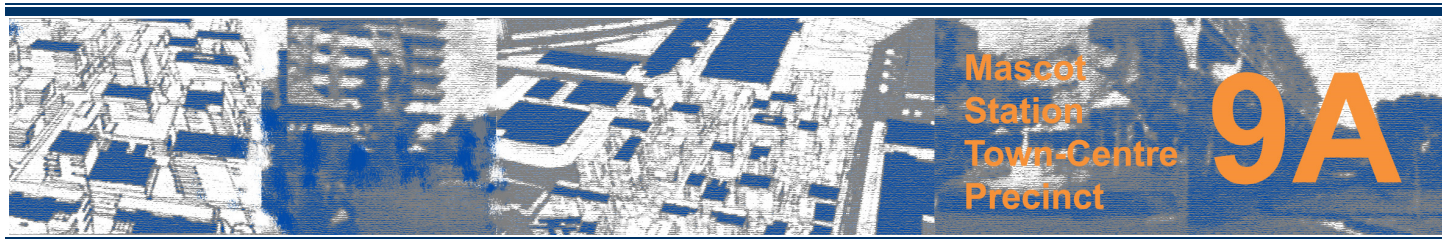


Part 9A Mascot Station Town Centre Precinct

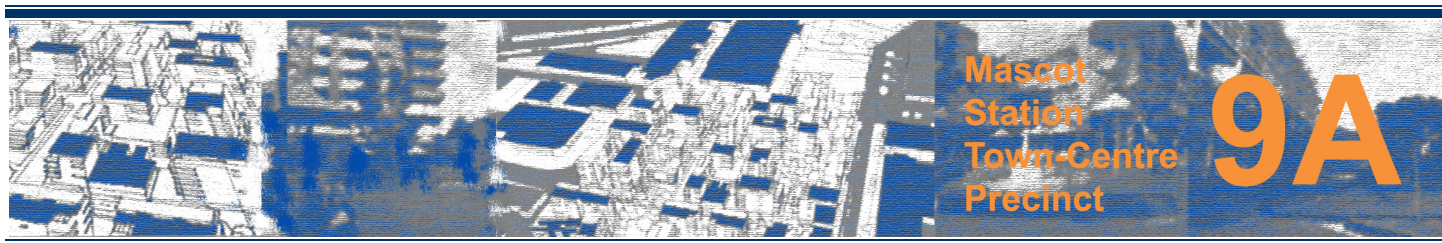


Development Control Plan 2012

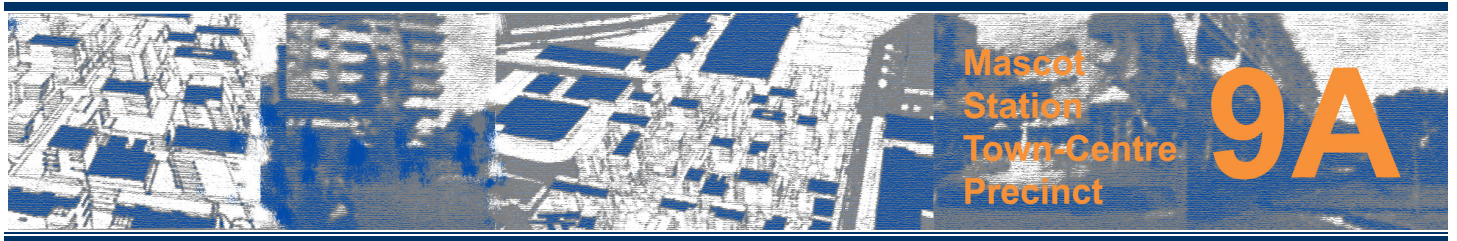


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9A.1 Preliminary

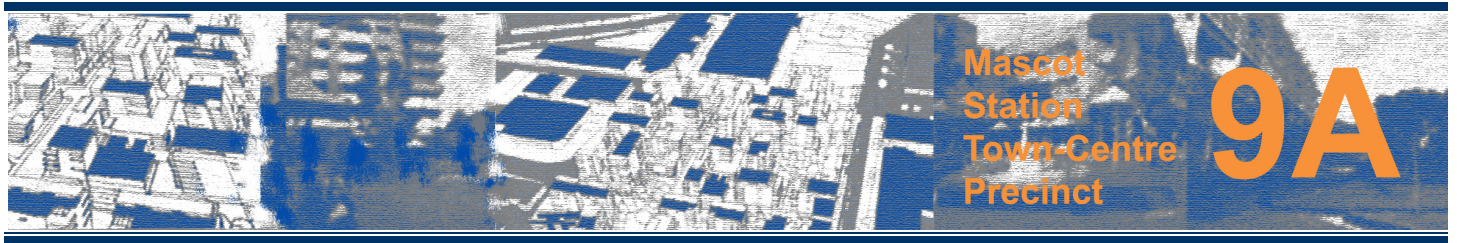
9A.1.1 Introduction

The Mascot Station Town Centre Precinct is centered on the Mascot railway station. The precinct has been targeted for future population and employment growth in State and Local planning strategies and has been identified as a future town centre in the Metropolitan Plan for Sydney.

The Precinct is characterised by large potential redevelopment sites that have been targeted for an increase in residential and business densities under the Botany Bay Local Environmental Plan 2013 (BBLEP2013). Mascot Station Town Centre Precinct therefore offers a unique opportunity for the development of a vibrant and creative town centre.

This Part provides a framework for future development in the Mascot Station Town Centre Precinct by specifying a series of aims, objectives, urban strategies and built form guidelines to help achieve the vision for the centre. It provides the opportunity to make significant improvements to the public domain, develop new residential communities and increased employment. It also recognizes and reinforces the distinctive characteristics of the Town Centre and protects and enhances the public domain.

The planning framework contained in this Part adopts a place-based planning approach by defining appropriate building types and developing place-specific building envelopes, supported by detailed design and environmental controls aimed at achieving a high quality built environment, landscape setting and community spaces. The provisions of this Part provide urban design controls to address the scale and density of development, traffic and pedestrian management, landscaping and other public domain improvements to ensure that the Precinct develops in a cohesive manner and capitalises on its location.



9A.1.2 Land to Which this Part Applies

This Part applies to the Mascot Station Town Centre Precinct which incorporates the land outlined in red in **Figure 1**.

This Part needs to be read in conjunction with:

- Part 1 - Introduction
- Part 2 - Notification and Advertising
- Part 3 - General Provisions
- Part 4 - Residential Development
- Part 7 - Other Development and Land Uses

Note: Development within the Precinct must comply with all other applicable Parts of the DCP, if there is a discrepancy between Part 9A and other Parts the Desired Future Character and Controls of **Part 9A** will always prevail.

This Part is to be read in conjunction with the BBLEP 2013. It contains detailed objectives and controls that will be used by council when determining development applications under Part 79C of the *Environmental Planning and Assessment Act 1979*. Each application will be considered on the individual circumstances and merits of the case in terms of the achievement of the relevant objectives.

This Part has also been prepared in accordance with State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) and has been formulated to respond to the design quality principles of SEPP 65 and the publication NSW Apartment Design Guide 2015 (ADG). The principles and controls contained in the ADG are to apply to design issues not specifically covered within the DCP.

Note 1:

Council will consider alternative development schemes subject to the Vision in **Part 9A.2 - Vision Statement** and the Desired Future Character principles in **Part 9A.3 - Urban Block Character Statements** being met.

Note 2:

Council on 22 May 2013 resolved to investigate alternative development outcomes for Urban Block 2 (Miles Street sub Precinct - bounded by Miles Street, O’Riordan Street, Gardeners Road and Botany Road). Therefore the DCP has been amended to remove the development outcomes for Urban Block 2.

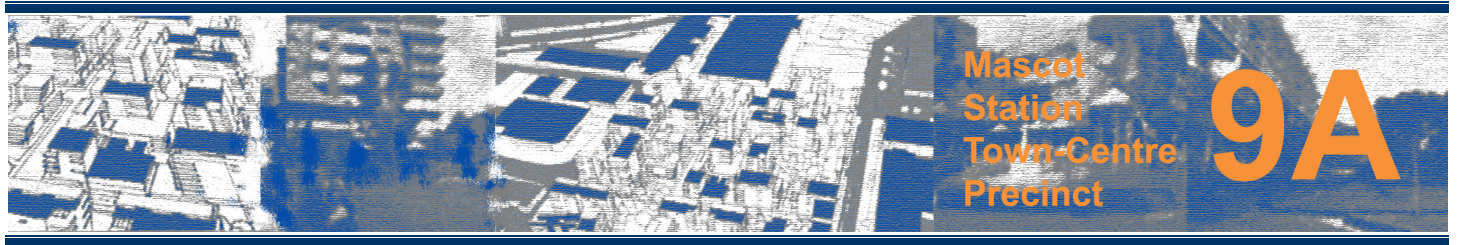
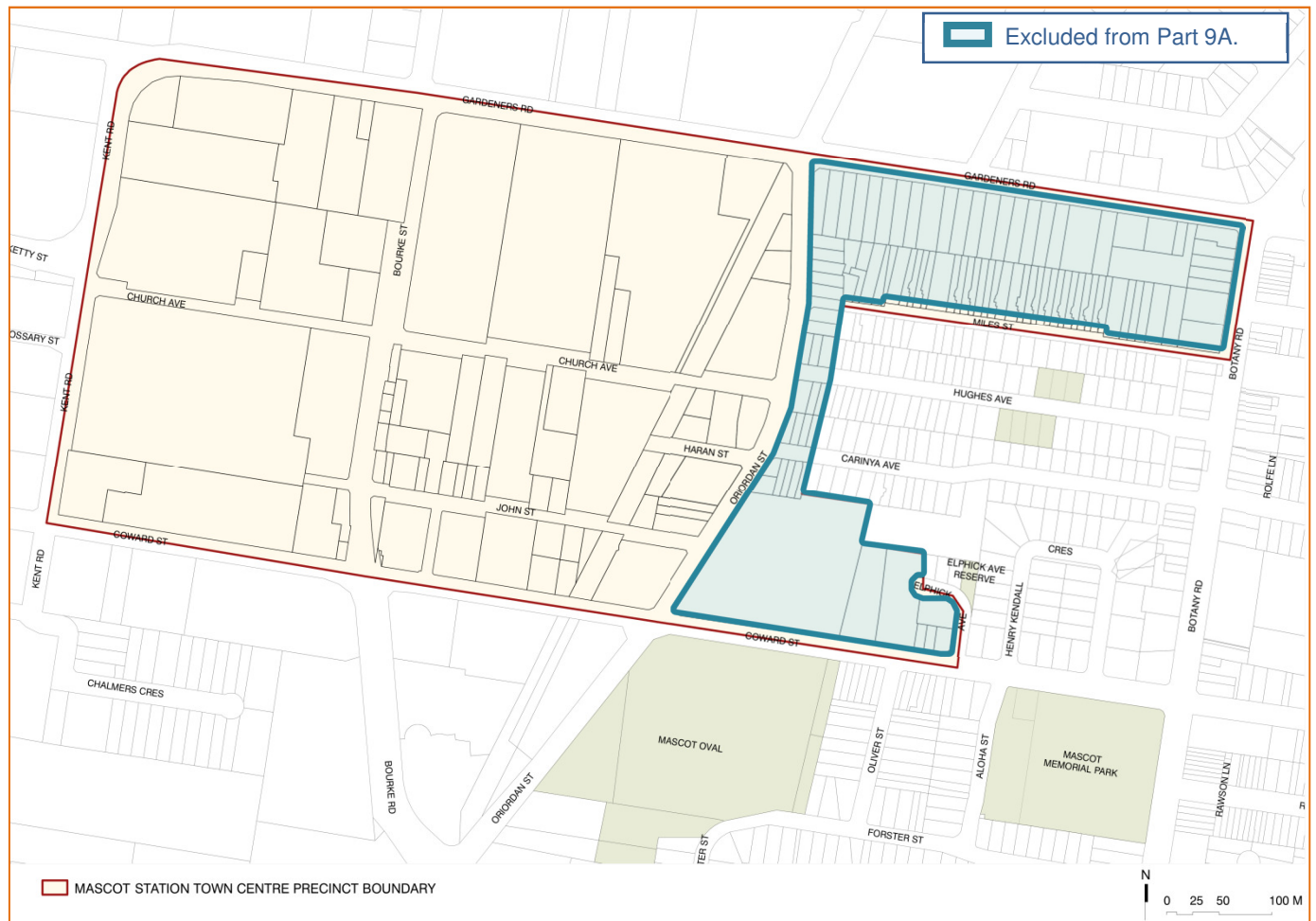


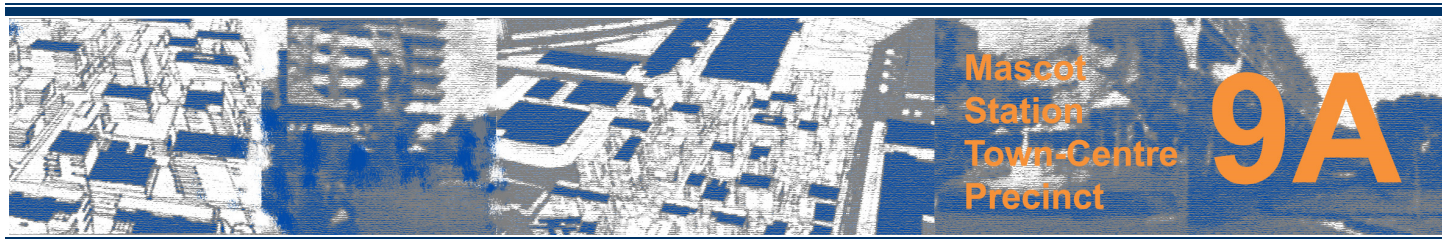
Figure 1 - Mascot Station Town Centre Precinct Boundary



The Mascot Station Town Centre Precinct is defined broadly as land bounded by Gardeners Road, Kent Road, Coward Street & O'Riordan Street and includes the north-eastern corner of Coward and O'Riordan Street.

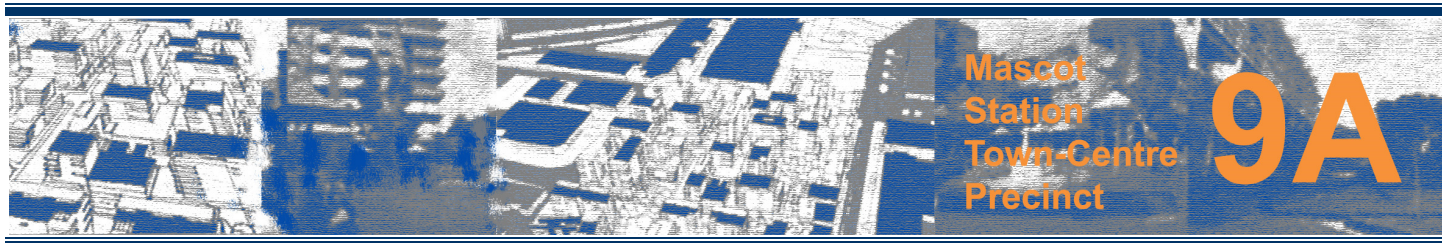
Figure 1A – Updated Planning Framework for the Precinct as at May 2016





9A.1.3 General Objectives

- O1** To cast the vision and define urban development outcomes to help guide the long term redevelopment of the Mascot Town Centre Precinct;
- O2** To outline a design framework for the provision of a greater quantum of public space, and upgraded existing streets, to create a high quality public domain for the town centre;
- O3** To provide for a range of building types that will improve housing choice, diversity of employment opportunities, access to retail and commercial services and other activities that contribute to a sustainable vibrant community;
- O4** To ensure that all new buildings have a good relationship with neighboring developments and the public domain and are of a high quality architectural design;
- O5** To adopt principles of ecologically sustainable development in the design of new buildings and landscapes, including water sensitive urban design, energy efficiency and selection of building materials;
- O6** To ensure new buildings achieve a high level of residential amenity in terms of daylight access, acoustics, privacy, ventilation, security, outdoor living and indoor amenity;
- O7** To ensure that buildings and the public domain environment are designed for all age groups and degrees of mobility;
- O8** To implement traffic control measures and outcomes that manage and improve local traffic impacts and promote pedestrian safety; and
- O9** To encourage increased use of public transport, walking and cycling and reduce reliance on cars.



9A.1.4 Structure of this Part

The overall structure of this Part is outlined below.

9A.1: Preliminary

This Part contains its purpose, general aims and its relationship to the Botany Bay Local Environmental Plan 2013 (BBLEP2013).

9A. 2: Vision Statement

This Part contains the overall vision for the town centre guiding future form and function. The part provides the context for the urban block character statements and the detailed objectives and controls for future development outlined in Parts 9A.3 and 9A.4.

9A. 3: Urban Block Character Statements

This Part contains the desired future character statements for the individual areas (known as urban blocks). The desired future character statements in Part 9A.3 must be read in conjunction with the development controls contained in Part 9A.4.

9A. 4: General Controls

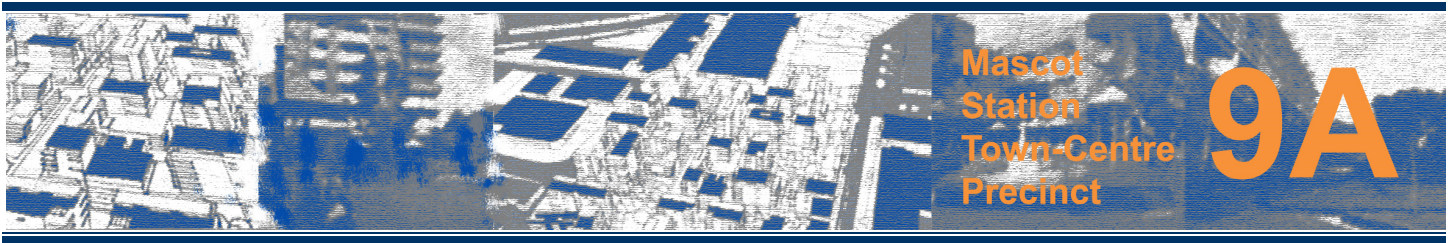
This Part includes the development controls and objectives that apply to development. Plans are presented in this part by urban block. This place-based planning approach will ensure acceptable built form outcomes and clarity about the standard of design excellence expected. The objectives and controls will guide the detailed resolution of buildings.

9A.5: Public Domain Works

Developers will be responsible for the carrying out the proposed public domain works on their sites, and in some cases in adjacent streets. Part 9A.5 provides strategic guidance for the desired future character of the public open space (existing and proposed) and streets within the town centre and is consistent with the Public Domain Strategy adopted by Council for the Precinct.

9A.6: Development Contributions and Planning Agreements

A Public Domain Strategy for Mascot Station Town Centre Precinct has been adopted by Council was adopted by Council on _____ (Insert date) and identifies the essential infrastructure and public domain works necessary to support development of the Town Centre and which will result in a significant increase in residential and employment densities. The identified infrastructure and public domain works are essential to achieve public amenity and meet the basic needs to support higher density development anticipated within the Precinct.

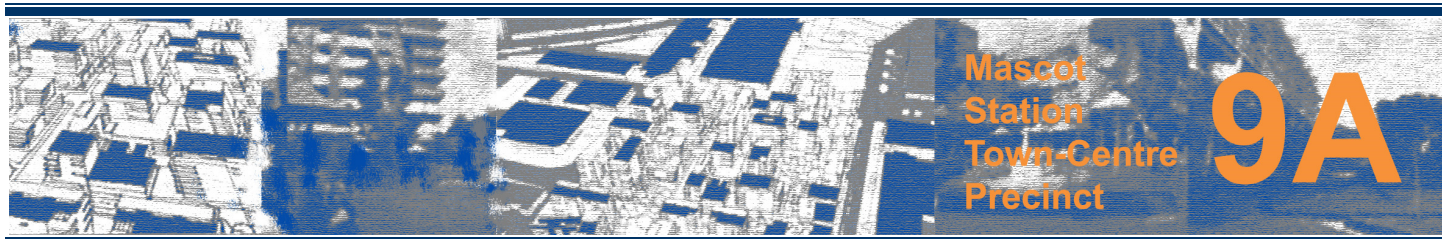


There are two possible mechanisms to provide the required public domain works identified in the Public Domain Strategy. They are:

1. Section 94 Development Contributions; or
2. Voluntary Planning Agreement.

Planning Agreements are made in accordance with the requirements of the Act and are **voluntary agreements** between council and a landowner.

A Planning Agreement relates to the provision of 'public benefit' and may include infrastructure works and recurrent expenditure in relation to a public amenity, service or facility. A Planning Agreement specifies how it relates to any applicable Section 94 Contributions Plan, and may provide that a development be excluded from the requirements of that Plan in exchange for works in kind. Early contact is to be made with Council officers where Planning Agreements are envisaged for the provision of public facilities or the like outside of the requirements of the Section 94 Development Contributions Plan.



9A.2 Vision Statement

The Mascot Station Town Centre Precinct presents the opportunity to create a vibrant and diverse town centre, where a spacious, high quality public domain is the setting for thriving activities and cohesive built form. The Town Centre has the opportunity to evolve into a place of activity, with a range of transport modes, interconnectivity, permeability and accessibility. The growth potential of Mascot Town Centre Precinct is to be guided by an urban framework that emphasises an extensive and revitalized public domain, excellence in its urban and architectural design, an integrated transport network and sustainable development in the public and private domains.

Town Centre Role and Character

Mascot Station Town Centre is within the Sydney City to Airport corridor and is recognised as being strategically important in the Metropolitan Plan for Sydney. The Mascot Station Town Centre Precinct is also within the environs of the Sydney Airport specialised centre in the Metropolitan Plan East Sub-regional Plan. This close proximity to Sydney Airport, and its location within the Airport Corridor, provides Mascot Station Town Centre with a role as a mixed use centre where commercial uses, including retail shopping and community uses provide diversity in what has, until recently, been a centre predominantly focused on industrial and commercial development.

Street Layout

As identified on **Figure 2**, the boundaries of the Town Centre are defined by Coward Street in the south, Kent Road in the west, Gardeners Road in the north and generally, O’Riordan Street in the east. These four major roads create clear edges to the Town Centre. They also carry regional vehicular traffic including regional truck movements.

Within this rectangle of major regional roads is a grid of local streets that are envisaged to play different roles. Bourke Street will provide the main retail and pedestrian street as it will contain the railway station, and the majority of shops and cafes. Bourke Street is to be a vibrant retail main street, with excellent pedestrian amenity, wide footpaths, a dedicated bicycle lane and excellent public transport access. Church Avenue is predominantly a residential street with few traffic movements and street widening is proposed to enhance pedestrian amenity.

An important aim of this Part is that Bourke Street and Church Avenue have high levels of pedestrian amenity, calmed vehicular traffic and a balance between transport modes such as bicycles, buses and other vehicles.

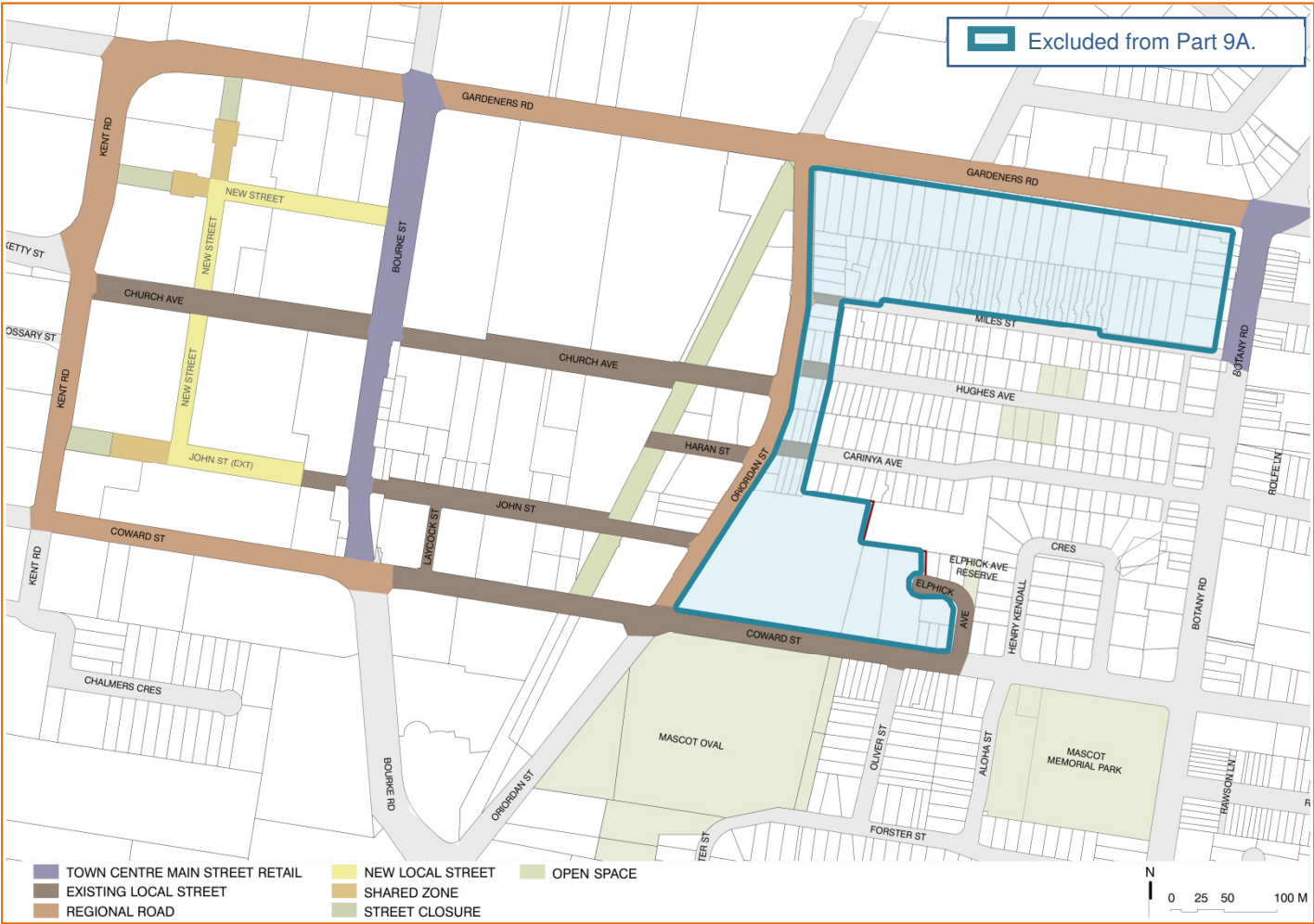
John Street and Laycock Street are local streets with good urban qualities. John Street has been recently widened in conjunction with substantial recent development. Laycock Street has become a pedestrian street. Planned and implemented public domain improvements in both streets will enhance pedestrian amenity.

