildings.

Public Domain and Environment

- Promote pedestrian links in and around the Hillsdale Local Centre (refer to **Part 5.2.2.9 - Hillsdale Local Centre**).
- Encourage pedestrian links, linking the pocket park open space system and street system within the Precinct.
- Provide sufficient open space to meet a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the Precinct.



- Preserve residential amenity by reducing impacts from non-residential uses such as traffic, noise and air pollution.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic and Access

- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct by the means of traffic calming measures.
- Promote walking and cycling to provide a safe pedestrian environment in the Hillsdale Local Centre.

Views

- Retain existing views.

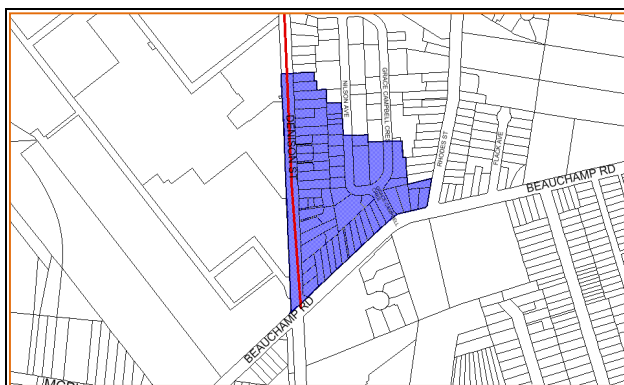
Risk

- Recognise that development within the 'Consultation Region' identified in **Figure 4** that will result in 'residential intensification' or 'sensitive use intensification' will require the concurrence of the Department of Planning & Environment.
- Recognise that development for 'residential intensification', 'sensitive use intensification', and development that will result in increased traffic volumes or access points onto Denison Street (being a designated Dangerous Goods Route) must:
 - Consider a transport risk assessment report. The contents and outcomes of a transport risk assessment report are to be in general accordance with the principles outlined in the *Hazardous Industry Advisory Paper N° 6: Guidelines for Hazard Analysis* (Planning NSW, 1992), *Hazardous Industry Advisory Paper N° 4: Risk Criteria for Land Use Safety Planning* (Planning NSW, 1992), 'Hazardous Industry Planning Advisory Paper No. 10 Landuse Safety Planning' published by the NSW Department of Planning in January 2011 and 'Hazardous Industry Planning Advisory Paper No. 11 – Route Selection' dated January 2011.
 - Receive development concurrence for the application from the Department of Planning & Environment.
- Any other applications for development adjacent to / or within the vicinity of routes designated as 'Dangerous Goods Routes' will be assessed under the relevant Council planning instruments and controls.
- Where a site is considered by Council to be located partly within any region or adjacent to a dangerous goods route defined in this plan, any development on the site will be assessed and viewed as though it was located within the area with the more stringent risk-related development controls specified in this development control plan.



Note: Council in 2012 commissioned a traffic count for Denison Street (in both directions, north and south); which includes a separate count for dangerous goods traffic as Council wanted to compare the overall traffic to the dangerous goods traffic. Whilst this data is available to applicants who are required to prepare a Transport Risk Assessment Report, the data is over 12 months old and depending on the proposed development Council may require a new Transport Risk Survey to be conducted at the applicant's costs. Please contact Council for more information.

Figure 4 - Consultation Region shown in Blue



Definitions:

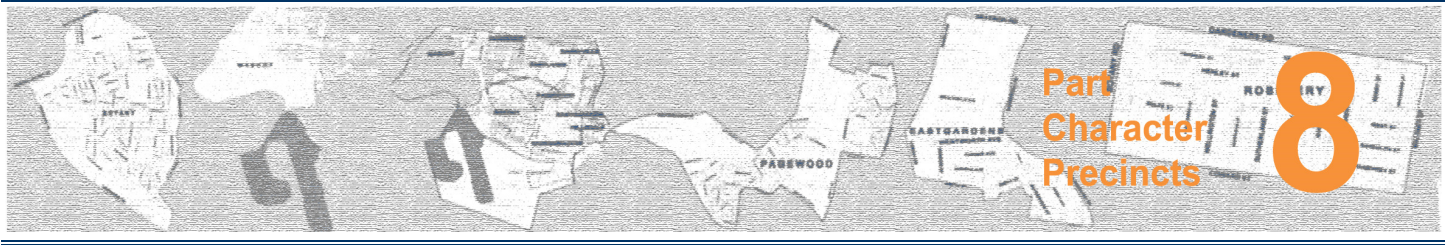
Dangerous Goods Routes means identified within the Botany/Randwick Industrial Area Land Use Safety Study.

The Botany / Randwick Industrial Area Land Use Safety Study does not include an assessment of the risk implications of dangerous goods transport, but does identify some routes as having a significant likelihood of carrying such goods. The routes identified within the Botany / Randwick Industrial Area Land Use Safety Study form a wider local and regional road network that may also carry traffic containing dangerous goods. The consideration of risk arising from the transportation of dangerous goods on this local and regional road network and the impacts this may have on residential and sensitive use development within the Study area needs to be considered as part of the assessment process for future development activity.

Residential intensification means an increase in the number of dwellings or an increase in the number of rooms providing temporary or permanent accommodation.

Residential land uses considered incompatible with residential fatality risk, injury or irritation risk (as defined in *Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning* - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include dwelling houses, hotels, motels, and caretakers residences resulting from any of the following:

- The alteration and / or addition of an existing building;
- The conversion and / or utilisation of an existing building or vacant land;
- The subdivision of land to create a new allotment; and
- The rezoning of land.



Sensitive use intensification means the establishment of a sensitive use or an increase in the gross operational floor space of an existing building that is occupied by a sensitive land use.

Sensitive land uses that are considered incompatible with fatality risk, injury or irritation risk (as defined in *Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning* - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include:- child care centres, nursing homes, educational establishments, hospitals and units for aged persons.

Site means land comprising one or more allotments that forms an area to which a development consent or application for consent, applies under the provisions of the *Environmental Planning and Assessment Act 1979*.

Additional information:

A number of Hazardous Industry Planning Advisory Papers (HIPAPs) and other guidelines have been issued by the Department of Planning & Environment to assist stakeholders in implementing an integrated risk assessment process and can be found at <http://www.planning.nsw.gov.au/planning-guidelines-for-hazardous-development>



8.3 Pagewood Character Precinct

8.3.1 Existing Local Character

The Pagewood Precinct is located in the middle of the City and is divided into two distinct residential precincts by Mutch Park and Bonnie Doon Golf Course. Both precincts are characterised by detached housing of a similar style and period (refer to **Figure 5**).

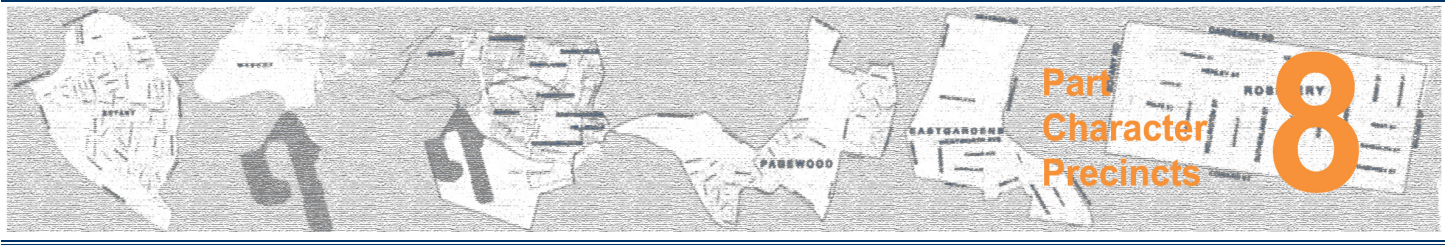
Figure 5 - Pagewood Precinct



The Pagewood Precinct contains a significant portion of the LGA's low density residential development, being one and two storey detached dwelling houses of varying architectural styles and periods. Allotments are in excess of 400m² with wide frontages. The Pagewood Precinct also contains a number of aged residential flats of two to three storeys and new terrace house developments.

The Page Street Neighbourhood Centre is a small group of shops located in Dalley Avenue, Pagewood servicing the local shopping needs of nearby residents and the community. The centre also contains the Pagewood Senior Citizens Centre and the Botany Bay Enterprise Centre. A long standing manufacturing site for Hardys Wines is located in the cul de sac in Myrtle Street. There are also a number of commercial shops and practices located on Bunnerong Road adjacent to residential areas.

The majority of the open space areas in and around the Pagewood Precinct are taken up by golf courses situated throughout Botany Wetlands. These are known as Eastlakes, Bonnie Doon and The Lakes golf courses with Eastern Suburbs Banksia Scrub located throughout these sites.



There are also a number of pocket parks located amongst residential development in the Pagewood Precinct with Jellicoe Park, Mutch Park and Astrolabe Park being the larger open space areas.

8.3.2 Desired Future Character

Function and Diversity

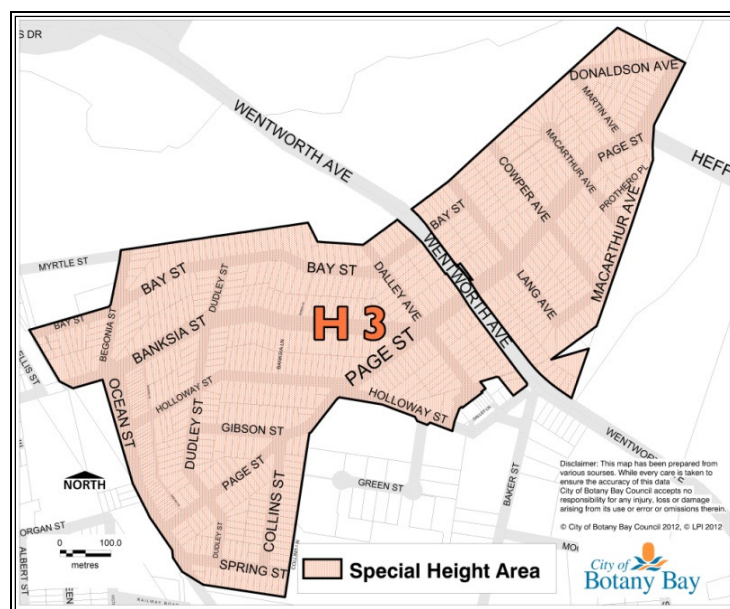
- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Encourage and promote townhouses and terrace style housing in land bounded by Myrtle Street, Begonia Street and Bay Street with the Railway line along the western boundary.
- Encourage and promote medium density residential development along Banks Avenue between each end of Park Parade as this area is characterised by old style residential flat buildings and outlooks to Bonnie Doon golf course to the west and has direct access to Jellicoe Park to the east.
- Retain the remaining residential land in the Precinct for low density residential development of one and two storey detached dwelling houses.
- Encourage the redevelopment of Page Street Neighbourhood Centre to a height of 12 metres and FSR of 1.5:1 to maintain a shopping service to nearby residents (refer to **Part 5.2.2.2 - Page Street Neighbourhood Centre**).

Form, Massing, Scale and Streetscape

- Encourage medium density housing 2 storeys/2 storeys with attic in the R3 Medium Density Residential Zones unless the site area is over 2000m² which then permits a FSR of 1.5:1 and 2 to 6 storeys (a maximum height of 22 metres).
- Promote and encourage low density residential accommodation in the form of detached/attached dwellings with a maximum height of 2 to 3 storeys (10 metres height limit) depending on the slope of the land with a FSR of 0.55:1 within **Special Height Area H3** (refer to **Figure 6 and Part 4A - Dwelling Houses**). **Note:** At any part of the perimeter of the building, the height is not to exceed 2 storeys unless one of the storeys being the basement or lowest level contains a non-habitable space not exceeding 40m² in area.
- Encourage development to follow the topography of the land.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development to complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms to reflect the characteristics of the prevailing designs within the street.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.



Figure 6 - Special Height Area H3



Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

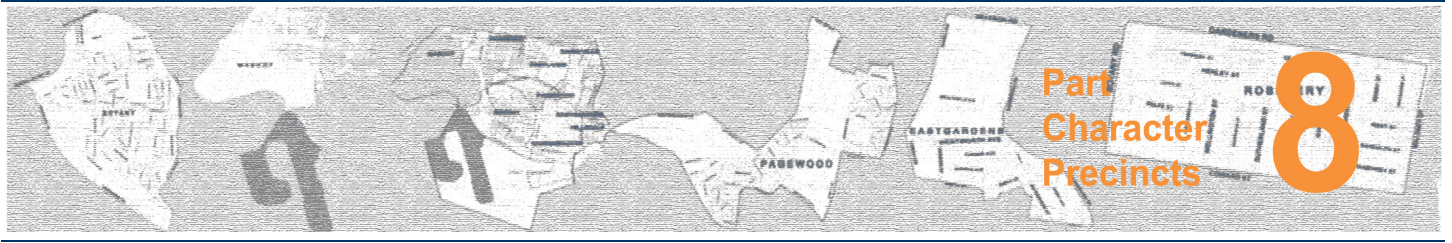
- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.

The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.

Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and



- Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

- Retain front setback which are consistent with the street and promote landscaping to soften built form.
- Retain side setbacks where they are consistent with the street.

Landscaping

- Encourage landscaping within the front and side setback to soften the built form particularly in high density terrace, unit and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.

Heritage

- Promote sympathetic urban design and uses that protect and enhance the character and the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.

Fencing

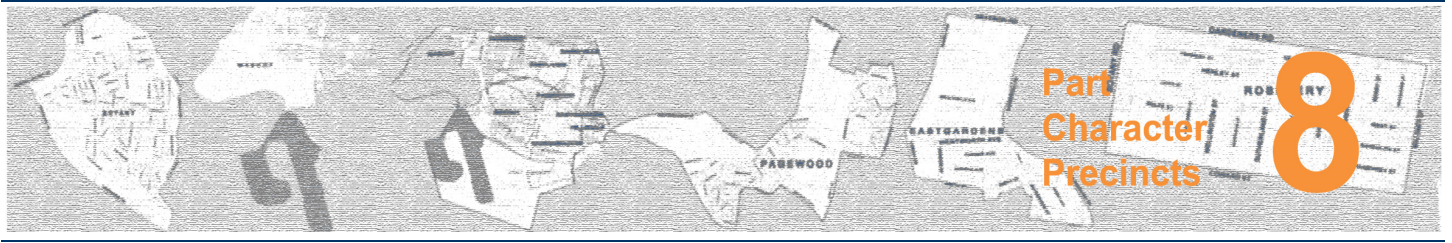
- Encourage and retain fencing character, styles and height for each street which in some circumstances may include no fences.

Noise

- Ensure that development along Wentworth Avenue and Bunnerong Road is designed to minimise traffic noise transmission.
- Ensure development adjacent to the Goods Railway Line is designed and incorporates measures so that noise levels specified in Clause 87 of SEPP (Infrastructure) 2007 are met which are as follows: in any bedroom in the building -35 dB(A) at any time between 10.00 pm and 7.00 am and anywhere else in the building (other than a garage, kitchen, bathroom or hallway) -40 dB(A) at any time.
- Ensure development affected by aircraft noise is designed to minimise aircraft noise transmission in accordance with AS2021.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- Retain and preserve the rectilinear grid pattern within the precinct (with the exception of land owned by the Department of Housing).



- Encourage amalgamations of allotments along Banks Avenue (being land owned by the Department of Housing) for the redevelopment of existing residential flat buildings.

Public Domain and Environment

- Promote increased public access to the Botany wetlands and the golf course system.
- Provide sufficient open space to meet a variety of recreational needs.
- Encourage open space areas within the Precinct to cater for a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the precinct to soften the built form, promote pedestrian comfort and enhance the aesthetics of the neighbourhood.
- Preserve residential amenity by reducing impacts from non-residential uses such as traffic, noise and air pollution.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic and Access

- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct by means of traffic calming measures.
- Promote walking and cycling by providing a safe pedestrian environment in the Precinct.

Views

- Retain existing views.

Risk

- Part of the suburb is within the zone of influence of the High Pressure Gas Pipeline that follows the ARTC Rail Corridor to the Qenos Site at the Botany Industrial Park, Denison Street, Banksmeadow. Development Applications, planning proposals and rezoning of land received by Council for land within the Zone of Influence will be referred to the APA Group for consideration and comment.



