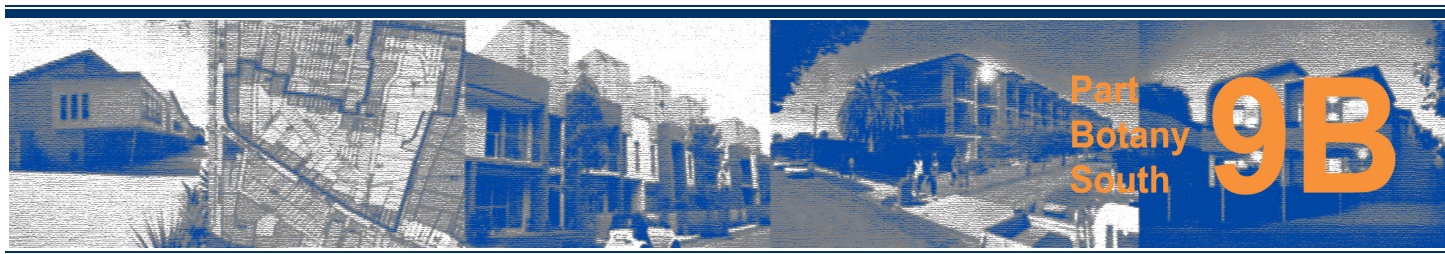


# Part 9B

## Botany South



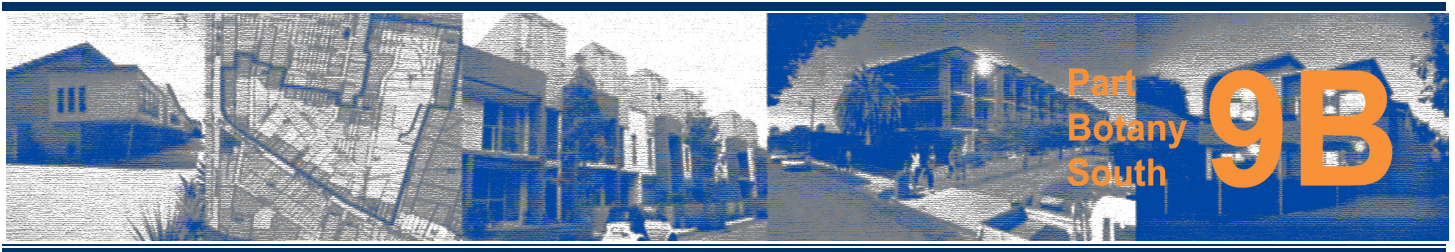
# Development Control Plan



# Contents

<b>9B.1 Introduction .....</b>	<b>3</b>
9B. 1.1 Land to which this Part Applies .....	3
9B. 1.2 General Objectives .....	4
<b>9B.2 Existing Local Character .....</b>	<b>5</b>
9B 2.1 Existing Local Character .....	5
9B.2.2 Existing Allotment Sizes .....	7
9B.2.3 Existing Land Uses.....	7
9B.2.4 Existing Vegetation.....	7
9B.2.5 Existing Setbacks .....	7
<b>9B.3 B7 – Business Park Zone .....</b>	<b>8</b>
9B.3.1 Desired Future Character .....	8
<b>9B.4 B4 – Mixed Use Zone .....</b>	<b>20</b>
9B 4.1 Desired Future Character .....	20
9B.4.1.1 Area 1 - Botany Road .....	21
9B.4.1.2 Area 2.....	30
9B.4.1.3 Area 3 - Aylesbury Street .....	39

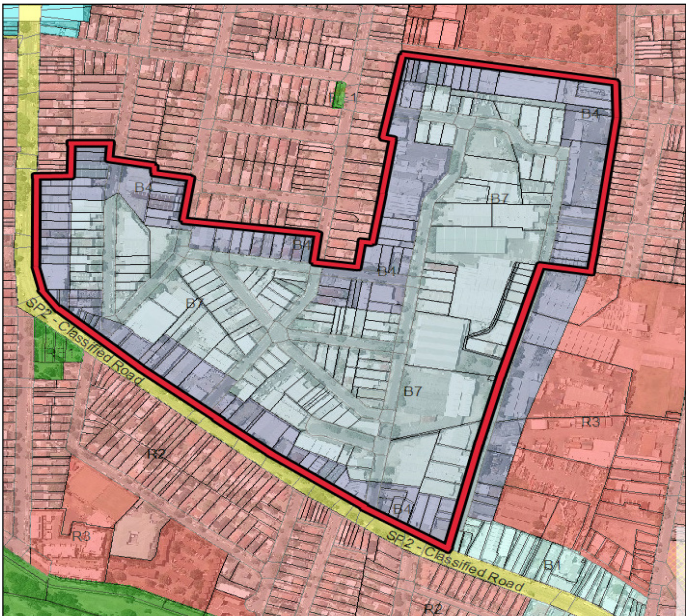




# 9B. 1 Introduction

The Botany South Precinct is bounded by Botany Road to the south and west, Pemberton Street to the east and parts of Rochester, Cranbrook, Tenterden and Aylesbury Streets to the north (refer to **Figure 1** ). The Precinct is zoned predominantly B7 Business Park, with a B4 Mixed Zoned around the periphery of the Precinct. The Precinct is surrounded by land zoned for residential purposes. The intention of the B4 zone within the Precinct is to act as a buffer between the B7 area and low density residential area and to enhance and protect the amenity of existing residential dwellings while encouraging the centre of the Precinct to be redeveloped with uses including creative industries, light industrial, warehouses and associated offices.

**Figure 1 - Botany South Precinct**

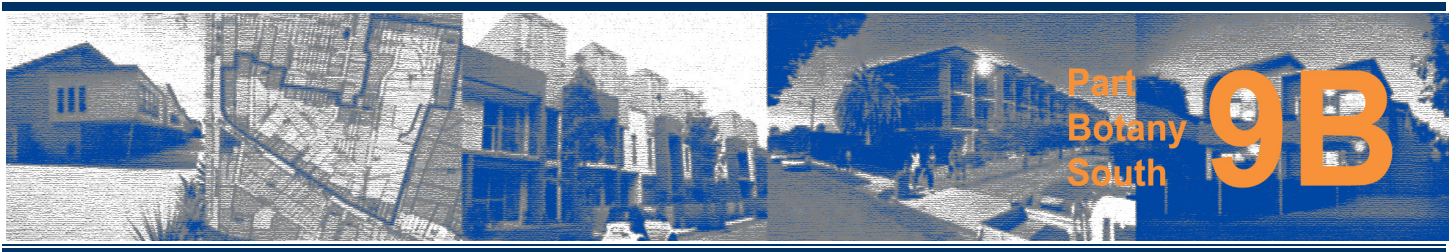


## 9B. 1.1 Land to which this Part Applies

This Part applies to land identified in **Figure 1** edged in green and must be read in conjunction with:

- Part 1 - Introduction
- Part 2 - Notification and Advertising
- Part 3 - General Provisions
- Part 4 - Residential Zones
- Part 6 - Employment Zones
- Part 7 - Other Development Types and Land Uses