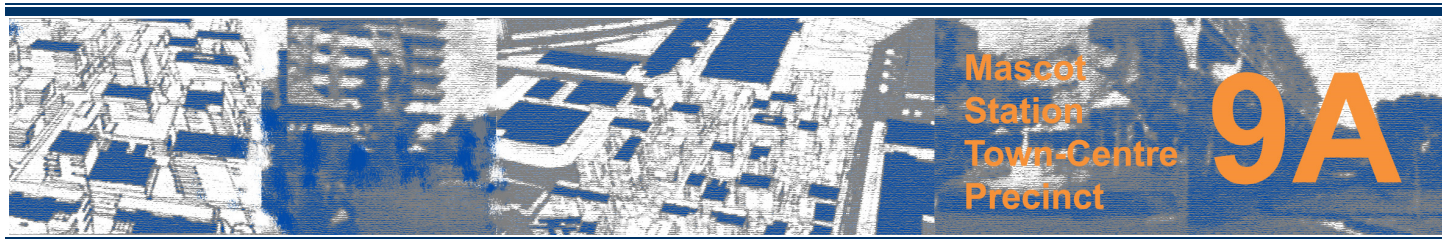
This Part aims to ensure that the design of the interface between the public domain and private development provides pedestrian interest and amenity.

Many of the existing industrial and commercial sites in the Town Centre are on large lots. The changed uses and densities will significantly alter the form, function and character of these sites. Access will be required for vehicles and pedestrians from local streets. New buildings will also need street addresses, and pedestrian

permeability through these sites will be highly desirable to create acceptably short walking distances from the outer parts of the Town Centre to Bourke Street and the railway station. To meet these needs, a network of new public streets is contained in the Development Control Plan for a number of large sites west of Bourke Street.

Figure 2 - Street Character





Landuse

Introduction

Over the next 20-30 years Mascot Station Town Centre Precinct has the potential for 240,000m² of additional commercial floorspace and 460,000m² of residential floorspace. This development potential will create the opportunity for approximately 4,200 new dwellings, 8,000 new residents and 4,000 new jobs. The need to identify appropriate land uses and built forms based on urban design principles is therefore paramount to ensure a quality outcome.

Retail and Commercial

As identified in **Figures 3 and 4**, the main Town Centre retail area is located in the western part of the Precinct. This area will provide for retail uses at ground level along the Bourke Street spine with residential above. A new supermarket will be located off Bourke Street and Church Avenue surrounded by retail.

Ground level commercial is to be located on the major surrounding town centre roads of Gardeners Road, Kent Road and Coward Street. In Coward Street residential may be constructed above the commercial buildings at the eastern end of the strip while the western end will be purely commercial buildings.

The main retail and commercial area will allow for small and medium scale business and retail opportunities including commercial offices, banks, post offices, hairdressers, convenience stores and cafes and restaurants looking out on to a new park. It is also anticipated that the retail and commercial area will provide for various community based uses.

Residential

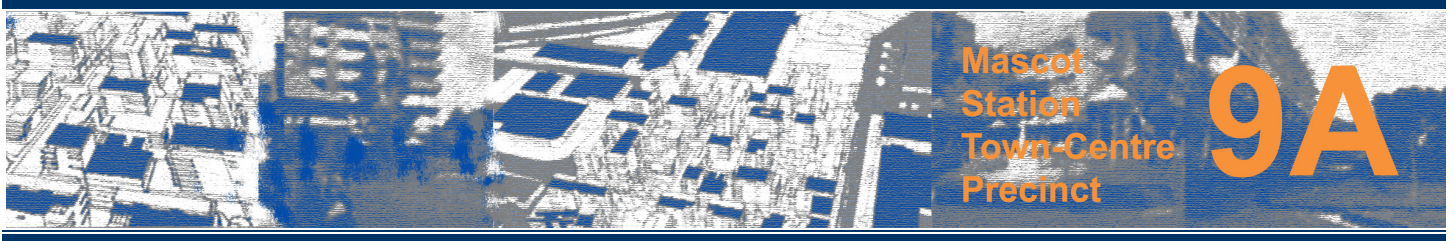
As illustrated in **Figure 4**, new residential uses within the precinct will primarily be apartment buildings either within stand alone buildings or as mixed use buildings above retail and commercial (shop top housing). Mixed use developments will predominate along the Bourke Street retail spine, in the blocks located between Church Avenue and Coward Street, at the eastern end of Gardeners Road (west of O’Riordan Street), and above the commercial area at the corner of O’Riordan Street and Coward Street.

Public Open Space and Streetscape Improvements

This Development Control Plan looks to substantially increase the amount of open space in the Town Centre. This has been achieved by identifying the potential for public places within the design of blocks, resulting in a range of small to larger landscaped public open spaces west of Bourke Street. These are designed to have generous dimensions, and good spatial enclosure by buildings without being unduly overshadowed. They are related to existing and proposed streets to create a public character with safety and security.

Another initiative has been to gain permission for use of the Southern Western Suburbs Ocean Outfall Sewer land (SWSOOS), owned by Sydney Water as public open space. This would provide useful landscaped open space in the eastern part of the Town Centre, adjacent to many recently built and recently approved residential developments.

As redevelopment occurs within the Precinct the public domain is also to be enhanced through the widening of footpaths and the planting of street trees as identified in the Public Domain Strategy.



The Town Centre streets are to be designed as urban streets, where the interface between public and private domains is designed to promote pedestrian amenity. Active frontages are to be provided at ground level where required. Where residential uses are in the ground floor of buildings, the ground floor is to be designed to provide an attractive, visually articulated, landscaped ground level interface between the public and private domains. Multiple entries from the street to ground level apartments are desirable to promote an active interface between the public and private domains. The primary outdoor private open space of ground level apartments is not to be located on the street frontage. Entry spaces are appropriate from the street frontage, with ground level setbacks and small changes of level designed to provide privacy whilst maintaining a visual connection with the street. Low fences and palisade fences are preferable to high masonry walls. Visual interest and detail is to be provided in the lower levels of buildings to enhance the quality of the pedestrian experience.

It is an objective of this Part that development sites allow for new streets and pedestrian access across sites. It is also an objective to locate primary outdoor private open space for ground level apartments away from street frontages. These two objectives for pedestrian links and centre block private open space are assisted by locating car parking underground, or with a maximum projection above ground of 1.2 metre. Car parking is not to be located under new public parks on development sites and will generally not be located under new public parks or road widenings.

Figure 3 - Precinct Zoning Under BBLEP 2013

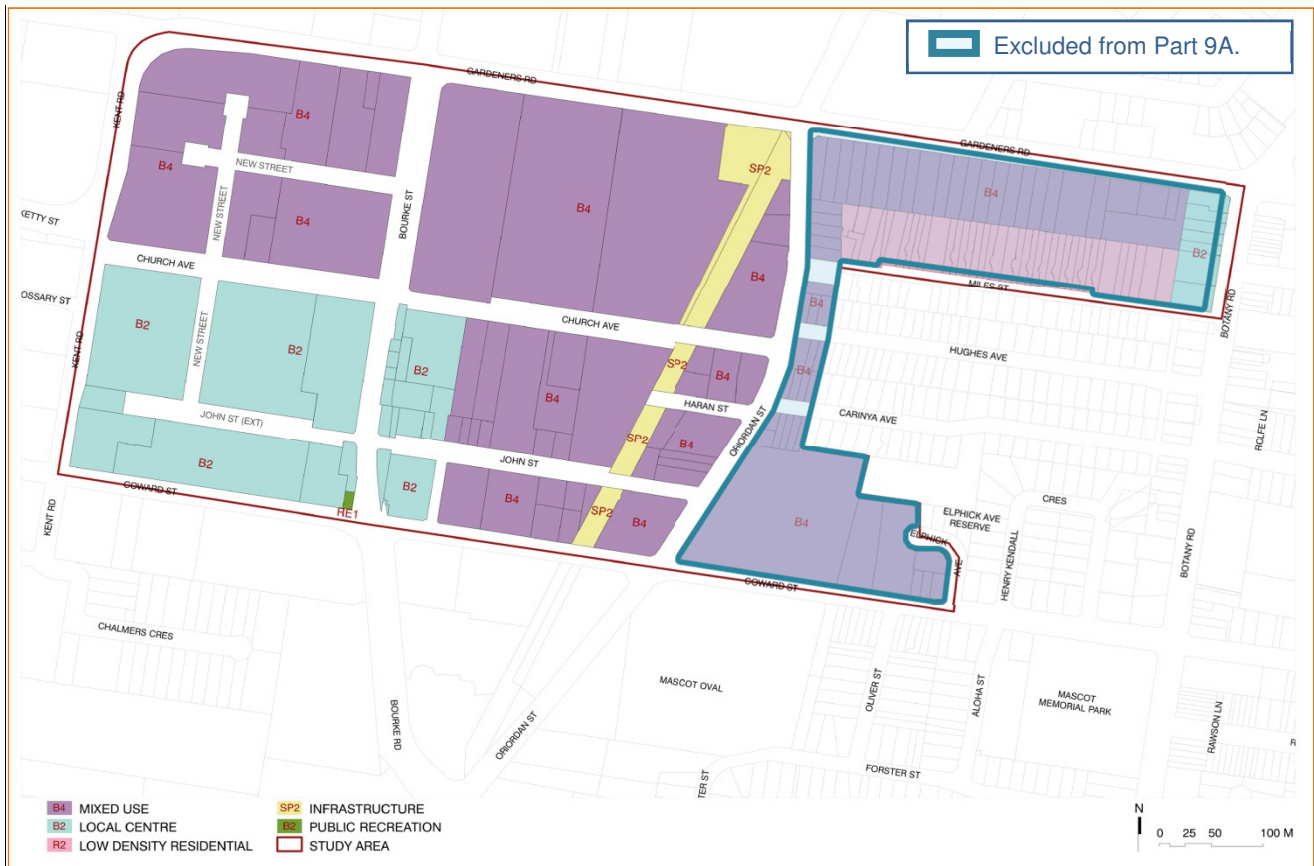
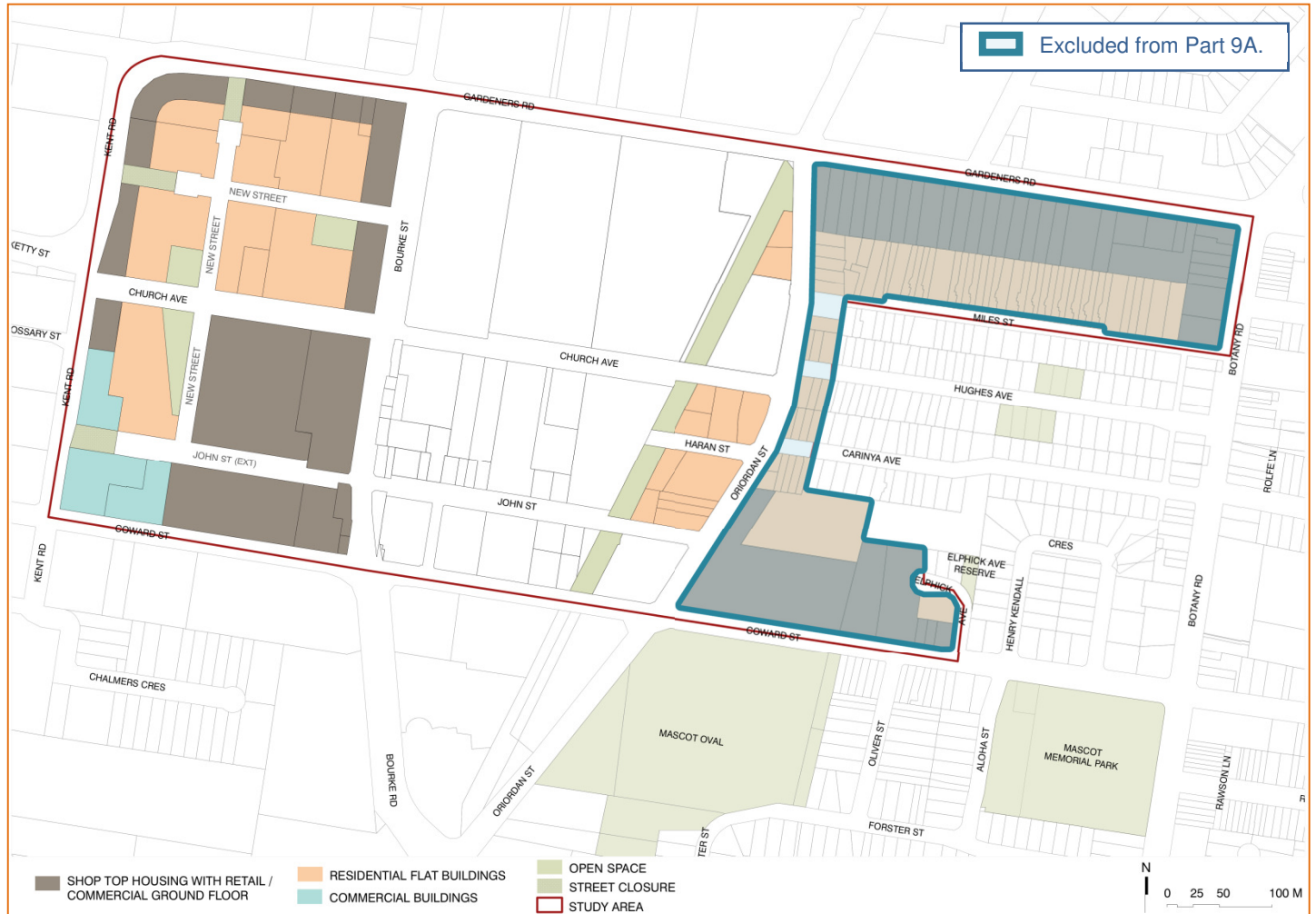
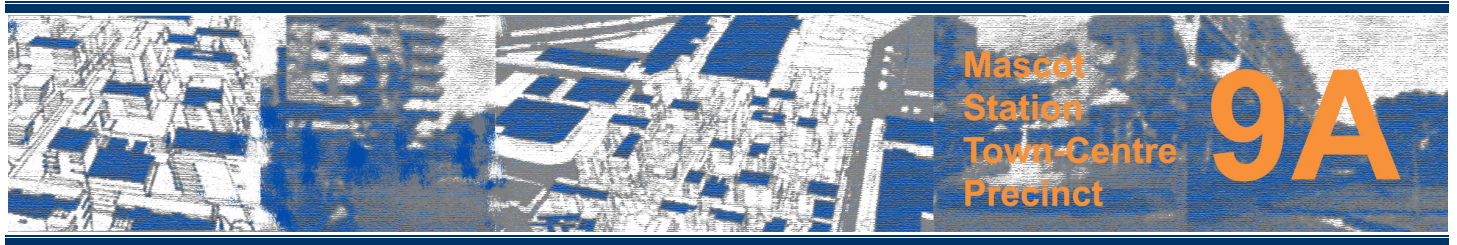


Figure 4 - Anticipated Landuses





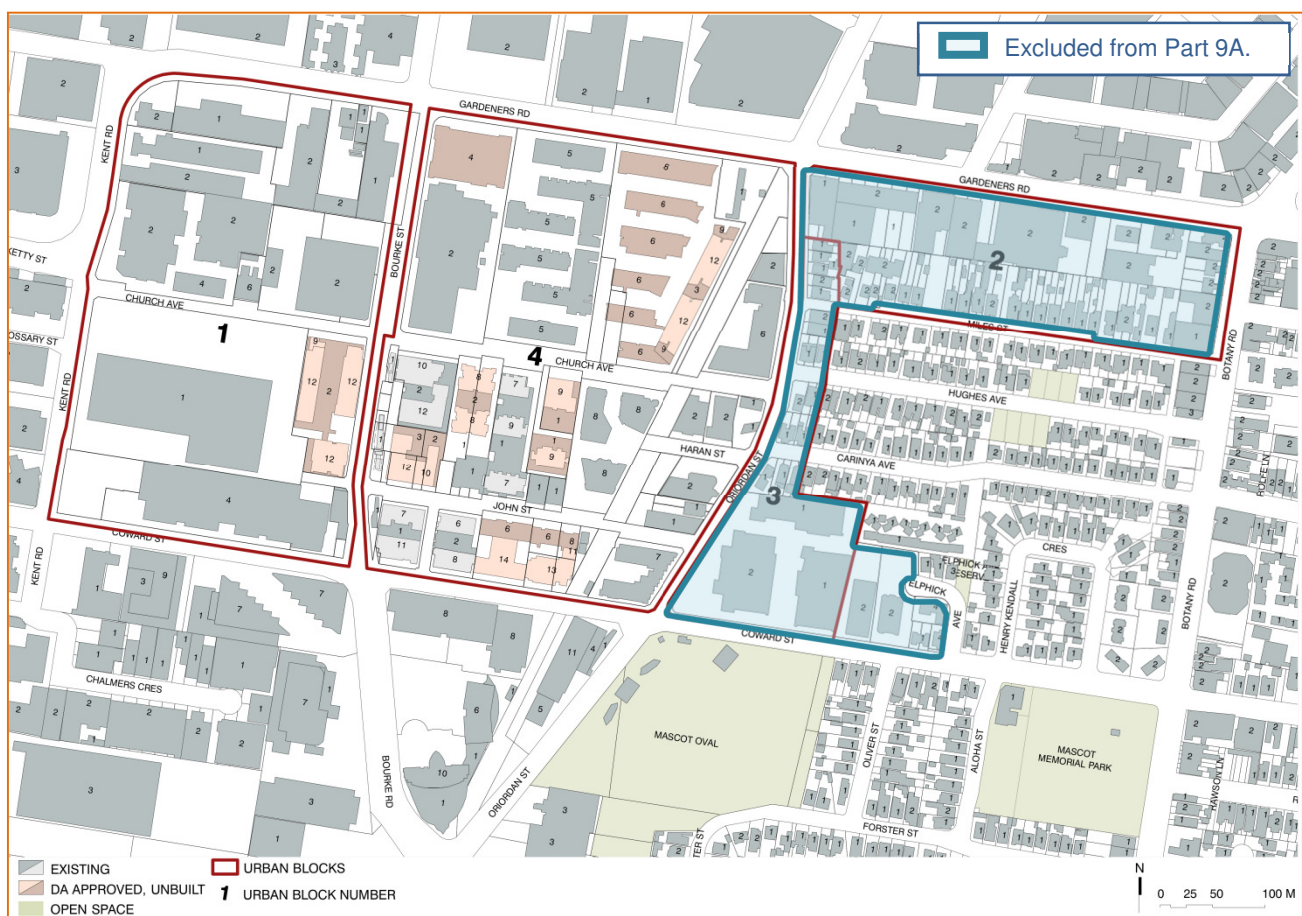
9A.3 Urban Block Character Statements

9A.3.1 Introduction

9A.3.1.1 Overview

As identified in Part 2 - Vision Statement, the Mascot Station Town Centre Precinct will undergo substantial change as a result of redevelopment and future growth in residential and employment densities. This Part describes the existing and desired future character of the Precinct to assist in guiding future development. The Mascot Station Town Centre Precinct has been divided into a series of smaller areas known as “urban blocks”. There are 4 urban blocks proposed as detailed in **Figures 5 and 6**.

Figure 5 - Urban Blocks, Mascot Station Town Centre Precinct - Existing Footprint 2011



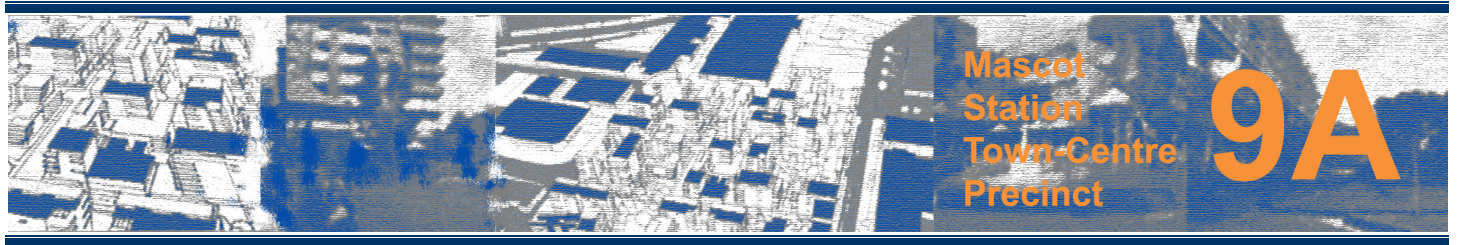
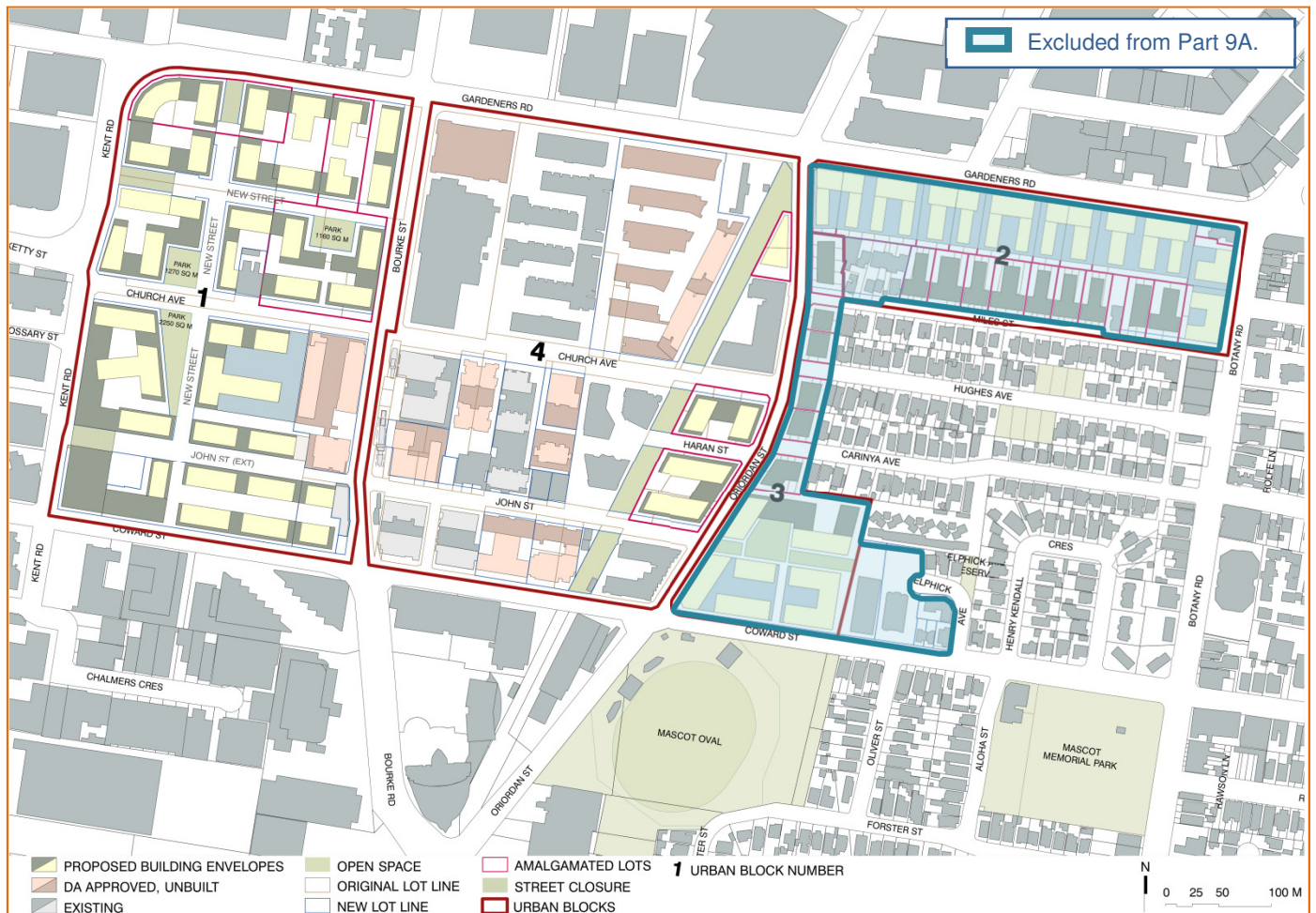
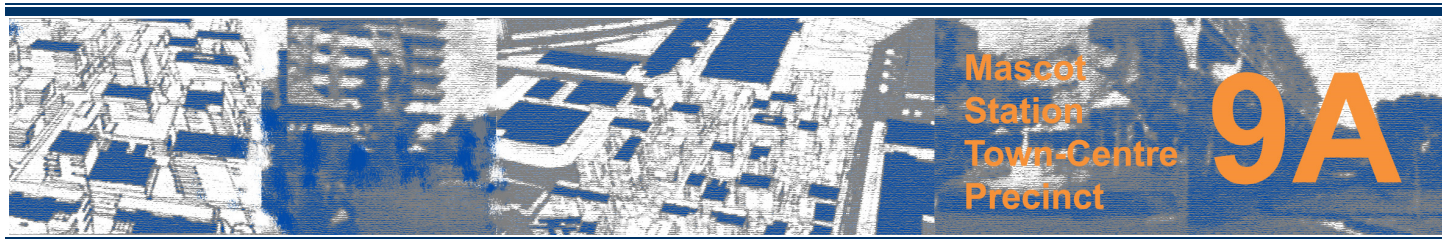


Figure 6 - Urban Blocks, Mascot Station Town Centre Precinct - Future Layout

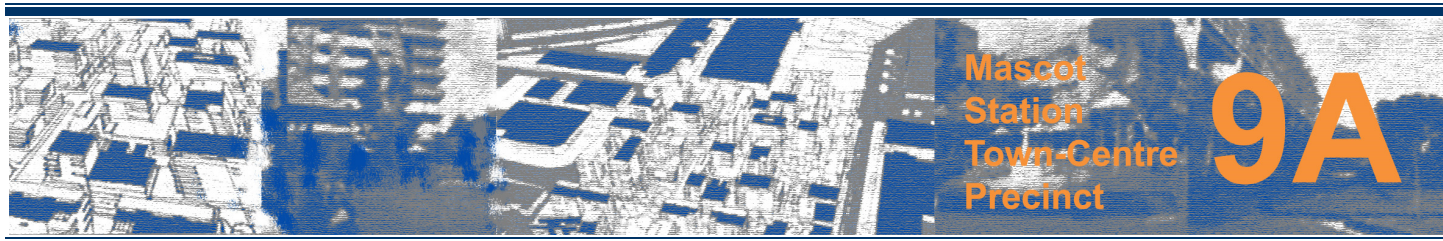




9A.3.1.2 Existing Character

The existing character of the Town Centre is comprised of a range of land uses, building types and varying building heights. Key characteristics of each urban block can be described as follows:

- Urban Block 1: Typical land uses include industrial warehouses, distribution centres, transport related uses and offices contained on large sites within 1 and 2 storey industrial buildings. The existing character of the low rise industrial style buildings are inappropriate to their location in the urban core of Mascot Station Town Centre. There is some evidence of redevelopment activity within the urban block, including small pockets of mixed use development and residential high rise.
- Urban Block 2: Council on 22 May 2013 resolved to investigate alternative development outcomes for Urban Block 2 (Miles Street sub Precinct - bounded by Miles Street, O’Riordan Street, Gardeners Road and Botany Road). Therefore the DCP has been amended to remove the development outcomes for Urban Block 2.
- Urban Block 3: Council on 20 July 2016 resolved to investigate alternative development outcomes for Urban Block 3. Therefore the DCP has been amended to remove the development outcomes for Urban Block 3.
- Urban Block 4: Sites west of the Sydney Water SWOOS have been recently redeveloped or upgraded and redevelopment is unlikely. Sites east of the SWOOS are predominantly residential uses. Buildings between the SWOOS and O’Riordan Street are 1 and 2 storeys and up to 7 storeys.