8.4 Botany Character Precinct

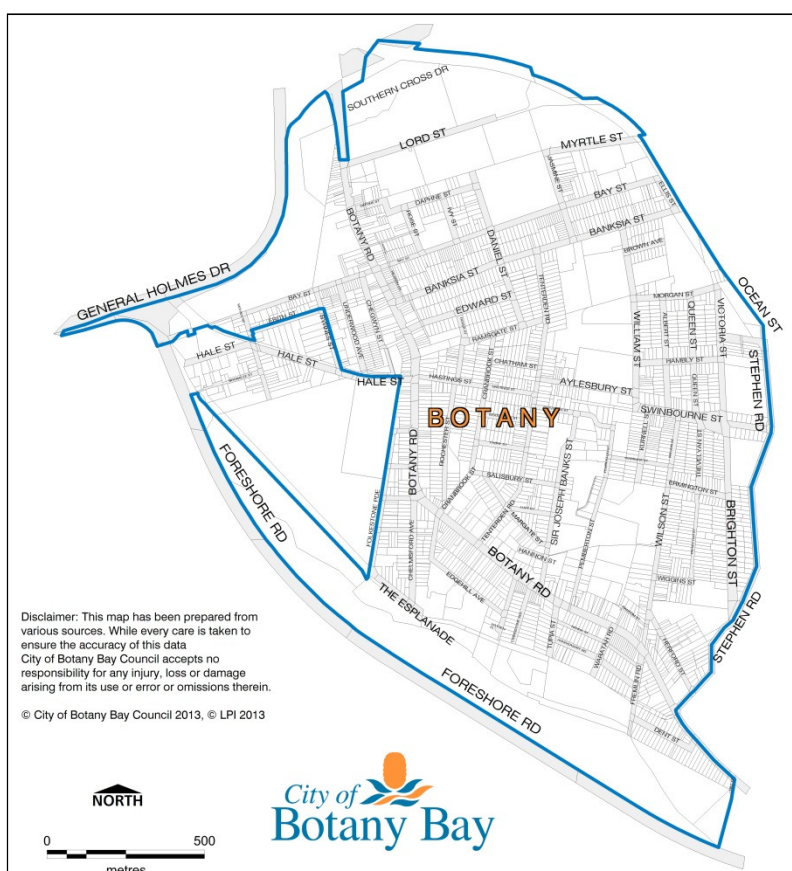
8.4.1 Existing Local Character

The Botany Precinct is located in the southwest section of the City and is bounded by the Airport, parklands abutting Botany Bay, Banksmeadow industrial area and the goods railway line (refer to **Figure 7**).

The dominant land uses within the Botany Precinct are industrial and residential. These land uses co exist throughout the Precinct. Two linear retail shopping strips are located along Botany Road - Botany Local Centre within a Heritage Conservation Area and Banksmeadow Local Centre.

Over the last decade the Botany Precinct has been in the process of transition with the conversion of industrial zoned land to residential zoned land. This process has resulted in the emergence of stylish and high quality medium density housing in the areas of Daphne Street, Banksia Street and William Street. This gentrification and Council's civic improvement program has created a pleasant landscaped neighbourhood.

Figure 7 - Precinct of Botany





Given the industrial history of this Precinct, the area contains an intermingling of both residential and industrial uses.

The main road through the area is Botany Road with Stephen Road the only other route that provides access to and from the Botany Bay LGA to other parts of the LGA. As a result, Botany is somewhat isolated from the adjoining residential areas.

The street network within the Precinct is a combination of regular and irregular grids with some large blocks with private internal access ways. As a result the permeability of the area is highly varied. A concentration of single and double storey villas and townhouses in the middle of the Botany Precinct is a notable departure from the traditional urban structure of residential development in the area.

Landform is relatively flat in the west, rising up to a ridge in the east (Stephen Road). Parts of the Precinct have view corridors and vistas to Botany Bay.

The focal points for retailing and services are Botany and Banksmeadow shopping strips; both of which are located on Botany Road. A number of Department of Housing properties are located near the Botany Local Centre and Banksmeadow Neighbourhood Centre. Botany Road has a concentration of Heritage Items with the Botany Local Centre one of Council's two Conservation Areas.

The quality of residential streetscapes varies although is generally good however traditional centres feature average quality public domain and are impacted by heavy traffic volumes. Open space are generally larger parks that lack facilities and are located towards the edges of the Precinct. Major open spaces areas including Booralee Park, Garnet Jackson Reserve and the Sir Joseph Banks Park.

Landscaping provided through street trees and planting within properties have created a pleasant environment, which ensures a contrast to the industrial built form.

The setbacks within the Precinct vary markedly. The area between the building line and front boundary line ranges from zero lot line for some residential buildings to 10 metres for the larger industrial sites.

Fences are varied in height and style but the majority of residential fences are of a low-scale. Industrial properties have either a low brick or high wire fence.

Bus routes on Botany Road provide services to the city (via Rosebery), Port Botany and Matraville. A service diverts at the Botany village to connect to Eastgardens via Banksia and Page Streets.

Traditional detached housing occupies a large proportion of residential land, although more recent villas, townhouses and apartments (generally located on former industrial sites) provide a significant number of dwellings, particularly in the eastern area of the Precinct. Some shop top housing occurs in the traditional strip shopping centres of Botany and Banksmeadow. Low dwelling densities of up to 15 dwellings per hectare characterise the Precinct.

The Botany Local Centre is one of the traditional centres for the Botany Bay LGA and contains many of the LGA's Heritage Items (refer to **Part 5.2.2.2 - Botany Local Centre**). It is located within the ANEF 25-30 contour (unacceptable for residential development). In certain circumstances, and subject to Council discretion, Council may grant consent to development where the building site has been classified as



"unacceptable" under Table 2.1 of AS2021-2000 (refer to **Part 3J - Development Affecting Operations at Sydney Airport**).

The centre comprises a main street retail core between Edward Street and Bay Street with other land uses extending north and south of this core area including a large light industry site north of Bay Street and residential land uses south of Edward Street.

The Botany Local Centre also acts as a buffer between the Hale Street Industrial area and residential development to the east of Botany Road. The Hale Street industrial area extends from the Botany Local Centre to Sir Joseph Banks Park. The dominant land uses are freight and logistics (which is predominantly freight and logistics land uses serving Port and Airport freight needs) followed by a range of manufacturing (heavy and light), local light industry and urban support and residential land uses in the northern part of the Precinct.

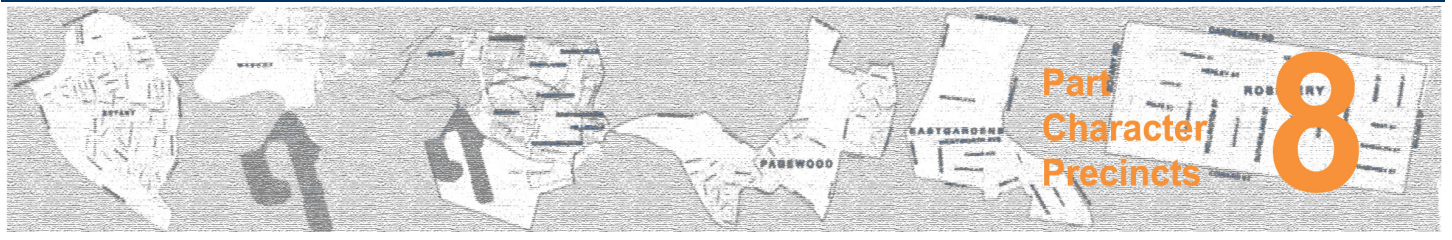
Business park land uses are concentrated north of the Botany Local Centre at Lord Street (comprised of the Lakes Business Park development and Sir Joseph Banks Corporate Park). These business parks provide a high quality head office environment for mainly logistics and Airport-related operations, but also other business tenants. The area is separated from the Botany Local Centre by residential land uses between Daphne and Hickson Streets.

The Banksmeadow Neighbourhood Centre contains approximately 100 metres of retail uses at the end of the Botany Road spine on its northern side. The centre is located within the 20-25 ANEF contour (conditional for residential development). The centre has been identified as an area suitable for residential intensification with medium density permitted north of the centre. Surrounding the centre are the Port Botany and Banksmeadow industrial areas to the east, the Botany South industrial area to the west and predominantly low density residential development to the south.

The Botany South industrial area is located west of the Banksmeadow centre and has frontage to Botany Road. It contains most of the LGA's urban services land uses (27 per cent) and a significant proportion of manufacturing (heavy and light) and local light industry and urban support. The Botany Road street frontage of this industrial area is a mix of uses with an enterprise corridor flavour including urban support and residential and manufacturing (refer to **Part 9B - Botany South**).

The Botany Precinct contains a number of opportunities which include:

- The redevelopment of some areas of medium residential zoned lands;
- The potential for Pemberton-Wilson Street Precinct for residential development and Banksmeadow centre for shop top housing;
- Potential improvement of existing and future residential amenity as the Hale Street extension has alleviated heavy traffic flow from Botany Road;
- Potential for shop top housing and additional retail activity on Botany Road by reducing traffic and improving public domain on Botany Road;
- Potential for intensification of residential and small scale commercial uses on side streets within 100-150 of Botany Road, in the Botany and Banksmeadow Local Centres;
- Potential to create a new neighbourhood centre on Swinbourne Street; and
- Potential to create a more intense commercial centre at Botany with development of Lord Street Business Park Precinct.



Risk

The Botany / Randwick industrial area forms a significant industrial complex of State and National significance. The location of the industrial area, within the vicinity of residential areas, has required that safety studies into the cumulative risk of industrial activity be undertaken to quantify and measure hazard risk associated with such activities.

The Department of Planning & Environment has released three studies that investigate industrial operations and make land use planning recommendations. Studies released to date include the '*Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany*' (1985), the '*Port Botany Land Use Safety Study*' (1996) and the '*Botany / Randwick Industrial Area Land Use Safety Study*' (2001).

A Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany - 1985

Analysis of hazard risk implications within the Botany / Randwick Industrial area was first examined in 1985 by Planning NSW (formerly the Department of Environment and Planning) within a report titled '*A Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany*'. The risk assessment study was initiated by the Department in response to concerns expressed by community groups and local councils about the intensification of potentially hazardous installations and associated facilities in the area and their risk implications on nearby residential land uses.

The recommendations from the 1985 study that relate to residential risk implications and land use controls under recommendation 12, state that:

- No intensification of residential developments should be allowed within areas identified in the study;
- Provisions within a planning instrument that permit an increase in existing residential dwelling density should be reviewed;
- New residential intensification within the cumulative risk areas identified within the study should be the subject of the Director's concurrence.

The study had no status under the Environmental Planning and Assessment Act 1979 and subsequently relied on the support of Council to implement the recommendations contained in the study. Council has supported the recommendations of the study relating to land use planning and has in practice referred residential development applications, which aim to intensify development to Planning NSW for concurrence.

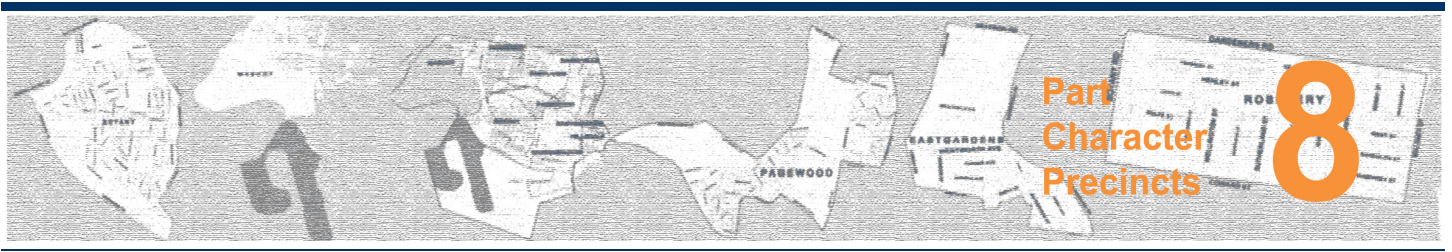
Port Botany Land Use Safety Study – 1996

Port Botany is a major infrastructure facility that handles and accommodates activities involving hazardous materials including - loading / unloading, storage and distribution of dangerous goods and materials.

The Port Botany Land Use Safety Study was undertaken by the Department of Planning to update the 1985 Study, develop updated cumulative risk contours (to provide a framework for assessment and decision making for future developments) and formulate a strategic land use safety framework.

The recommendations of the Study were:

- Future developments in the Port should undergo early risk assessment and comprehensive environmental impact processes to demonstrate that the use will not contribute to any cumulative risk – as identified in the Port area.
- Development controls are put in place to ensure there is no significant increase in the number of people exposed to risk – as identified in the residential risk contour.



- Individual site studies are undertaken to develop programs that are then implemented to create risk reduction and safety management measures.
- The Port and Port users prepare emergency plans / procedures and fire prevention / protection systems.
- The Port and Port users adopt a program to ensure the community is adequately informed on Port activities, associated risks and safety management measures.

Botany / Randwick Industrial Area Land Use Safety Study

Planning NSW in 2001 published the 'Botany / Randwick Industrial Area Land Use Safety Study' with the objectives of:-

- Updating the 1985 cumulative risk study for the Botany / Randwick industrial area;
- Developing a framework for the efficient assessment and decision making for future developments;
- Formulating a strategic land use safety framework for future developments in the Botany / Randwick Industrial Area and surround land uses;

The review investigated two cases based on two industrial scenarios. The cases were aimed at identifying the cumulative risk levels resulting from the industrial area under the current conditions (pre – 2001) and a predicted future case (2001). An explanation of the cases are as follows:

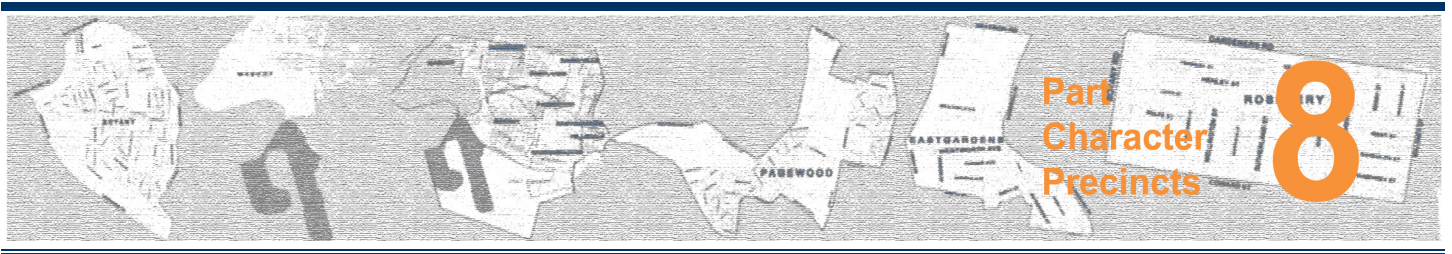
- The Existing Case (Pre-2001): The Orica mercury cell chlorine plant and chlorine liquefaction facilities and associated bulk chlorine storage. Risks associated with the chlorine plant include incidences such as a chlorine vapour cloud release due to equipment failure or due to fire / radiation impacts on the plant and storage from a fire in the vicinity.
- The Future Case (2001): The Existing Orica chlorine plant being replaced with membrane production facilities. The bulk storage of chlorine has ceased. The removal of chlorine liquefaction and storage on site will reduce the likelihood of chlorine releases occurring.

It should be noted that Council received a letter from the then Planning NSW dated 31 October 2002 advising that the recommendations in the Land Use Safety Study for the *Future Case* now apply. The *Future Case* applied from 31 October 2002.

The key findings of the Botany / Randwick Industrial Area Land Use Safety Study has been a significant improvement in the cumulative risk areas that result from the industrial operations located within the Botany / Randwick industrial area.

Recommendations that resulted from the study were:-

1. Future developments in the Botany / Randwick industrial area should be subject to early risk assessment and comprehensive environmental impact processes to conclusively demonstrate they will not contribute to risk impacts outside the industrial area that are inappropriate for surrounding land uses.
2. Effective land use safety planning should be implemented to allow future developments in the area, and to reconcile any potential land use planning conflicts.
3. A process of regular reviews and updates for site safety management systems should be undertaken.
4. Emergency plans and procedures, and fire prevention and protection systems should be kept up-to-date.



5. Industrial facilities should adopt community right-to-know principles to ensure the community is adequately informed about activities, associated risks and safety management measures adopted within the Botany / Randwick industrial area.

Implementation of recommendations 1, 3, 4, and 5 listed above are the responsibility of State, Local Governments and industry to administer through consultation and development approvals. Implementation of recommendation 2 is achieved by the City of Botany Bay Council through the preparation of this Development Control Plan to give the Study status under the Environmental Planning and Assessment Act 1979.