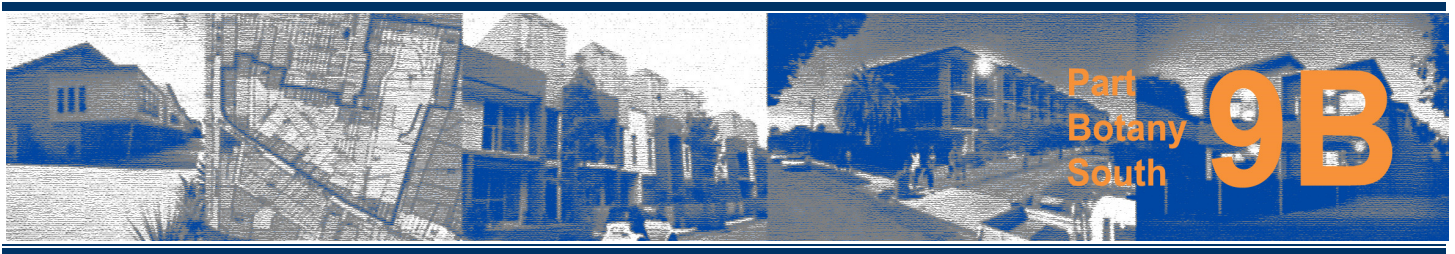
**Note:** Development within the Precinct must comply with the all other applicable Parts of the DCP. If there is a discrepancy between Part 9B and other Parts the Desired Future Character and Controls of **Part 9B** will always prevail.



## 9B. 1.2 General Objectives

- O1** To encourage new light industrial, business park development, commercial development and associated offices which are compatible with the capacity of the road network in the Precinct;
- O2** To ensure that future development contributes to the creation of a high quality landscape environment in the Precinct;
- O3** To retain existing trees within the streetscape;
- O4** To encourage developments which do not require large transport vehicles;
- O5** To mitigate the visual and environmental impact of external activities;
- O6** To encourage low scale mixed use development with medium density housing and a range of compatible vibrant uses such as shops, professional offices, and studio/workshops which are not impacted by adjoining industrial and commercial uses and that do not impact on adjoining and adjacent residential amenity;
- O7** To ensure proposed development in the B4 Zones is designed to minimise the impact of noise and vibration from uses with the B7 zone;
- O8** To provide a buffer between residential and non-residential uses and zones in the form of landscaping and building design;
- O9** To protect existing public stormwater drainage assets; and
- O10** To minimise impact of flooding to the developments, nature environment and built up areas.





## 9B.2 Existing Local Character

### 9B 2.1 Existing Local Character <sup>1</sup>

The Botany South Precinct is generally bounded by residential uses and Botany Road to the west and south. The Precinct is characterised by a mixture of landholdings and subdivisions. The existing subdivision pattern varies from larger lots in the east (along Sir Joseph Banks and Pemberton Streets) to smaller fragmented industrial lots in the south and southwest (Botany Rd, Salisbury St, Rochester St, Margate St, Tenterden Rd, Hannon St, and Luff St). There is some housing interspersed with industrial uses through the precinct (predominately in the south west).

The precinct is currently affected by two major trunk drainage systems. One of them is the Council's stormwater open channel/culvert coming from the residential area between Tenterden Road and William Street, north of Aylesbury Street. This trunk drainage system runs south into the precinct onto the middle section of Aylesbury Street and Clevedon Street, then continues through the properties between Pemberton Street and Sir Joseph Banks Street and joins the existing Council's open stormwater channel from Pemberton Street, south of 21 Pemberton Street. After that, it turns south under Sir Joseph Banks Street onto Botany Road and into Botany Bay via Livingstone Avenue and Sir Joseph Banks Park.

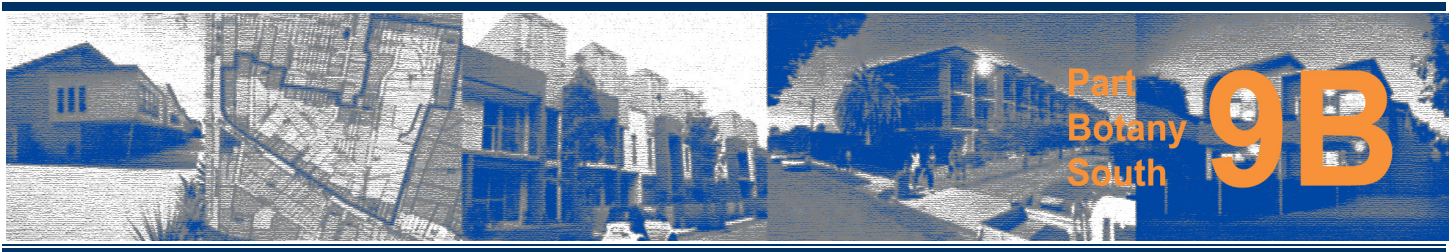
The other major stormwater open channel/culverts in the precinct is Sydney Water's stormwater open channel/culverts (SWC No. 16), which begins from the existing Council's stormwater open channel at the intersection of Sir Joseph Banks Street and Hannon Street. It runs along the northern side of Hannon Street and then turns north-west onto Tenterden Road and Cranbrook Street. At the rear of 2A Salisbury Street, the open channel splits into two stormwater culverts, where one continues north-west to Rochester Street and exits the precinct at 1477 Botany Road onto Botany Road. The system finally combines with other stormwater drainage trunk systems at the open channel north of Bay Street. The other culvert, in contrast, runs along south of Cranbrook Street to the intersection of Cranbrook Street and Botany Road. This culvert then leaves the precinct in the south-westerly direction to Chelmsford Street, Sandgate Street, Folkestone Road to Botany Bay via Sir Joseph Banks Park.

Building types in the Precinct range from smaller unmodulated boxes of brick and corrugated sheeting to very large buildings designed for manufacturing. Many buildings address the street with only a blank wall and large roller door. Newer buildings relate better to the street with offices overlooking the public domain. Some of the largest lots have vast unbuilt areas, currently used for purposes such as container storage.

The larger landholdings tend to have more areas of landscaping in their private domain while the smaller lots generally use the front setback for the manoeuvring of vehicles and parking. There are some very large trees lining the streets in the B7 – Business Park zone. In many cases the trees are significantly larger than the buildings (which tend to be no higher than the equivalent of three residential storeys). Generally these large trees are located in the public domain.

Front setbacks vary in this area; some streets have consistent setbacks while others vary from a metre to over 15 metres in the same block. Where street planting is dense, this pattern is harder to read as the trees define the street edge rather than the buildings.

<sup>1</sup> Botany South Industrial Study – Final Report, December 2003, SGS Economics and Planning



Due to the long industrial history of this Precinct, a number of issues have evolved over time that have made the operation of some businesses poor and created ongoing issues with residents and other businesses. These issues include: irregular subdivision pattern, small lots sizes and fragmented landownership, conflicts in traffic and pedestrian access, inadequate off and on street parking facilities and servicing, inadequate space for vehicle manoeuvring, poor onsite storage, noise and odour from operations, inadequate road network (including width of roads) for manoeuvring of trucks, poor built form and public domain. Some sites do not appropriately cater for the required vehicular access (trucks) for their use. Hence, heavy vehicles that need to access the streets within the Botany South Precinct would have difficulty manoeuvring, as the road carriageway widths do not provide sufficient space to make a turn.