9A.3.2 Desired Future Character - Urban Block 1

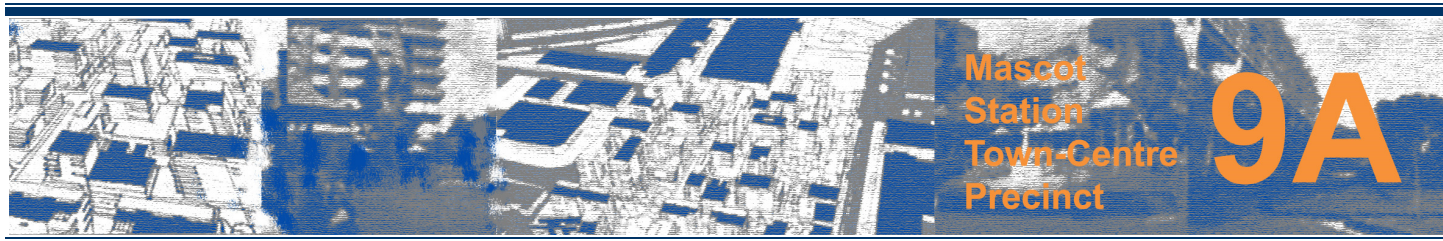
The Desired Future Character of Urban Block 1 is illustrated in **Figure 7** and the principles are described below:

Land Uses

- A mixed use area with retail ground floor uses on Bourke Street, Coward Street and Kent Road, and predominantly residential and commercial uses elsewhere within the urban block;
- Gardeners Road and Kent Road buildings are to have a continuous commercial ground floor, with residential or commercial uses above reflecting the commercial character of these major roads; and
- A major new supermarket is to be located in this urban block, with associated small scale shops creating a thriving retail hub close to Bourke Street and the railway station. The supermarket will be the focus of retail activity.

Street Character

- Bourke Street is to be the major, thriving main street in the Mascot Station Town Centre Precinct. Ground level retail, generous footpaths for pedestrians, a bike lane and bike facilities for cyclists, bus services, street trees and street furniture and paving are to denote Bourke Street as the active spine of the Town Centre;
- Church Avenue is to be a predominantly residential street, with canopy street trees, generous footpaths for pedestrians, on street parking and one-way traffic access to Kent Road, to ensure calmed local traffic conditions. The interface between the public and private domain at ground level is to be visually open, with multiple building and dwelling entries and no continuous blank facades or front garden walls;
- New local streets within the Urban Block are to provide vehicular, pedestrian and cycle access to high rise residential and mixed use buildings. These streets are to be addressed by major building facades, with predominantly continuous low level street frontages and set back tower buildings;
- Building facades are to align with new streets and the interface between the public and private domain at ground level is to be visually open, with multiple building and dwelling entries and no continuous blank facades or high front garden walls;
- The new public domain is to provide access to buildings and public open space for recreation;
- The retail open air arcade leading from Bourke Street westwards to the adjoining lot is to be extended;
- Part of the new north-south street is to be lined by ground floor retail to create activity and provide for safety and security throughout the day and evening;
- The intersection of Gardeners Road and Bourke Street represents the northern entry point to the Mascot Station Town Centre Precinct. The property on the intersection is a gateway site and its



redevelopment will respond to the sites prominence and visual importance in order to define the entry to the Precinct;

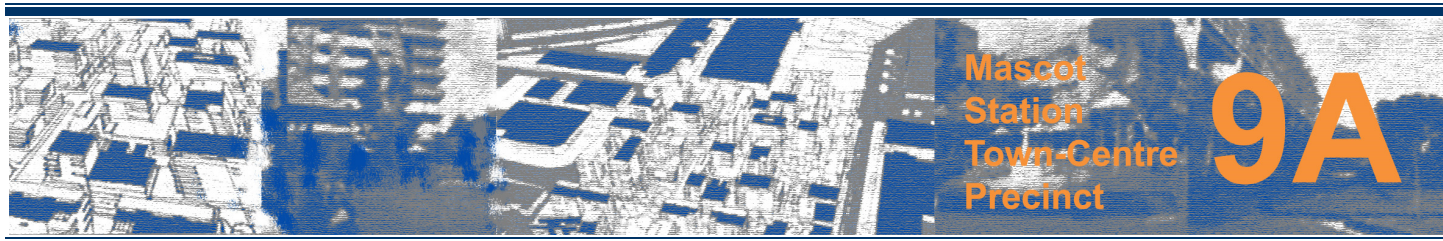
- The extension of John Street will provide access for vehicles and pedestrians with frontages being retail or commercial at ground level, to enhance retail activity, pedestrian amenity and urban character in close proximity to the railway station;
- Kent Road buildings are to have a continuous commercial ground floor, with residential or commercial uses above. This will reflect the commercial character of these major roads and the movement economy of businesses fronting them. Residential floors above are to be designed using environmental design strategies such as site specific apartment types, screening and the like to maintain good residential amenity; and
- Kent Road and Coward Street buildings are to have a continuous commercial ground floor, with residential or commercial uses above. This will reflect the commercial character of these major roads and the movement economy of businesses fronting them. Residential floors above are to be designed using environmental design strategies such as site specific apartment types, screening and the like to maintain good residential amenity.

Built Form

- Street frontages at the lower levels of buildings are to be generally continuous, enhancing pedestrian interest and amenity and providing safety and security by ensuring passive surveillance of the public domain. Small breaks in these perimeter block forms may provide pedestrian access to the centres of blocks;
- Residential floors above ground level commercial are to be designed using environmental design strategies such as site specific apartment types, screening and the like to maintain good residential amenity; and
- The upper levels of buildings are to facilitate daylight access to streets and avoid street canyons by being set back from the building alignment.

Public Domain

- Urban Block 1 will undergo substantial change, from having large lots with little public domain, to being a part of a thriving town centre with overlapping uses and an actively used public domain. This transformation will be achieved with new publicly dedicated streets and parks on existing lots, to provide access and recreation for higher density mixed uses;
- The density and requirements for car parking in this block reduce the potential for deep soil and planting of large scale trees within the block footprint. The new parks, however, are to take up this shortfall with provision for deep soil and large trees;
- New local parks will provide for the recreation needs of a substantial new residential population. These parks are to have a public street along one or two sides of the park to provide them with a public character, and to allow for overlooking from the public domain for safety and security; and



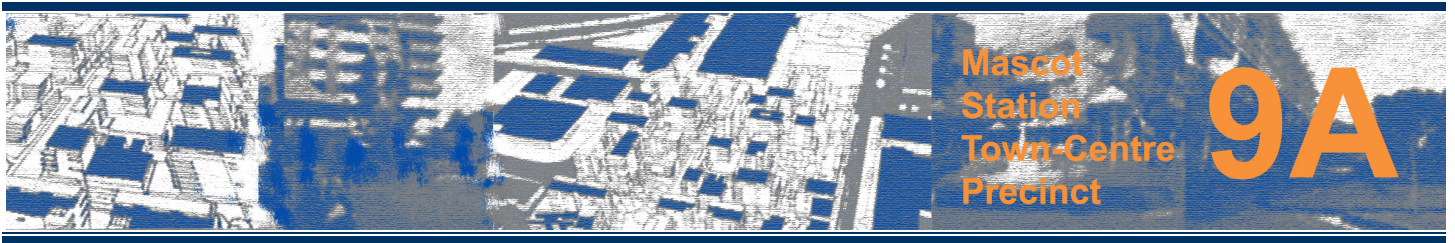
- Public domain improvements are to be made in streets adjoining development sites.

Road Widening

- New Streets and pedestrian links as illustrated in **Figure 7** are required within Urban Block 1;
- Road widening is required along the eastern side of Kent Road, including 19-33 Kent Road and No. 39 Kent Road, Mascot as well as widening the corner of Kent Road and Coward Street within 39 Kent Road. Further information can be obtained from Council and Transport NSW and Roads and Maritime Services. The road widening was identified by the Mascot TMAP prepared by SMEC Australia and is therefore identified in the Mascot Station Precinct DCP;
- Road widening is required on both the southern and northern sides of Church Avenue to improve traffic management. Land to be dedicated is calculated by measuring the appropriate distance from the centre line of the existing road. The road reserve is to be 12 metres from each side of the centre line; and
- Additional road widening within Urban Block 1 is also identified on BBLEP 2013 Land Reservation Map – Sheet LRA_001.

Figure 7 - Desired Future Character - Urban Block 1





9A.3.3 Desired Future Character - Urban Block 2

Council on 22 May 2013 resolved to investigate alternative development outcomes for Urban Block 2 (Miles Street sub Precinct - bounded by Miles Street, O’Riordan Street, Gardeners Road and Botany Road). Therefore the DCP has been amended to remove the development outcomes for Urban Block 2.

Figure 8 - Desired Future Character - Urban Block 2

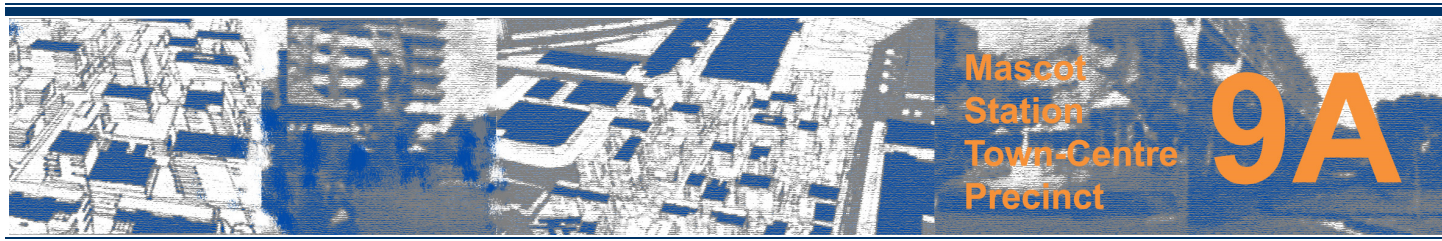
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9A.3.4 Desired Future Character - Urban Block 3

Council on 20 July 2016 resolved to investigate alternative development outcomes for Urban Block 3. Therefore the DCP has been amended to remove the development outcomes for Urban Block 3.

Figure 9 - Desired Future Character - Urban Block 3

To be inserted at a later date



9A.3.5 Desired Future Character - Urban Block 4

The Desired Future Character of Urban Block 4 is illustrated in **Figure 10** and principles are described below:

Land Uses, Street Character and Built Form

- The existing character of predominantly apartment buildings on O’Riordan Street is generally appropriate although proposed public domain improvements within the road reserves will further consolidate and improve the streetscape; and
- Remaining potential redevelopment sites will provide for apartment buildings up to 13 storeys in height.

Public Domain

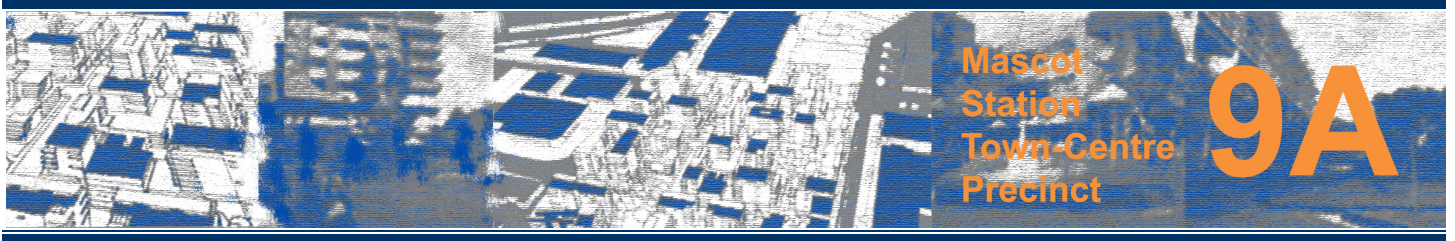
- Permission has been gained for the use of the Southern Western Suburbs Ocean Outfall Sewer land (SWSOOS), owned by Sydney Water as public space. This will provide useful landscaped open space in the eastern part of the Town Centre, adjacent to many recently built and recently approved residential developments. The SWSOOS will also provide a pedestrian link between Gardeners Road and Coward Street.

Road Widening

- Road widening is required along the southern side of Gardeners Road within No 639 Gardeners Road, Mascot. Further information can be obtained from Transport NSW and Roads and Maritime Services. The road widening was identified by the Mascot TMAP prepared by SMEC Australia;
- Additional road widening within Urban Block 4 has been identified on BBEP 2013 Land Reservation Map – Sheet LRA_001; and
- Road widening is required along the southern and northern sides of Church Avenue and John Street (applies to sites that have not been redeveloped to date). For Church Avenue the land to be dedicated is calculated by measuring the appropriate distance from the centre line of the existing road. The road reserve is to be 12 metres from each side of this centre line. For John Street, the land to be dedicated is to be calculated by measuring from the centre line of the existing road. The new road reserve is to be 10 metres each side of this centre line.

Figure 10 - Desired Future Character - Urban Block 4





9A. 4 General Controls

9A.4.1 Introduction

In developing the primary development controls Council has been mindful of the need to make new development forms responsive to their neighbors and the public domain. Development forms that are based on sound urban design principles make a positive contribution to their immediate environment and result in high quality development.

9A.4 outlines the key objectives and controls guiding future development within the Mascot Station Town Centre Precinct. Plans associated with this part are contained in **Figures 11 to 56** following and the relevant objectives and controls relating to the plans are discussed throughout the remainder of 9A.4.

Note:

Council will consider alternative development proposals relating to the future layout and built form controls (Part 9A.4.3) if the alternative development proposal meets the future vision in Part 9A.2 for the Mascot Station Town Centre Precinct and the Desired Future Character principles in Part 9A.3. Alternative development proposals are to meet the provisions of the Botany Bay LEP 2013 and SEPP No. 65 and the Apartment Design Guide.

9A.4.2 General Control Plans

Figures 11 to 15 on the following pages provide an overview of the heights, future layout and built form controls for each urban block. The detailed controls and plans are contained in **Parts 9A.4.2, 9A.4.3 and 9A.4.4.**

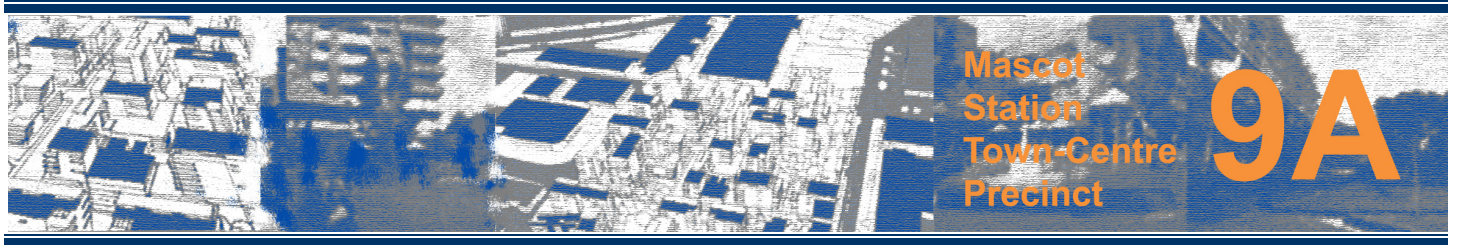
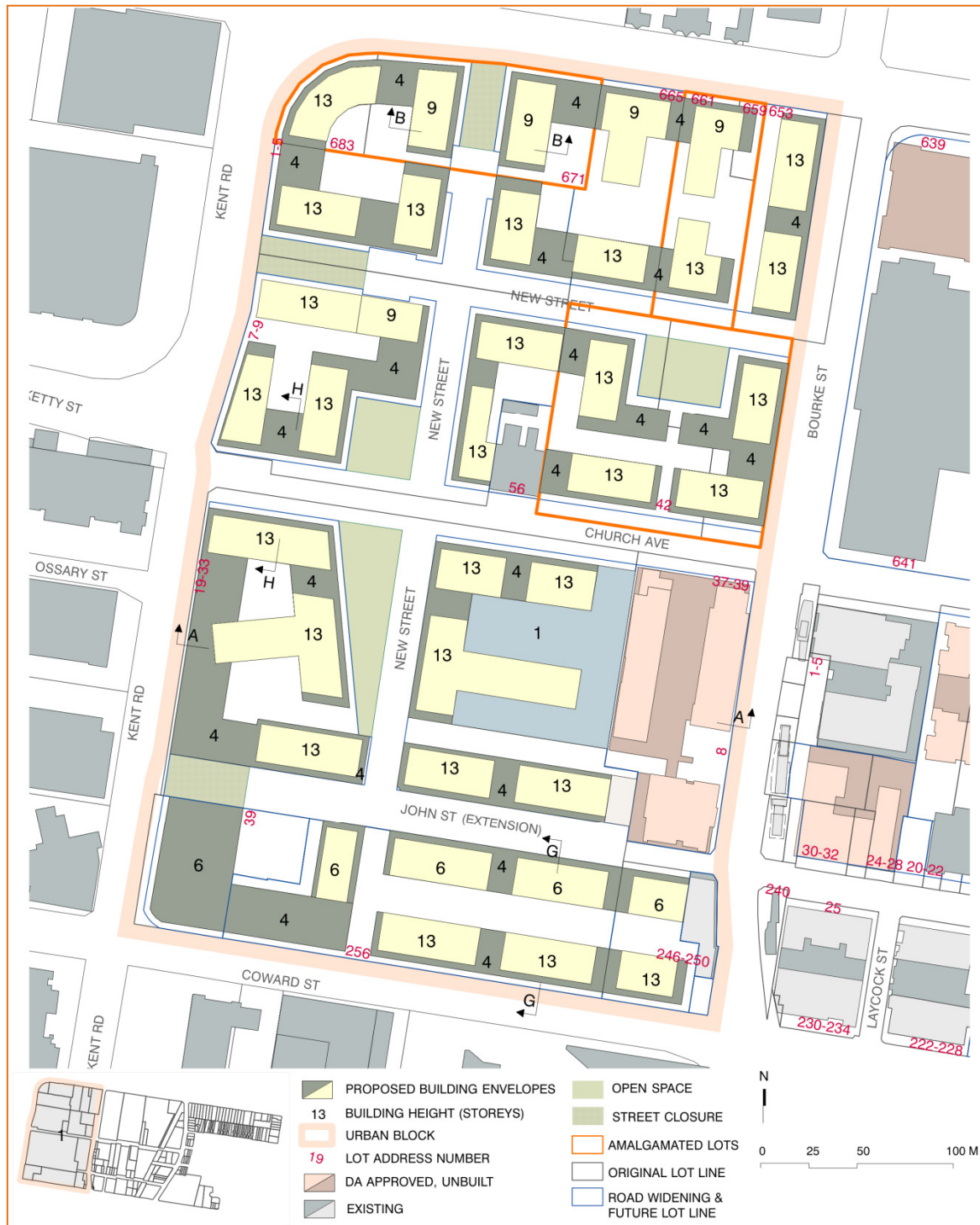


Figure 11 - Overview - Heights, Future Layout & Built Form Control - Urban Block 1



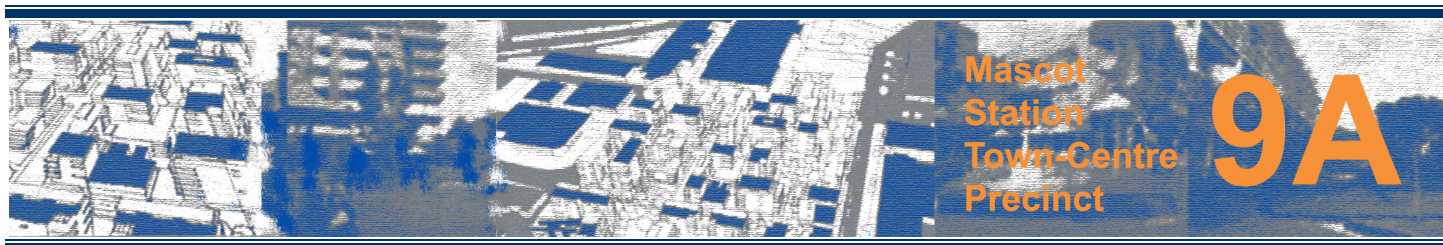


Figure 12 - Overview - Heights, Future Layout & Built Form Control - Urban Block 2

To be inserted at a later date

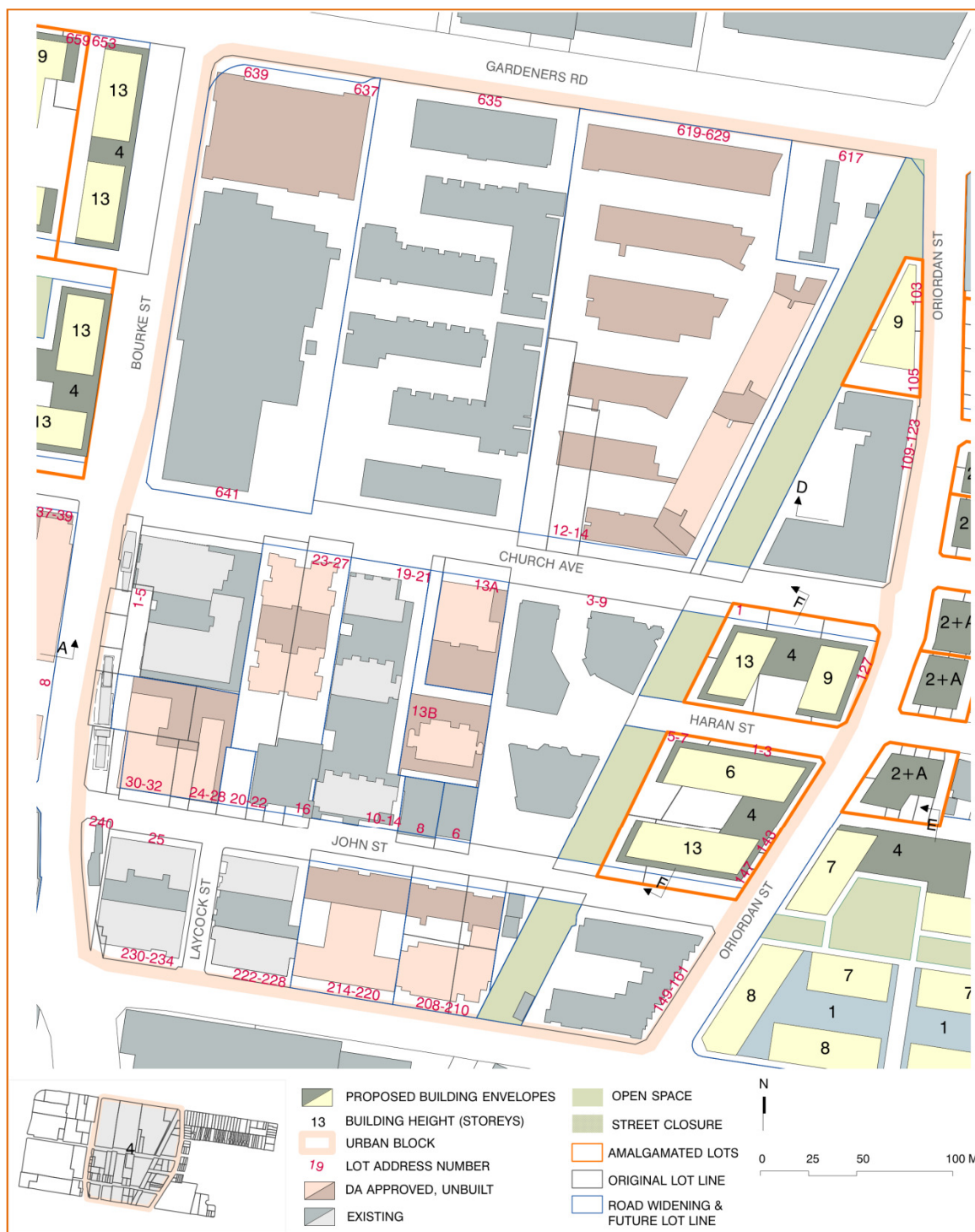
Figure 13 - Overview - Heights, Future Layout & Built Form Control - Urban Block 2 (For sites greater than 2,000m² facing Miles) - Urban Block 2

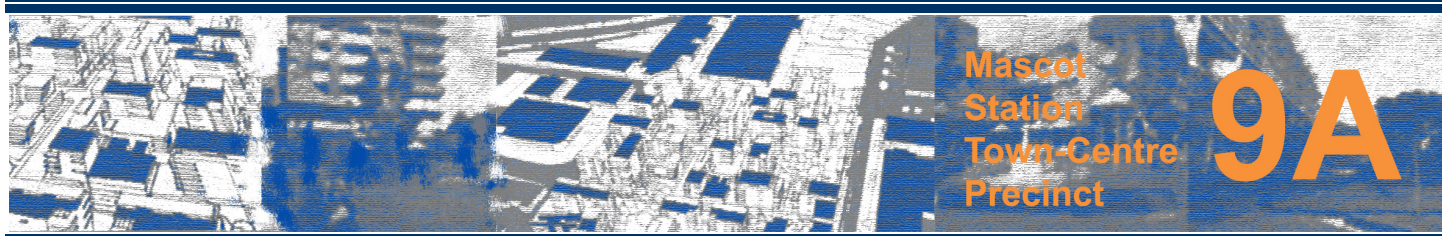
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Figure 14 - Overview - Heights, Future Layout & Built Form Control - Urban Block 3

To be inserted at a later date

Figure 15 - Overview - Heights, Future Layout & Built Form Control - Urban Block 4





9A.4.3 Built Form

9A.4.3.1 Height

The building height controls work together with density and setback controls to ensure that the overall built form is appropriate for the desired future character of the emerging Mascot Station Town Centre Precinct. The primary controls relating to maximum height limits are found in the Botany Bay Local Environmental Plan 2013 (BBLEP 2013), however controls within this DCP further refine the heights allowed on each building site.

Objectives

- O1** To ensure the scale of new buildings is consistent with the desired future character of each urban block within the Mascot Station Town Centre Precinct;
- O2** To enable buildings, open space and public domain areas to achieve an acceptable level of daylight access; and
- O3** To ensure development has minimal impact on neighbouring properties in terms of the potential loss of views, loss of privacy, overshadowing or visual intrusion.

Controls

- C1** The maximum height of buildings must be in accordance with the Height of Buildings Map and **Clause 4.3** of the Botany Bay Local Environmental Plan 2013.
- C2** Council may require a reduction in height shown for the land on the Height of Buildings Map where a building built to the height shown for the land on the Height of Buildings Map would have unacceptably adverse impacts with regard to:
 - (i) The overshadowing of a dwelling, private open space or public open space;
 - (ii) An inappropriate transition in built form and landuse intensity;
 - (iii) The design excellence of a building;
 - (iv) View loss; or
 - (v) The Obstacle Limitation Surface.

- C3** Development must conform to the maximum height of buildings in storeys for Urban Blocks 1 and 4 as shown in **Figures 16, 17, 19 and 20**.

Note: A storey is defined in the standard instrument as follows: “storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include: (a) a space that contains only a lift shaft, stairway or meter room, or (b) a mezzanine, or (c) an attic.”