8.4.2 Desired Future Character

Function and Diversity

- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Ensure densities in residential areas already affected by aircraft noise over 30 ANEF or adjacent to freight and major road corridors are not increased.
- Encourage the conversion of uses within sites affected by aircraft noise over 30 ANEF to non-residential uses less affected by aircraft noise.
- Facilitate the expansion of commercial activity potential in a business park setting north of the Botany Local Centre (Lord Street Business Park Precinct).
- Limit retail development to within the Botany Local Centre and Banksmeadow Neighbourhood Centre (refer to **Part 5.2.2.7 - Botany Local Centre** and **Part 5.2.3.3 - Banksmeadow Neighbourhood Centre**).
- Enhance connections to the Botany Local Centre.
- Encourage active frontage along Botany Road in the Botany Local Centre.
- Encourage 'side street' retailing potential into Bay Street.
- Promote the extension of 'main street' retail north to Hickson Street at Botany Local Centre (eastern side of Botany Road).
- Facilitate the development of a supermarket use in the Banksmeadow Local Precinct and maintain a supermarket use with the Botany Local Precinct.
- Promote the extension of the Banksmeadow Local Centre west to Pemberton Street.
- Retain the Botany South Industrial Precinct for light industry activities and ensure a transition buffer to residential development.
- Ensure access and adaptability of dwellings (for seniors).
- Encourage increased residential densities in the form of shop top housing at Swinbourne Avenue to create small retail and mixed use centre.
- Encourage live/work opportunities along Botany Road and on the perimeter of the Botany south Industrial Precinct.
- Retain Hale Street for Port related and other general industrial activities.
- Development should:
 - promote neighbourhood amenity and enhance pedestrian comfort;
 - encourage site layout and building styles and designs that promote commonality and a visual relationship with the surrounding built form and dwelling styles;
 - encourage dwelling styles that maintain and complement existing development patterns;
 - encourage a strong landscape and vegetation theme within both the public and private domain; and



- allow the adaptive reuse of industrial buildings for residential purposes; encourage new development on larger sites (eg over 2,000m²) to promote a parkland setting for residential development.

Form, Massing, Scale and Streetscape

- Encourage development to follow the topography of the land.
- Promote medium residential development in areas adjacent/adjoining existing medium density housing development with an FSR of 0.85:1 and 2 storeys with attic (a maximum height of 10 metres) unless the site area is over 2000m² which then permits a FSR of 1.5:1 and 2 to 6 storeys (a maximum height of 22 metres).
- Maintain and enhance low density residential accommodation in the form of detached/attached dwellings with a maximum height of 2 storeys in the remainder of the Precinct.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development to complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms to reflect the characteristics of the prevailing designs within the street.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

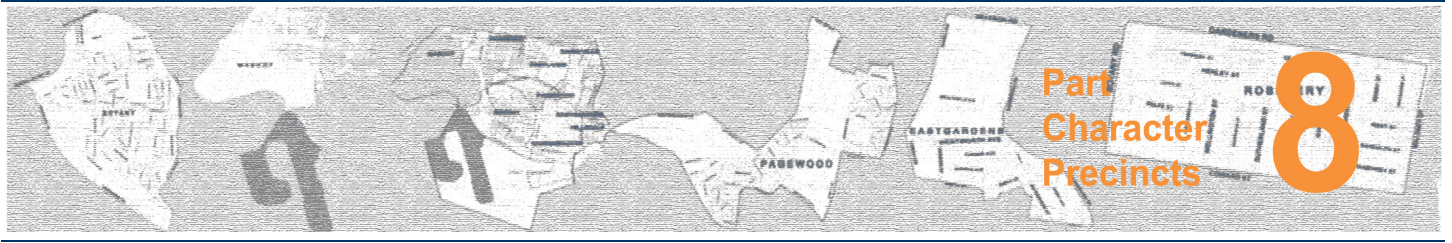
- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.

The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.

Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum



height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:

- Minimum of 30 metres in distance measured from the front property; and
- Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

- Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
- Retain side setbacks, where they are consistent within a street.

Landscaping

- Encourage landscaping within the front and side setback to soften the built form particularly in high density terrace, unit and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.
- Encourage landscaping and public domain to elevate Bay Street to a “grand avenue”.

Heritage

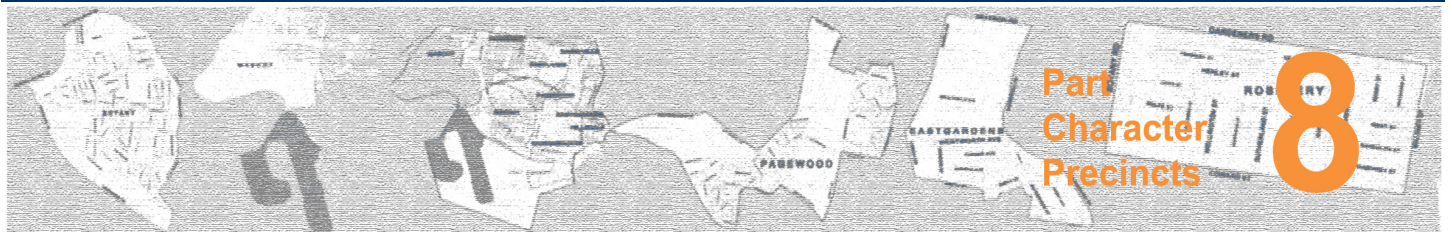
- Promote urban design and uses that enhance to the character of the area and protect and are sympathetic to the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.
- Conserve and protect the Botany Township Heritage Conservation Area.

Fencing

- Encourage and retain fencing character, styles and height for each street which in some circumstances may include no fences.

Noise

- Ensure development along Botany Road and within the vicinity of Foreshore Road is designed to minimise traffic noise transmission.
- Ensure development adjacent to the Goods Railway Line is designed and incorporates measures so that noise levels specified in Clause 87 of SEPP (Infrastructure) 2007 are met. In any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am and anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.
- Ensure development affected by aircraft noise is designed to minimise aircraft noise transmission in accordance with AS2021.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the



airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- Retain and preserve the rectilinear grid pattern within the Precinct

Public Domain and Environment

- Encourage development in the vicinity of parkland and open space.
- Encourage development in the vicinity of Sir Joseph Banks Park and Reserve, Booralee Park and Garnet Jackson Reserve and other significant features such as wetland areas and the golf course to be designed so that the site layout and the development has a relationship with the open space or features through elements such as view corridors and pedestrian linkages.
- Facilitate increased public access to the Botany wetlands and the golf course system.
- Encourage pedestrian links, linking the pocket park open space system and street system within the Precinct.
- Provide sufficient open space to meet a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the precinct.
- Facilitate landscaping and street plantings to complement the built form and create cohesiveness throughout the Precinct.
- Encourage landscaping to be incorporated within the development and site layout to soften the built form, promote pedestrian comfort and enhance the aesthetics of the neighbourhood.
- Encourage the impacts of non-residential uses, such as traffic and noise/air pollution on residential amenity to be minimised.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic and Access

- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct through traffic calming measures.

Views

- Retain existing views.
- Encourage new development to promote vistas, visual links and view corridors to significant areas, features, sky lines and open spaces areas of the LGA and surrounding areas.
- Facilitate development on larger sites to unlock vistas and view corridors to park land, Botany Bay and City skylines.



Risk

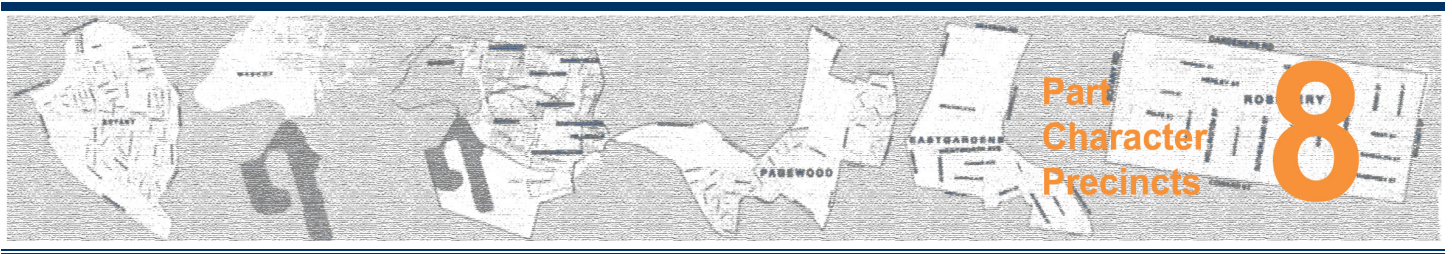
- Part of the suburb is within the zone of influence of the High Pressure Gas Pipeline that follows the ARTC Rail Corridor to the Qenos Site at the Botany Industrial Park, Denison Street, Banksmeadow. Development Applications, planning proposals and rezoning of land received by Council for land within the Zone of Influence will be referred to the APA Group for consideration and comment.
- Recognise that development for 'residential intensification', 'sensitive use intensification', and development that will result in increased traffic volumes or access points onto Stephen Road (being a designated Dangerous Goods Route) must:-
 - consider a transport risk assessment report. The contents and outcomes of a transport risk assessment report are to be in general accordance with the principles outlined in the *Hazardous Industry Advisory Paper N° 6: Guidelines for Hazard Analysis* (Planning NSW, 1992), *Hazardous Industry Advisory Paper N° 4: Risk Criteria for Land Use Safety Planning* (Planning NSW, 1992), *'Hazardous Industry Planning Advisory Paper No. 10 Landuse Safety Planning'* published by the NSW Department of Planning in January 2011 and *'Hazardous Industry Planning Advisory Paper No. 11 – Route Selection'* dated January 2011.
 - receive development concurrence for the application from the Department of Planning & Environment.
- Any other applications for development adjacent to / or within the vicinity of routes designated as 'Dangerous Goods Routes' will be assessed under the relevant Council planning instruments and controls.
- Where a site is considered by Council to be located adjacent to a dangerous goods route defined in this plan, any development on the site will be assessed and viewed as though it was located within the area with the more stringent risk-related development controls specified in this development control plan.

Note: Council in 2012 commissioned a traffic count for Denison Street (in both directions, north and south); which includes a separate count for dangerous goods traffic as Council wanted to compare the overall traffic to the dangerous goods traffic. Whilst this data is available to applicants who are required to prepare a Transport Risk Assessment Report, the data is over 12 months old and depending on the proposed development Council may require a new Transport Risk Survey to be conducted at the applicant's costs. Please contact Council for more information.

Definitions:

Dangerous Goods Routes means identified within the Botany/Randwick Industrial Area Land Use Safety Study.

The Botany / Randwick Industrial Area Land Use Safety Study does not include an assessment of the risk implications of dangerous goods transport, but does identify some routes as having a significant likelihood of carrying such goods. The routes identified within the Botany / Randwick Industrial Area Land Use Safety Study form a wider local and regional road network that may also carry traffic containing dangerous goods. The consideration of risk arising from the transportation of dangerous goods on this local and regional road



network and the impacts this may have on residential and sensitive use development within the Study area needs to be considered as part of the assessment process for future development activity.

Residential intensification means an increase in the number of dwellings or an increase in the number of rooms providing temporary or permanent accommodation.

Residential land uses considered incompatible with residential fatality risk, injury or irritation risk (as defined in *Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning* - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include dwelling houses, hotels, motels, and caretakers residences resulting from any of the following:

- The alteration and / or addition of an existing building;
- The conversion and / or utilisation of an existing building or vacant land;
- The subdivision of land to create a new allotment; and
- The rezoning of land.

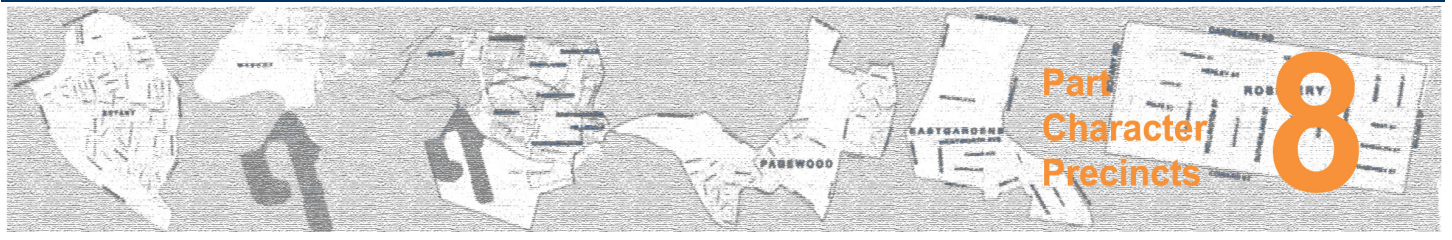
Sensitive use intensification means the establishment of a sensitive use or an increase in the gross operational floor space of an existing building that is occupied by a sensitive land use.

Sensitive land uses that are considered incompatible with fatality risk, injury or irritation risk (as defined in *Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning* - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include:- child care centres, nursing homes, educational establishments, hospitals and units for aged persons.

Site means land comprising one or more allotments that forms an area to which a development consent or application for consent, applies under the provisions of the *Environmental Planning and Assessment Act 1979*.

Additional information:

A number of Hazardous Industry Planning Advisory Papers (HIPAPs) and other guidelines have been issued by the Department of Planning & Environment to assist stakeholders in implementing an integrated risk assessment process and can be found at <http://www.planning.nsw.gov.au/planning-guidelines-for-hazardous-development>



Daceyville Precinct is an early example of a small garden suburb, which can trace elements of both the Garden City and Garden Suburb movement. It is the first place in Australia where these come together as the design was initiated by the government of the day, which could afford the philanthropic influences of model town planning such as open space and lower densities.

Within the Daceyville Precinct there is a mixture of housing stock, comprising of one-storey cottages, semi-detached dwellings and town houses.

The style of housing in the Precinct is Federation Arts and Crafts (constructed in the period 1910-1920). The materials used include brick, painted brick, fibro and rendered finish in a variety of period colours – apricot, peach, pink, brown, green and red. Repetition of particular styles of houses occurs within the precinct, where whole streets contain one particular style of dwelling with similar colours themes. The Daceyville Neighbourhood Centre along General Bridges Crescent is also of Federation period Arts and Crafts style architecture.

Beginning in 1982, the Department of Housing undertook a major urban renewal project on the Daceyville Garden Suburb, covering 12 hectares and 500 dwellings. Where the earlier proposal involved redeveloping the entire suburb with multi-storey apartment blocks, the urban renewal approach was one of rehabilitation and infill, keeping the existing community.

The key feature of the urban renewal project was that new buildings located at the rear of only the largest of the existing lots where any visual impacts could be minimised. Today, there are no further opportunities to undertake developments of this type without impacting on the heritage significance of the area.

During the 1980's various aspects of public domain and shared features also changed including changes to concrete kerbs and some changes to the road configuration.

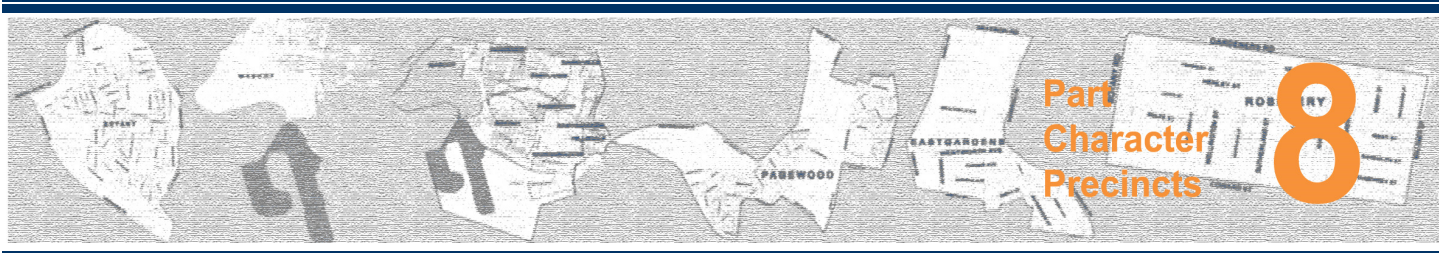
The majority of the Precinct is listed in the Botany Bay LEP 2013 as Daceyville Garden Suburb Heritage Conservation Area. The remaining land in the Precinct is not identified as a heritage conservation area and includes the properties in Astrolabe Road and Isaac Smith Street. The majority of Daceyville Precinct is zoned R2 Low Density Residential, with a B1 Neighbourhood Zone over the Daceyville Shops in General Bridges Crescent and a RE1 Public Recreation Zone over Daceyville Gardens Reserve, Haig Park Reserve and Rowland Park.

David Phillips Field is located at the corner of Banks Avenue & Gwea Avenue and is owned by the University of New South Wales. During 2009-2012 David Phillips Field was redeveloped and now provides for a range of sporting activities including: hockey, soccer, tennis, rugby, football, baseball and touch, and cricket.