The large amount of heavy vehicles using these roads has a significant impact on many of the streets in the Precinct. There appears to be a relatively clear distinction between the industrial zoned area and residential areas located to the north. Residential areas are characterised by formal street tree planting, while the industrial area is much less formal and more scattered. The area does however maintain a “green” streetscape quality, though this is contributed to significantly by landscape provided within the frontage areas of individual properties.

Council has consistently restricted the size of delivery vehicles in all development consents issued to medium rigid vehicles.

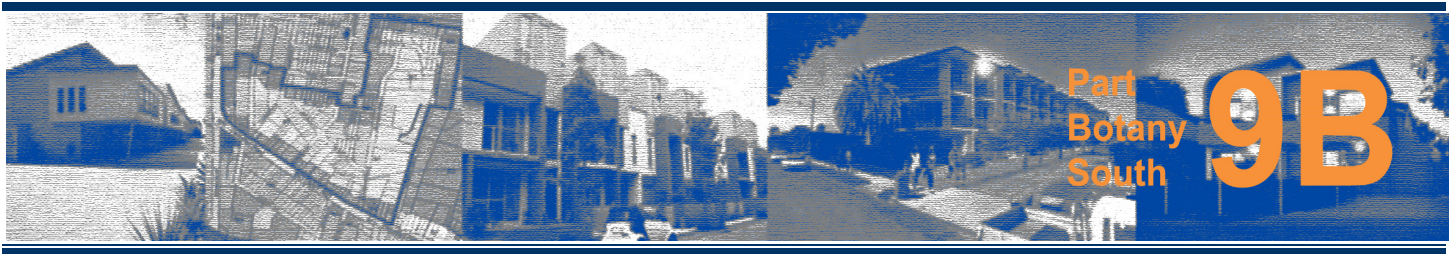
The Precinct is within the 20 to 25 and 25 to 30 ANEF Countours.

The key differentiating features characterising the Botany South Precinct are:

- Excellent road access to the CBD but also to the south west;
- Smaller freehold sites favoured by many smaller manufacturers;
- Higher than usual level of local trading; and
- High level of business spirit.

Constraining factors include:

- The Precinct is surrounded by and contains scattered residential dwellings which have resulted in complaints from residents and constraints on operating times;
- Poor building quality with low clearance levels;
- Limited off-street parking;
- Limited public transport; and
- No room for expansion.



### 9B.2.2 Existing Allotment Sizes

The majority of allotments within the Precinct are less than 2,500m<sup>2</sup>, and a significant proportion of these below 1,000m<sup>2</sup>. The most common lot size within the area is between 250m<sup>2</sup> and 500m<sup>2</sup>. This creates particular issues with respect to development, access and operation, which are distinct from the perceived nature of industrial development in Botany. Smaller lots are occupied by a wide range of uses but automotive related, construction related, metal manufacturing and specialty manufacturing account for over half of the non-residential uses of lots under 500 m<sup>2</sup>. Lots between 500m<sup>2</sup> and 2,500m<sup>2</sup> are widely distributed across the Precinct. Again automotive related, construction related, metal manufacturing and specialty manufacturing are significant but not as dominant as on smaller lots.

Larger lots (over 2,500 m<sup>2</sup>) are used by the large textile manufacturers and associated uses and transport and storage uses. The latter in particular are heavy generators of traffic. Generally the larger lots are associated with wider streets and better access. Many of the large lots in this area have both front and rear access, providing opportunities for drive through circulation although this pattern of use is not widely evident.

### 9B.2.3 Existing Land Uses

The most common land uses in Precinct are motor vehicle retailing and services, with 17% of businesses in the area being motor vehicle retailing and service businesses occupying 10% of the land used for occupied industrial uses. There are 34 automotive panel beaters and vehicle service centres, ranging from truck servicing to luxury European car servicing.

Residential Dwellings within the Precinct are mostly clustered on the periphery rather than being mixed within the non-residential uses. Only a handful could be regarded as 'embedded' non-residential uses. Due to the conflicts between residential and non-residential use, implications have arisen on the operation of non-residential premises.

### 9B.2.4 Existing Vegetation

There appears to be a relatively clear distinction between the Precinct and residential areas located to the north. The residential areas are characterised by formal street tree planting, while the Precinct is much less formal and more scattered. The Precinct does however maintain a "green" streetscape quality, though this is contributed to significantly by landscape provided within the frontage areas of individual properties.

### 9B.2.5 Existing Setbacks

Significant setbacks are present within the Precinct with a clear distinction between traditional residential uses and non-residential uses. Residential Dwellings possess large front gardens, while in non-residential areas frontages are utilised as hardstand, generally as a result of the constraints imposed by site size and lot frontage.





## 9B.3 B7 - Business Park Zone

### 9B.3.1 Desired Future Character

The B7 zone within the Botany South Precinct is anticipated to develop into a high quality business area with a mix of light industrial, creative industries, commercial, business and warehouses. It is anticipated that larger sites will contain business parks with a mix of uses and associated offices. New works in the public domain will be required such as landscaping and pedestrian corridors to improve the amenity of the Precinct and encourage pedestrian movement.

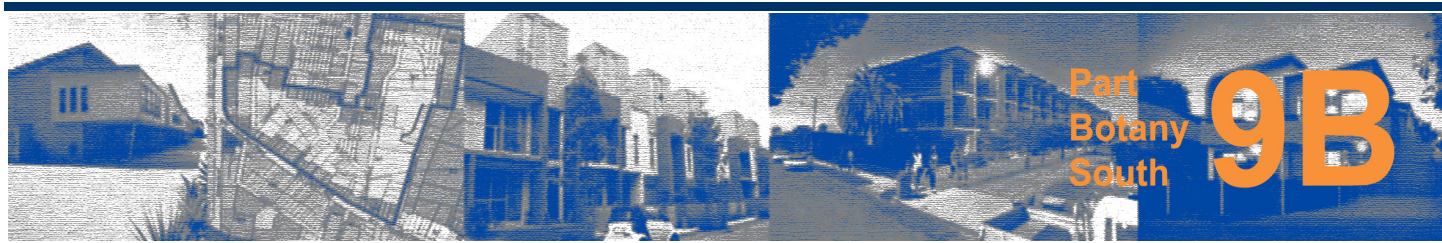
The redevelopment of this area is to provide services and employment for the surrounding residential and maintain smaller lots which are characteristic of the Precinct and required for particular uses. While maintaining some small lots is integral in the future redevelopment of the area, site consolidation may be required to occur to enable improvement to the public domain, increased public car parking and traffic management and the creation of pedestrian links.