Figure 16 - Maximum Permissible Height - Urban Block 1



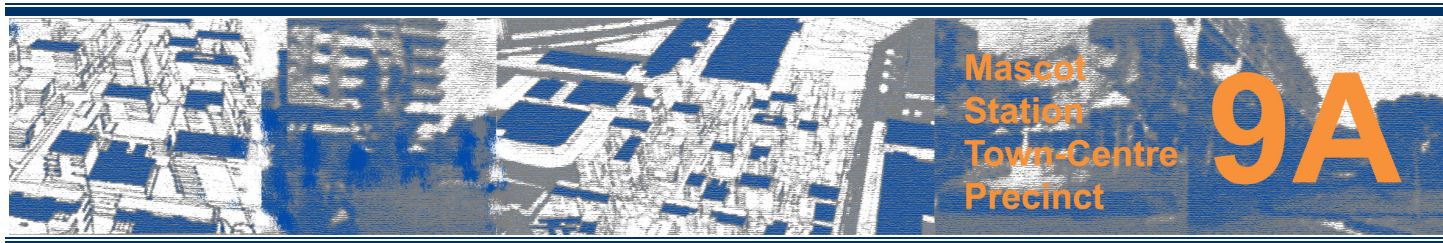


Figure 17 - Maximum Permissible Height - Urban Block 2

To be inserted at a later date

Figure 18 - Overview - Heights, Future Layout & Built Form Control (for sites greater than 2,000m² facing Miles Street) - Urban Block 2

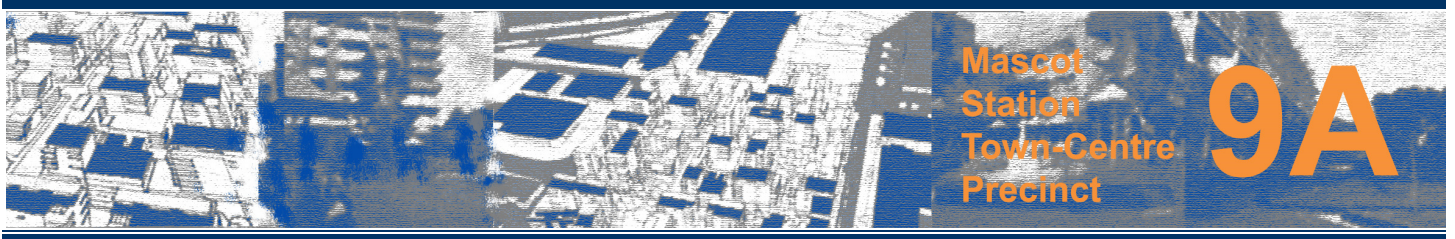
To be inserted at a later date

Figure 19 - Maximum Permissible Height - Urban Block 3

To be inserted at a later date

Figure 20 - Maximum Permissible Height - Urban Block 4





9A.4.3.2 Floor Space Ratio (FSR)

The maximum Floor Space Ratio (FSR) controls are found in the Botany Bay Local Environmental Plan 2013 (BBLEP 2013); however building envelope controls within this DCP further refine the scale of the building forms permitted within the Mascot Station Town Centre Precinct.

Objectives

O1

To ensure the scale of new buildings is consistent with the desired future character of each urban block within the Mascot Station Town Centre Precinct;

O2

To provide appropriate bulk and scale relationships between buildings within the Mascot Station Town Centre Precinct; and

O3

To ensure development has minimal impact on neighbouring properties in terms of the potential loss of views, loss of privacy, overshadowing or visual intrusion.

Controls

C1

The maximum FSR of buildings must be in accordance with the Floor Space Ratio Map and **Clause 4.4 and 4.4B** of the Botany Bay Local Environmental Plan 2013.

C2

Council may require a reduction in FSR shown for the land on the Floor Space Ratio Map where a building built to the FSR shown for the land on the Floor Space Ratio Map would have unacceptably adverse impacts with regard to:

(i)

The overshadowing of a dwelling, private open space or public open space;

(ii)

An inappropriate transition in built form and landuse intensity;

(iii)

The design excellence of a building;

(iv)

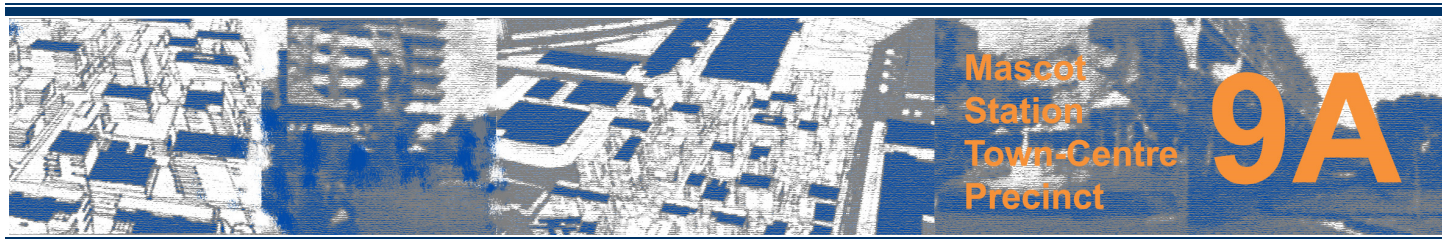
View loss; or

(v)

The Obstacle Limitation Surface.

C3

Development must comply with the future layout and built form controls for Urban Blocks 1 and 4 in **Figures 11, 12, 14 and 15**. This requirement may result in the FSR not being achieved.



9A.4.3.3 Site Amalgamation and Subdivision

The Mascot Station Town Centre Precinct contains a range of allotment sizes and existing development patterns. Some sites have already been redeveloped to their full capacity and therefore will not redevelop in the future. These sites do not require further amalgamation. Some allotments are large and can be redeveloped without amalgamation whilst others will need to be amalgamated to enable the efficient use of land and to allow design constraints to be more easily resolved. In some cases the development site boundaries do not correspond to the existing allotment boundaries due to proposed new streets and public domain works that may be required as part of redevelopments. Development site boundaries are shown on the site layout plans for each urban block and, where re-subdivision is required, will become the new allotment boundaries.

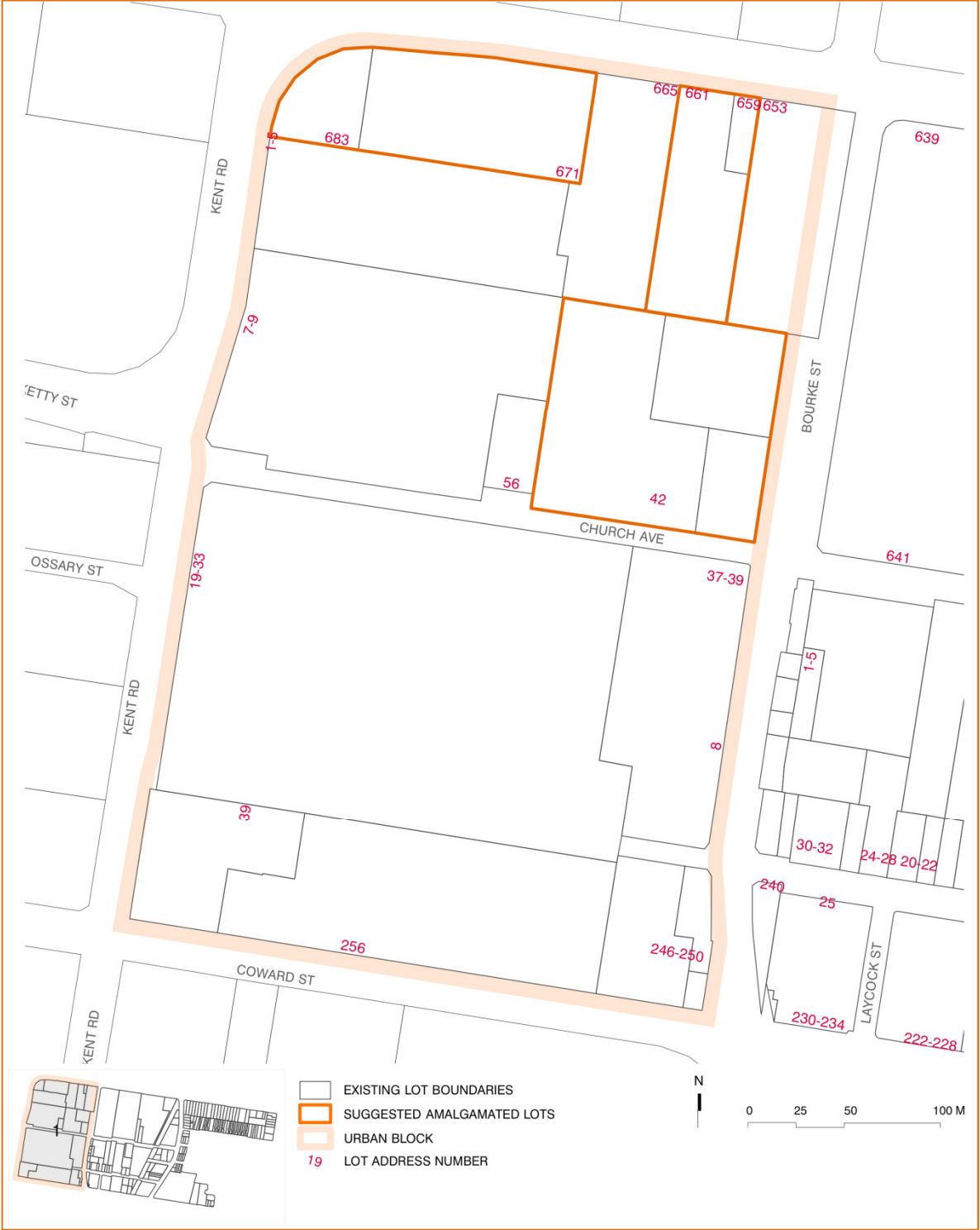
Objectives

- O1** To consolidate allotments where necessary to allow for development of built forms that make a positive contribution to the spatial definition of the street;
- O2** To ensure that smaller allotments of land are not isolated leaving them unable to develop efficiently in the future;
- O3** To provide for the creation of new allotment boundaries where they are required to enable the proposed new roads and public domain works;
- O4** To ensure redevelopment sites are of a suitable size and shape to enable high density residential and mixed use development forms;
- O5** To improve permeability and amenity by creating new internal streets; and
- O6** To establish Bourke Street as the main retail and pedestrian/cycle street with Church Avenue playing a supporting role.

Controls

- C1** The redevelopment of lots within Urban Blocks 1 and 4 must conform to the amalgamation pattern in **Figures 21, 22, 24 and 25**.
- C2** The redevelopment of lots within Urban Blocks 1 and 4 must generally conform to the lot alignments in **Figures 26, 27, 28 and 29**.
- C3** A subdivision plan will be required as part of the development application where land needs to be excised to create new parks, public domain spaces or roadways.

Figure 21 - Lot Amalgamation - Urban Block 1



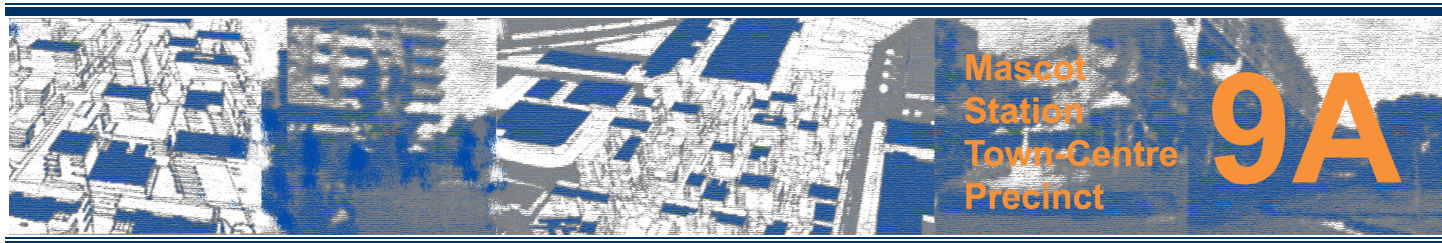


Figure 22 - Lot Amalgamation - Urban Block 2

To be inserted at a later date

Figure 23 - Amalgamation Pattern (for sites greater than 2,000m² facing Miles Street) - Urban Block 2

To be inserted at a later date

Figure 24 - Lot Amalgamation - Urban Block 3

To be inserted at a later date

Figure 25 - Lot Amalgamation - Urban Block 4



Figure 26 - Lot Alignments - Urban Block 1



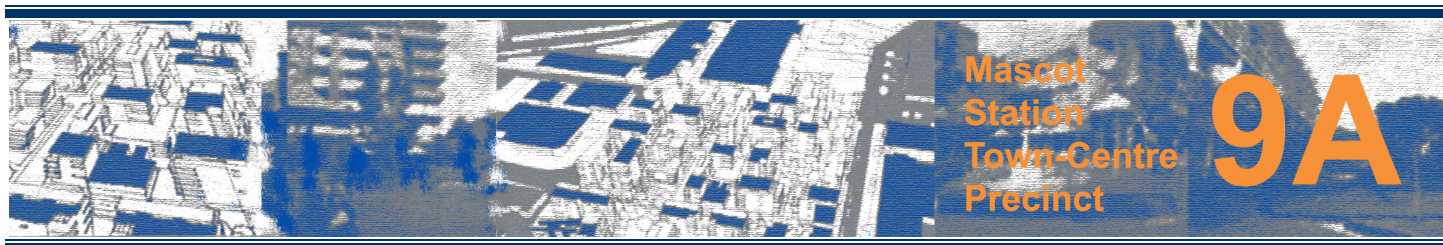


Figure 27 - Lot Alignments - Urban Block 2

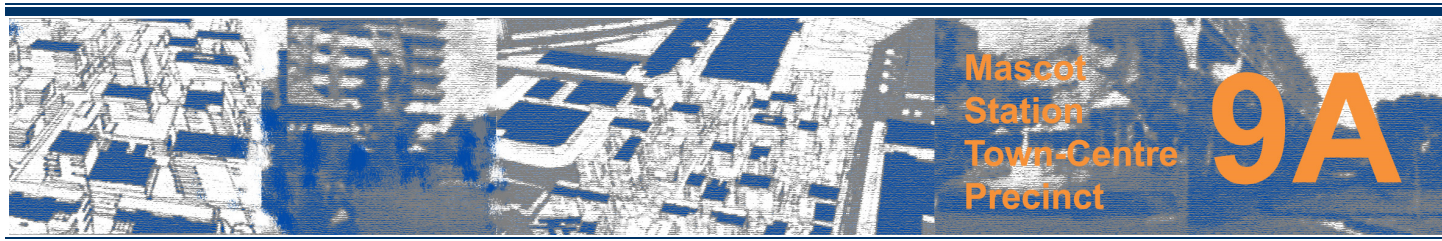
To be inserted at a later date

Figure 28 - Lot Alignments - Urban Block 3

To be inserted at a later date

Figure 29 - Lot Alignments - Urban Block 4





9A.4.3.4 Street Setbacks

Street setbacks establish the front building line and help to create the proportions of the street. The controls in this Part of the DCP will provide an integrated approach to balancing the proportions of streets in the public domain and the buildings fronting the private domain. In some cases streets will be widened upon redevelopment and in some cases new streets will be created.

Existing allotment boundaries therefore need to be carefully examined in the light of the proposed street edges as some lot boundaries will need to change upon redevelopment.

The controls outlined in this Part will result in the enhancement of streetscape character and the continuity of street facades. It is anticipated that the street setbacks will also be used to enhance the setting for the building. In some cases, where the context is more residential, they will provide for landscape areas, entries to the ground floor of buildings and deep soil zones suitable for planting of canopy trees. At upper levels they will provide for building articulation, a degree of openness in the street and a good spatial relationship between buildings that front streets. The spatial relationship of buildings is an important determinant of a good urban form.

Objectives

- 01** To provide for new buildings that spatially define streets with well articulated facades;
- 02** To define the street edge at the ground and lower levels of the retail and commercial areas;
- 03** To reduce bulk, ensure adequate exposure to sunlight and ventilation and create the opportunity for visual and acoustic privacy at the upper levels of mixed use buildings;
- 04** To provide a threshold which creates a transition between public and private space for apartment buildings;
- 05** To enable apartment buildings to be situated within a landscaped setting;
- 06** To ensure new development is compatible with the desired future streetscape character;
- 07** To create cohesive streetscapes with consistent building alignments particularly at ground level which accommodates canopy street tree planting; and
- 08** To enable well articulated and stepped building facades at upper levels.

Controls

- C1** All development within Urban Block 1 must comply with the street setbacks identified in **Figures 30 and 31**.
- C2** All development within Urban Block 4 must comply with the street setbacks identified in **Figures 34 and 35**.
- C3** All development within Urban Blocks 1 and 4 must comply with the section plans in **Figures 36, 37, 38, 39, 40, 41 and 42**.
- C4** All property boundary front setbacks must be deep soil and landscaped and must not have any underground intrusions such as underground car parking or on site detention (refer to **Part 3L – Landscaping and Tree Management** for Deep Soil Zone definition).

Note: Street setbacks are measured perpendicular from the development site boundary to the closest extent of the building, including balconies, sunscreens, podiums and the like.

Note: The development site boundaries may not correspond to the existing allotment boundaries due to proposed streets and public domain works that may be required as part of redevelopments. Development site boundaries are shown on the site layout plans for each urban block and, where re-subdivision is required, will become the new allotment boundaries from which street setbacks are measured.

- C5** Setbacks are to maximise the retention of existing trees and their root systems (including those on adjoining properties) and may need to be variable to achieve this. Refer to **Part 3L – Landscaping and Tree Management**.
- C6** Setbacks are to include the planting of canopy trees, both small and large varieties. Developments are not to rely solely on street trees to ameliorate buildings.
- C7** Awnings must allow for continuous and contiguous street tree planting. Awnings (if required) are to be located and sized to adequately accommodate trees or deleted where not essential. Ground floor retail areas will be indented into the building so that awnings do not hinder street tree planting.

Figure 30 – Setback – Urban block 1 (Level 1 to 4)

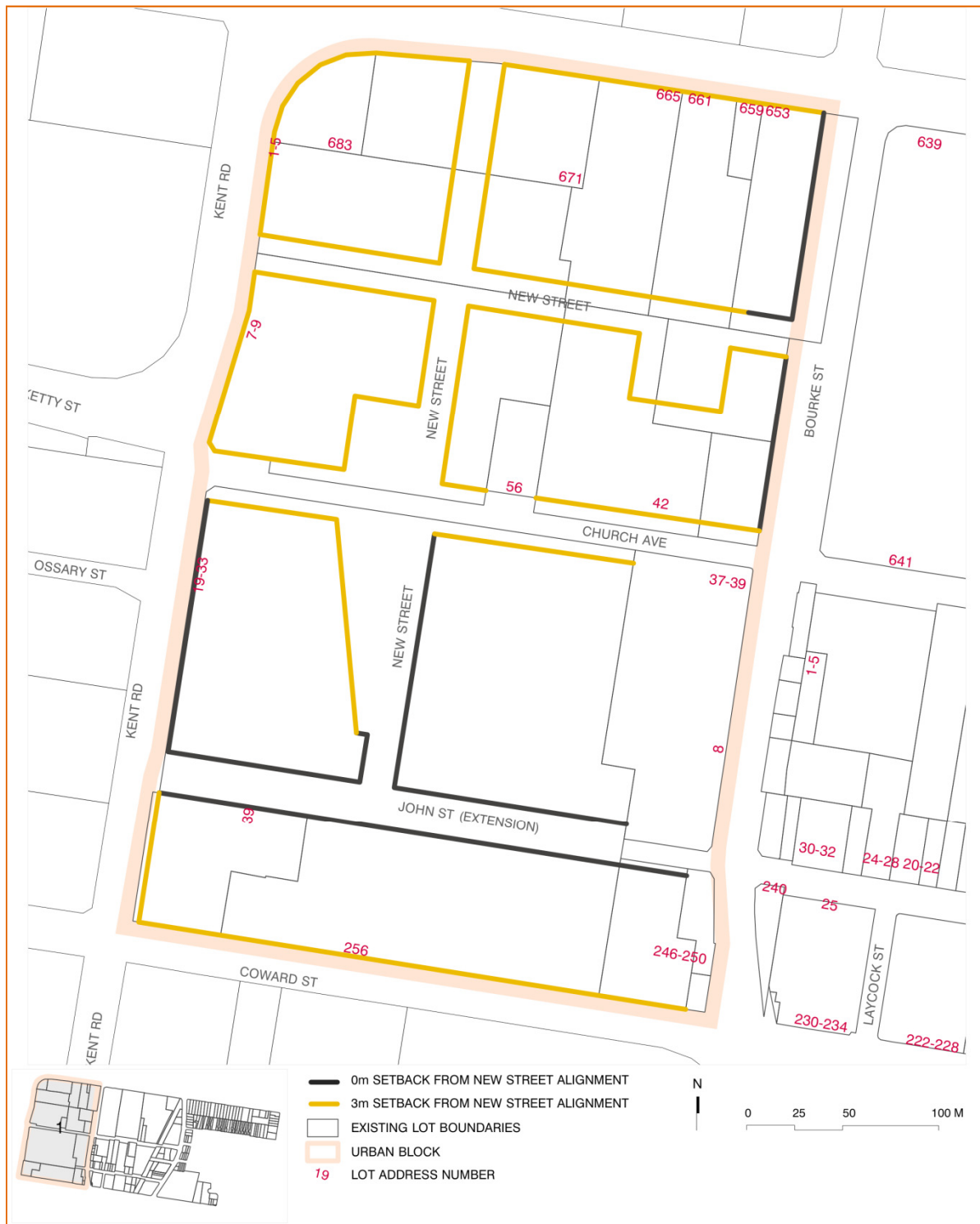
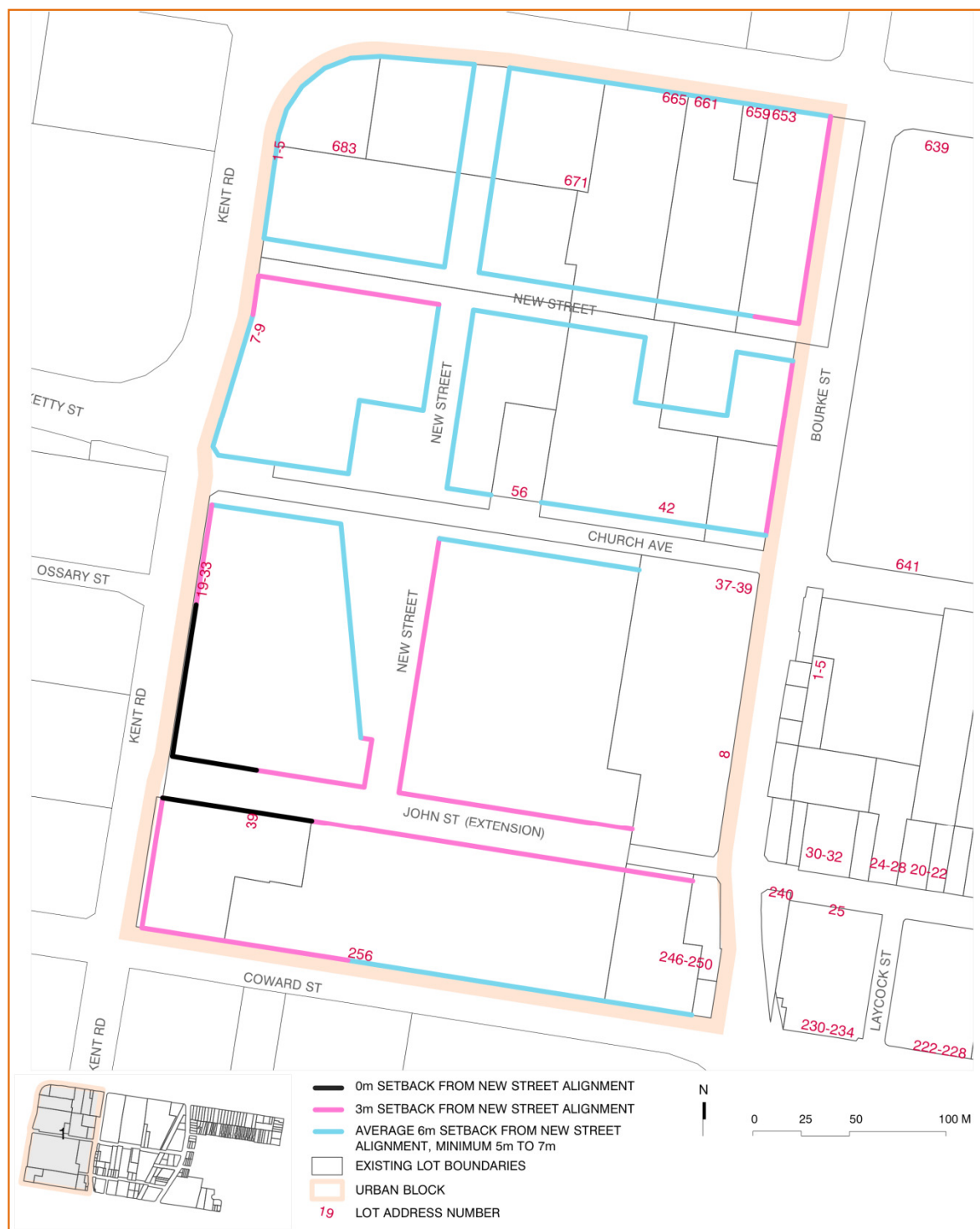


Figure 31 - Setback - Urban block 1 (Level 5 to 13)



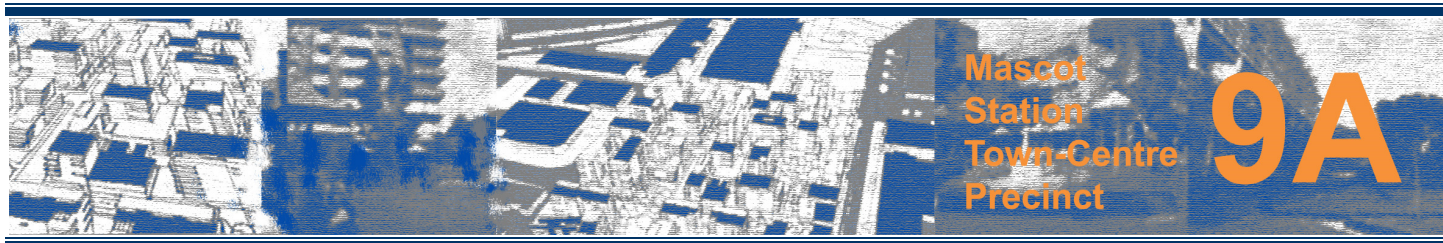


Figure 32 - Setbacks - Urban Block 2 (All Levels)

To be inserted at a later date

Figure 33 - Setbacks - Urban Block 3 (All Levels)

To be inserted at a later date

Figure 34 - Setbacks - Urban Block 4 (Level 1 to 4)