There are a number of Heritage Items within the Precinct. These are:

- Dacey Garden Reserve and Substation, corner of Gardeners and Bunnerong Roads, Daceyville;
- Former Community centre at the corner of Willis Crescent and Haig Avenue, Daceyville;
- Commercial Building Group at 1-11 General Bridges Crescent, Daceyville;
- Marist Brothers School and Presbytery at Haig Avenue, Daceyville;
- St Michael's Church at Haig Avenue, Daceyville; and
- Daceyville Public School at Joffre Crescent Daceyville.

The scale of the built form, the width of the road reserves and the wide verges creates a streetscape that strongly features an open and landscaped theme. This theme is evident along Cooks Avenue and Banks



Avenue where there is the wide road reserve and a planted median strip. The mature palms on Bunnerong Road create an impressive impact on the streetscape environment.

Daceyville Precinct's existing subdivision pattern is an essential element in defining the original plan for the area of the suburb. The original plan for Daceyville contained single-storey semi-detached houses on lots ranging in size from 300m² to 412m², with generous front setbacks and with floor space ratios in the range of 0.2:1 to 0.23:1. As a result, each residence has a relatively low site coverage compared to contemporary forms of detached and semi-detached residential development.

A strong relationship also occurs between the public and private domain as a result of low scale barriers such as fencing, hedges and planting or no barriers along the property boundaries abutting a public road or open space area.

Landscaping within the precinct is generous with well-established gardens and vegetated public areas.

Refer to **Part 3B - Heritage** for further information on development of and in Daceyville.

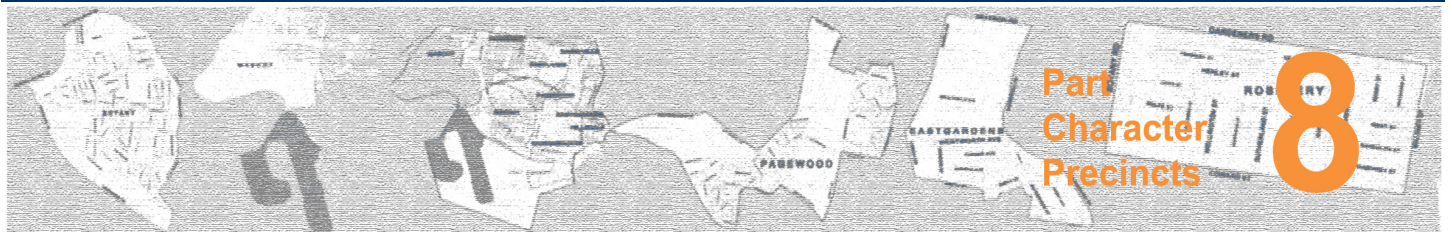
8.5.2 Desired Future Character

Function and Diversity

- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Retain and maintain the Precinct for predominantly low-scale residential dwelling houses with generous front setbacks and lots ranging in size from 300m² to 400m² with a distinctive housing style of Federation Arts and Crafts.
- Retain original Arts & Crafts Federation, single and two-storey building stock in its original configuration.
- Sympathetically design infill to respect the heritage character of the Precinct.
- Encourage and limit retail activity along General Bridges Crescent in the B1 Neighbourhood Centre Zone (refer to **Part 5.2.2.1 - Daceyville Neighbourhood Centres**).
- Retain and conserve the heritage significance of the non-residential contributory buildings.

Form, Massing, Scale and Streetscape

- Maintain single-storey building height on streets which are dominated by early Garden Suburb single storey dwellings.
- Maintain the streetscape character dominated by two-storey dwellings by siting new development at the rear of sites and not exceeding the original building height.
- Encourage sympathetic designs for alteration, additions and extensions to early Garden Suburb housing to maintain and complement the prevalent architectural style of the buildings.
- Facilitate infill dwellings houses which reflect the established character of Daceyville but do not completely imitate the character of the heritage buildings.
- Encourage contemporary equivalents of heritage houses which sympathetically interpret the facades, buildings form, scale, rhythm and materials to complement the existing character of the immediate vicinity.
- Maintain the established building orientation of the Precinct.



- Encourage hipped and gabled roofs and the use of various roof materials to complement the existing character and form.
- Encourage development to follow the topography of the land.
- Promote site access and parking facilities that do not dominate the streetscape.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Setbacks

- Retain front and side setbacks of early Garden Suburb housing to protect the relationship between individual buildings, the public domain and thereby assisting in the conservation of Daceyville as a Garden Suburb.

Landscaping

- Maintain original tree plantings and where replacements are necessary maintain consistency with the existing original trees and plantings of the Precinct.

Heritage

- Conserve and enhance the heritage significance of Daceyville through understanding the physical evolution of the suburb as part of the Garden Suburb movement, the physical elements that comprise the suburb and the historical development of Daceyville.

Fencing

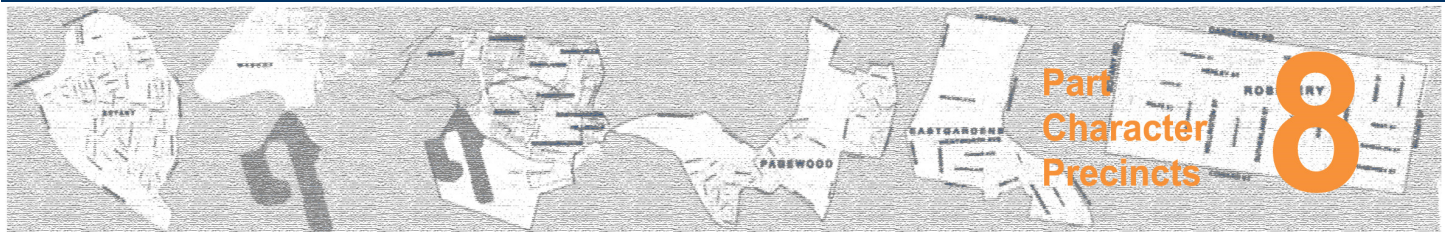
- Encourage and retain fencing character, styles and height of each street which in some circumstances may include no fences.

Noise

- Ensure that development along Gardeners Road and Bunnerong Road is designed to minimise traffic noise transmission.
- Ensure that development designed to minimise aircraft noise transmission in accordance with AS2021.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- Protect and maintain Daceyville's existing subdivision pattern.
- Prohibit the subdivision or amalgamation of land within Precinct.



Public Domain and Environment

- Retain original gardens elements such as gates, concrete borders, and red oxide coloured pathways and concrete plinths as they contribute to the character of Daceyville Garden Suburb.
- Maintain the spatial relationship between front gardens and the building on which the building is sited. (i.e. front setbacks are to be retained in their original form).
- Ensure garden designs of new development incorporate landscaping which are consistent with the existing scale, style and materials.
- Restrict paving in the front setbacks of Early Garden Suburb housing to driveways, hardstand and entrance paths to house to maintain the remainder of the front setbacks as grass and other soft landscape features.
- Maintain and preserve Daceyville Precinct's public street planting and parks in particular Haig Park, Daceyville Gardens and Astrolabe Parks.
- Maintain and preserve significant vistas and streetscapes, where landscaping forms an integral design of the layout.
- Maintain concrete plinth walls, which were designed to demarcate the public and private domains.
- Maintain existing footpaths.
- Conserve and retain early name plates and early wall-mounted street signs.
- Maintain the existing configuration of roads, paths, kerbs and guttering.
- Limit freestanding signage street sign to those parts of the Precinct for which it forms part of the original character.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic & Access

- Discourage through traffic throughout the Precinct through traffic calming measures.
- Promote parking which is consistent with the character and streetscape of the Precinct
- Limit the modern garages, carports and on-site parking facilities as they are generally inconsistent with the design principles and streetscape of the Precinct.
- Facilitate garages, carports, hardstands and verge crossings which minimise impacts on the heritage significance of the Conservation Area.

Views

- Retain and enhance views and vistas especially on Cooks Avenue and Banks Avenue.



8.6 Rosebery Character Precinct

8.6.1 Existing Local Character

Whilst Eastlakes produces a number of housing styles the Rosebery Precinct (refer to **Figure 9**), predominately produces a consistent low-density scale of development with larger detached dwelling houses. The majority of the Precinct comprises of one and two-storey brick dwellings with multi unit housing developments including townhouse, semi-detached and villa style developments scattered throughout the Precinct. The one-storey cottages are depicted in two predominant styles – inter-war and post-war. These buildings are constructed of brick, fibro or timber cladding and contribute to the heritage conservation in the LGA. This low to medium density style of development promotes tree-lined streets with a focus on urban amenity and generous street setbacks.

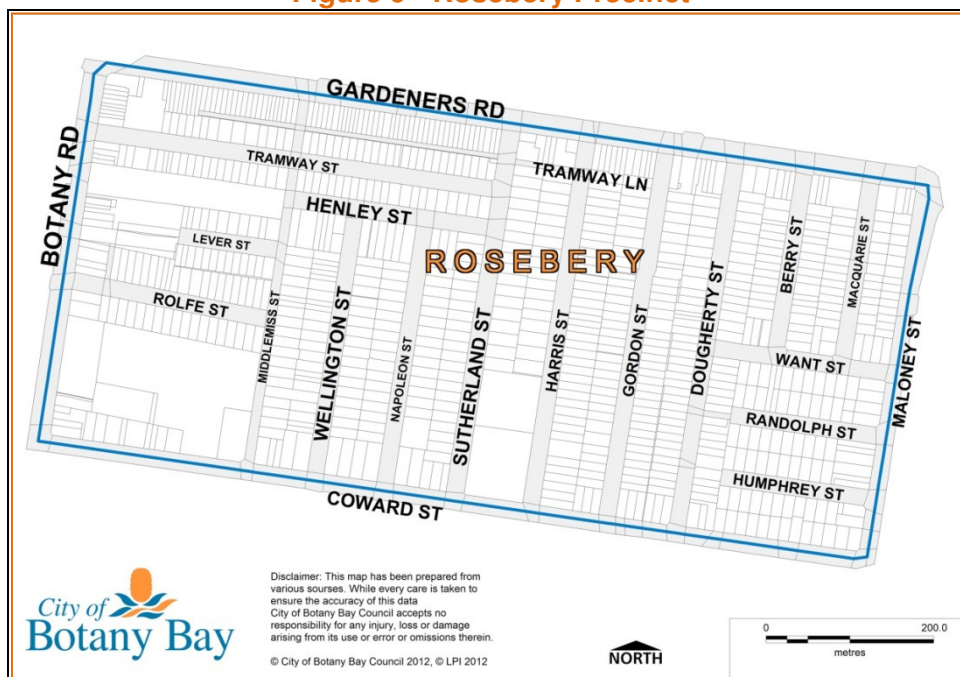
The Precinct is within the 20 to 25 ANEF contour which is conditional for residential development.

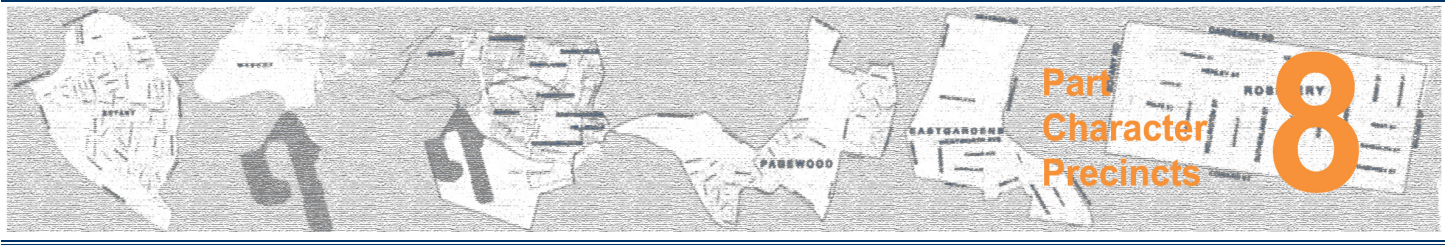
The Rosebery Precinct includes St Therese Catholic Church and primary school at the corner of Coward & Sutherland Streets. Also immediate to the south of St Therese is JJ Cahill Memorial High School.

The Rosebery Neighbourhood Centre is located along Gardeners Road on a flat section of land. The centre consists of a good mix of local shops (around 100 shops) which service the local community.

The historic former Roxy Theatre is a Heritage Item which located at the centre of the shops and provides a landmark for the Shopping Village (refer to **Part 3B - Heritage**).

Figure 9 - Rosebery Precinct





8.6.2 Desired Future Character

Function and Diversity

- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Maintain the Rosebery Precinct as a residential area that is characterised by the distinct housing styles of dwelling houses.
- Encourage and focus retail activity and shop top housing within Rosebery Neighbourhood Centre (refer to **Part 5.2.2.6 - Rosebery Neighbourhood Centre**).
- Promote development which increases neighbourhood amenity and enhances pedestrian comfort.
- Encourage site layout, building styles and designs that promote commonality and a visual relationship with the surrounding built form and dwelling styles.
- Encourage dwelling styles that maintain and complement existing development patterns.
- Encourage an increased height and density in the form of terrace style housing in Special Area H1 (refer to **Part 4A - Dwelling Houses**).

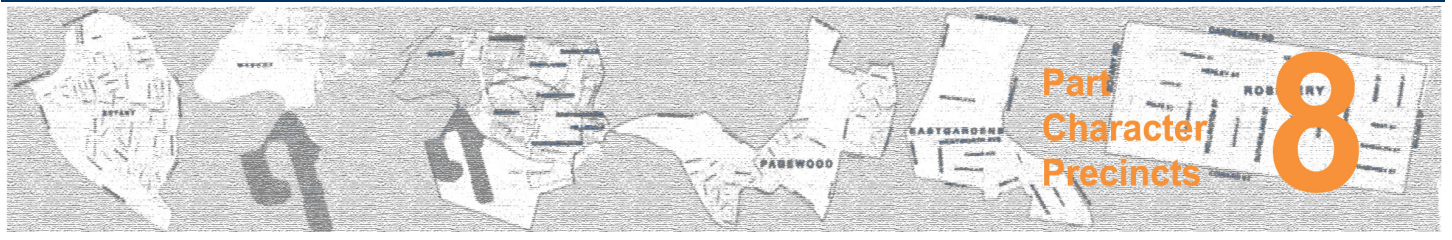
Form, Massing, Scale & Streetscape

- Encourage predominantly low density residential accommodation in the form of detached/attached dwellings throughout the Precinct with a maximum height of 2 storeys (9 metres height limit), unless the site is zoned R3 – Medium Density Residential and has a site area is over 2000m² which then permits a FSR of 1.5:1 and 2 storeys (at the street) to 6 storeys (a maximum height of 22 metres).
- Encourage development to follow the topography of the land.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development to complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms which are characteristic of the prevailing designs within the street.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.



The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.

Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and
 - Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

- Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
- Retain side setbacks, where they are consistent within a street.

Landscaping

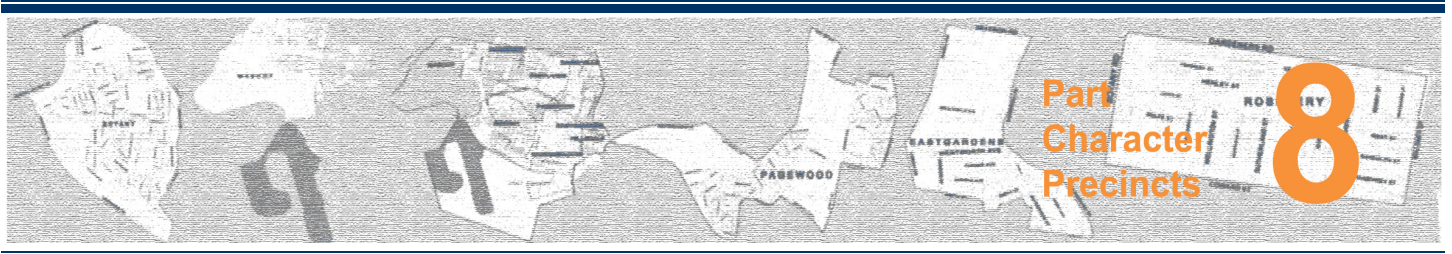
- Encourage landscaping within the front and side setback to soften the built form particularly in high density terrace, unit and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.

Heritage

- Promote sympathetic urban design and uses that protect and enhance the character and the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.

Fencing

- Encourage and retain a low scale fencing height.