The Objectives and Controls for the Desired Future Character for Botany South Precinct - B7 Zone are as follows:

#### Objectives

- 01** To encourage new light industrial, business park development and commercial development and associated offices in the Precinct which are compatible with the capacity of the road network in the area;
- 02** To retain an employment base in the area which provides flexibility and encourages initiatives to create a unique and innovative working environment;
- 03** To ensure that future development contributes to the creation of a high quality landscape environment in the Precinct;
- 04** To retain existing trees both inside and outside the site and provide suitably proportioned areas of well designed landscaping on each development site;
- 05** To encourage pedestrian access through the Precinct, through more permeable street block and promote through site links for pedestrian access at the time of redevelopment;
- 06** To encourage sustainable objectives through environmentally responsible architectural design and function;
- 07** To encourage developments which do not require large transport vehicles;
- 08** To mitigate the visual and environmental impact of external activities;
- 09** To ensure energy efficiency through the design and siting of buildings;





- O10** To ensure that developments are environmentally sustainable in terms of energy and water use and management of waste and discharge;
- O11** To ensure the drainage of the Precinct is not detrimentally impacted and property is protected;
- O12** To protect existing public stormwater drainage assets; and
- O13** To minimise impact of flooding to the developments, nature environment and built up areas.

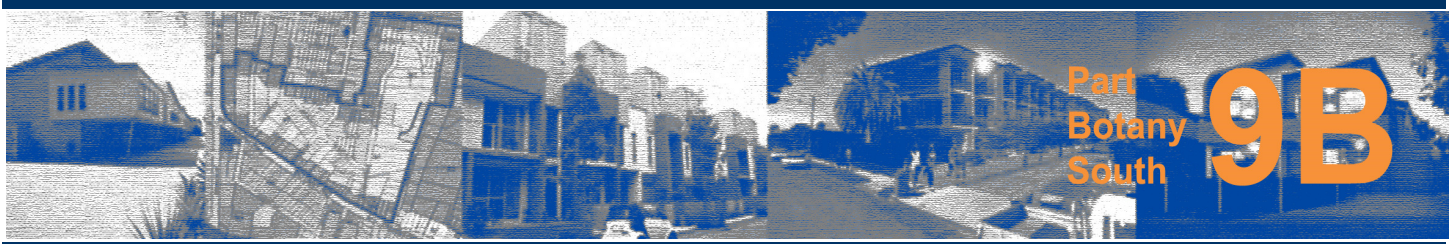
## Controls

- C1** No new residential dwellings houses are permitted within the B7 Zone though existing residential uses may be maintained and enhanced (refer to **Clause 6.12 - Part 6 of BBLEP 2013**).

**Note:** Caretaker Dwellings which are ancillary to an approved business or industrial use on the site are permitted (refer to **Part 6.3.19 - Caretaker Dwellings**).

- C2** Residential alterations and additions relating to C1 must:
  - (i) Improve the appearance of buildings; and
  - (ii) Improve the interface and amenity with non-residential uses.
- C3** Development shall include significant vegetation planting within the allotments and existing significant vegetation is not permitted to be removed.
- C4** Developments within the precinct shall submit a detailed Flood Study/Assessment for 1 in 100 year average recurrence interval (ARI) design storm events and probable maximum flood (PMF). The Flood Study/Assessment is to be prepared by a suitably qualified and experienced civil engineer.
- C5** Development shall be designed and constructed in accordance with Australian Standard AS 2021 (Acoustic Aircraft Noise Intrusion-Building siting and Construction).
 

**Note:** Details to be included in the Development Application. For further details in relation to Aircraft Noise refer to **Part 3J - Development Affecting Operations at Sydney Airport**.
- C6** The introduction of noise abatement measure to achieve compliance with current AS 2021 must be done in a manner that does not compromise the architectural design of a building or impact on the character of an existing streetscape.
- C7** All development that is in, or immediately adjacent to a busy road must be designed in accordance with NSW Department of Planning 'Development Near Rail Corridors and Busy Roads - Interim Guidelines, December 2008'.
- C8** Hours of operation for the use of a site will be restricted by Council, if it is at all likely that the use will cause an impact on any adjoining or adjacent residential development.



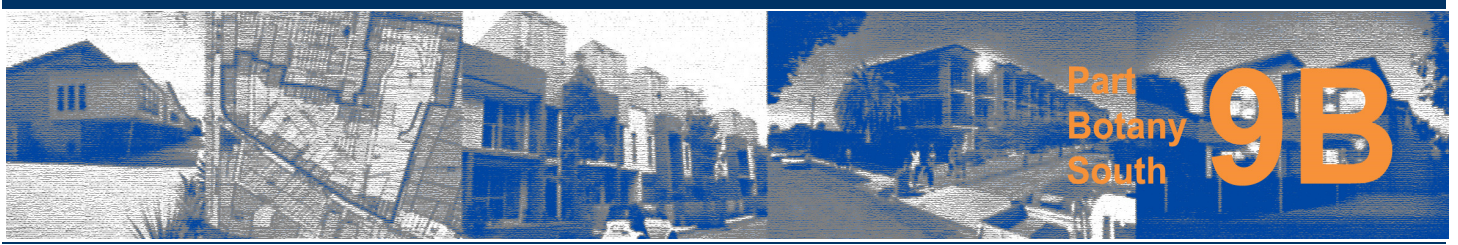
- C9** All DAs for noise generating uses are to be accompanied by documentation from a qualified Acoustic Engineer certifying that the acoustic standards can be met. Noise mitigation measures around machinery and property are to be submitted with the DA. Refer to **Part 6.3.212 – Noise & Hours of Operation** & to the NSW Infrastructure SEPP noise requirements for more information.
- C10** New non-residential development is to be designed so that noise producing activities are remote from any residential boundary.
- C11** The emission of noise from any new development is to comply with the NSW EPA Industrial Noise Policy and Council's adopted noise criteria.
- C12** Any levels of noise generated from the operations or vehicles associated with the development is to be compatible with adjoining non residential uses and the requirements of the NSW EPA Environmental Criteria for Road Traffic Noise and Council's adopted noise criteria.

### Amalgamation and Subdivision

- C13** Development must retain some small lots and encourage amalgamation where appropriate.
- C14** Lot boundaries shall retain the existing linear pattern.

### Building and Site Layout

- C15** Front setbacks on narrow lots will be considered on their 'merits' with consideration of:
  - (i) Access and parking;
  - (ii) Appropriate landscaping;
  - (iii) Location of non-industrial uses (ie. Office sections); and
  - (iv) Presentation to the street.
- C16** On small frontage sites, buildings (including alterations and additions) may align to the side boundary in all locations except where a residential use is adjoining (refer to **Figure 2**).
- C17** Narrow frontage sites may locate driveways and loading areas along one boundary but only if the boundary does not adjoin a residential use (refer to **Figure 2**).
- C18** The layout and orientation of buildings on lots greater than 1,000m<sup>2</sup> shall be in a manner that minimises lengthy or deep areas of car parking along the street frontage (refer to **Figure 3**).
- C19** Development shall avoid long blank walls facing the street and when adjoining residential uses.
- C20** Offices are to be located to address the street and provide an active street presentation.
- C21** Floor space is to be distributed on the site to ensure the scale of the building reinforces the role of