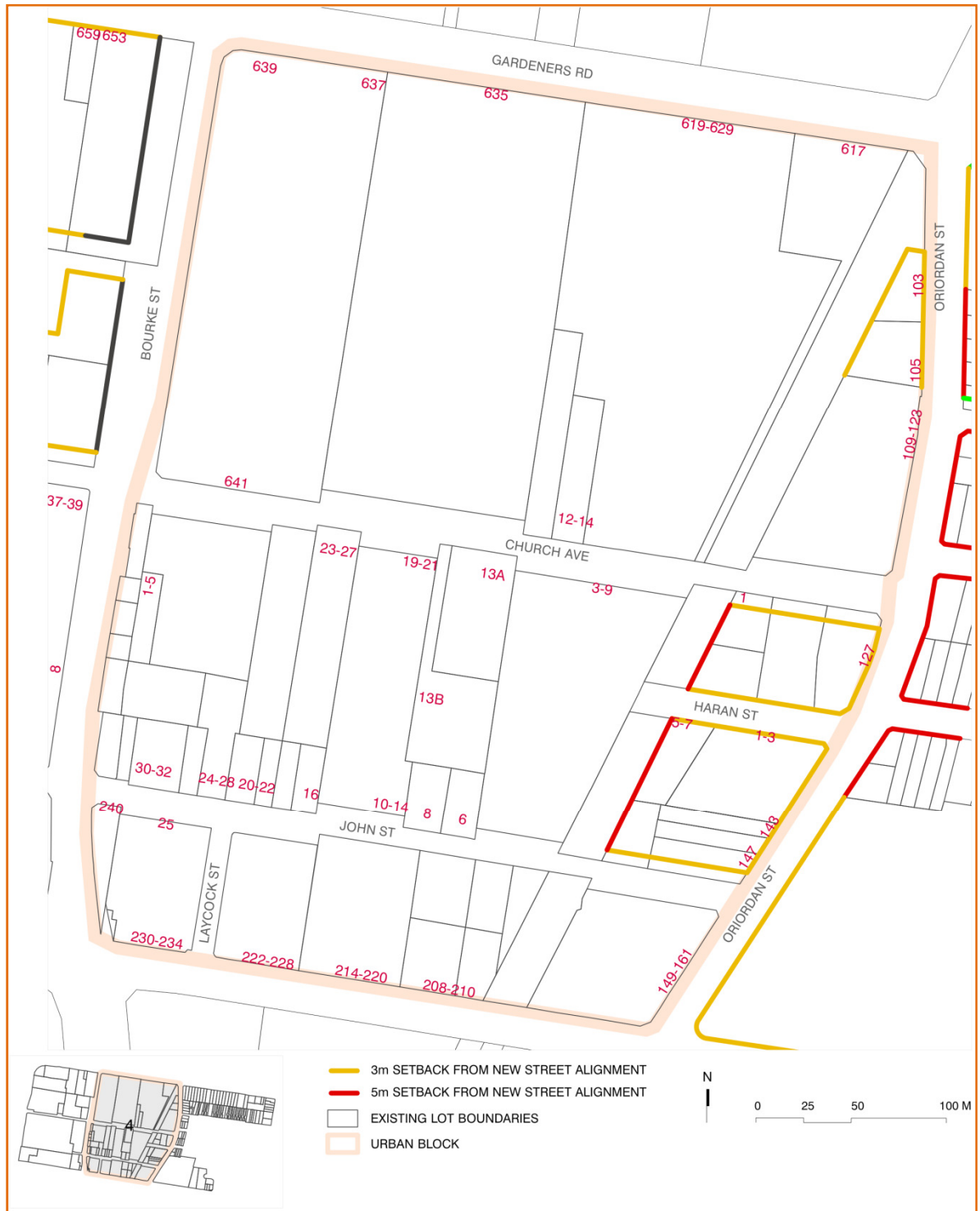


Figure 35 - Setbacks - Urban Block 4 (Level 5 to 13)

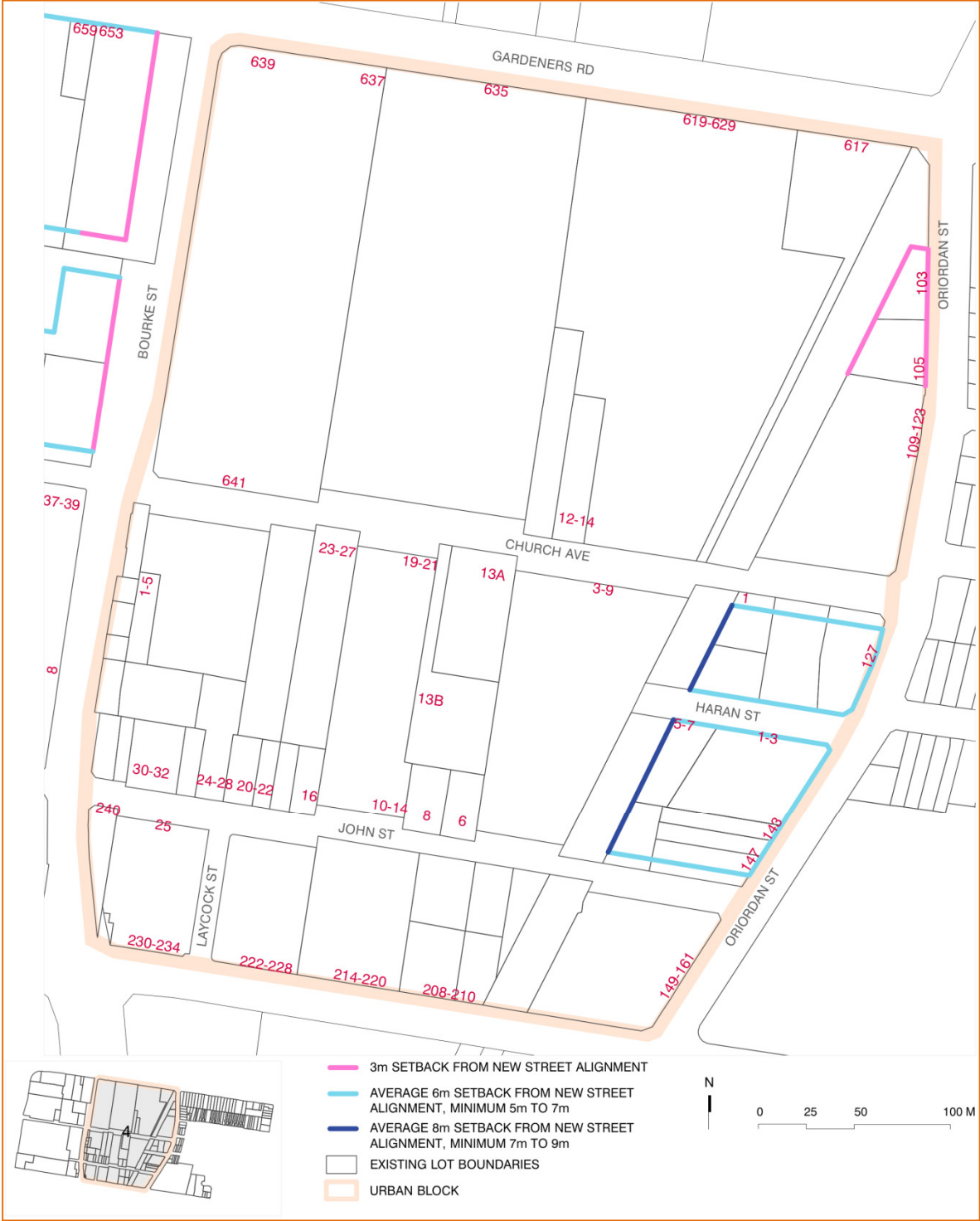


Figure 36 - Urban Block 1 - Section AA

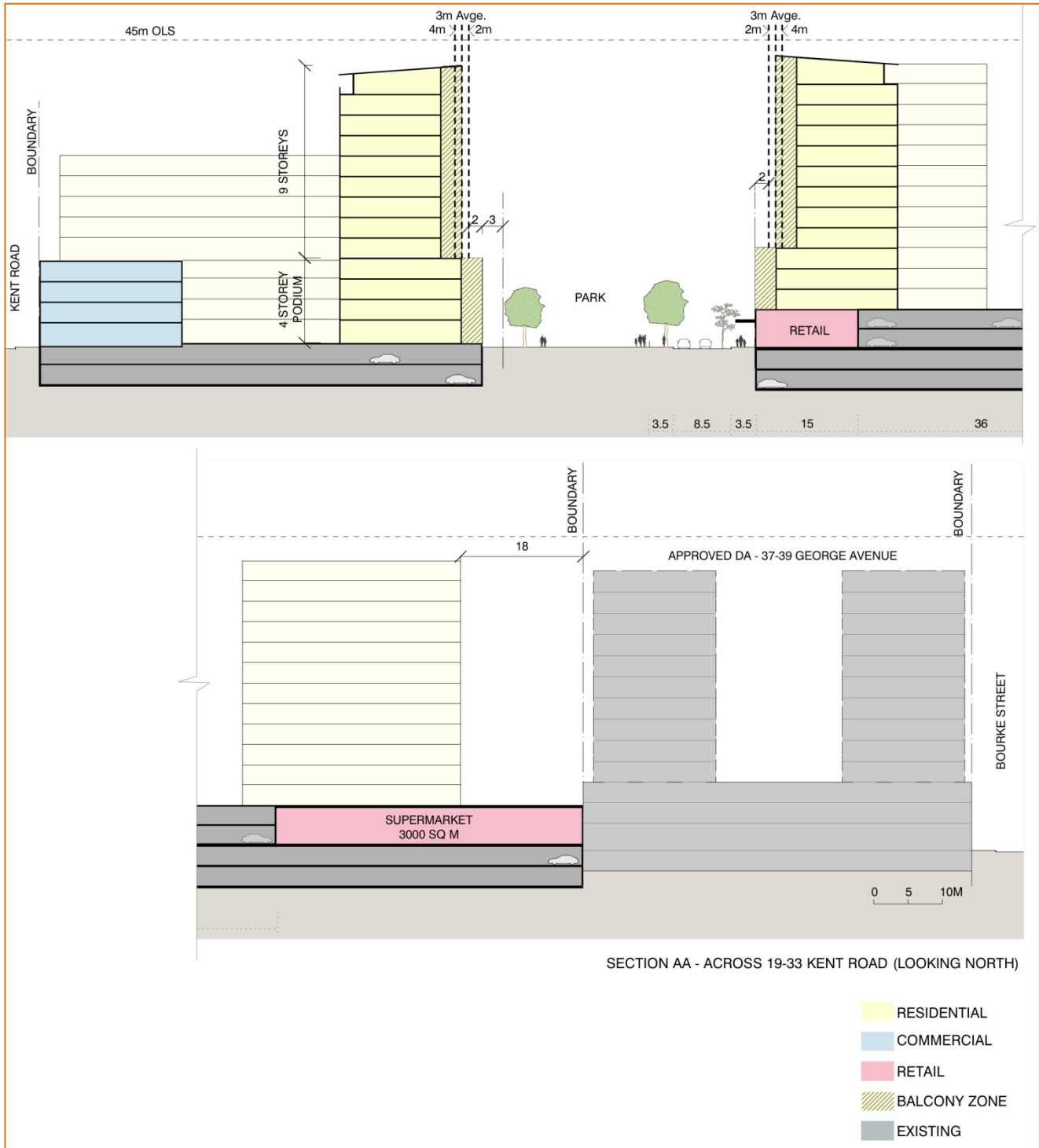


Figure 37 - Urban Block 1 - Section BB & HH

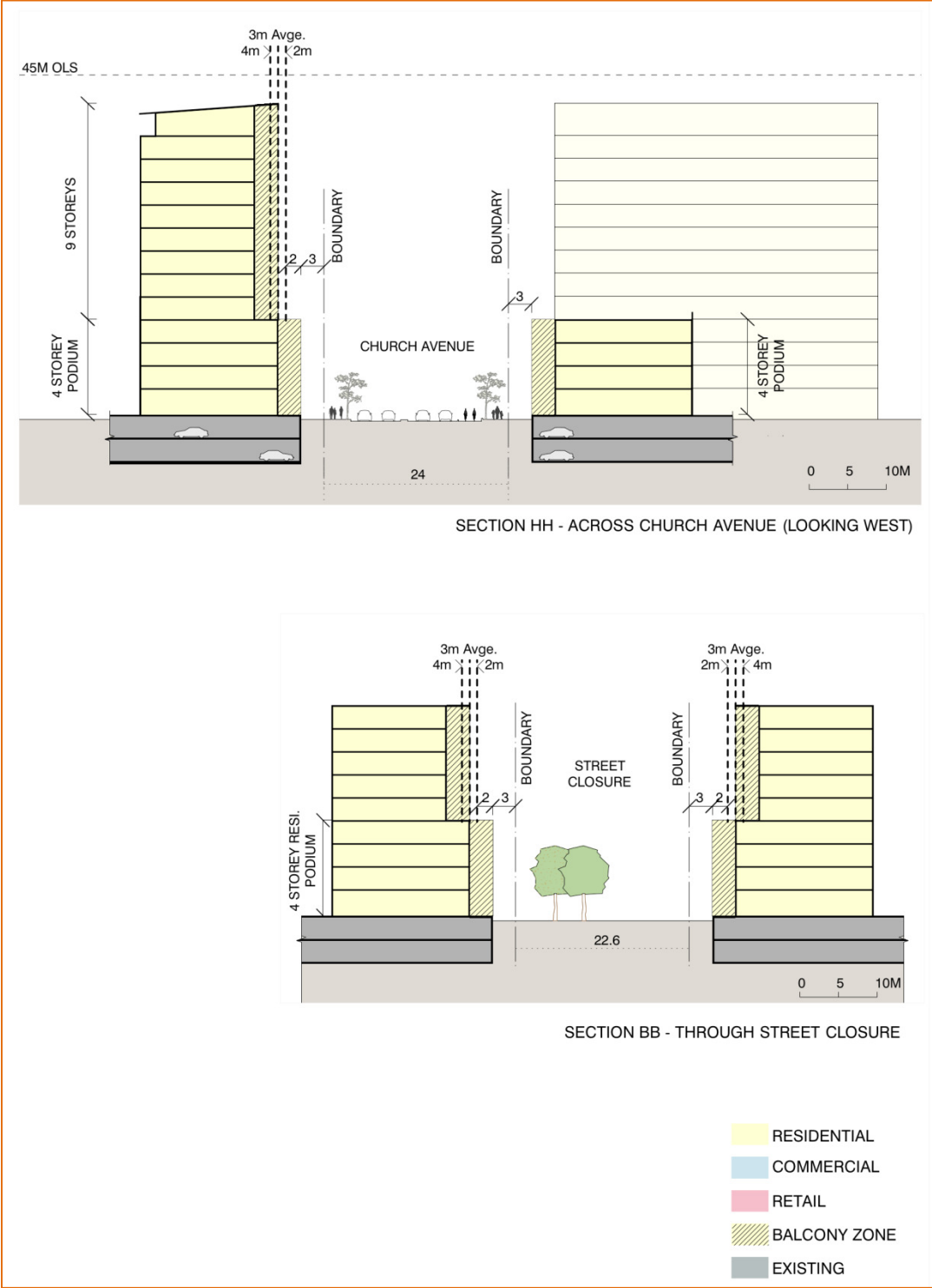


Figure 38 - Urban Block 1 - Section GG

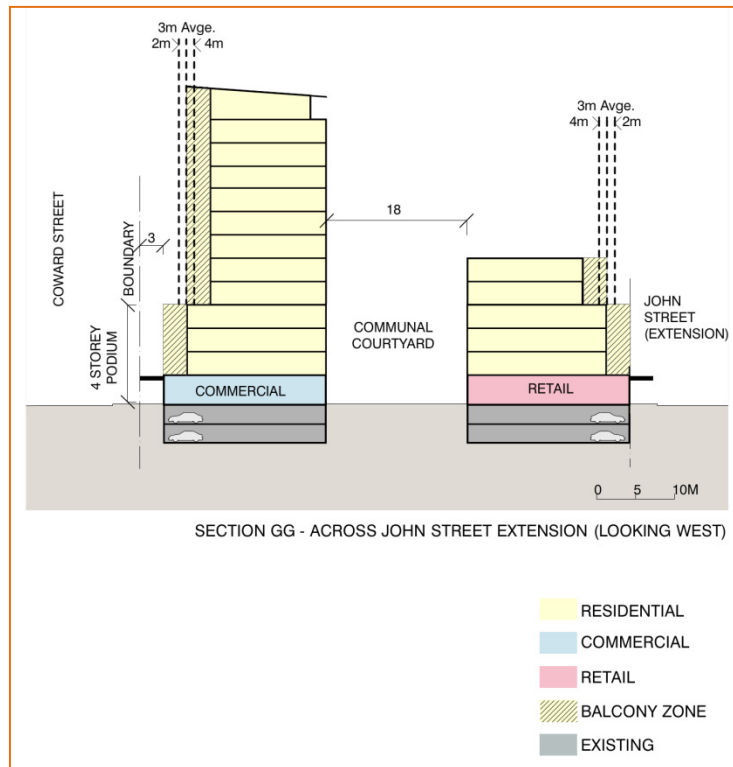


Figure 39 - Urban Block 2 - Section CC

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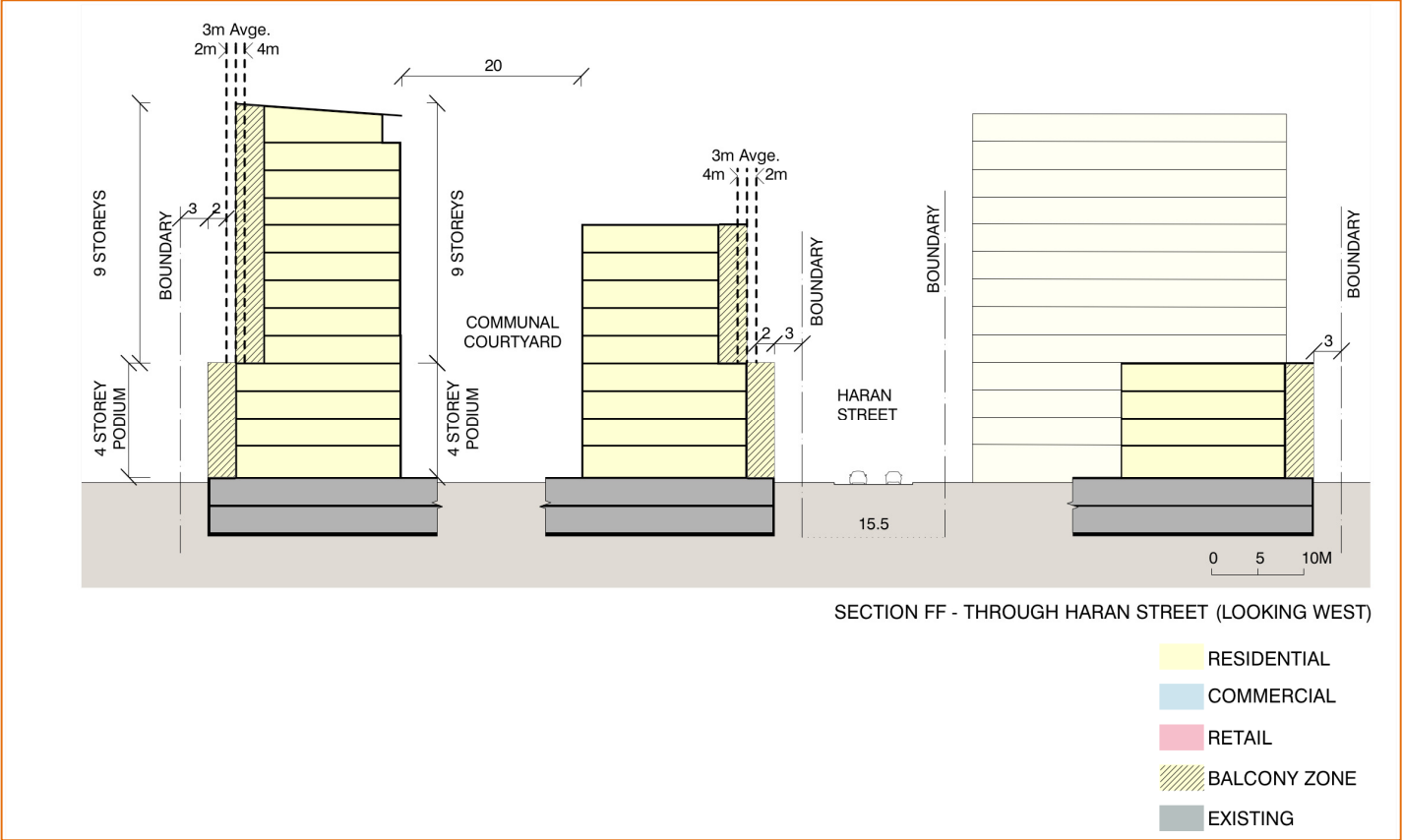
Figure 40 - Urban Block 2 (Option 2) - Section CC

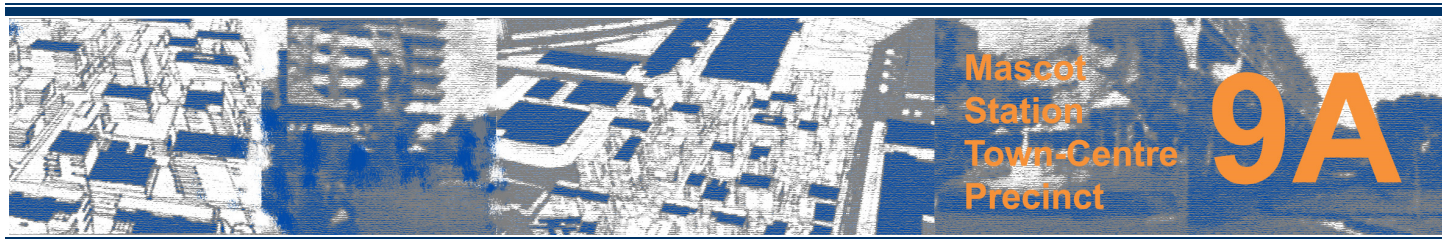
To be inserted at a later date

Figure 41 - Urban Block 3 - Section DD & EE

To be inserted at a later date

Figure 42 - Urban Block 4 - Section FF





9A.4.3.5 Building Envelopes

Building envelopes are a three dimensional zone that limits the extent of a building in any direction. Building height and site layout plans together with representative block models are contained in this Part to illustrate the building envelope requirements under this DCP. The building envelopes set the appropriate scale of future development in terms of bulk and height in relation to street layout and block and lot sizes in the Mascot Station Town Centre Precinct. Building envelopes are approximately 25% greater than the gross achievable floor area to allow for building articulation and balconies.

The three dimensional volume of space defines the outer limits of parts of the building form and allows room for the height, setbacks and articulation of the future buildings. Accordingly, there will not be an expectation for future buildings to fully occupy all of a building envelope.

Objectives

- O1** To ensure that new buildings are consistent with the built form envelopes envisaged in the Desired Future Character statements for each Urban Block;
- O2** To provide building envelopes that enable development to achieve the nominated maximum floor space and height potential under BBLEP 2013;
- O3** To achieve development that is of an appropriate scale and form in the context of adjoining land-uses, public open space and the underlying topography of the centre;
- O4** To ensure that individual development proposals are designed to an appropriate size, mass and separation to protect solar access to adjoining buildings and areas of public domain;
- O5** To ensure the built forms make a positive contribution to the streets of the centre;
- O6** To allow for building design and development to take place within predetermined building envelopes that do not compromise the opportunity to express high quality architectural design features; and
- O7** To ensure built forms provide adequate amenity for occupants in terms of access to sunlight and natural ventilation.

Note: Figures 43, 44, 45, 46, 47 and 48 are indicative only of a development outcome.

Figure 43 - 3D Building Envelopes - Urban Block 1



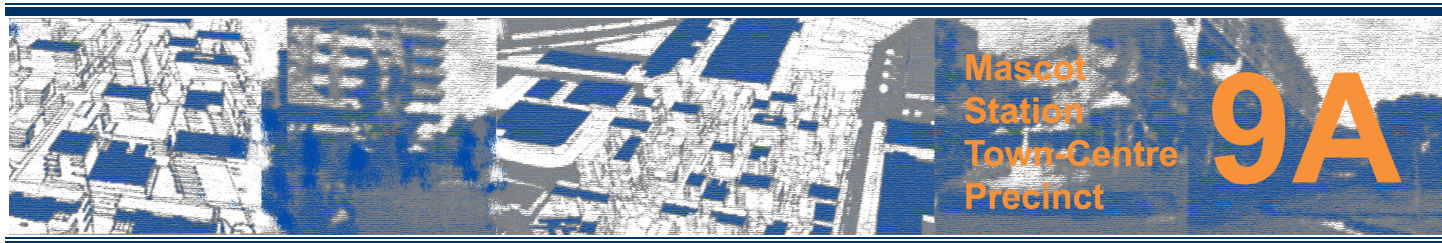


Figure 44 - 3D Building Envelopes - Urban Block 2

To be inserted at a later date.

Figure 45 - 3D Building Envelopes - Urban Block 2 (Option 2 – sites greater than 2,000m² & facing Miles Street)

To be inserted at a later date.

Figure 46 - 3D Building Envelopes - Urban Block 3

To be inserted at a later date.