Noise

- Ensure development along Gardeners Road and Botany Road is designed to minimise traffic noise transmission.
- Ensure that development affected by aircraft noise is designed to minimise aircraft noise transmission in accordance with AS2021.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- Retain the existing rectilinear grid pattern in the Precinct; with a minimum of 5 metre wide frontage subdivision permitted in Special Area H1 (refer to **Figure 10 – Special Area H1**).
- Encourage increased height and density in the form of terrace style housing (maximum height of 9 metres) in Special Area H1 (refer to **Part 4A - Dwelling Houses**).

Public Domain and Environment

- Promote pedestrian links, linking the pocket park open space system and street system within the Precinct.
- Preserve and maintain open space areas within the precinct to cater for a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the precinct.
- Encourage landscaping and street planting to complement the built form and provide cohesiveness throughout the Precinct.
- Enhance the aesthetics of the neighbourhood through landscaping within a site to soften the built form and promote pedestrian comfort.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic and Access

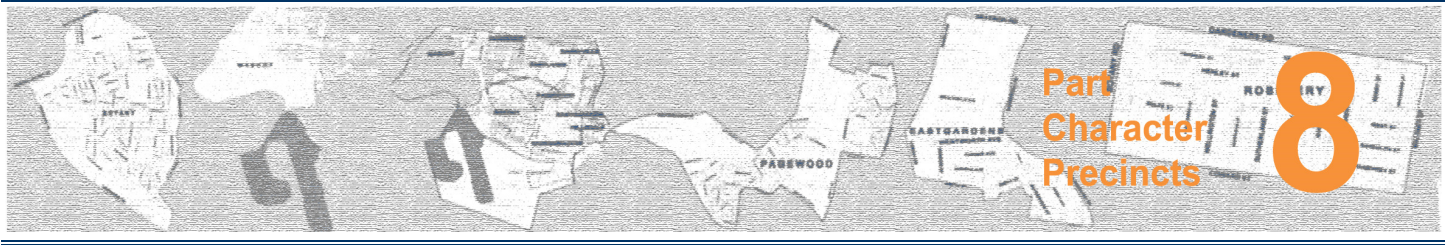
- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct by the means of traffic calming measures.

Views

- Retain existing views.

Figure 10 - Special Area H1





8.7 Mascot Character Precinct

8.7.1 Existing Local Character

The Mascot Precinct is located in a prominent location within the City as it abuts the Airport, contains Mascot Station Precinct (part of the Airport Link railway line) and is linked to the major regional and State road networks (refer to **Figure 11**).

The Precinct contains a range of land uses including industrial/airport related, residential and retail. These uses are clearly segmented - with industrial uses being located in the area bound by O'Riordan Street, Alexandra Canal, Gardeners Road and the Airport. Linear retail strips are situated along Botany Road and Gardeners Road and residential uses occupy the remaining parts of the Precinct.

Mascot Station Town Centre Precinct is subject to **Part 9A - Mascot Station Town Centre Precinct** and the Employment Zones - B5 Business Development and B7 Business Park are subject to **Part 6 - Employment Zones**.

The Precinct has a variety of residential buildings, with dominant styles being one-storey dwellings. This housing stock is of three main styles – Victorian Georgian, Californian Bungalow and Post-war. A variety of materials have been used in the construction of these dwellings, including fibro, brick or a rendered finish.

The front setbacks, being the distance between the building line and the boundary line, are fairly uniform within each street within the Precinct ranging from approximately 2 metres to 3 metres in some streets to 5 metres to 6 metres in others.

The majority of dwelling houses have small-scale fences, being 0.5 metres to 0.8 metres in height. These fences are constructed of brick, aluminium or timber palings.

Generally existing multi unit housing developments use site layout, landscaping and fencing to provide separation from surrounding residential development.

The widths of streets within Precinct vary, for example Gardeners Road is approximately 16m wide, whilst Middlemiss Street is approximately 8m wide.

The average area for allotments within this precinct is 271.18m².

Land north of King Street is within the 20 to 25 ANEF contour which is conditional for residential development. Land south of King Street is within the 25 to 30 Contour (which is unacceptable for residential development). In certain circumstances, and subject to Council discretion, Council may grant consent to development where the building site has been classified as "unacceptable" under Table 2.1 of AS2021-2000. (refer to **Part 3 - Aircraft Noise and OLS**).

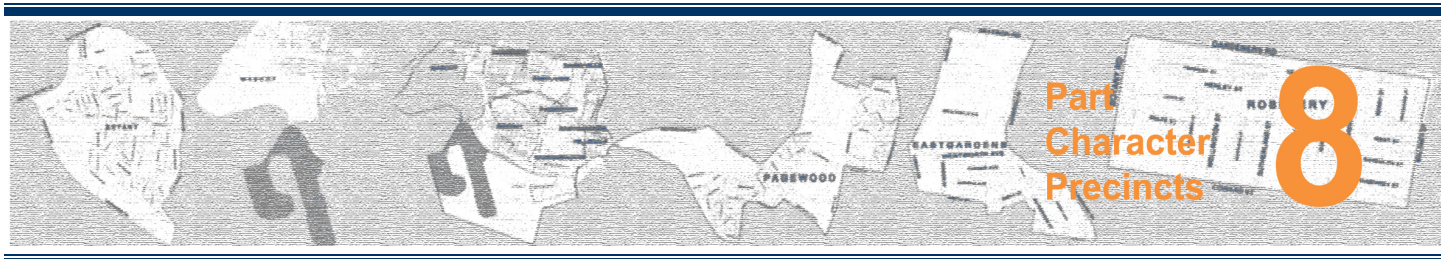
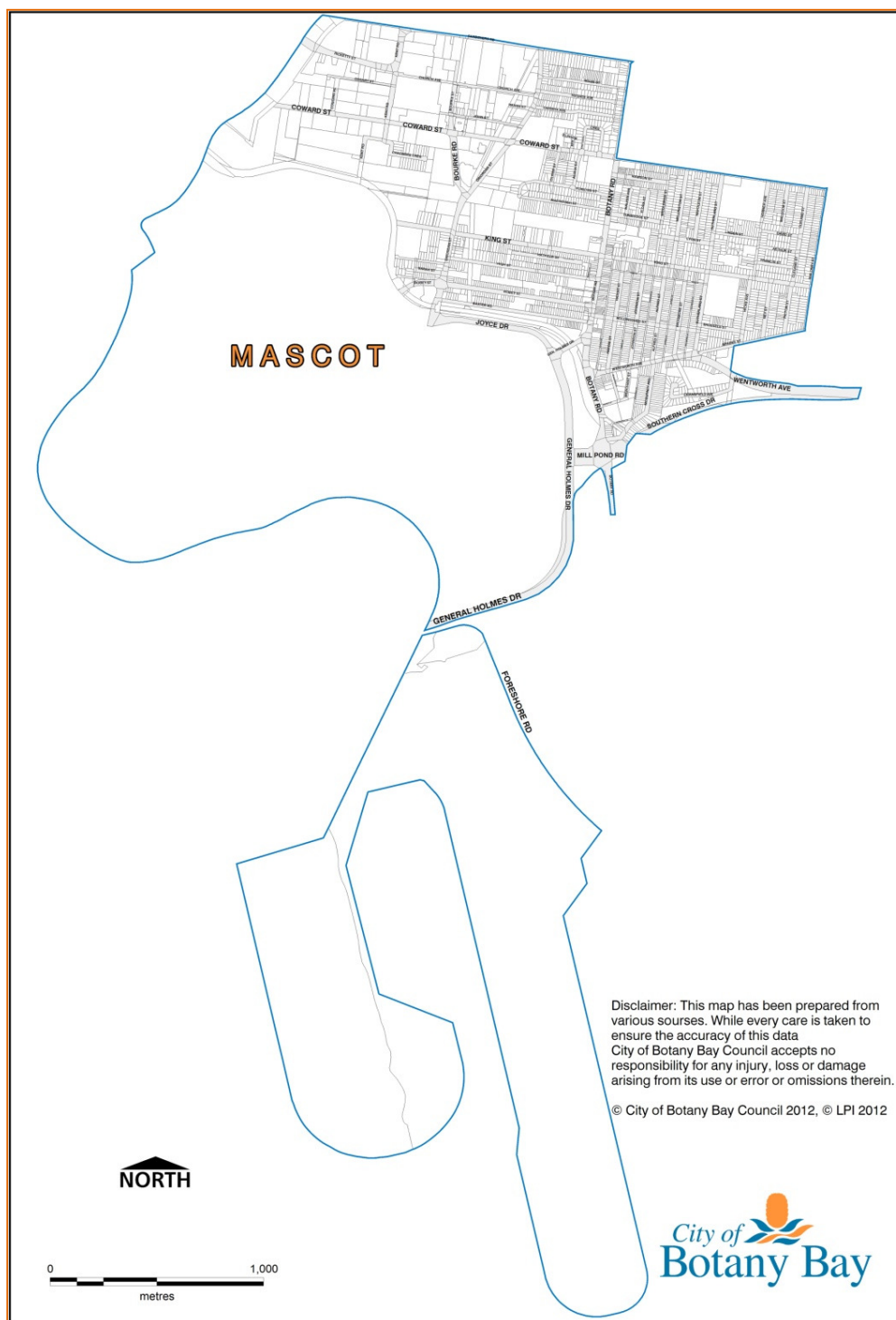
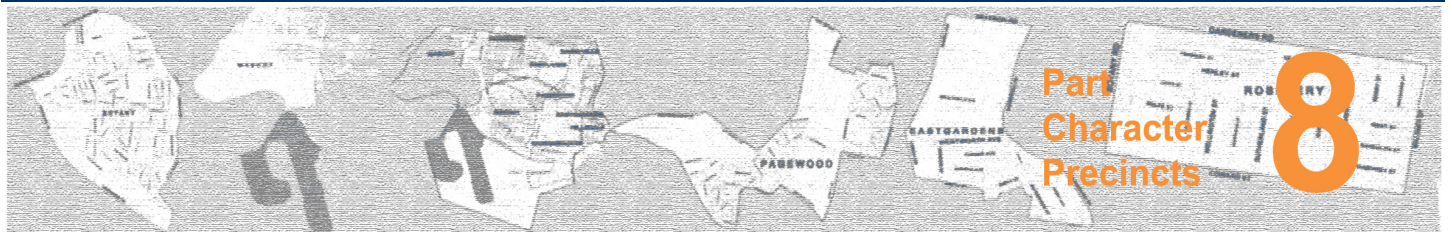


Figure 11 - Mascot Precinct





8.7.2 Desired Future Character

Function and Diversity

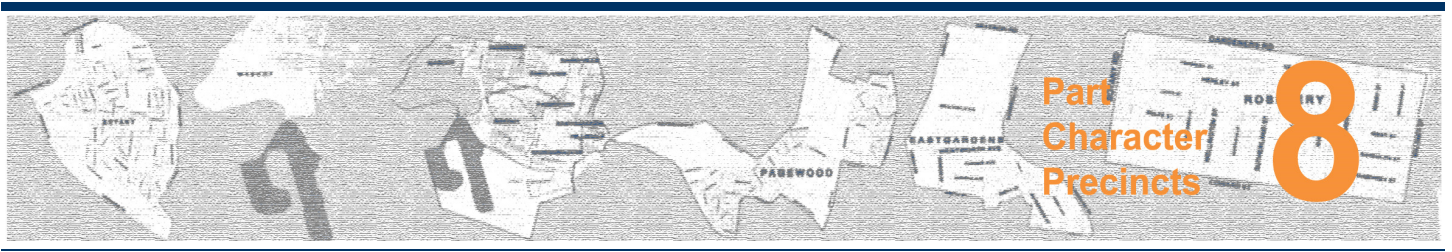
- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Retain the Precinct as a residential area with a dominance of high rise residential in the Mascot Station Town Centre Precinct with non-residential development along O’Riordan Street and to the west of O’Riordan Street.
- Focus and limit retail activity to the Mascot Station Town Centre Precinct and Mascot Local Centre within the Precinct (refer to **Part 5.2.2.8 - Mascot Local Centre and Part 9A - Mascot Station Town Centre Precinct**).
- Encourage different housing styles depending on the locality.
- Enhance neighbourhood amenity and pedestrian comfort.
- Encourage site layout, building styles and designs which promote commonality and a visual relationship with the surrounding built form and dwelling styles.
- Ensure there is consistent streetscape through the use of front setbacks, fencing and landscaping.
- Promote site linkages (visual and pedestrian).

Form, Massing, Scale and Streetscape

- Encourage development to follow the topography of the land.
- Facilitate high rise residential development (up to 12 storeys) within the Mascot Station Town Centre Precinct (refer to **Part 9A - Mascot Station Town Centre Precinct**).
- Encourage medium density residential development in areas adjacent/adjoining existing medium density residential development, with a FSR of 0.85:1 and heights of 3 storeys (maximum 12 metre height limit) unless the site area is over 2000m² which then permits a FSR of 1.5:1 and 2 to 6 storeys (maximum height of 22 metres).
- Retain predominantly low density residential accommodation in the form of detached/attached dwellings in the remaining residential areas of the Precinct with a maximum height of 2 storeys (9 metres height limit).
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development to complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms to reflect the characteristics of the prevailing designs within the street.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:



- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.

The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.

Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and
 - Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

- Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
- Retain side setbacks, where they are consistent within a street.

Landscaping

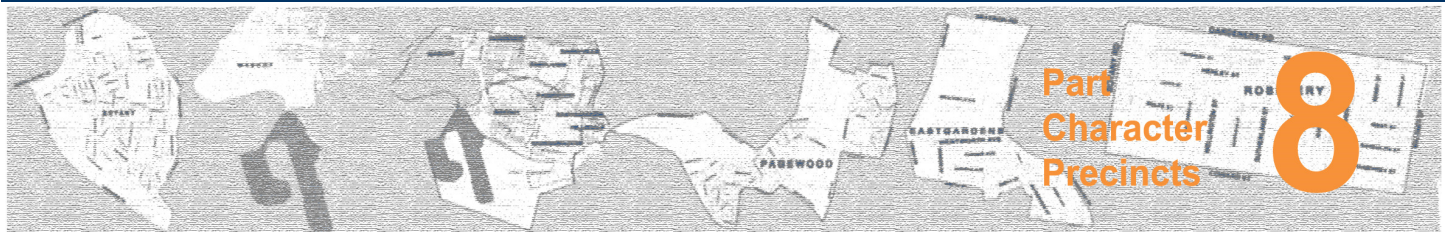
- Encourage the use of view lines featuring landscaping and soft architecture.
- Encourage landscaping within the front and side setback to soften the built form particularly in high density terrace, unit and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.

Heritage

- Promote urban design and uses that enhance to the character of the area and protect and are sympathetic to the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.

Fencing

- Encourage and retain fencing the existing character, styles and height of each street.



Noise

- Ensure development along Botany Road, Gardeners Road, Wentworth Avenue and Southern Cross Drive is designed to minimise traffic noise transmission.
- Ensure the development adjacent to the Goods Railway Line is designed and incorporate measures to ensure that noise levels specified in Clause 87 of SEPP (Infrastructure) 2007 are met - in any bedroom in the building -35 dB(A) at any time between 10.00 pm and 7.00 am; and anywhere else in the building (other than a garage, kitchen, bathroom or hallway) -40 dB(A) at any time.
- Ensure development affected is designed to minimise aircraft noise transmission in accordance with AS2021.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- Retain the existing rectilinear grid pattern in the Precinct.
- Encourage 5 metre wide frontage allotments for land that fronts:
 - King Street only (Botany Road to Maloney Street);
 - Maloney Street only (King Street to Gardeners Road); and
 - Coward Street only (Maloney Street to Botany Road).

Refer to **Figure 10 – Special Area H1**.

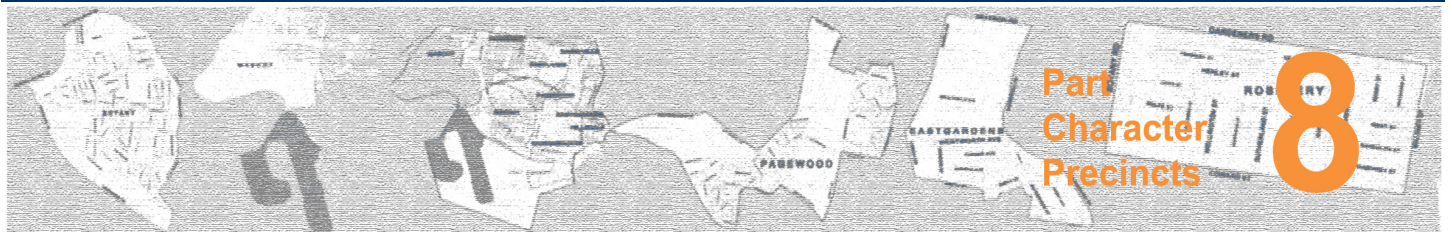
Note: Building height is restricted to a maximum of 9 metres.