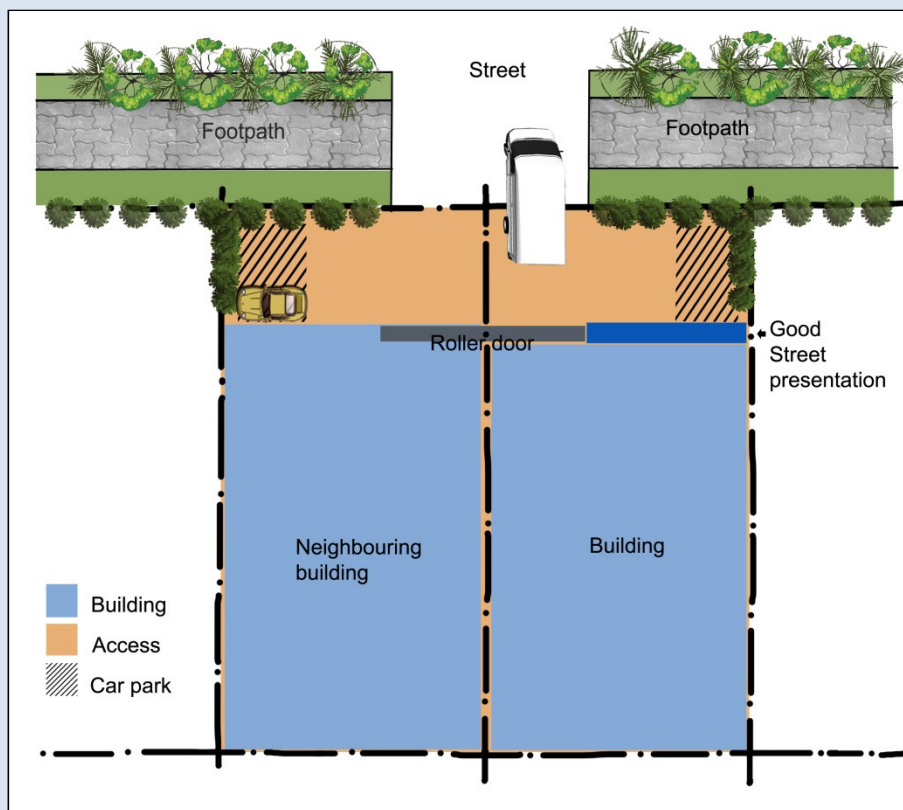


the street.

**C22** Buildings are to be arranged and aligned to create a pleasant working environment.

**C23** Internal spaces are to be designed to satisfy the operational requirements of the particular land use whilst providing a safe and convenient working environment.

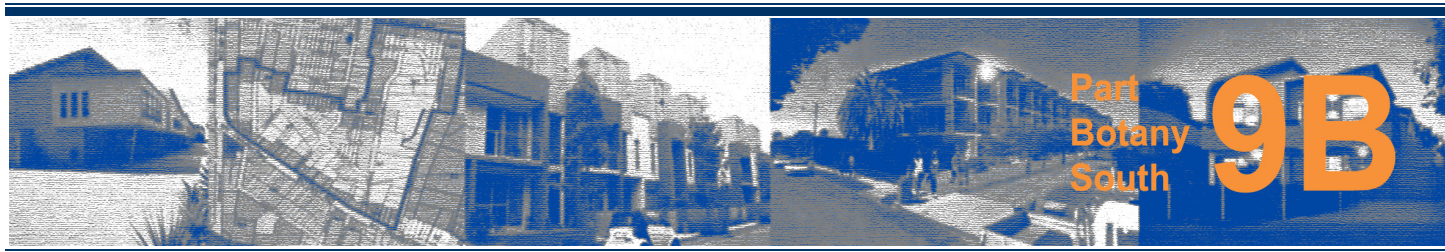
**Figure 2 - Site Configuration**



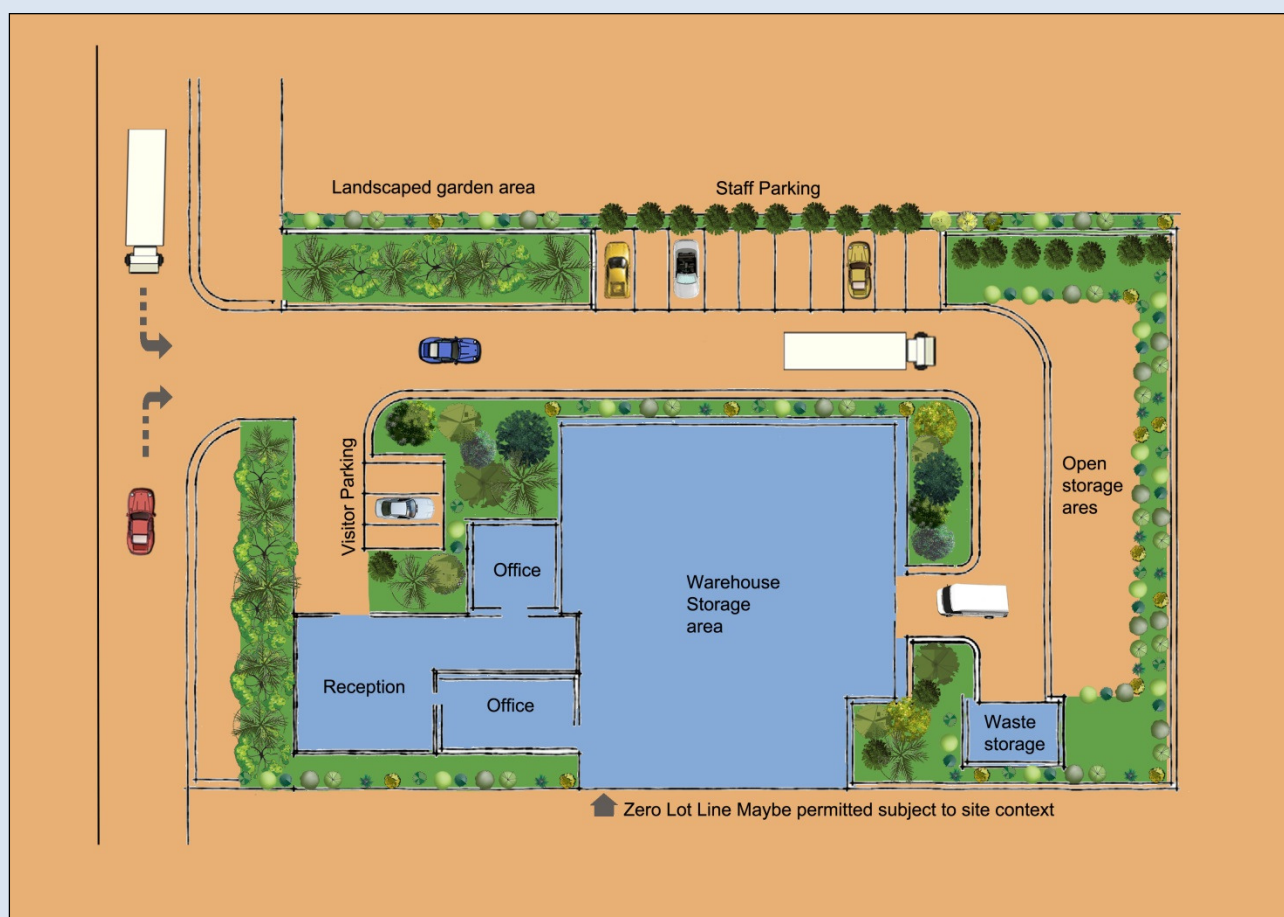
**Note:** If the site adjoins a residential use then the setback is required to be increased.