Figure 47 - 3D Building Envelopes - Urban Block 4

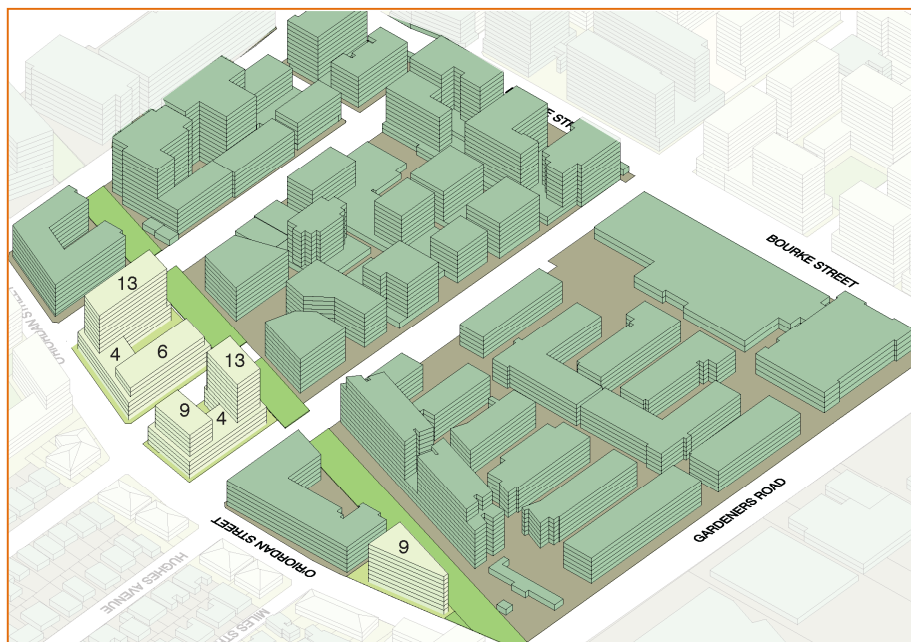
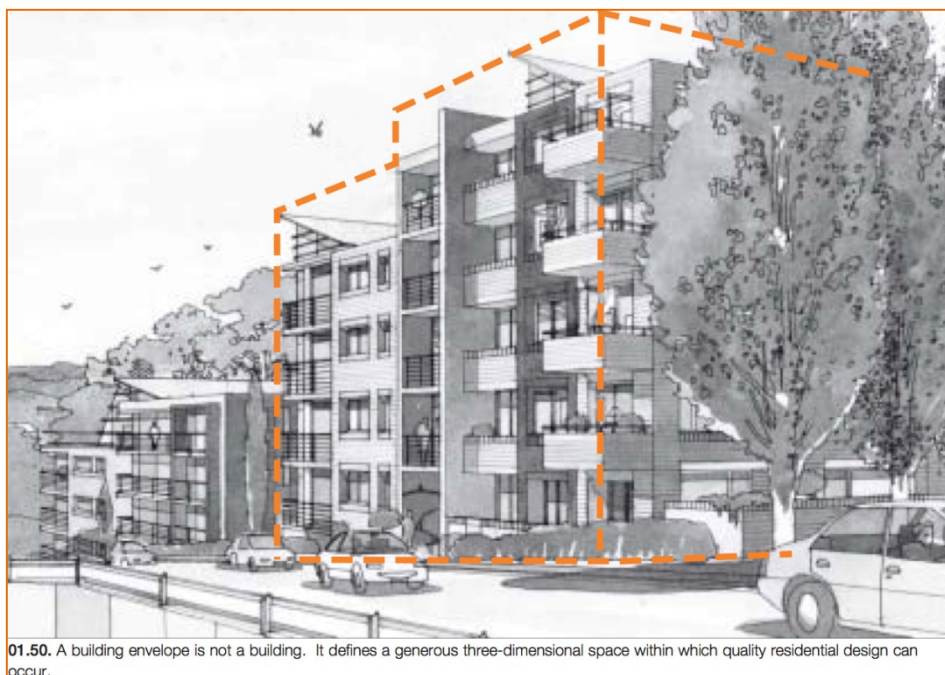
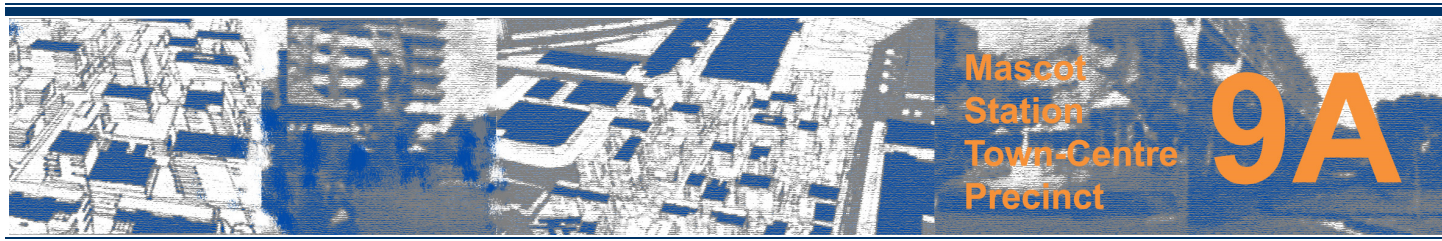


Figure 48 - Balconies & Building Articulation Must Be Accommodated within the Building Envelopes

(Extract from the Apartment Design Guide)





9A.4.4 Design

9A.4.4.1 Design Excellence

The Mascot Station Town Centre Precinct will experience significant urban renewal and it is essential that new development achieves high quality design standards. Design excellence is to be achieved through a process of compliance with the built form controls in this Part, by responding to SEPP 65 and the Apartment Design Guide design principles and recommendations and by presenting development applications to the City of Botany Bay Design Review Panel.

Clause 6.17 of the Botany Bay LEP 2013 requires a high standard of sustainable architectural and urban design within the Mascot Station Town Centre Precinct.

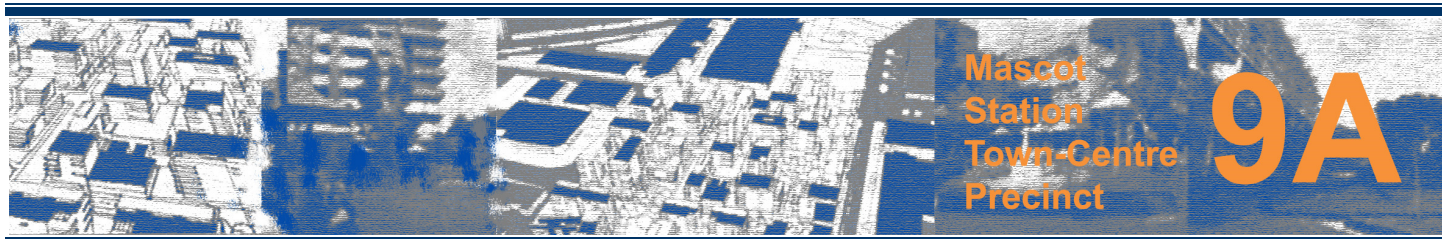
Objectives

- O1** To provide excellent design quality in the Mascot Station Town Centre Precinct;
- O2** To ensure the scale and modulation of development achieves high quality buildings and spaces that respond to the context of the area; and
- O3** To encourage architectural design that reflects an innovative and imaginative use of space, form and materials.

Controls

- C1** The development application must identify through a SEPP 65 Design Statement and/or annotated drawings how design excellence will be achieved in the proposed development.
- C2** Development must comply with **Part 4 - Residential Development**.
- C3** The proposed building design and form must identify and justify:
 - (i) How it will define the public domain and contribute to the character of the streetscape; and
 - (ii) How it will meet the SEPP 65 Apartment Design Guide recommendations.
- C4** Drawings and examples must be provided regarding the building features, textures, materials, finishes and colours suitable to the site, building type and context.
- C5** Prior to its lodgement as a Development Application, the proposed development must be presented to the City of Botany Bay Design Review Panel.

Note: Design excellence can be apparent in the architecture, the features of the proposal, environmental efficiency, site planning, landscape design, interior design, construction, selection of materials, finishes and the like.



9A.4.4.2 Streetscape and Building Form

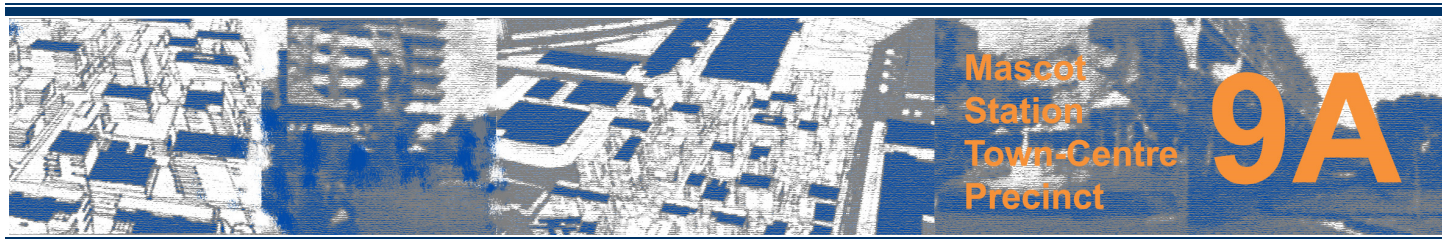
The streetscape and building form speaks of the interface between buildings, landscape and open spaces in the street scene. The quality of the streetscape influences local amenity and identity. Development within the Mascot Station Town Centre Precinct must identify predominant streetscape and building form qualities, such as scale, materials and colours to contribute positively to the character of the local area.

Objectives

- O1** To create a vibrant, mixed use Mascot Station Town Centre Precinct that provides a variety of small-scale retail, business and community uses which accommodate the needs of people who live and work nearby;
- O2** To ensure a high quality urban design outcome;
- O3** To provide a clear distinction between private and public space and to promote casual surveillance of the street;
- O4** To provide opportunities for higher density housing;
- O5** To reinforce significant street intersections through articulation of corner buildings;
- O6** To ensure building heights are appropriate for the street widths and functions to ensure a comfortable urban scale of development; and
- O7** To ensure that residential frontages are well designed, safe and that the front setbacks are well landscaped.

Controls

- C1** A 'sense of place' and contemporary character for the precinct is to be maintained via a high quality built form and energy efficient architectural design.
- C2** Development must comply with **Part 4 - Residential Development**.
- C3** Buildings must have a consistent street wall height (in terms of the number of storeys) and provide a continuous street frontage along all significant streets.
- C4** Diversity and activity is to be ensured via providing a variety of frontage widths for retail shops along the street.
- C5** Blank walls are to be avoided fronting principal streets and the public domain.



9A.4.4.3 Public Domain Interface at Ground Level

The redevelopment expected to occur within the Mascot Station Town Centre Precinct over the coming decade presents the opportunity to significantly improve the private and public domain interface at the ground level. This will promote a high level of pedestrian amenity.

Considerations of the interface at ground level will also consider ancillary elements such as driveways, parking areas and fencing. The quality and scale of public domain elements also affect the interface.

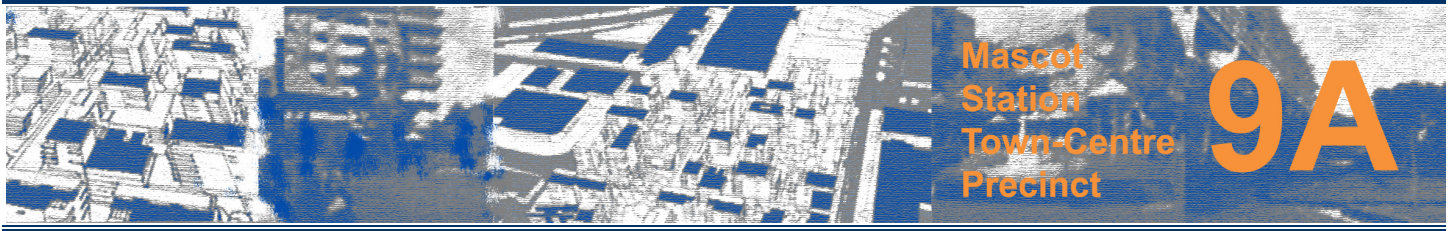
Architectural quality contributes to the character and quality of the streetscape at ground level. High architectural quality requires appropriate composition of building elements, textures, materials and colours and reflects the use, internal design and structure of a development.

Objectives

- O1** To provide an attractive visually articulated landscaped ground level interface between private and public domains where residential uses are in the ground floor of building;
- O2** To ensure that all ground level elements of buildings visible from the street make a positive contribution to the public domain;
- O3** To design building entrances that provide a clear entry for the development that will assist in visitor orientation;
- O4** To ensure that access to parking does not dominate the streetscape; and
- O5** To ensure that buildings adjacent to parks address them.

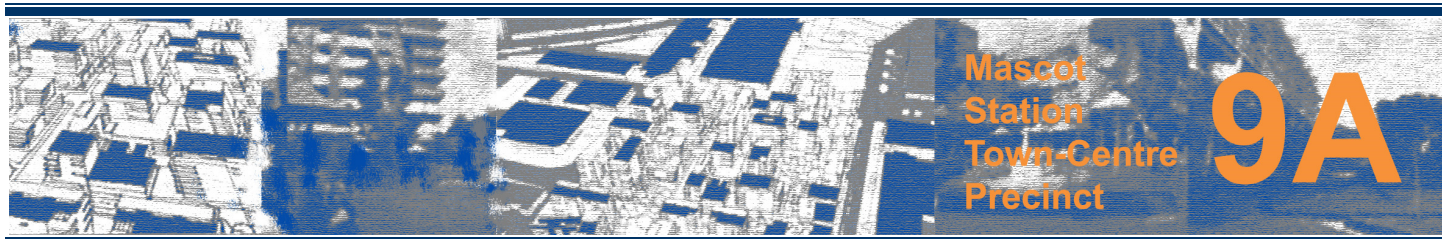
Controls

- C1** Development must be designed so that it has a clearly definable entry and addresses the street
- C2** The primary area of outdoor private open space must not be located on the street frontage.
- C3** Ground floor residential with a street frontage must incorporate landscaping, ideally as part of the common area/setback, with such landscaping to provide for privacy as well as for a consistent, attractive and well maintained landscape frontage. The private terraces should also contain some landscaping.
- C4** The landscaped street setback area shall be on one level or at a slightly battered grade, not terraced or stepped or containing narrow planter boxes, to allow adequate lateral root space and soil volume for medium to large canopy trees.
- C5** Side or rear boundary fencing is not permitted fronting the public domain except where appropriate



landscaping is located in front of the fence.

- C6** The visual connection between the building frontage and the public domain must be considered carefully in all development. This may require the floorplate of development to step up/down with the topography to ensure that the floor level of the building frontage is generally at footpath level.



9A.4.4.4 Active Street Frontages and Awnings

Retail and commercial activities are a key focal point of the Mascot Station Town Centre Precinct. The nature of these land uses will encourage pedestrian movement and create an environment of vibrancy and vitality. Active frontages are proposed to be in Town Centre locations where retail and commercial shopfronts will address the street. Building entries will be positioned so that pedestrians can readily access the shops and services.

Objectives

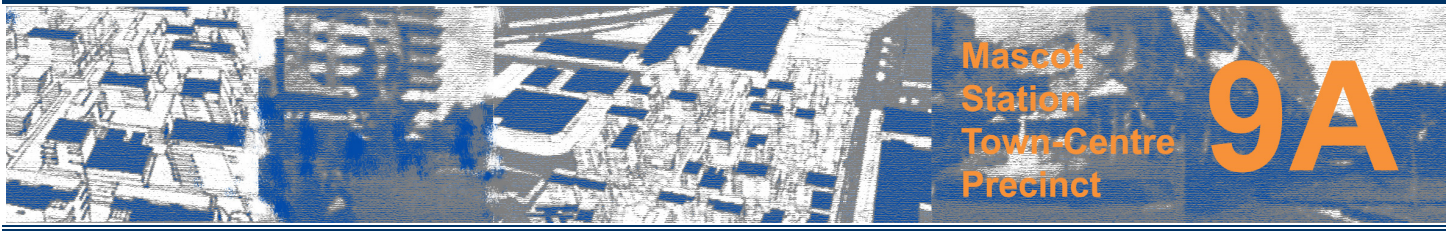
- O1** To provide active street frontages within the ground floor retail areas of the Precinct in order to create vitality and vibrancy in the centre;
- O2** To enhance pedestrian amenity by providing sun and rain protection;
- O3** To provide opportunities for outdoor dining;
- O4** To improve safety, commercial activity and street life; and
- O5** To enhance the character amenity and visual quality of shopping streets by the addition of outdoor dining areas

Controls

- C1** All development within Urban Blocks 1 and 4 must provide retail or commercial street frontages where shown in **Figures 49, 50, 51 and 52**.
- C2** All development within Urban Blocks 1 and 4 must provide awnings where shown in **Figures 53, 54, 55 and 56**. Awning widths must accommodate street tree planting to Council specifications.

Note:

- Awnings and verandas along classified roads will be set back a minimum of 1.5 metres from the kerb;
 - Awnings and verandas along local roads that intersect with classified roads will be set back a minimum of 1.5 metres from the kerb for a distance of up to 100 metres from the intersection with the classified road; and
 - At any signalised intersections (on local roads or classified roads), awnings and verandas will be set back a minimum of 1.5 metres from the kerb for a distance of up to 100 metres from the signalised intersection.
- C3** Awnings must allow for continuous and contiguous street tree planting. Awnings (if required) are to be located and sized to adequately accommodate trees or deleted where not essential. Ground floor retail areas will be indented into the building so that awnings do not hinder street tree planting.



- C4** Outdoor dining areas must allow for safe pedestrian circulation and access and must not compromise or restrict the sight lines for motorists.
- C5** There must be a minimum clear passage width of 2 metres between the adjacent building and leased area for outdoor dining to allow for clear passage of pedestrian traffic at all times.
- C6** The number of tables and chairs that can be placed on a footpath for outdoor dining will be based upon the area and dimensions of the leased space.
- C7** No freestanding A-frame style advertisements will be allowed within outdoor dining areas.

Figure 49 - Retail & Commercial Frontage - Urban Block 1



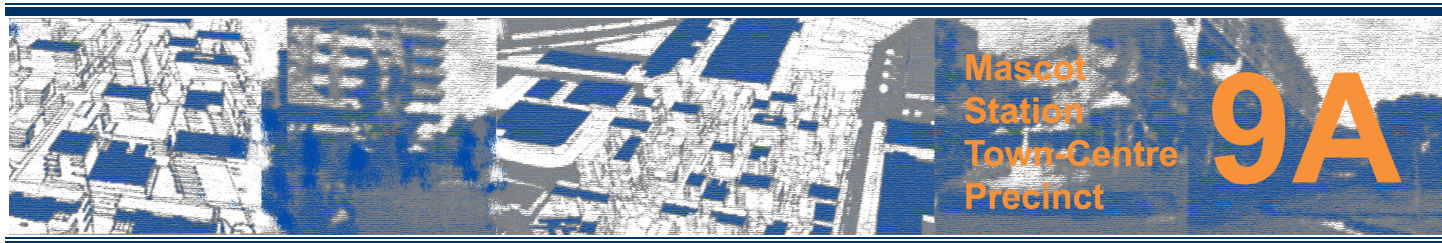


Figure 50 - Retail & Commercial Frontage - Urban Block 2

To be inserted at a later date

Figure 51 - Retail & Commercial Frontage - Urban Block 3

To be inserted at a later date

Figure 52 - Retail & Commercial Frontage - Urban Block 4

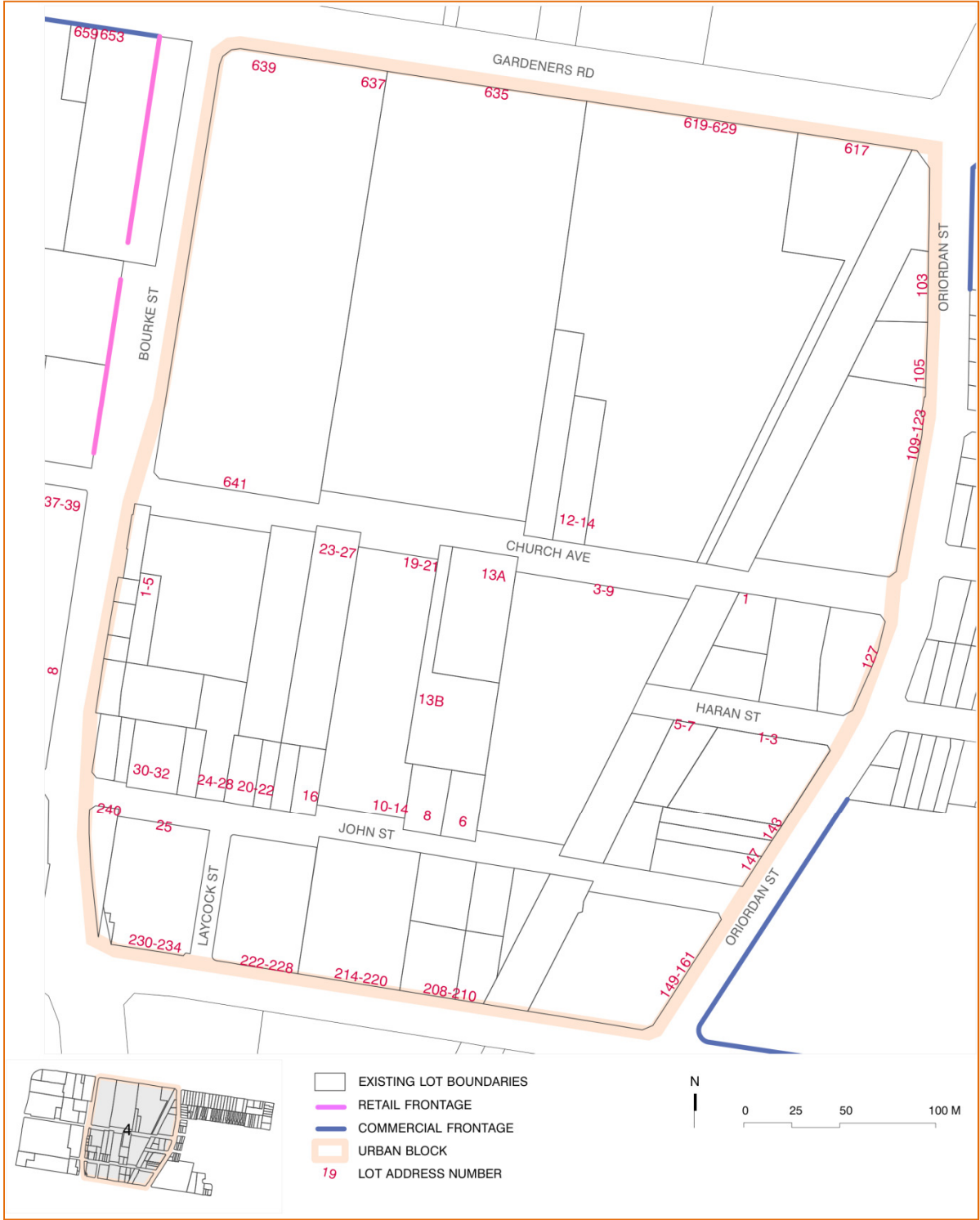


Figure 53 - Frontages with Awnings - Urban Block 1



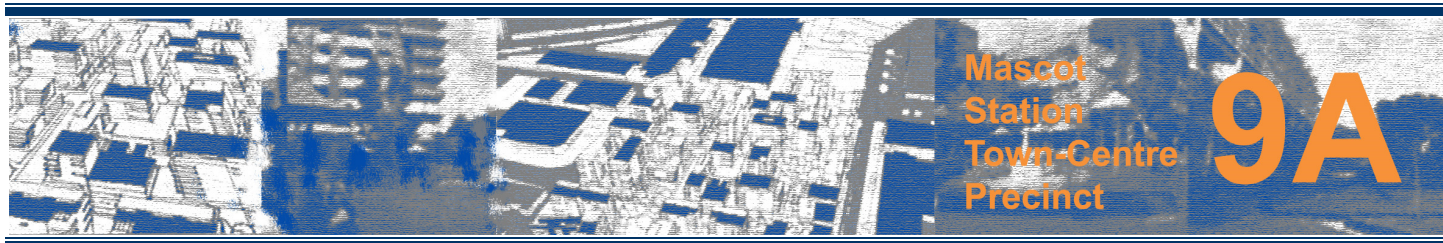


Figure 54 -Frontages with Awnings - Urban Block 2

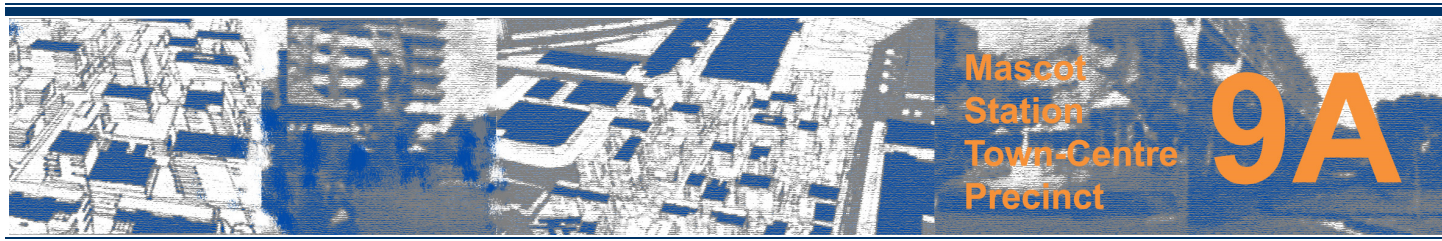
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Figure 55 - Frontages with Awnings - Urban Block 3

To be inserted at a later date

Figure 56 -Frontages with Awnings - Urban Block 4





9A.4.4.5 Residential and Non Residential Interface

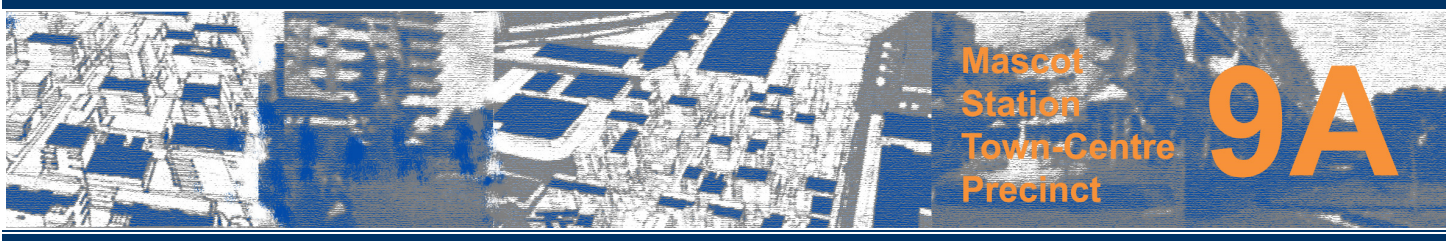
It is essential that an appropriate interface be created between residential and non-residential uses to ensure that there are no detrimental effects on residential amenity and that the built forms are complimentary.

Objectives

- O1** To minimise the impact of non-residential uses and buildings on neighbouring residential properties; and
- O2** To conserve the privacy, solar, access and overall amenity of neighbouring properties.

Controls

- C1** Clear boundaries between the public and private domain must be created to enhance security, privacy and safety.
- C2** Shadow diagrams must be provided for all development proposals for the summer and winter solstices. Shadow diagrams must show shadow impacts at 9am, 12 noon and 3pm for both solstices. Additional building setbacks may be required where internal site shadow impacts or impacts on adjoining properties are considered by Council to be unreasonable.
- C3** The design and positioning of all mechanical plant and equipment (i.e. air conditioning units, mechanical ventilation, duct work and exhausts) must be taken into account early on in the design process. The non-residential use must not have a negative influence on residential uses concerning noise or odour.



9A.4.4.6 Building Articulation

Facades are the external face of buildings and their composition and detailing of has an impact on its apparent scale as well as its appearance. Façade, proportions, modulation and design detailing are all important considerations in creating a good interaction between the private and public domain.

Articulation of elevations reduces the visual intrusion and bulk of buildings on adjoining properties and creates a visually interesting facade. Increasing the setback of buildings as the height and length of the elevation increases further reduces the impact of the building as well as making provision for areas of meaningful landscaping.

Objectives

O1

To provide for new buildings that spatially define streets with well-articulated façades;

O2

To incorporate architectural detailing and modulation to all elevations to minimize building bulk; and

O3

To promote the design of facades that are responsive to the orientation of the site.

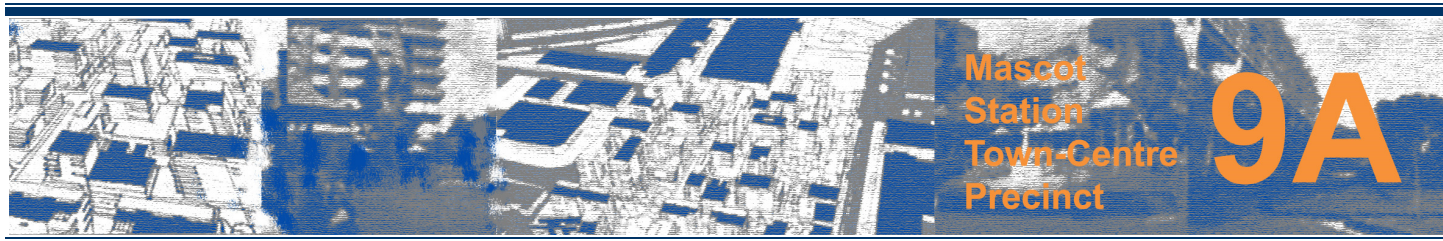
Controls

C1

Corner buildings must address both street frontages.