Public Domain and Environment

- Encourage developments located in the vicinity of parkland and open space to have a relationship with the open space or features through elements such as view corridors and pedestrian linkages.
- Encourage pedestrian links, linking the pocket park open space system and street system within the Precinct.
- Preserve and maintain open space areas within the precinct to cater for a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the precinct.
- Facilitate landscaping and street plantings to complement the built form and create cohesiveness throughout the Precinct.
- Encourage landscaping to be incorporated within the development and site layout to soften the built form, promote pedestrian comfort and enhance the aesthetics of the neighbourhood.
- Encourage the impacts of non-residential uses, such as traffic and noise/air pollution on residential amenity to be minimised.
- Enhance pedestrian amenity, promote active street frontage and encourages links to public areas such as Lever Street Reserve.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.



Traffic and Access

- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct through traffic calming measures.

Views

- Retain existing views.

Risk

- Part of the suburb is within the zone of influence of the High Pressure Gas Pipeline that follows the ARTC Rail Corridor to the Qenos Site at the Botany Industrial Park, Denison Street, Banksmeadow. Development Applications, planning proposals and rezoning of land received by Council for land within the Zone of Influence will be referred to the APA Group for consideration and comment.

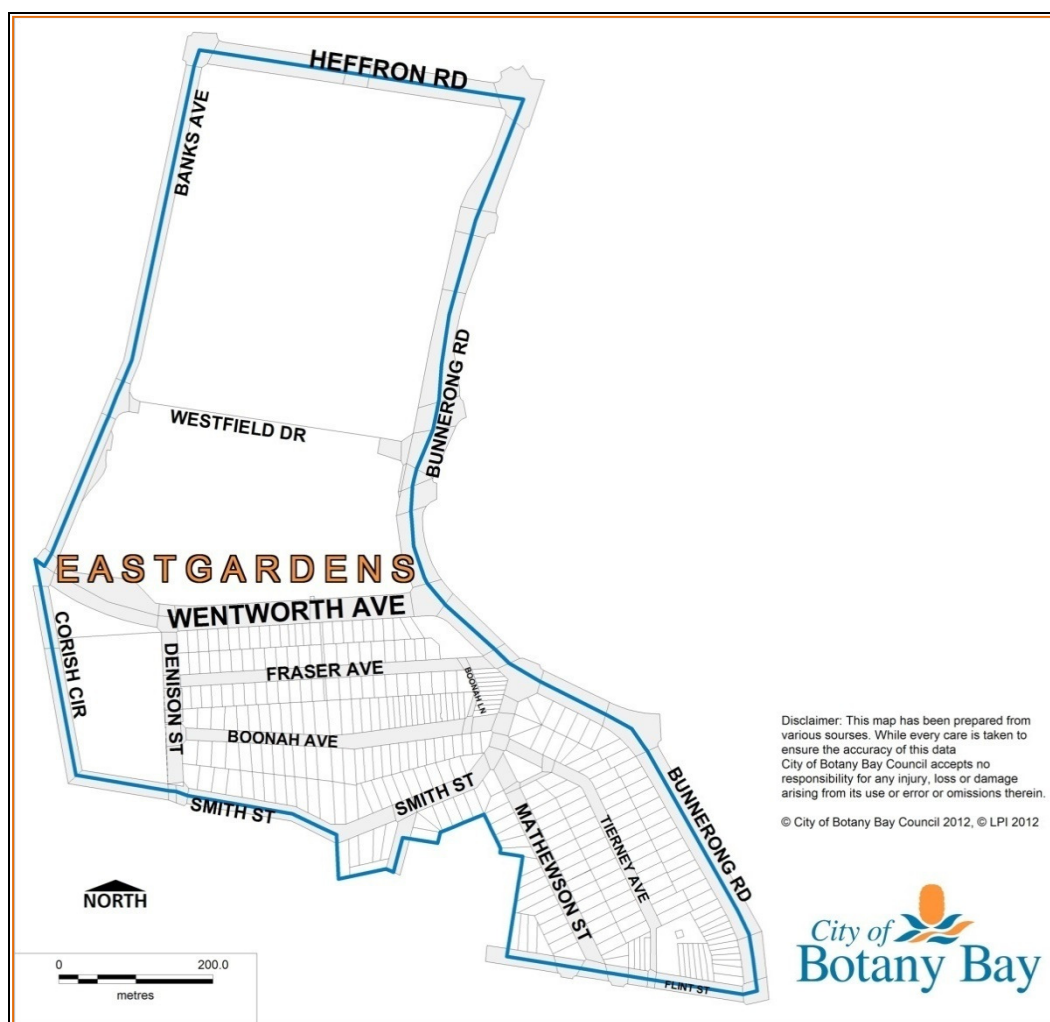


8.8 Eastgardens Character Precinct

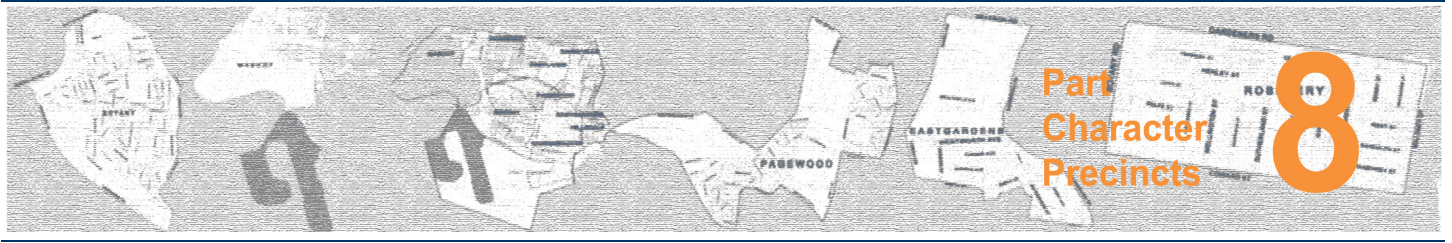
8.8.1 Existing Local Character

The Eastgardens Precinct contains the Westfields Shopping Centre; the British American Tobacco Site (BATA) and low density detached dwelling houses dominating the southern portion of the Precinct (refer to **Figure 12**). Dwelling houses are clustered in Fraser Avenue, Boonah Avenue, Bunnerong Road, Tierney Avenue, Matheson Street and Smith Street.

Figure 12 - Eastgardens Precinct



Westfield Eastgardens is a major shopping centre in the region providing many goods and essential services and contains a major bus interchange facility with bus routes connecting Eastgardens with the City, Bondi



Junction, Burwood, Rockdale, Little Bay, Port Botany and La Perouse. The shopping centre is bounded by the BATA site to the north and Bonnie Doon Golf course to the west.

The British American Tobacco site to the north of the Westfield shopping centre is a large site, which has been actively used for industrial purposes for many years.

The Precinct is divided by Wentworth Avenue which is a Road Maritime Services (RMS) controlled road and Bunnerong Road is the Precinct's eastern boundary which is also a RMS controlled road. Denison Street is a dangerous goods route and the main access to Port Botany from Wentworth Avenue which is located at the western boundary of the low density detached dwellings south of Wentworth Avenue. The continued location of industrial land uses to the west and south of the residential areas continues to create conflicts between land uses.

Landscaping provided within the Eastgardens Precinct including street trees and planting within properties has created a pleasant environment, which ensures a contrast to the industrial built form to the west.

There is only one major open space area within the Precinct, being Hensley Athletic Field, bounded by Wentworth Avenue, Denison Street, Smith Street and Corish Circle. The Hensley Athletic Field's prime focus is to provide a range of specialist recreation opportunities relating to athletics and field sports. The running track and field events area provides specialist facilities and surfaces for athletics; the infield provides play and training opportunities for field sports such as soccer, rugby and league. Cricket practice nets are also available.

There are two small pocket parks in the Precinct, being Tierney Avenue Reserve at the corner of Flint Street and Tierney Avenue and Muller Reserve at the corner of Tierney Avenue and Mathewson Street.

The setbacks within the low density detached dwelling south of Wentworth Avenue vary between 5 metres to 8 metres. Fences are varied in height and style but the majority are of a low-scale.

Eastgardens south of Wentworth Avenue is not affected by ANEF noise contours, Acid Sulfate Soils or a low lying groundwater table thereby reducing the environmental issues that are commonly experienced in other parts of the LGA.

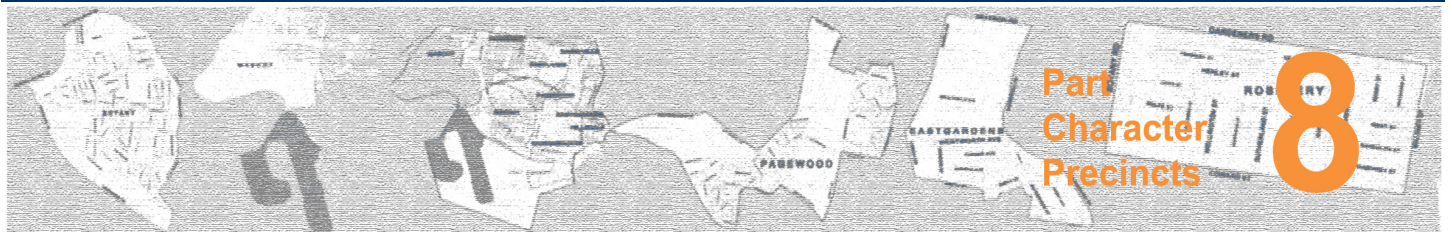
Risk

Eastgardens is adjacent to the Botany / Randwick industrial area which forms a significant industrial complex of State and National significance. The location of the industrial area, within the vicinity of residential areas, has required that safety studies into the cumulative risk of industrial activity be undertaken to quantify and measure hazard risk associated with such activities.

The Department of Planning & Environment has released three studies that investigate industrial operations and make land use planning recommendations. Studies released to date include the '*Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany*' (1985), the '*Port Botany Land Use Safety Study*' (1996) and the '*Botany / Randwick Industrial Area Land Use Safety Study*' (2001).

A Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany - 1985

Analysis of hazard risk implications within the Botany / Randwick Industrial area was first examined in 1985 by Planning NSW (formerly the Department of Environment and Planning) within a report titled '*A Risk*



Assessment Study for the Botany / Randwick Industrial Complex and Port Botany. The risk assessment study was initiated by the Department in response to concerns expressed by community groups and local councils about the intensification of potentially hazardous installations and associated facilities in the area and their risk implications on nearby residential land uses.

The recommendations from the 1985 study that relate to residential risk implications and land use controls under recommendation 12, state that:-

- no intensification of residential developments should be allowed within areas identified in the study;
- provisions within a planning instrument that permit an increase in existing residential dwelling density should be reviewed;
- new residential intensification within the cumulative risk areas identified within the study should be the subject of the Director's concurrence.

The study had no status under the Environmental Planning and Assessment Act 1979 and subsequently relied on the support of Council to implement the recommendations contained in the study. Council has supported the recommendations of the study relating to land use planning and has in practice referred residential development applications, which aim to intensify development to Planning NSW for concurrence.

Port Botany Land Use Safety Study – 1996

Port Botany is a major infrastructure facility that handles and accommodates activities involving hazardous materials including - loading / unloading, storage and distribution of dangerous goods and materials.

The Port Botany Land Use Safety Study was undertaken by the Department of Planning to update the 1985 Study, develop updated cumulative risk contours (to provide a framework for assessment and decision making for future developments) and formulate a strategic land use safety framework.

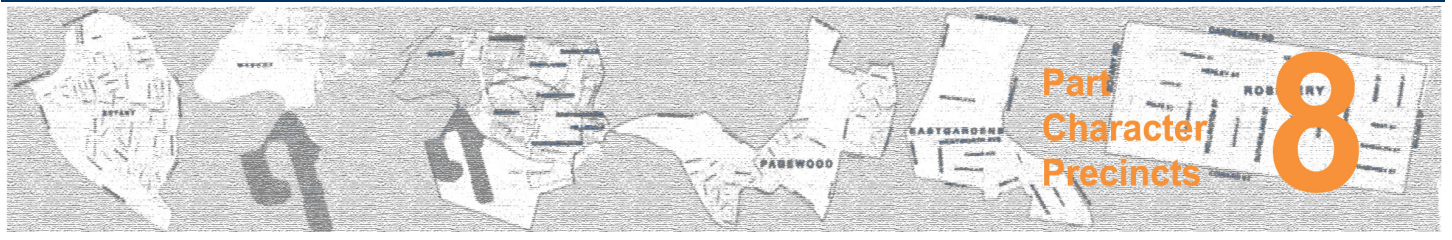
The recommendations of the Study were:

- Future developments in the Port should undergo early risk assessment and comprehensive environmental impact processes to demonstrate that the use will not contribute to any cumulative risk – as identified in the Port area.
- Development controls are put in place to ensure there is no significant increase in the number of people exposed to risk – as identified in the residential risk contour.
- Individual site studies are undertaken to develop programs that are then implemented to create risk reduction and safety management measures.
- The Port and Port users prepare emergency plans / procedures and fire prevention / protection systems.
- The Port and Port users adopt a program to ensure the community is adequately informed on Port activities, associated risks and safety management measures.

Botany / Randwick Industrial Area Land Use Safety Study

Planning NSW in 2001 published the 'Botany / Randwick Industrial Area Land Use Safety Study' with the objectives of:

- Updating the 1985 cumulative risk study for the Botany / Randwick industrial area;



- Developing a framework for the efficient assessment and decision making for future developments;
- Formulating a strategic land use safety framework for future developments in the Botany / Randwick Industrial Area and surround land uses.

The review investigated two cases based on two industrial scenarios. The cases were aimed at identifying the cumulative risk levels resulting from the industrial area under the current conditions (pre – 2001) and a predicted future case (2001). An explanation of the cases are as follows:

- The Existing Case (Pre-2001): The Orica mercury cell chlorine plant and chlorine liquefaction facilities and associated bulk chlorine storage. Risks associated with the chlorine plant include incidences such as a chlorine vapour cloud release due to equipment failure or due to fire / radiation impacts on the plant and storage from a fire in the vicinity.
- The Future Case (2001): The Existing Orica chlorine plant being replaced with membrane production facilities. The bulk storage of chlorine has ceased. The removal of chlorine liquefaction and storage on site will reduce the likelihood of chlorine releases occurring.

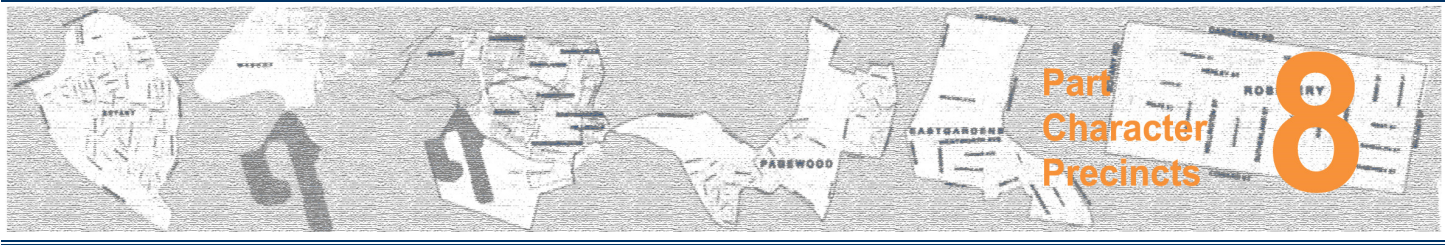
It should be noted that Council received a letter from the then Planning NSW dated 31 October 2002 advising that the recommendations in the Land Use Safety Study for the *Future Case* now apply. The *Future Case* applied from 31 October 2002.

The key findings of the Botany / Randwick Industrial Area Land Use Safety Study has been a significant improvement in the cumulative risk areas that result from the industrial operations located within the Botany / Randwick industrial area.

Recommendations that resulted from the study were:

1. Future developments in the Botany / Randwick industrial area should be subject to early risk assessment and comprehensive environmental impact processes to conclusively demonstrate they will not contribute to risk impacts outside the industrial area that are inappropriate for surrounding land uses.
2. Effective land use safety planning should be implemented to allow future developments in the area, and to reconcile any potential land use planning conflicts.
3. A process of regular reviews and updates for site safety management systems should be undertaken.
4. Emergency plans and procedures, and fire prevention and protection systems should be kept up-to-date.
5. Industrial facilities should adopt community right-to-know principles to ensure the community is adequately informed about activities, associated risks and safety management measures adopted within the Botany / Randwick industrial area.