**Note:** Landscaping not depicted on the figure.



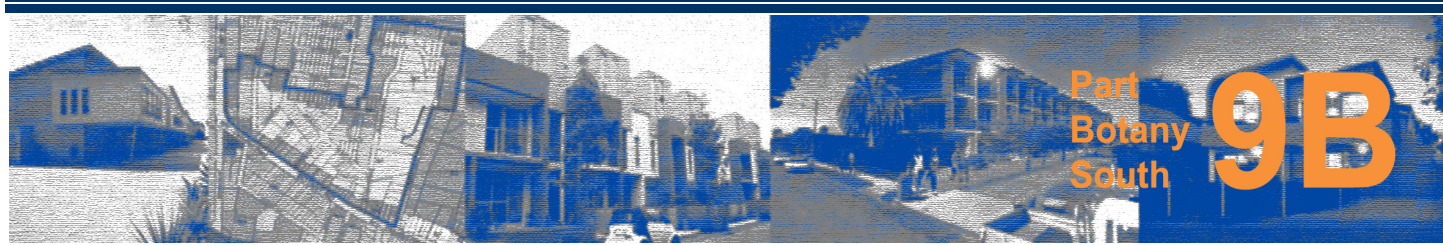


**Figure 3 - Site Configuration**



## Design

- C24** The design of buildings and alterations and additions are to be flexible to cater for different future uses of the building by providing high ceilings and adaptable open planning for the ground and first floor.
- C25** Where non-residential development adjoins any land zoned for residential purposes or any premises used for residential purposes, the external walls abutting such development must be constructed in 230mm or 280mm cavity brickwork. Where such walls adjoin land zoned for residential purposes, construction must be in face brickwork.
- C26** New buildings and alterations and additions, within close proximity to residential uses are to be designed to minimise any adverse effects on the amenity of residential areas by way of overshadowing, overlooking, lighting, dust, noise or fumes.



## Setbacks

**C27** Setbacks are to be in accordance with **Table 1**.

**Table 1 - Setbacks**

Boundary	Landscaping Setback	Building Setback
Front	3m	Merit (Min 6m and 9m for large lots)
Side	Nil to 3m	Nil to 3m
Side - adjoining a Residential Use	3m	3m
Rear	3m	3m
Rear - small narrow sites	Nil	Nil
Rear - adjoining a Residential Use	3 m	3m

## Vehicle Access

**C28** No vehicles larger than a Medium Rigid Vehicle are permitted to access the Precinct.

**C29** For narrow or small lots, car parking requirements will be based on a merit assessment and may require a traffic assessment. Sites which are proposed to be redeveloped are required to provide car parking on site in accordance with **Part 3A - Car Parking**.

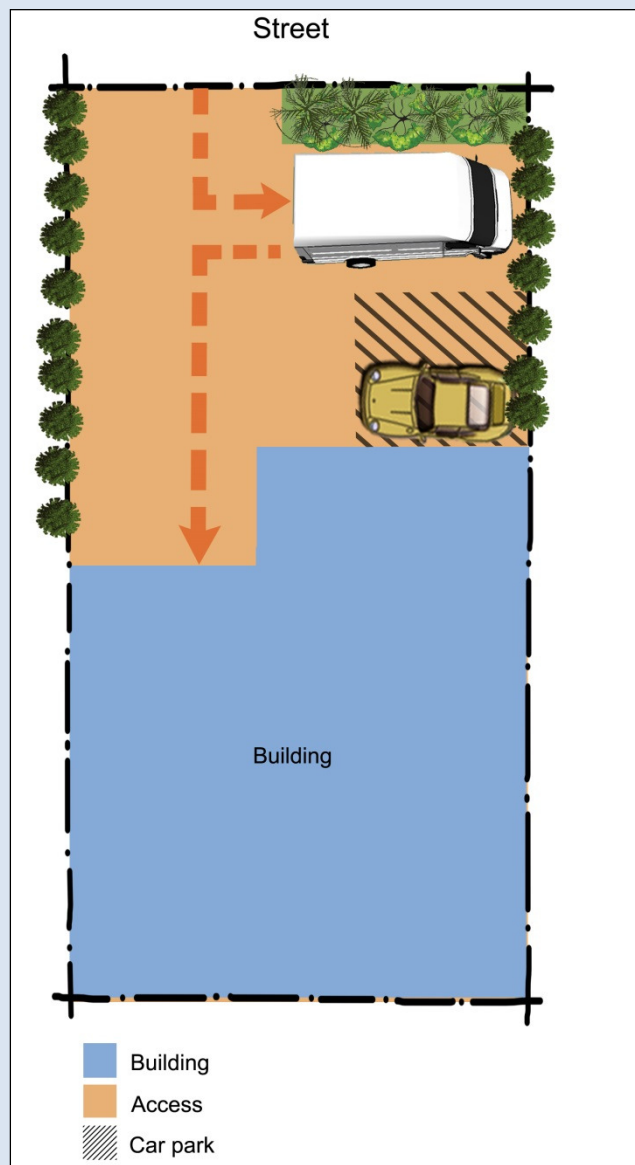
**C30** Visitor parking shall be located convenient to administration and office areas.

**C31** For narrow and small lots an area for delivery vehicle access/manoeuvring may be provided within the front setback in order to allow such vehicles to enter and leave in a forward direction provided the minimum landscape requirements are met (refer to **Figure 4 and Table 1**).

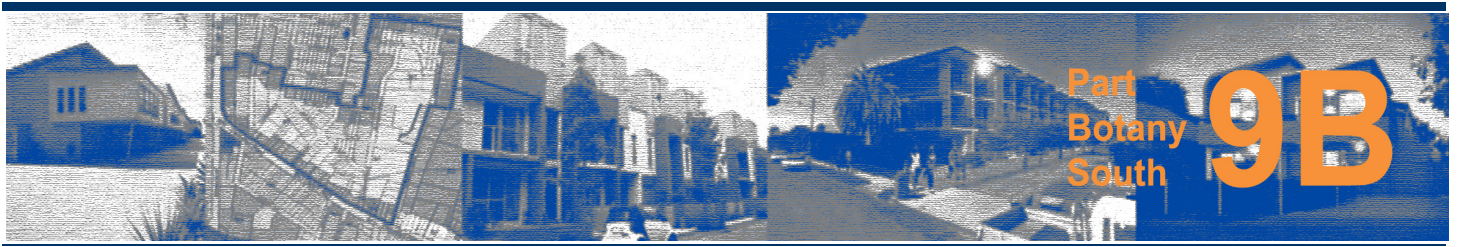
**C32** Where there is a cluster of narrow lots, access driveways should be paired so that adjacent properties locate driveways side by side (refer to **Figure 5**).

**C33** Truck movements are to be limited along the proposed pedestrian routes (refer to **Figure 6**) to accommodate and encourage pedestrian movement.