C2

Blank external walls of greater than 100m² must be avoided.



9A.4.4.7 Crime Prevention, Safety and Security

There are 3 key elements to safety and security, these include:

- (i) Security through crime risk prevention;
- (ii) Safety through building construction and installation of fire safety equipment within developments; and
- (iii) Consideration of the impacts of surrounding land uses (i.e adjoining rail corridors, major roads, dangerous good routes and hazardous industries).

Crime Prevention

The Crime Prevention and the Assessment of Development Applications Guideline details how local government is to consider Crime Prevention Through Environmental Design (CPTED) Principles. Before a decision can be made on a development application, council must consider the application under section 79C of the *Environmental Planning and Assessment Act 1979* including the consideration of the following:

- The likely impacts of that development, including the environmental impacts on the natural and built environments, and social and economic impacts on the locality; and
- The public interest.

Council has an obligation to ensure that a development provides safety and security to users and the community. If a development presents a crime risk, these guidelines can be used to justify modification of the development to minimise the risk of crime, or refusal of the development on the grounds that crime risk cannot be appropriately minimised.

Council will endeavor to support the minimisation of crime risk as part of all development applications. Council may if required for certain types of development refer to the development application to the NSW Police Local Area Command for assessment against CPTED principles where the proposed land use or design of the development poses a crime risk.

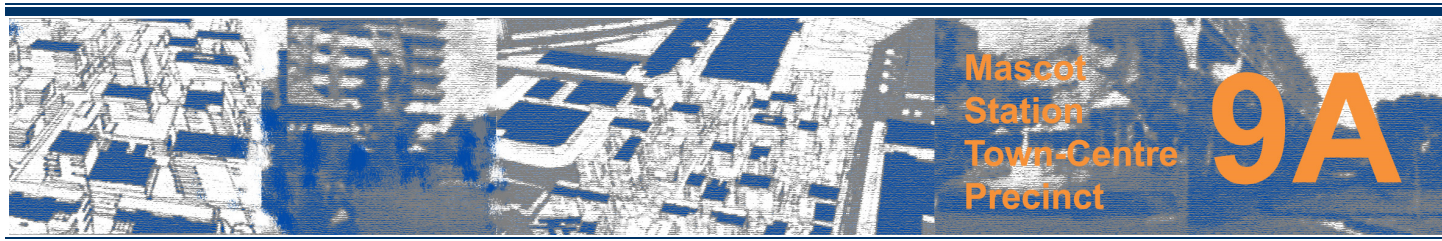
There are four key assessment principles within CPTED that will be applied. These include:

Surveillance - The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

Access control - Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.

Territorial reinforcement - Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals.

Space management - Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.



To support the CPTED principles and assessment of the potential crime risks resulting from development applications the following controls are applied to all developments within the Botany Bay local government area.

Building Construction and Fire Safety

Another safety and security measure for the occupation of a building is compliance with Building Code of Australia requirements which relate to sound building construction and installation of fire safety equipment including smoke detectors, building sprinkler systems for certain types of land uses, hazard management systems, warning systems and emergency lighting. These elements ensure that the occupation of the building can be managed in a safe manner.

Consideration of Surrounding Land Uses

New developments must consider surrounding land uses to ensure that new developments are not presenting an adversely impact on safety and security of the adjoining land use. Surrounding land uses that will be considered include the freight rail corridor, major roads, the dangerous goods routes and potentially hazardous industry. Consideration of these surrounding land uses may result in changes to site boundary treatments, the development of risk management plans and changes to site access for safe vehicular movements.

Note: Applicants are to be aware that referral to the NSW Police for CPTED assessment may result in amendments being required to the design of the development or the installation of security devices.

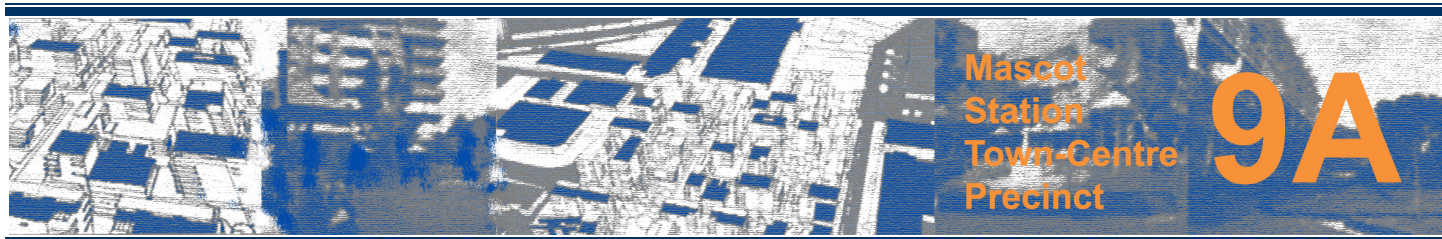
Note: For further information applicants are to refer to Crime Prevention and the Assessment of Development Applications issued by the Department of Planning.

Objectives

- O1** To reduce opportunities for seclusion through the adoption of appropriate design of site boundary treatments (i.e. fencing, landscaping, driveways and open spaces);
- O2** To reduce opportunities for crime through the use of natural surveillance, building design and siting;
- O3** To promote definition between public and private spaces and management of these spaces to reduce crime risk; and
- O4** To support the safe occupation and use of buildings.

Controls

- C1** Any construction plans with the development application must show the location of smoke detectors, together with a specification on their installation in accordance with the Building Code of Australia (BCA).
- C2** Development must comply with **Part 3I - Crime Prevention, Safety and Security**.



- C3** Boundary fences will not provide opportunities for seclusion and are to be of a height that does not prevent the surveillance of streets.
- C4** Buildings and open space areas will be designed to:
 - (i) Enable casual surveillance of streets, open space and entrances to buildings;
 - (ii) Minimise access between roofs, balconies and windows of adjoining developments; and
 - (iii) Ensure adequate lighting to access routes, car park areas and open space.
- C5** External lighting must be provided to mixed use developments, commercial developments and industrial areas where pedestrian ways, main building entries, driveways, communal areas and car parks require public access at night or after normal trading hours.
- C6** External lighting is to comply with the requirements of Section 9.21: Lighting in the Vicinity of Aerodromes, Manual of Standards, Part 139 – Aerodromes Version 1.1, February 2003. All lighting, regardless of location, which may affect the safe operation of aircraft operating at Sydney Airport are required to be compatible with the above requirements.
- C7** Access to car parks from common areas are to be secured by lockable doors.
- C8** An audio or video intercom system is to be provided at the entry or in the lobby for visitors to communicate with residents within mixed use developments.
- C9** Blank walls addressing the street frontage and other public places are to be avoided. Where it is unavoidable, planting for screening purposes or anti-graffiti paint are to be used.
- C10** Entry to basement parking areas will be through security access via the main building. This access is to be fitted with a one-way door from the foyer into the basement.
- C11** Provide clear signage and identification of buildings or dwellings, i.e: clear numbering. Location maps and directional signage will be provided for larger developments.
- C12** Access and egress routes and dark or sheltered areas is to be clearly illuminated. All lighting must comply with relevant Australian Standards.

9A.4.4.8 Loading and Unloading

On site loading and unloading areas are required to ensure that delivery and operational vehicles do not block roads and public domain areas resulting in reduced visual amenity and unnecessary safety issues.

Objectives

O1

To ensure that vehicles do not stand on the road, footway or public domain; and

O2

To maintain high quality, safe public domain areas.

Controls

C1

Development must comply with **Part 3A - Car Parking**.

C2

All commercial developments and mixed use developments must provide onsite loading and unloading areas.

C3

Loading and unloading areas are to be well hidden or screened from the public domain and will be located underground where practical.

C4

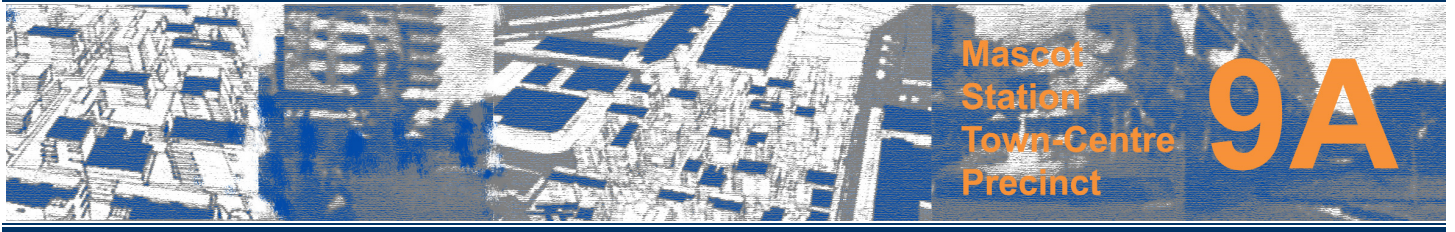
Loading docks must be located so that vehicles do not stand on any public road, footway, laneway or service road

C5

Where possible vehicles using the loading and unloading areas are to enter and leave the site in a forward direction.

C6

Loading docks will comply with AS 2890/2 (2002) – Off street commercial vehicle facilities.



9A.4.4.9 Car Parking Rates

Objectives

O1

To provide an appropriate level of onsite parking for existing office, commercial and retail developments within the Mascot Station Precinct.

Controls

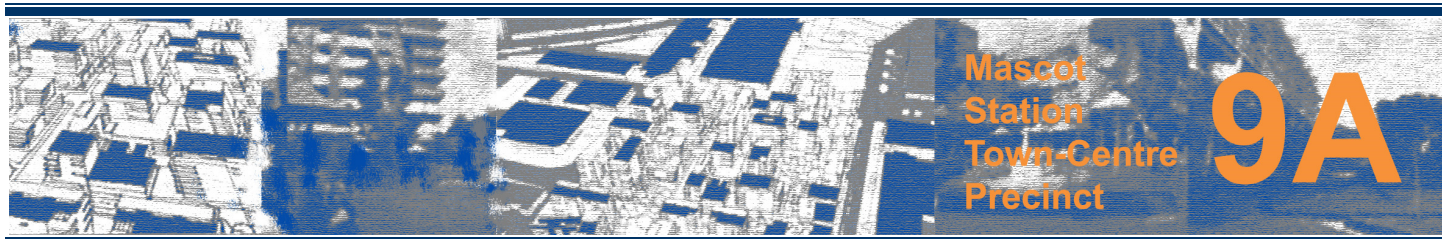
C1

Existing developments must comply with the following car parking rates:

- Office development: 1 space per 80m² GFA
- Commercial and retail development: 1 space per 60m² GFA within 800m of Mascot Station
- Commercial and retail development: consistent with the recommendations of the Mascot TMAP

C2

Where an inconsistency with the car parking rates outlined in **Part 3A - Car Parking** is identified; this Part will prevail for existing development only.



9A.4.5 Environmental Management

9A.4.5.1 Acoustic Privacy

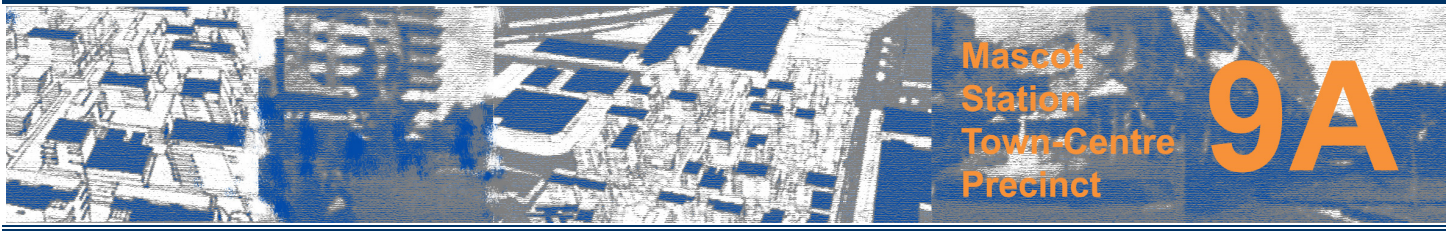
Acoustic privacy is an important factor to be taken into account when achieving satisfactory living environments, particularly in medium to high density environments. By considering layout, design and materials within the development proposal to acoustic impacts from noise sources can be minimized.

Objectives

- O1** To ensure new development provides adequate visual and acoustic privacy levels internally and externally for neighbours and residents;
- O2** To maximise outlook to the public domain whilst maintaining visual and acoustic privacy for residents;
- O3** To reduce the impact of ambient noise and overlooking by means of appropriate landscaping and architectural detailing; and
- O4** To minimize the impact of aircraft noise on residential environments.

Controls

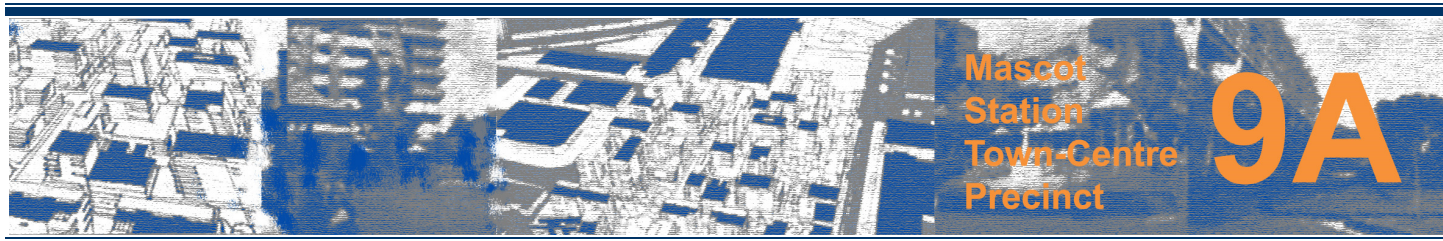
- C1** Council staff may request an acoustic assessment report, prepared by a qualified consultant, be submitted with the development application. It must, at a minimum, address:
 - O1** Impacts on acoustic privacy of proposed residential uses from any surrounding noise sources such as aircraft noise, road traffic and commercial and retail uses; and
 - O2** Impacts on acoustic privacy of surrounding residential uses from any proposed commercial and retail uses; and
 - O3** The impact of the development on the surrounding area, through mechanical services, construction works and phases of development.
- C1** Communal walls and floors connecting buildings are to be designed in accordance with the noise transmission and insulation requirements of the Building Code of Australia (BCA).
- C2** New development adjacent to high noise sources (e.g. busy roads) are to generally locate habitable rooms and design private open spaces away from noise sources. Alternatively, if such spaces/rooms front a major noise source they must be protected by appropriate noise shielding devices to minimize noise intrusion.
- C3** Any residential accommodation on land within the Australian Noise Exposure Forecast (ANEF) contour of 20 or higher as advised by Council, need to be designed and constructed in accordance with Australian Standard AS2021 – Acoustics – Aircraft Noise Intrusion – Building,



Siting and Construction.

Note: The implementation of acoustic measures to decrease aircraft noise must not detract from the streetscape value of individual buildings.

- C4** 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.



9A.4.5.2 Sustainable Building Design

Sustainable building design involves design, construction and operational practices that considerably decrease or eliminate the negative impact of development on the environment and its occupants.

Developing sustainably includes such aspects as promoting biodiversity, minimizing air pollution, conserving water quality and quantity, minimizing fossil fuel usage, minimizing site disturbance, decreasing waste and promoting recycling, selecting appropriate building materials and minimizing noise. Sustainable building design considers each of these aspects and endeavors to minimize the overall impact of buildings on the environment.

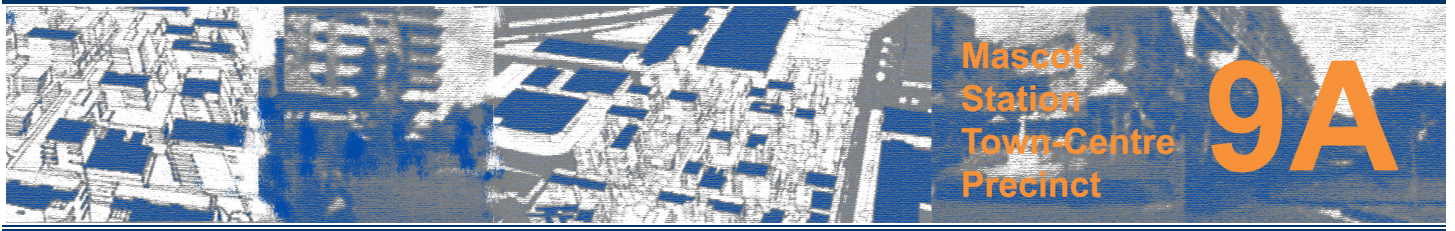
Council is dedicated to establishing an environmentally sustainable local government area. Significant opportunities exist to improve the sustainability within the Mascot Station Town Centre Precinct. It is critical sustainability initiatives are integrated and considered in the early planning and design stages of any development proposal, and relate it to the life of the development from design to construction to operation.

Objectives

- O1** To achieve sustainable building design through the design, construction and operation of buildings within the Mascot Station Town Centre Precinct;
- O2** To ensure the design and construction of development will minimize the adverse impacts on the environment;
- O3** To introduce continuous improvements in the quality of life in the area including amenity and health; and
- O4** To promote education about the environmental, social and economical benefits of improving the environmental quality of developments.

Controls

- C1** The development application must identify and explain how sustainable building design will be achieved in the development throughout the design, construction and operation stage. Development proposals will address the following:
 - (i) Energy efficiency (solar design, insulation, hot water, lighting, and ventilation systems);
 - (ii) Water resources;
 - (iii) Landscaping;
 - (iv) Construction materials;
 - (v) Finishing materials;
 - (vi) Waste management;
 - (vii) Indoor environment quality;
 - (viii) Stormwater management and Water Sensitive Urban Design; and



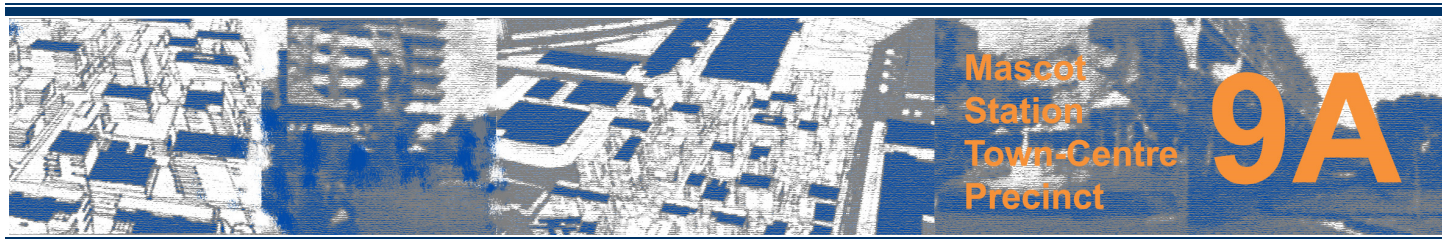
(ix) Ongoing building and site management.

C2 Development must comply with **Part 3H - Sustainable Design**.

C3 All residential development must comply with the provisions of SEPP (BASIX).

C4 Apartment buildings and Mixed Use Developments containing residential units are to comply with the principles and provisions of State Environmental Planning Policy No 65 (SEPP 65) and the **Apartment Design Guide** in relation to building performance.

C5 Multi dwelling housing must apply, where relevant, the principles outlined in the **Apartment Design Guide** in relation to building performance.



9A.4.5.3 Views

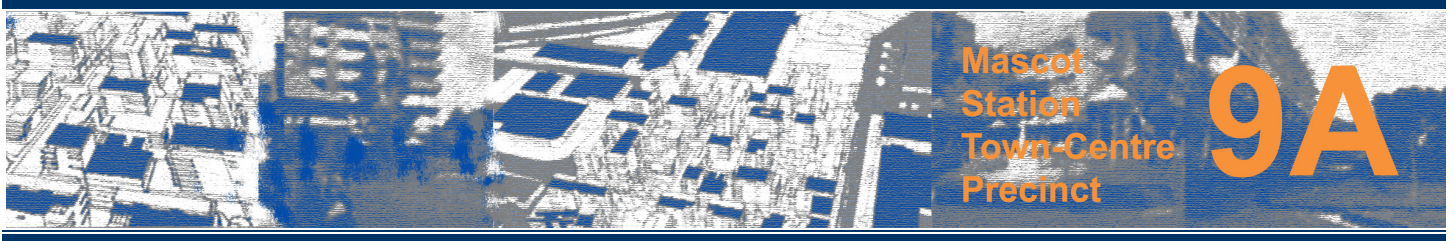
Local views contribute to the sense of place for the Mascot Station Town Centre Precinct. Preservation and, where possible, enhancement of public views to landmark and landscape features allow people to interpret and appreciate the special character of the area. It is also important to promote view sharing between properties to balance access to private views from properties.

Objectives

- O1** To preserve and enhance district and local views which reinforce and protect the precincts urban form and enhance legibility;
- O2** To encourage view sharing through complementary siting of buildings, responsive design and well-positioned landscaping; and
- O3** To ensure highly visible sites are designed in scale with the precinct's setting and encourage visual integration and connectivity between places.

Controls

- C1** Development is to preserve views of significant topographical features such as the urban skyline, landmark buildings and areas of high visibility.
- C2** Building design, location and landscaping is to encourage view sharing between properties.
- C3** Existing significant view corridors as viewed to and from public places must be protected.
- C4** The opportunity to create new view line corridors will be taken wherever possible and appropriate.



9A.4.5.4 Wind Mitigation

A windy environment may cause discomfort and become a hazard to pedestrians. Furthermore downdrafts from buildings can have a detrimental effect on the quality of street trees. Alternatively, light breezes that infiltrate the streets may enhance pedestrian comfort and disperse vehicle emissions and air conditioning plant exhausts more rapidly. It is vital the development considers the affects it will have on wind patterns that already exist in the area. This will maintain and enhance the aesthetic qualities of the built environment.

Objectives

O1

To ensure new developments consider design features that cater towards managing wind patterns that infiltrate through the area to maintain comfortable conditions for pedestrians; and

O2

To ensure light breezes are able to flow through the streets of the Mascot Station Town Centre Precinct.

Controls

C1

All new buildings are to meet the following maximum wind criteria:

(i)

10 metres/second along commercial/retail streets;

(ii)

13 metres/second along main pedestrian streets, parks and public places; and

(iii)

16 metres/second in all other streets

C2

Taller buildings must consider the shape, location and height of buildings to satisfy wind measurements for public safety and comfort at ground level. In addition, open terraces and balconies must not be detrimentally affected by wind.

Note:

Council may request a Wind report be submitted with a Development Application.

C3

Landscaping is to be utilised to ameliorate the impacts of wind tunnels and enhance the comfort of outdoor spaces.

9A.4.5.5 Reflectivity

Reflective materials used on building exteriors can result in undesirable glare for pedestrians, and potentially hazardous glare for motorists. Reflective materials can also transfer additional heat load to other buildings. Thus, the excessive use of highly reflective glass is discouraged.

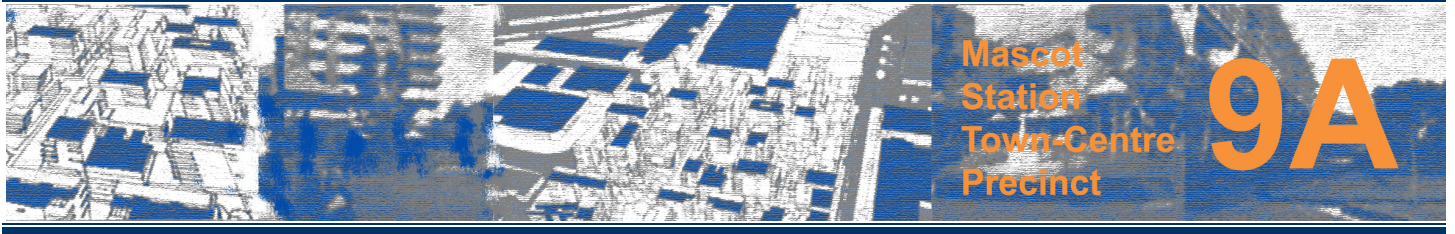
Buildings with glazed roofs, facades or awnings are to be designed to minimise hazardous or uncomfortable glare arising from reflected sunlight.

Objectives

- O1** To limit sunlight reflection from buildings to neighbouring areas and other buildings; and
- O2** To ensure amenity and safety for pedestrians and motorists.

Controls

- C1** The placement, orientation and configuration of new buildings and facades must not result in glare that produces discomfort or endangers safety of pedestrians or motorists.
- C2** The placement, orientation and configuration of new buildings and facades must not result in glare that produces discomfort or decreases amenity to neighbouring commercial, residential areas or the public domain.
- C3** Visible light reflectivity from building materials use on new building facades must not exceed 20%.
- C4** A reflectivity report examining the effects of possible solar glare on pedestrians and motorists may be necessary, subject to the scope of a proposal and the nature of glazing and reflective materials.



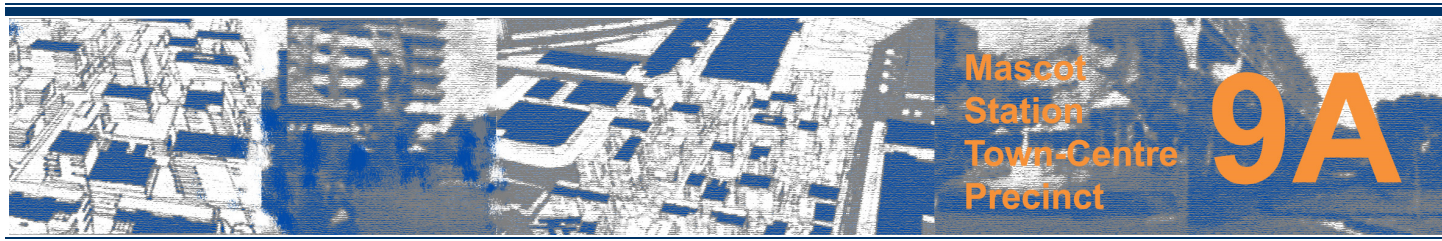
9A.4.5.6 Stormwater Management and Flooding

Objective

O1 To ensure development is designed to incorporate stormwater management and flooding.

Control

C1 Development must comply with **Part 3G - Stormwater Management** and Council's **Stormwater Management Technical Guidelines in Part 10 – Technical Guidelines**.



9A.4.6 Other

9A.4.6.1 Maintenance

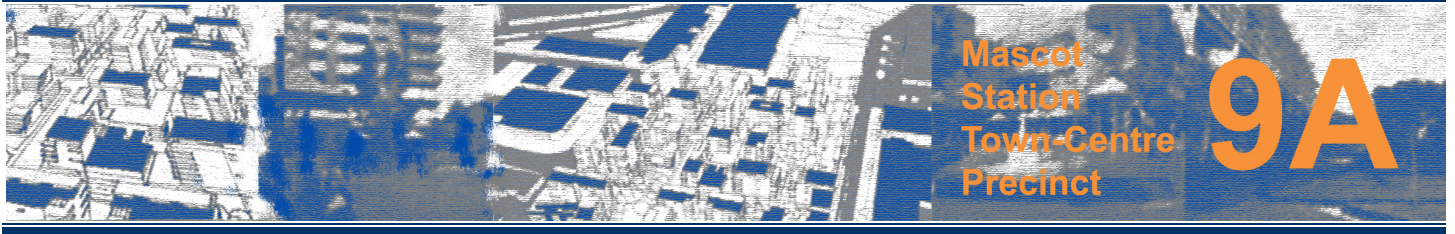
Long term maintenance of buildings is supported by detailed design and material selection. Ongoing maintenance ensures the longevity of quality architectural and landscape design, sustains and increases the value of property and minimises the life-cycle cost of a development to owners.