Implementation of recommendations 1, 3, 4, and 5 listed above are the responsibility of State, Local Governments and industry to administer through consultation and development approvals. Implementation of recommendation 2 is achieved by the City of Botany Bay Council through the preparation of this Development Control Plan to give the Study status under the Environmental Planning and Assessment Act 1979.



8.8.2 Desired Future Character

Function and Diversity

- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Maintain Eastgardens Westfields Shopping Centre as the major shopping centre providing goods and essential services for the region.
- Retain the area south of Wentworth Avenue for low density detached dwelling houses.
- Maintain & enhance the bus interchange facility at Eastgardens Westfields Shopping Centre to service bus routes connecting Eastgardens with the City, Bondi Junction, Burwood, Rockdale, Little Bay, Port Botany and La Perouse
- Facilitate pedestrian and street access for any extensions/additions/alterations to Westfields Eastgardens.

Form, Massing, Scale and Streetscape

- Maintain predominantly low density residential accommodation in the form of detached dwellings south of Wentworth Avenue with a maximum height of 2 storeys (8.5 metres).
- Encourage development to follow the topography of the land.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development to complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms to reflect the characteristics of the prevailing designs within the street.

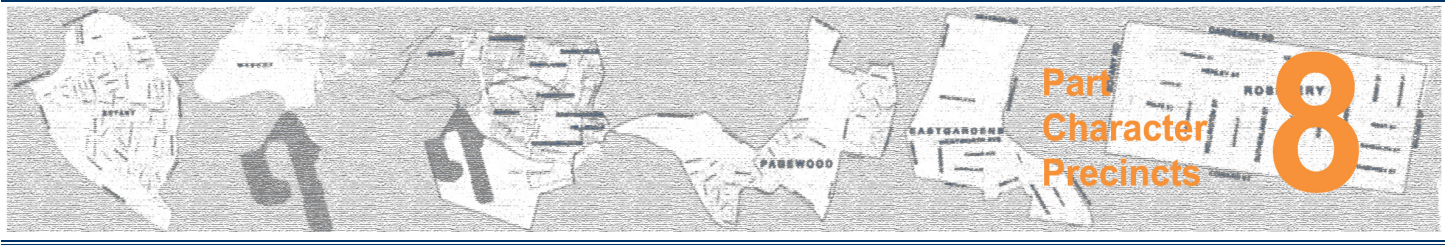
Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.

The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.



Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and
 - Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

- Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
- Retain side setbacks, where they are consistent within a street.

Landscaping

- Encourage landscaping within the front and side setback to soften the built form particularly in high density terrace, unit and residential flat buildings.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.

Heritage

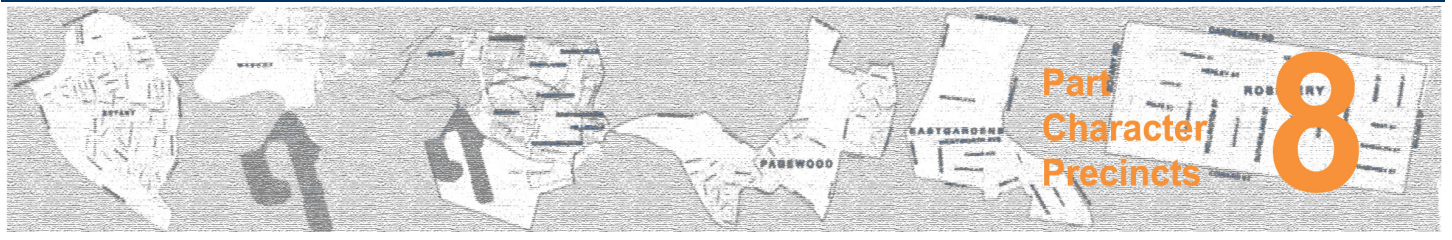
- Promote sympathetic urban design and uses that protect and enhance the character and the significance of Heritage Items.
- Conserve and enhance Heritage Items within the Precinct.

Fencing

- Encourage and retain fencing character, styles and height of each street which may in some circumstances include no fences.

Noise

- Ensure development along Wentworth Avenue and Bunnerong Road is designed to minimise traffic noise transmission.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.



Subdivision

- Retain and preserve the rectilinear grid pattern within the precinct.

Public Domain and Environment

- Provide sufficient open space to meet a variety of recreational needs.
- Encourage landscaping and vegetation planting within both the public and private domain of the precinct.
- Facilitate landscaping and street plantings to complement the built form and create cohesiveness throughout the Precinct.
- Encourage landscaping to be incorporated within development and the site layout to soften the built form, promote pedestrian comfort and enhance the aesthetics of the neighbourhood.
- Encourage the impacts of non-residential uses, such as traffic and noise/air pollution on residential amenity to be minimised.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic & Access

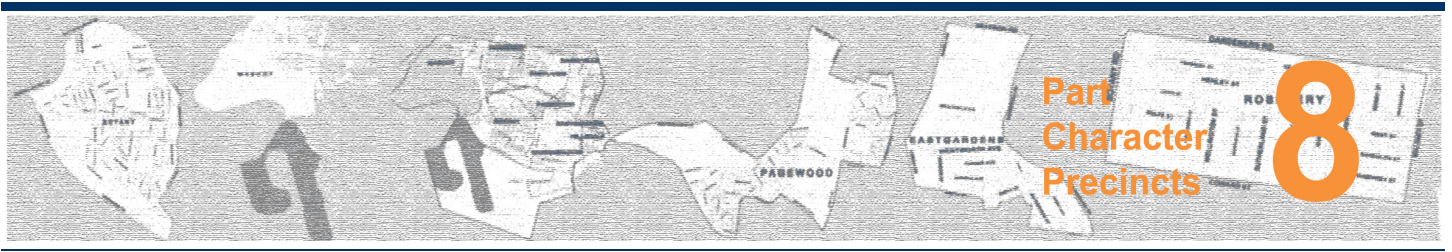
- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.
- Discourage through traffic throughout the Precinct through traffic calming measures.
- Promote walking, cycling and a safe pedestrian environment in and around the Eastgardens Westfields Shopping Centre.

Views

- Retain existing views.

Risk

- Recognise that development for 'residential intensification', 'sensitive use intensification', and development that will result in increased traffic volumes or access points onto Denison Street (being a designated Dangerous Goods Route) must:
 - Consider a transport risk assessment report. The contents and outcomes of a transport risk assessment report are to be in general accordance with the principles outlined in the *Hazardous Industry Advisory Paper N° 6: Guidelines for Hazard Analysis* (Planning NSW, 1992), *Hazardous Industry Advisory Paper N° 4: Risk Criteria for Land Use Safety Planning* (Planning NSW, 1992), 'Hazardous Industry Planning Advisory Paper No. 10 Landuse Safety Planning' published by the



NSW Department of Planning in January 2011 and 'Hazardous Industry Planning Advisory Paper No. 11 – Route Selection' dated January 2011.

- Receive development concurrence for the application from the Department of Planning & Environment.
- Any other applications for development adjacent to / or within the vicinity of routes designated as 'Dangerous Goods Routes' will be assessed under the relevant Council planning instruments and controls.
- Where a site is considered by Council to be located adjacent to a dangerous goods route defined in this plan, any development on the site will be assessed and viewed as though it was located within the area with the more stringent risk-related development controls specified in this development control plan.

Note: Council in 2012 commissioned a traffic count for Denison Street (in both directions, north and south); which includes a separate count for dangerous goods traffic as Council wanted to compare the overall traffic to the dangerous goods traffic. Whilst this data is available to applicants who are required to prepare a Transport Risk Assessment Report, the data is over 12 months old and depending on the proposed development Council may require a new Transport Risk Survey to be conducted at the applicant's costs. Please contact Council for more information.

Definitions:

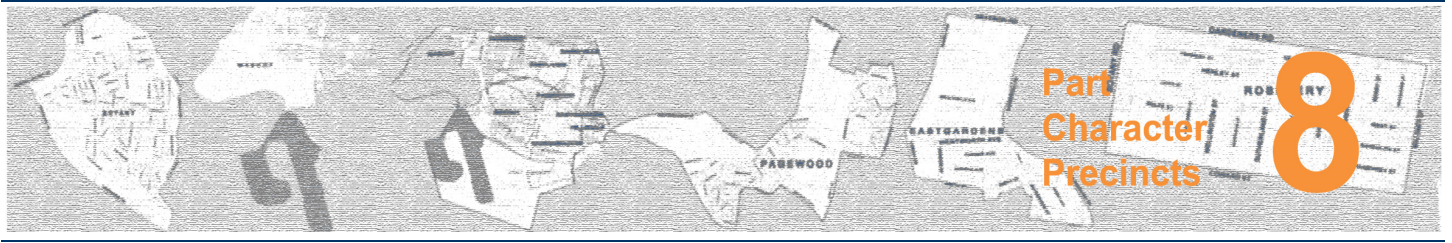
Dangerous Goods Routes means identified within the Botany/Randwick Industrial Area Land Use Safety Study.

The Botany / Randwick Industrial Area Land Use Safety Study does not include an assessment of the risk implications of dangerous goods transport, but does identify some routes as having a significant likelihood of carrying such goods. The routes identified within the Botany / Randwick Industrial Area Land Use Safety Study form a wider local and regional road network that may also carry traffic containing dangerous goods. The consideration of risk arising from the transportation of dangerous goods on this local and regional road network and the impacts this may have on residential and sensitive use development within the Study area needs to be considered as part of the assessment process for future development activity.

Residential intensification means an increase in the number of dwellings or an increase in the number of rooms providing temporary or permanent accommodation.

Residential land uses considered incompatible with residential fatality risk, injury or irritation risk (as defined in *Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning* - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include dwelling houses, hotels, motels, and caretakers residences resulting from any of the following:-

- The alteration and / or addition of an existing building;
- The conversion and / or utilisation of an existing building or vacant land;
- The subdivision of land to create a new allotment; and
- The rezoning of land.



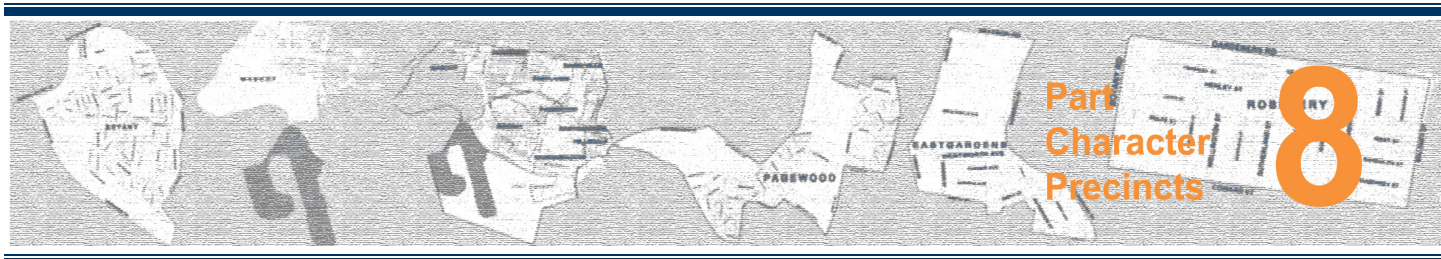
Sensitive use intensification means the establishment of a sensitive use or an increase in the gross operational floor space of an existing building that is occupied by a sensitive land use.

Sensitive land uses that are considered incompatible with fatality risk, injury or irritation risk (as defined in *Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning* - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include:- child care centres, nursing homes, educational establishments, hospitals and units for aged persons.

Site means land comprising one or more allotments that forms an area to which a development consent or application for consent, applies under the provisions of the *Environmental Planning and Assessment Act 1979*.

Additional information:

A number of Hazardous Industry Planning Advisory Papers (HIPAPs) and other guidelines have been issued by the Department of Planning & Environment to assist stakeholders in implementing an integrated risk assessment process and can be found at <http://www.planning.nsw.gov.au/planning-guidelines-for-hazardous-development>



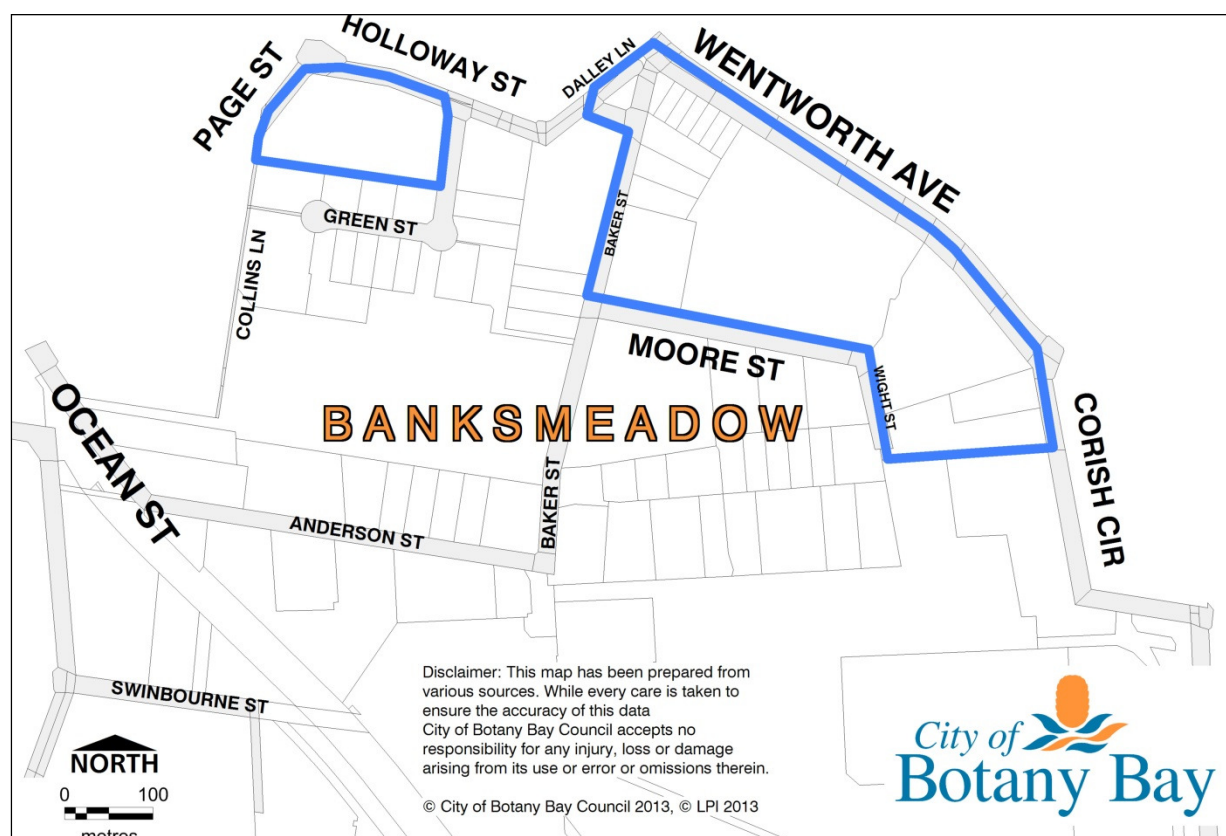
8.9 Banksmeadow Character Precinct

8.9.1 Existing Local Character

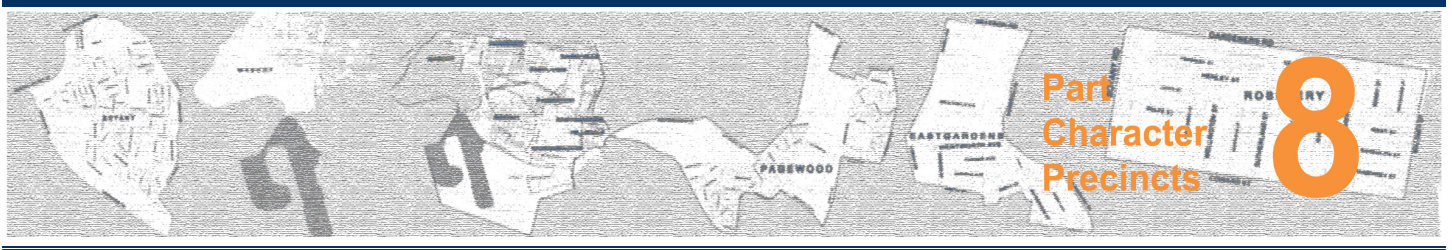
The Precinct (refer to **Figure 13** below) consists of:

- Land bounded by Wentworth Avenue, Baker Street, Moore Street, Wight Street, & Corish Circle is zoned IN2 Light Industrial;
- Land at 32 Page Street, Pagewood is zoned B7 Business Park and R3 Medium Density Residential; and
- Land at Denison, Smith and Rhodes Streets, Hillsdale is zoned B5 Business Development and B7 Business Park.