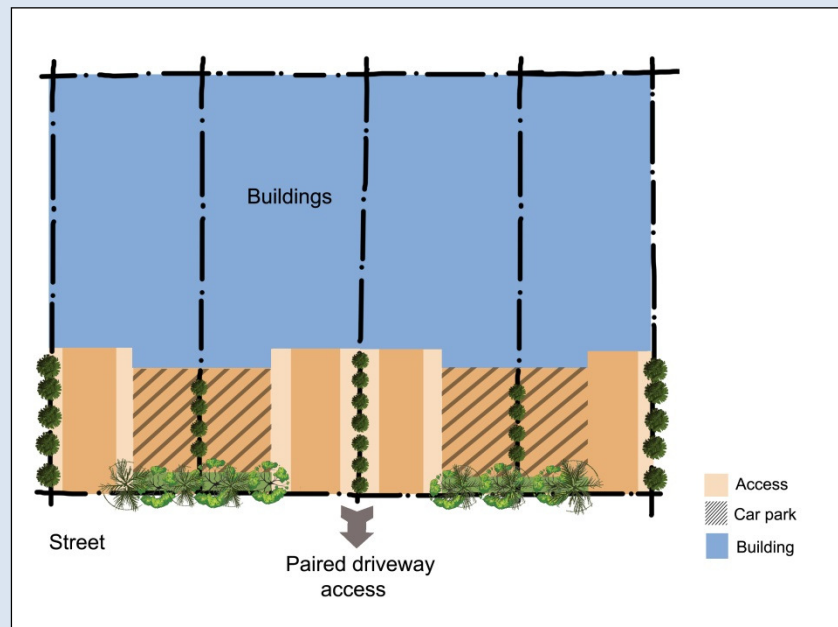
Figure 4 - Vehicle Access and Manoeuvring



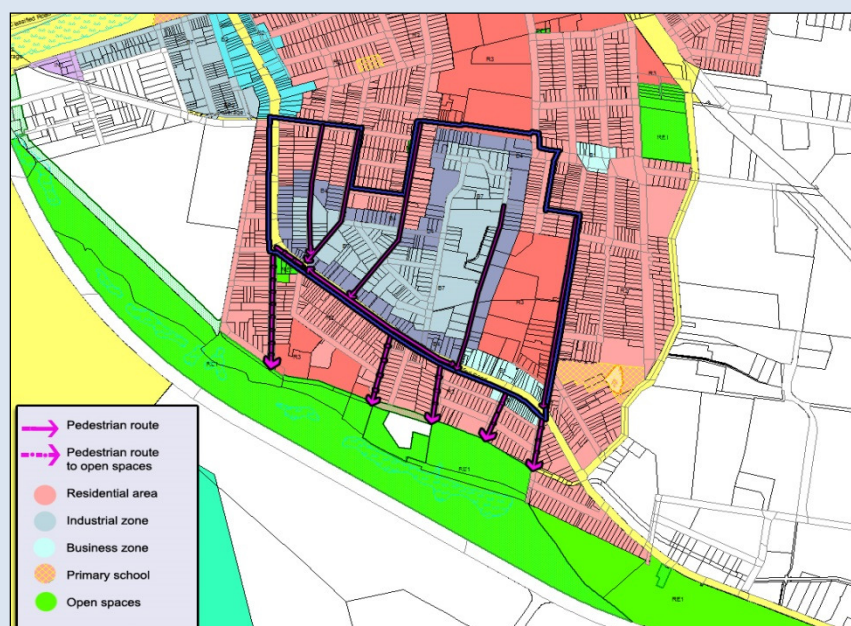




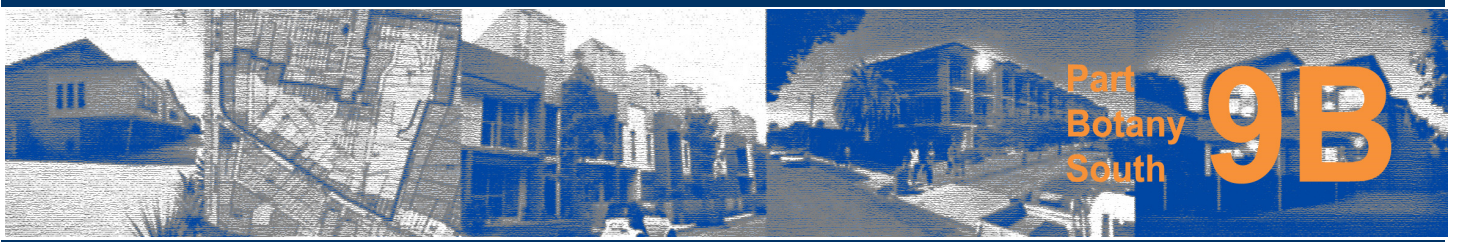
**Figure 5 - Vehicle Access and Landscaping**