Objectives

- O1** To ensure long life and ease of maintenance for all development; and
- O2** To ensure that on site landscaping is maintained.

Controls

- C1** Windows must be designed to enable cleaning from inside the building, where possible.
- C2** The building must incorporate and integrate building maintenance systems into the design of the building form, roof and facade.
- C3** Materials must be durable and can be easily cleaned and are graffiti resistant.
- C4** Appropriate landscape elements and vegetation must be chosen along with suitable irrigation systems.
- C5** A maintenance schedule of works is to be included in all landscape plans to ensure landscape works will be maintained at all times to Council's satisfaction.



9A.4.6.2 Signage

Signage plays an important role in identifying retail and commercial uses, and in creating a lively retail and commercial streetscape. Signage is to be appropriate to the building form’s geometry and architectural features, which facilitates in establishing the building’s character and enhancing the broader character of the area.

Objectives

O1

To ensure signage considers and complements the building form and character of the Precinct; and

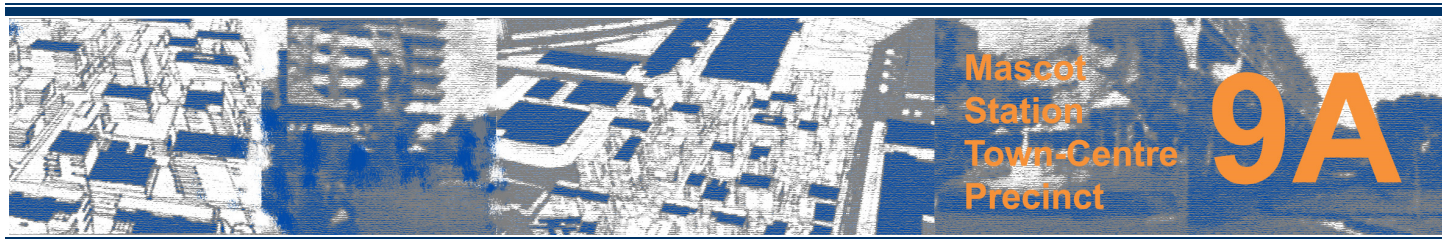
O2

To limit the overall quantity of signage in the precinct to avoid the creation of visual clutter on buildings and streetscapes.

Control

C1

Signage must comply with **Part 3D - Signage**.



9A.4.6.3 Fencing

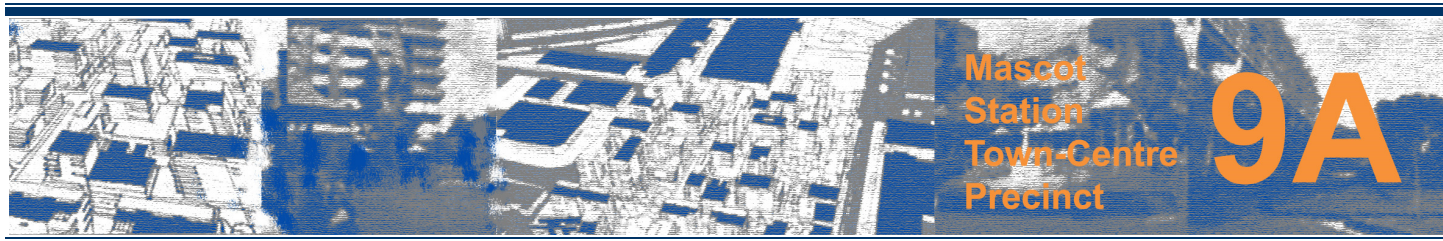
Fencing defines the boundary between one space and another. The design of fencing can have an important role in the visual amenity of a new development and can also have implications in terms of safety and security.

Objectives

- O1** To define the boundary between private land and public land;
- O2** To provide privacy and assist in creating a secure environment; and
- O3** To contribute positively to the public domain.

Controls

- C1** Where fencing of the front boundary is proposed for Multi dwellings and apartment buildings the design must consider the following:
 - (i) Solid metal panel fences (colourbond/sheet metal) of any height are not permitted along street frontages;
 - (ii) Masonry/brick fences over 600mm and timber/steel picket/palisade or plain picket fences over 1 metre high may be permitted. The design of fencing over 1 metre in height will take into consideration sightline issues when exiting this or adjacent properties. The design of the fence can be modified by setback or by using splays at least 1 metre x 1 metre in size;
 - (iii) A mixture of materials is preferable with a maximum of 60% solid material over the whole fence surface;
 - (iv) Design will consider the need for horizontal rhythms along the street such as vertical entry elements, boundary markers or fence post frequency;
 - (v) Where possible, the design will avoid the use of continuous lengths of fencing (a maximum of 6 metres without articulation) at the street frontage;
 - (vi) Access gates are to be hung so that the direction of swing is inward; and
 - (vii) Satisfactory provision is to be made for access to public utility installations.
- C2** The maximum height of side or rear fences is 1.8 metres. Where the fence/side returns are to be erected on or adjacent the common allotment boundary, the written consent of the adjacent property owner(s) is required.
- C3** The landscape documentation is to include details of all fencing to be used in a proposal – privacy, boundary, frontage, pool, dividing and so on. The details are to include style (manufacturer, product code, name), materials, colour/s and installation method.



9A.5 Public Domain Works

9A.5.1 Overview

The public domain is made up of streets, parks, and squares, and small incidental spaces that are formed through street closures, street widening and irregular geometries between buildings and curb alignments. All spaces have equal weight and provide particular amenity in the public domain. It is essential that the public domain is comfortable and safe; accommodating all measure of pedestrian ability, and that it forms a network of spaces that allow for a variety of uses.

Public space in the town centre will be made up of existing and new streets and parks, with the majority of parks being delivered through development. The Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan must be read in conjunction with this DCP and includes improvement to existing public space, and the addition and reworking of green space currently associated with the SWSOOS. The range of works to be carried out within the public domain are outlined in detail within the Masterplan document and conceptually in **Figures 57, 58, 59 and 60** within this Part.

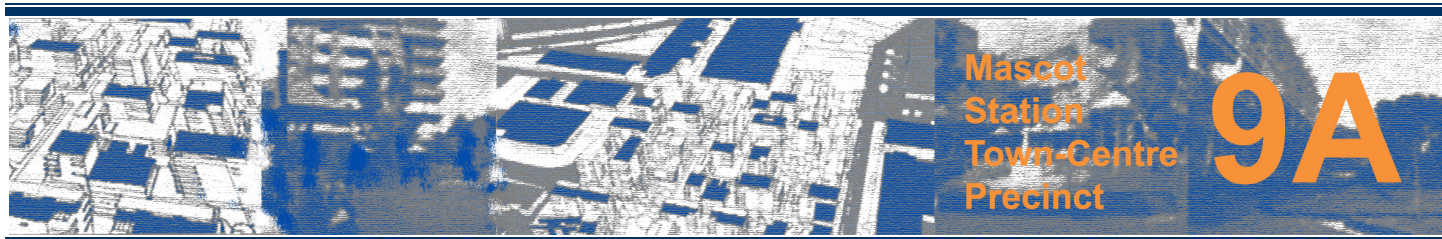
Improvement and extension of the public domain offers opportunities for environmental initiatives including water sensitive urban design and reduction of urban heat loads.

The Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan presents concepts as an outline of design objectives. Copies of these documents are available on the Council's website – www.botanybay.nsw.gov.au Design development and documentation of all the illustrated spaces will be subject to consultation with Council, to determine appropriate use and furnishing.

Council's intention is that all parks and street closures will be public, with no barriers to public access.

Objectives

- 01** To increase the quantum of public space in the town centre, to cater for the needs of an increased population, and greater visitor numbers;
- 02** To create a diversity of space that accommodates different uses and that is flexible over time;
- 03** To provide a greater level of amenity in the most active areas, to support retail and commercial uses;
- 04** To improve the visual quality of the public domain, create a pleasant environment for pedestrians and encourage active street frontages;
- 05** To support the public transport hub through improved connections and pedestrian amenity;
- 06** To provide better connections to facilities and between streets, to make a walk-able town centre;
- 07** To encourage cycle use, through addition of a connecting cycleway on Bourke Street, and through better connectivity to the cycleway;

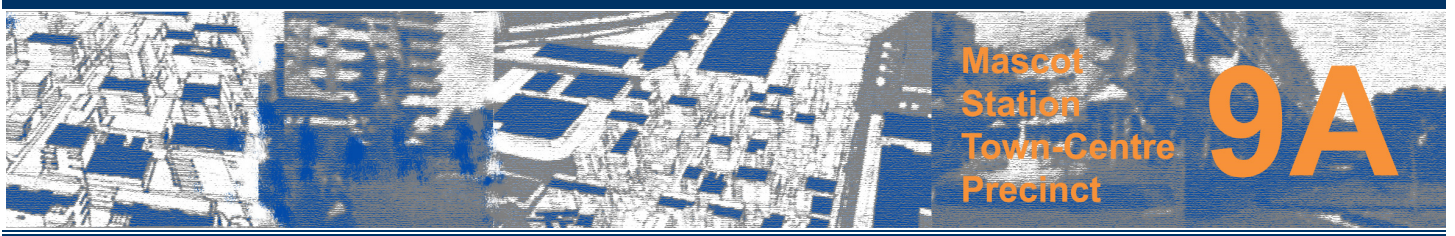


- O8** To introduce water sensitive urban design into the public domain, contributing to improved water quality in the catchment;
- O9** To reduce the effects of urban heat island through increased vegetation cover;
- O10** To improve public safety; and
- O11** To offset the minimal deep soil planning areas within the Town Centre Precinct redevelopment sites by providing parks comprising mainly deep soil planting.

Controls

- C1** Public Domain works are to be provided in accordance with **Figures 57, 58, 59 and 60**, the principles in the Public Domain Strategy and **Appendix A** of the Mascot Town Centre Precinct Masterplan. Applicants are to discuss any proposed public domain works to be undertaken in conjunction with a proposed development at Pre- Development Application stage. Council will advise on further detailed specifications of public domain items.
- C2** Widened footpaths, new street paving and pedestrian and cycle links must be provided in accordance with the principles of the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan.
- C3** Continuous awnings must be provided within the Town Centre to provide weather protection for pedestrians in accordance with **Figures 53, 54, 55 and 56**, the principles in the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan but must not compromise the planting of street trees.
- C4** New parks must be provided on key sites as identified in **Figures 57, 58, 59 and 60**, the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan.
- C5** Street paving, lighting, bins, seating, bicycle racks and other street furniture must be provided in accordance with the principles of the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan and any other Council Public Domain Plan. These works must be robust and easily cleaned and is to be designed and specified in consultation with Council's landscape officer to ensure a consistent design standard is implemented.
- C6** Street lighting must be provided throughout the public domain and provide for improved public safety.

Note: Any proposed street lighting must be in accordance with relevant Roads and Maritime Services standards, Austroads standards and Australian Standards.
- C7** Public art must be provided on key development sites in accordance with the principles of the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan. The



provision of art works on these larger sites must be negotiated with Council, with details to be provided at Development Application stage.

C8 Key principles of Water Sensitive Urban Design (WSUD) must be taken into consideration in any proposed works to be undertaken within the public domain. Applicants are to discuss with Council all such proposed works to be carried out in conjunction with a development application at Pre-Development Application stage. In particular applicants must address the need to:

- (i) Protect natural systems;
- (ii) Integrate storm water treatment into the landscape;
- (iii) Protect water quality; and
- (iv) Reduce runoff and peak flows.

C9 All existing above ground service cables, including power lines, telecommunications cables and other similar services (“overhead service cables”) in the streets adjacent to and within the confines of the development site will be placed underground at no cost to the Council. Applicants are to discuss with Council all such proposed works to be carried out in conjunction with a development application at Pre-Development Application stage.

C10 All work is to be in accordance with Council specifications, plans, details or the Urban Design Strategy. Please contact Council.

Figure 57 - Public Domain Work - Urban Block 1



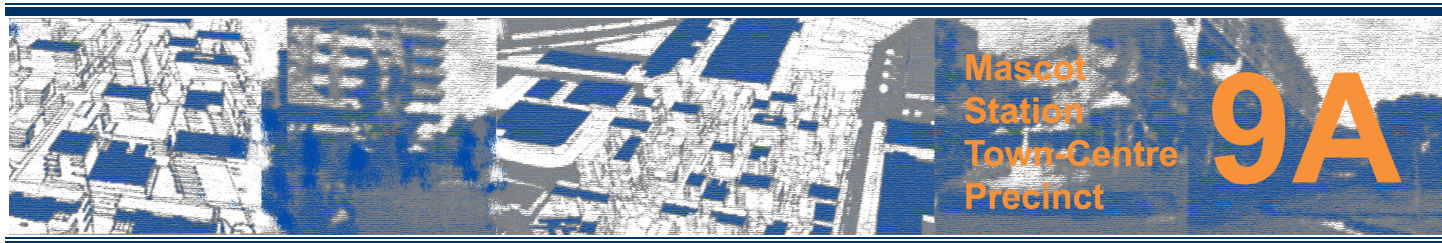


Figure 58 - Public Domain Work - Urban Block 2

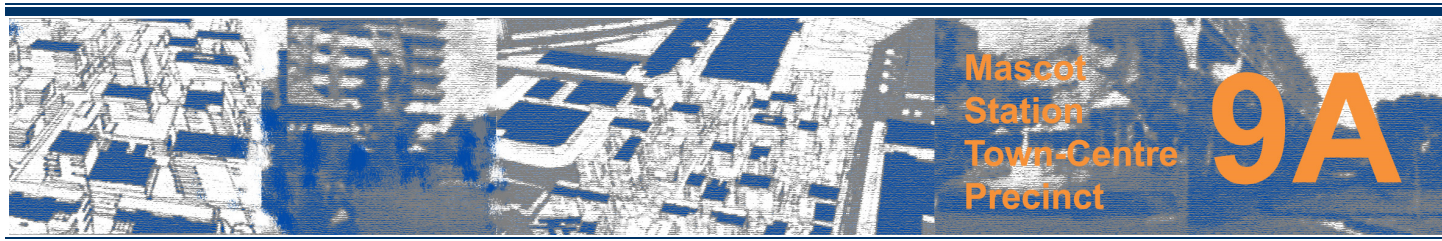
To be inserted at a later date

Figure 59 - Public Domain Work - Urban Block 3

To be inserted at a later date

Figure 60 - Public Domain Work - Urban Block 4





9A.5.2 Streets

A high quality, considered, connected and comprehensive street network is integral to a successful public domain. Well designed streets provide a focus for pedestrian activity, and when combined with a considered private domain, create vibrant, lively and engaging environments. They not only serve as connections, but also as critical elements of the public open space network in themselves.

Successful streets encourage a diversity of use. Within the Botany Bay Council local government area, the Mascot Station Town Centre Precinct offers particularly unique and exciting opportunities to create a vibrant urbane public domain through the creation of new streets and the recognition and definition of regionally significant streets.

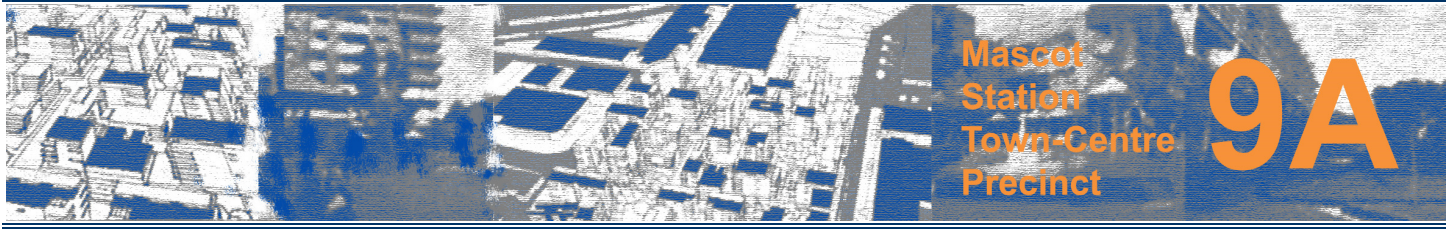
Opportunities exist to connect to the wider region through public transport networks, and through integrating with the Sustainable Sydney 2030 plan by targeting commercial and retail development on regionally significant streets. Through encouraging use of public transport, recognising and reinforcing street hierarchy, through the allocation of on street parking, providing opportunities for cycling, but overall providing an integrated, mixed use network of streets, lanes and pedestrian connections, the vitality of the town centre can be greatly improved.

Objectives

- O1** Design high quality streets with a pedestrian focus that are fully accessible including wide footpaths, encouraging slow vehicular traffic;
- O2** Increase street tree numbers and provide height quality paved finishes, street furniture and other public domain treatments and embellishments that are robust and fit for purpose;
- O3** Provide new low speed residential streets;
- O4** Reinforce the role of significant regional streets through street tree allocation, provision of footpaths where appropriate;
- O5** Incorporate portions of single lane traffic to discourage regional through traffic entering the town centre; and
- O6** Maximise opportunities for incorporating Water Sensitive Urban Design using techniques such as landscaped medians, tree pits and pocket parks to improve the quality of water entering Alexandra Canal and groundwater.

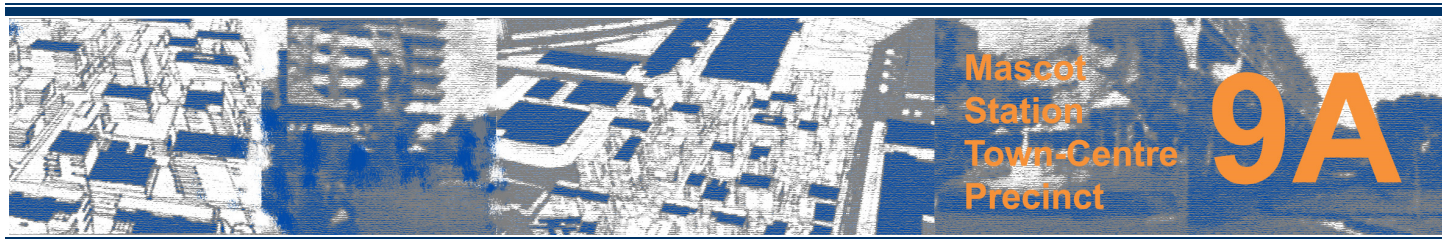
Control

- C1** New streets and changes to existing streets are to be provided in accordance with **Figures 57, 58, 59 and 60**, the Public Domain Strategy and **Appendix A** of the Mascot Town Centre Precinct Masterplan. Applicants are to discuss any proposed public domain works to be undertaken in conjunction with a proposed development at Pre- Development Application stage. Council will



advise on further detailed specification of public domain items in accordance with its Public Domain Strategy.

- C2** Paving and footpath treatments, utilities, street furniture, street tree planting and in-road planting and landscaping will be in accordance with Council's Public Domain Plan and Street Tree Masterplan.
- C3** Awnings must accommodate the planting of street trees and will be suitably designed.



9A.5.3 Parks

The requirements for public open space within the study area will be met through improvement to existing spaces, and the addition of new local and pocket parks through development of blocks. It is essential that a variety of open space is created, rather than replicating the same size and function in all parks across the area. Parks are to be robust, low maintenance and flexible in their use. The new parks also offer opportunities for provision of much needed green and planted spaces in the study area. New parks will be predominantly deep soil to facilitate planting of large scale trees. The size of planting is to consider the scale of adjacent buildings.

The range of parks includes possibility for many uses, including community gardens, playgrounds, urban parks for community activity, and environmental parks such as the SWSOOS land. It is essential that the use and character of each is considered in the context of those parks already created, to avoid replication of use, and to ensure a richness of design across the study area. Developers are to consult with Council before embarking on park design. Each park will be subject to detailed design development, to be approved by Council.

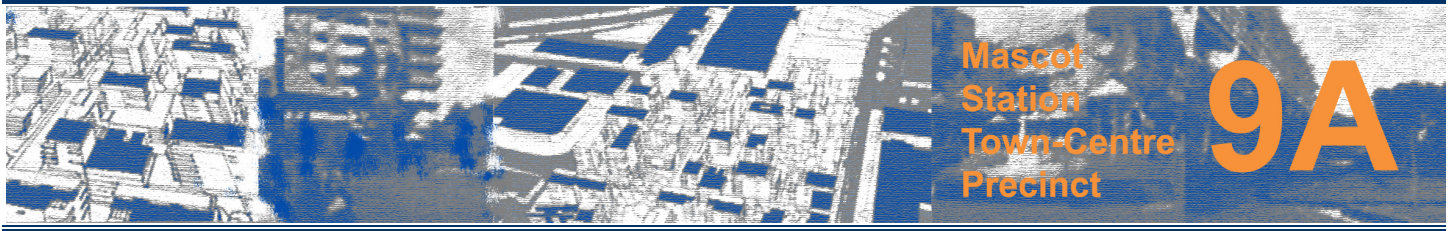
Objectives

- O1** To provide a diversity of parks across the study area, offering a variety of experiences for residents and visitors and recreational opportunities;
- O2** To create a rich design language that adds delight to the urban fabric;
- O3** To introduce large scale tree planting;
- O4** To ensure all parks are accessible from adjacent streets and residential development;
- O5** To minimize fencing within parks other than where required for community gardens or playgrounds;
- O6** To ensure the primary address of all parks is along the street frontage;
- O7** To ensure the design of parks maintain privacy to adjacent residential entrances without high screen walls or planting; and
- O8** To ensure tree planting and furniture is integrated into the public domain to provide high pedestrian amenity.

Controls

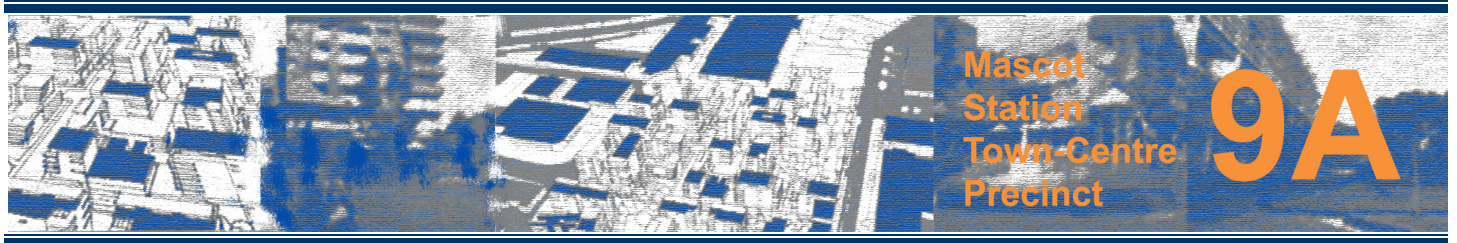
- C1** New parks and changes to existing open space areas are to be provided in accordance with **Figures 57, 58, 59 and 60**, the Public Domain Strategy and **Appendix A** of the Mascot Town Centre Precinct Masterplan.

Note: Applicants are to discuss any proposed public domain works to be undertaken conjunction



with a proposed development at Pre- Development Application stage. Council will advise on further detailed specification of public open space design and inclusions.

- C2** The applicant must submit a design for public open space adjoining their development to Council specifications.
- C3** Paving and footpath treatments, utilities, furniture, lighting, signage, tree planting and landscaping are to be in accordance with Council's Public Domain Plan and any other specification. Park design and recreational inclusions are to be undertaken in consultation with Council's Landscape Team.



9A.6 Development Contributions and Planning Agreements

A Public Domain Strategy for Mascot Station Town Centre Precinct was adopted by Council on _____ (Insert date) and identifies the essential infrastructure and public domain works necessary to support development of the Town Centre and which will result in a significant increase in residential and employment densities. The identified infrastructure and public domain works are essential to achieve public amenity and meet the basic needs to support higher density development anticipated within the Precinct.

There are two possible mechanisms to provide the required public domain works identified in the Public Domain Strategy. They are:

1. Section 94 Development Contributions; or
2. Voluntary Planning Agreement.

Section 94 Development Contributions Plan 2013

The City of Botany Bay Section 94 DCP _____ was approved by Council on _____ and came into force on _____. This contributions plan applies to development approved by the Consent Authority. Development contributions are payable for development that increases the worker and resident population and floorspace.

Voluntary Planning Agreements

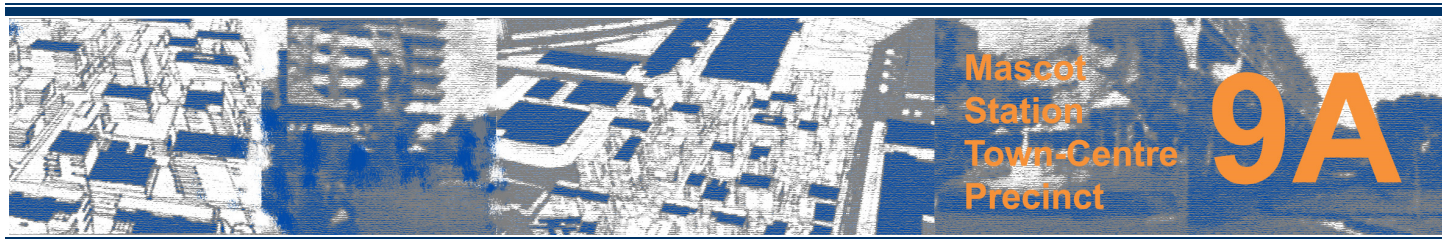
The new works to occur within the public domain will be funded and implemented by developers as redevelopment occurs under Voluntary Planning Agreements between the Council and the land owner. This part of the DCP provides guidance on how the agreements will operate.

Planning Agreements are made in accordance with the requirements of the Act and are **voluntary agreements** between council and a landowner.

A Voluntary Planning Agreement (VPA) relates to the provision of 'public benefit' and may include infrastructure works and recurrent expenditure in relation to a public amenity, service or facility. A Planning Agreement specifies how it relates to any applicable Section 94 Contributions Plan, and may provide that a development be excluded from the requirements of that Plan in exchange for works in kind. Early contact is to be made with Council officers where Planning Agreements are envisaged for the provision of public facilities or the like outside of the requirements of the Section 94 Development Contributions Plan.

The Act relevantly requires that VPA's provide for the following:

- “(a) a description of the land to which the agreement applies,*
- (b) a description of:*
 - (i) the change to the environmental planning instrument to which the agreement applies, or*
 - (ii) the development to which the agreement applies,*



- (c) *the nature and extent of the provision to be made by the developer under the agreement, the time or times by which the provision is to be made and the manner by which the provision is to be made,*
- (d) *in the case of development, whether the agreement excludes (wholly or in part) or does not exclude the application of section 94, 94A or 94EF to the development,*
- (e) *if the agreement does not exclude the application of section 94 to the development, whether benefits under the agreement are or are not to be taken into consideration in determining a development contribution under section 94,*
- (f) *a mechanism for the resolution of disputes under the agreement,*
- (g) *the enforcement of the agreement by a suitable means, such as the provision of a bond or guarantee, in the event of a breach of the agreement by the developer.”*

Where public domain works are proposed within a redevelopment site developers are to make early contact with Council officers to discuss the manner in which the works will be provided.