Figure 13 - Banksmeadow Precinct



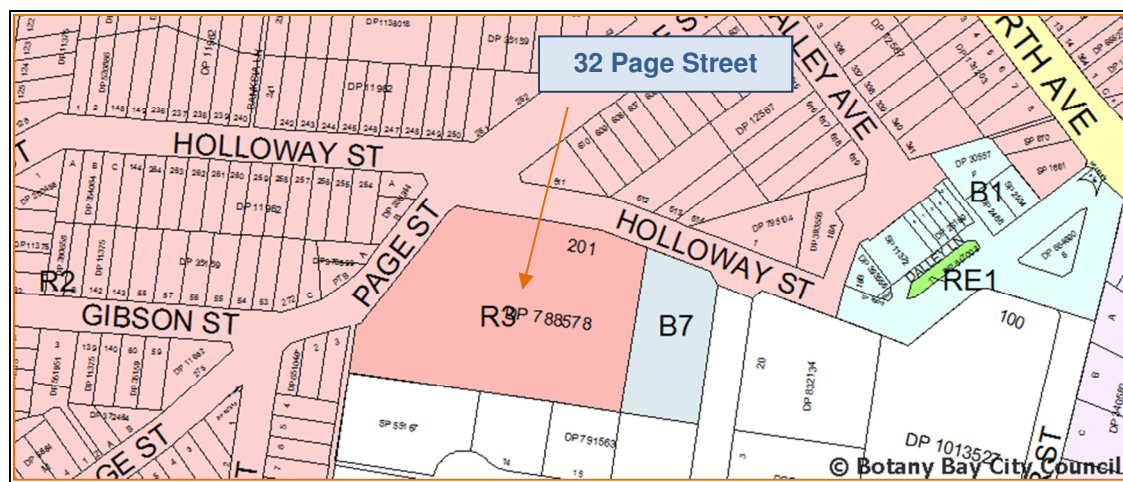
The nature of uses, large allotment sizes and consolidated ownership of industrial landholdings in the Precinct are significant on a local government area and sub-regional basis.



This Precinct is largely bordered by residential uses, and apart from hazard, risk and environmental conflicts, the visual impact of any development is a major consideration. Conflicts between the industrial and residential uses (including industrial traffic in residential streets) are considered a significant problem in the area.

The R3 Medium Density Residential Zone over 32 Page Street (subject site) (refer to **Figure 14**) has a FSR of 0.85:1 and a 2 storeys plus attic (maximum height of height of 10 metres), however given the land size which is over 2000m² can achieve a FSR of 1.5:1 and 2 (with attic) to 6 storeys (maximum height of 22 metres).

Figure 14 - Location of 32 Page Street

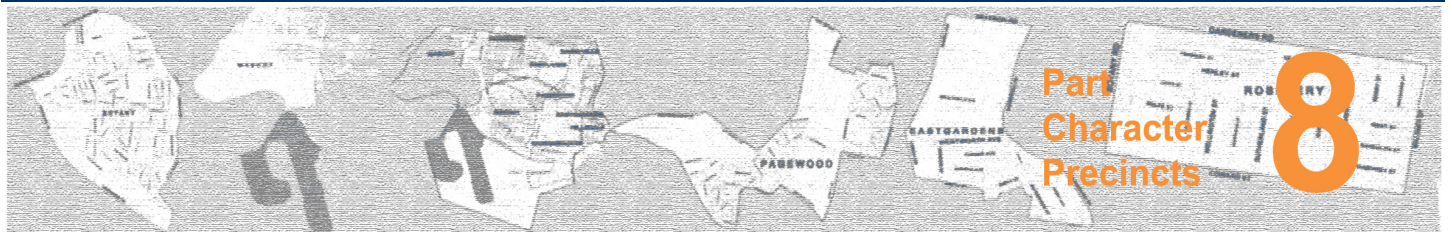


No. 32 Page Street occupies an area of 18,900m², is irregularly shaped (roughly rectangular), and prominently located on the corner of Page and Holloway Streets and bounded by Page Street, Holloway Street and Green Street. The residential allotment is 15,842m² in area, with the land zoned B7 Business Park being 3,066m² in area.

The subject site is largely level, sloping slightly from Page Street to Green Street, a grade variation of only 1.0 metre across a distance of 75 metres (i.e. a grade variation of only 1.3%). The site is currently vacant.

Adjoining land to the south of Page Street is recently developed light industrial activities (predominantly office-warehousing). This use is effectively separated from the subject site due to boundary wall construction equivalent in height to three storeys residential, which extends the full length of the southern boundary. Opposite the subject site (across Green Street) to the east is a similarly recently developed three-storey high office-warehouse building. The industrial development in Green Street is all at a high standard, being well landscaped, providing adequate parking and operating relatively innocuously in relation to the school and neighbouring residential.

Opposite the subject site to the north (across Holloway Street) is Pagewood Public School, comprising of buildings 1 - 2 storeys high and includes student playing fields. In close proximity to the school are the Dalley Avenue shops (including shop top housing) and the senior citizens centre. Residential flat buildings two to three storeys high and one to two storey detached dwellings in Dalley Avenue and Holloway Street form the north-eastern edge of this Precinct.



To the north, west and south-west of the subject site (across Page Street) the locality comprises of detached dwellings which are 1 to 2 storeys high. The narrow thoroughfare of Collins Lane separates the subject site from neighbouring detached dwellings.

The neighbourhood is generally be characterised as varied but relatively quiet, other than through traffic along Page Street, which is continuous and mixed in volume and type.

The site was declared a remediation site on 31 August 2005; and a Management Order was issued by the NSW EPA on 17 January 2013.

On 24 April 2013 Council received a Site Audit Report and on 30 April 2013 the Site Audit Statement No. 186 for 32 Page Street, Pagewood was received. The SAS was prepared by NSW EPA Contaminated Land Accredited Site Auditor Mr Rod Harwood; NSW EPA Accreditation Number 0304. The Audit concludes:

Based on the discussion presented above the Auditor considers that the remediation proposed in CES (March 2012) presents an appropriate method to address identified soil contamination at the site and, subject to competent implementation and appropriate demonstration of validation, can make the site soils suitable for residential use. The major risk to site occupants posed by contaminants at the site is through the intrusion of contaminated soil vapours into buildings. This mechanism of exposure is not likely to result in adverse health effects in open areas of the development, but is particularly applicable to basement and ground floor areas of buildings. The Auditor notes that basement car parking is proposed and it is essential that appropriate vapour protections are installed in buildings.

Such measures should be passive and able to function effectively and indefinitely in the absence of power as occupants will need to be protected even in times when power is cut or otherwise unavailable at the site. This will necessitate an environmental management plan (EMP) being developed and legally attached to the site (for example as a binding agreement with strata bodies, or as a public positive covenant on title under the Conveyancing Act of 1919) which incorporates appropriate maintenance, monitoring and contingency measures in relation to the control of vapour intrusion into site buildings.

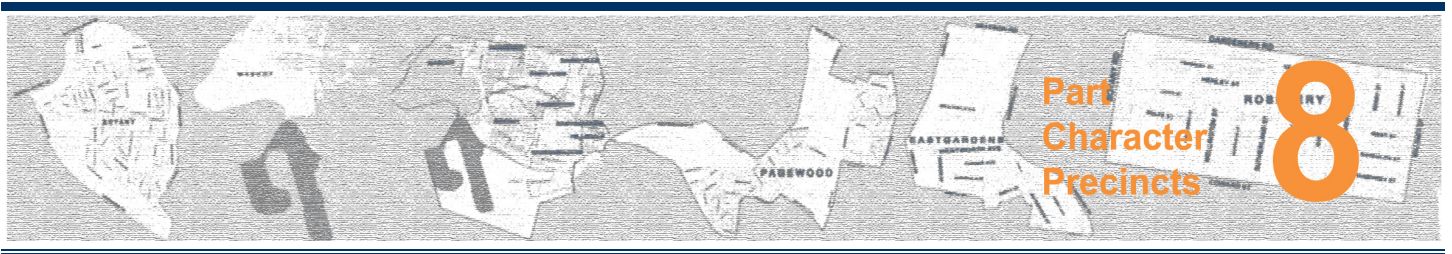
The potential for vapour intrusion risk to persist at the site is anticipated to remain as long as groundwater contamination with volatile chlorinated solvents remains in shallow groundwater beneath the site.

The issue of groundwater remediation may need to be addressed both on site and offsite to ensure that groundwater is protected for sensitive use and/or to ensure that ongoing vapour mitigation is not required, but the data does support that soil excavation and vapour mitigation will be sufficient to ensure adequate protection for residential and commercial use.

Therefore the soil can be made suitable for residential development; however any DA lodged will need to address the vapour issue.

Given that No. 32 Page Street is the only site that is zoned for residential purposes within the Banksmeadow Precinct and the rest of the suburb is zoned for employment purposes, the following Desired Future Character for Banksmeadow in Part 8 of the DCP only relates to the R3 Zone over 32 Page Street.

The Botany / Randwick industrial area forms a significant industrial complex of State and National significance. The location of the industrial area, within the vicinity of residential areas, has required that safety studies into the cumulative risk of industrial activity be undertaken to quantify and measure hazard risk associated with such activities.



The Department of Planning & Environment has released three studies that investigate industrial operations and make land use planning recommendations. Studies released to date include the *'Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany'* (1985), the *'Port Botany Land Use Safety Study'* (1996) and the *'Botany / Randwick Industrial Area Land Use Safety Study'* (2001).

Please refer to **Part 6A - Employment Zones** for the controls relating to the Banksmeadow Industrial Precinct.

8.9.2 Desired Future Character - 32 Page Street

Function and Diversity

- Enhance the public domain and streetscapes within the Precinct.
- Encourage and enhance connections of public domain and open space areas with recreational facilities.
- Encourage residential development at 32 Page Street, within the R3 Medium Density Residential Zone. Such development is to:
 - Promote neighbourhood amenity and enhance pedestrian comfort;
 - Encourage a site layout and building styles and designs that promote commonality and a visual relationship with the surrounding built form and dwelling styles;
 - Encourage dwelling styles that maintain and complement existing development patterns; and
 - Encourage a strong landscape and vegetation theme within both the public and private domain.

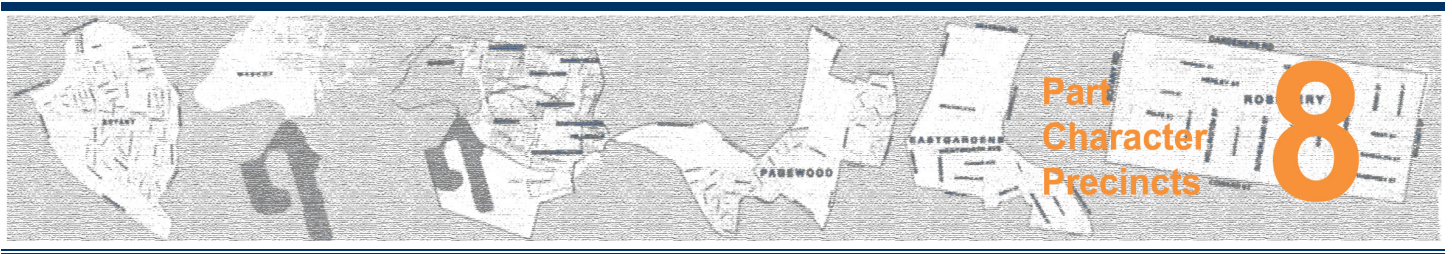
Form, Massing, Scale and Streetscape

- Encourage maximum of two (2) storeys with attic for development fronting Page and Holloway Streets and a maximum of six (6) storeys at the rear of the site adjacent to the existing industrial development fronting Green Street.
- Promote site access and parking facilities that do not dominate the streetscape.
- Encourage new development or alterations and additions to existing development to complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.
- Maintain roof forms to reflect the characteristics of the prevailing designs within the street.
- Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
 - Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - Orientating internal spaces so that low occupancy rooms face school property; and
 - Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

Important Note:

Council at its Meeting held 11 December 2013 resolved to prepare a Planning Proposal in accordance with the Environmental Planning & Assessment Act 1979 and its Regulation to amend the Botany Bay Local Environmental Plan 2013 as follows:

- Delete Sub-clause (2A) in Clause 4.3 – Height of Buildings relating to a 22 metre height for sites zoned R3 and R4; and
- Delete Clause 4.4B as it relates to exceptions to FSR in Zone R3 and R4.



The resolution came about as a result of the impacts resulting from multi unit residential developments in the R3 and R4 Zones where the bonus provisions have applied.

Council at its Meeting held 5 November 2014 resolved to prepare a revised planning proposal in accordance with Section 56(7) of the Environmental Planning and Assessment Act 1979 to include a proposed new clause on building form and scale for development to which Clause 4.3(2A) and Clause 4.4(8) apply to; to impose a 6 storey height limit to Clause 4.3 Height of Buildings; and to restrict the application of Clause 4.6 Exceptions to development standards to development which clause 4.3(2A) and 4.4B would apply.

Council at its Meeting held 26 February 2014 further resolved as follows to amend the Draft DCP Part 4C.7 (Large Development Sites) to include the following control:

- If an area of land in Zone R3 Medium Density residential or Zone R4 High Density Residential exceeds 2000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map and utilise Clause 4.3(2A) of the Botany Bay LEP 2013 provided that the height obtained is:
 - Minimum of 30 metres in distance measured from the front property; and
 - Minimum of 35 metres in distance measured from any other property boundary of the development site where the development site adjoins a R2 Low Density Residential Zone.

Please refer to **Part 4C.7** for more information.

Setbacks

- Maintain the front setbacks along Page Street and Holloway Street
- Encourage side setbacks to the existing residential development in Page Street.

Landscaping

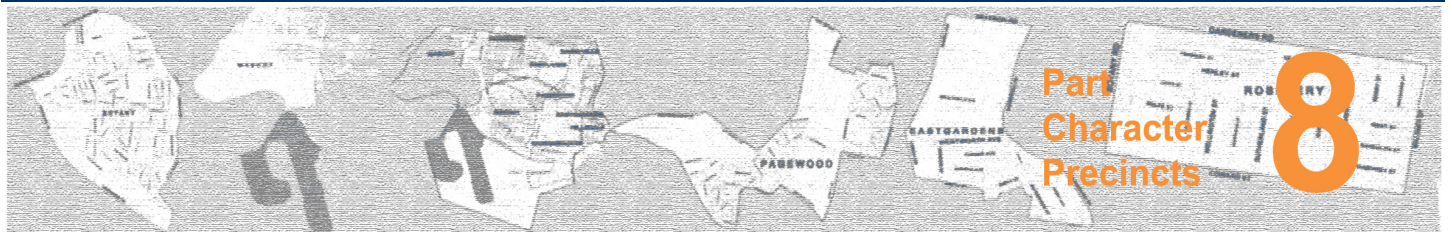
- Encourage landscaping within the front and side setback to soften the built form.
- Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
- Maintain street trees.

Fencing

- Promote low scale fencing.

Noise

- Ensure development is designed to minimise industrial noise impact on the medium density residential development.
- Ensure development along Page Street is designed to minimise traffic noise transmission.
- Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the



airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport.

Subdivision

- With the exception of the strata subdivision of a completed residential development, discourage the subdivision of the residentially zoned land at 32 Page Street. Council prefers that the site be developed under a Masterplan covering the whole site.

Public Domain and Environment

- Encourage landscaping and vegetation planting within both the public and private domain of the precinct.
- Facilitate landscaping and street plantings to complement the built form and create cohesiveness throughout the Precinct.
- Encourage landscaping to be incorporated within the development and site layout to soften the built form, promote pedestrian comfort and enhance the aesthetics of the neighbourhood.
- Encourage the impacts of non-residential uses, such as traffic and noise/air pollution on residential amenity to be minimised.

Solar Access

- Encourage buildings to maximise solar access to surrounding residential properties and to public and private open spaces.
- Preserve solar access to adjoining properties.

Traffic and Access

- Encourage new development to have a minimal impact on traffic flow and demand for on street parking spaces.
- Encourage development to provide adequate on-site parking to assist in reducing traffic congestion on local road networks.

Views

- Retain existing views.

Contamination

- Ensure that the site is remediated so that it is suitable for future development.

Risk

- Part of the suburb is within the zone of influence of the High Pressure Gas Pipeline that follows the ARTC Rail Corridor to the Qenos Site at the Botany Industrial Park, Denison Street, Banksmeadow. Development Applications, planning proposals and rezoning of land received by Council for land within the Zone of Influence will be referred to the APA Group for consideration and comment.