**Figure 6 - Pedestrian Routes within the Precinct**

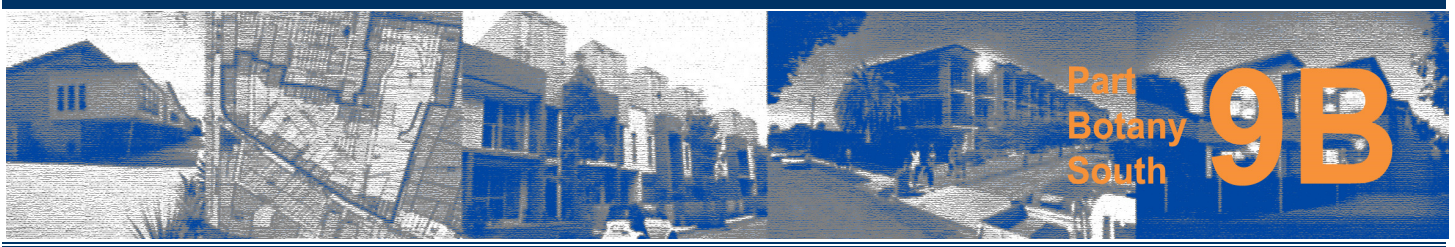


Source: Botany South Industry Study, Architectus, 2003

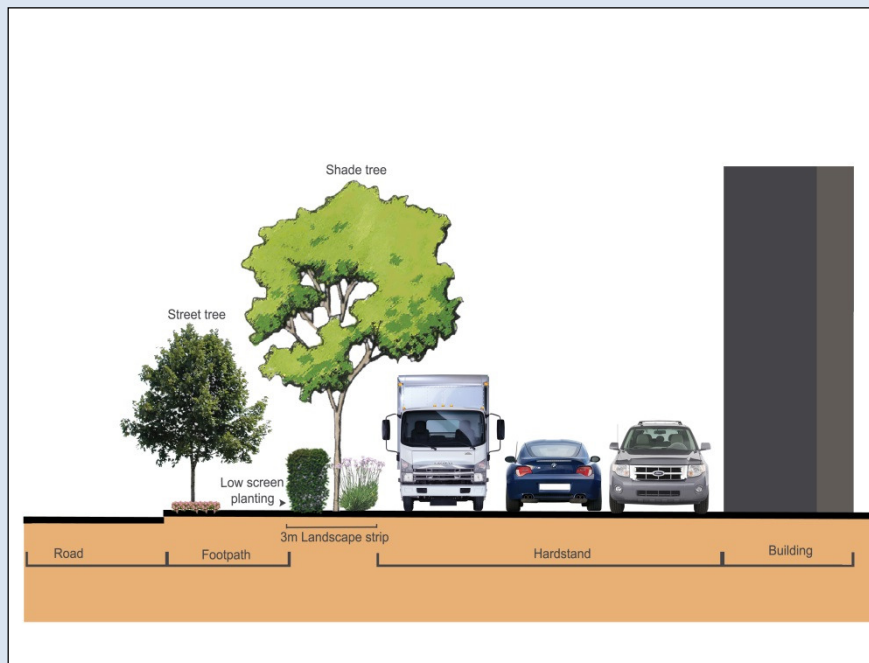


## Landscape

- C34** A Landscape Zone is to be provided adjacent to the front property boundary of no less than 3 metres in width (refer to Table 1). The zone is to accommodate canopy trees to screen and soften buildings and shade parking areas, underplanted with screen planting/hedging up to 1.2 metres in height (refer to Figure 7). These areas are to be mass planted areas of screen or buffer landscaping using a layered planting design (refer to **Part 3L - Landscaping and Councils Landscaping Technical Guidelines for Development Sites in Part 10 – Technical Guidelines**).
- C35** Existing trees, including Council street trees and trees on neighbouring properties, are to be retained and adequate provision allowed for protection of the primary root zone and canopy when locating new buildings, driveways and parking areas (refer to Part 3F - Tree Management).
- C36** The side boundary returns within the front setback and forward of the building alignment must be landscaped (refer to Table 1) to integrate the setback landscaping with the buildings on the site.
- C37** For existing and new buildings, Council may require landscape improvement or enhancement of existing landscaping or the public domain through provision of:
- (i) Street trees;
  - (ii) Planter tubs/pots;
  - (iii) New paving;
  - (iv) Street furniture;
  - (v) A specific streetscape planting scheme;
  - (vi) Maintenance of the existing streetscape, and
  - (vii) Reinstatement of landscaping on site in accordance with a previously approved landscape plan.



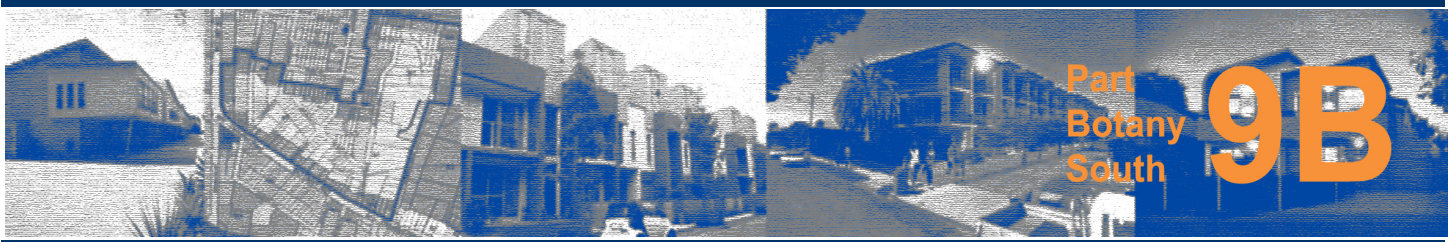
**Figure 7 - Treatment within the Landscape Zone**



## Flooding

- C38** No structures shall be built over Sydney Water or Council stormwater drainage system/easements.
- C39** Any structure foundations of the development shall extend to at least 1m below the invert of the existing public stormwater drainage assets.
- C40** Finished floor levels of the habitable buildings/structures and non-habitable buildings/structures (including garage, ramps to the basement car parking area etc.) shall be minimum 500mm and 300mm above the 1 in 100 year flood level respectively.
- C41** Structures/filling shall not be placed within the flood extent unless suitably and adequate mitigation measures have been proposed and implemented. These measures will require approval from Council.
- C42** No structures/filling shall be allowed to obstruct the 1 in 100 year flood level.
- C43** Flood storage within the site shall be maintained before and after the development.
- C44** The boundary fence in the flood extent shall be open type fencing to allow unimpeded passage of overland floodwater.





## Storage Areas

- C45** Storage areas are encouraged to be located within the primary building.
- C46** Open storage areas visible from the public domain are prohibited.
- C47** Where materials are to be stored outside the primary building, the storage area's are to be fully enclosed with solid fencing, surrounded by mature vegetation and location abutting the primary building.
- C48** Storage areas are not permitted adjacent or adjoining residential dwellings or zones (including the B4 Mixed Use Zone).
- C49** Open storage areas shall not compromise truck or vehicle manoeuvring and car park areas.
- C50** Ancillary buildings and storage shed are to be located behind setbacks and front buildings line and must be consistent with the design of the primary building to provide cohesion to the appearance of the development.
- C51** Details of proposed ancillary buildings, open storage, service areas, solid liquid waste storage and collection areas are to be provided with any Development Application.
- C52** All businesses are encouraged to include in their waste contracts provision for the collection and recycling of high grade and low grade office paper, batteries, equipment containing painted circuit boards, computers, florescent tubes, and other recyclable resources.
- C53** If more than 10m<sup>3</sup> of uncompacted waste and recycling is likely to be generated per day, the central waste and recycling room is to be separated from the good receiving dock, and waste is to be collected in a compaction unit.
- C54** The following information must be provided at Development Application stage for outdoor storage areas:
  - (i) Size of the outdoor storage area;
  - (ii) Maximum storage height;
  - (iii) Types of good, materials and equipment being stored outdoors; and
  - (iv) Details of landscaping and screening structures.



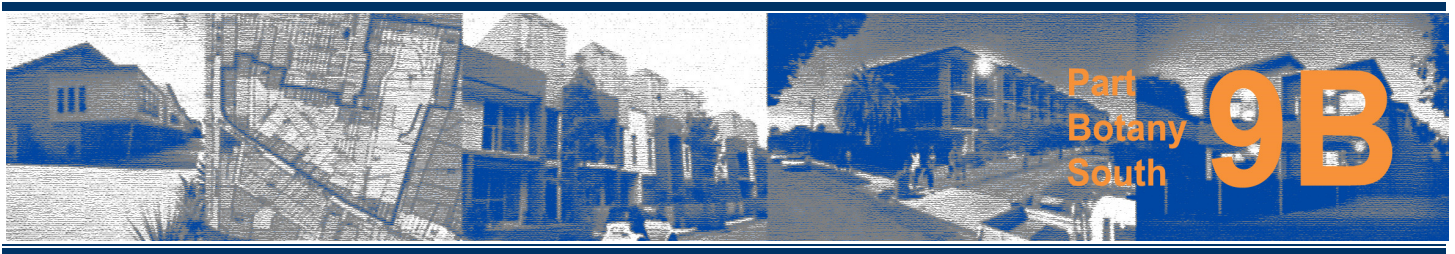
## Entrance Treatment

- C55** Entries to Business Parks and individual buildings shall be clearly visible and well signed posted for pedestrians and motorists (refer to Figure 8).
- C56** Architectural features are to be provided at ground level giving an entrance element to the building and addressing the primary street frontage.
- C57** All entrance treatments, such as directory boards must be located on private property, with appropriate positive covenants and restriction on the title to ensure the ongoing management and maintenance of such treatments.

**Figure 8 - Examples of Entrance Treatments**

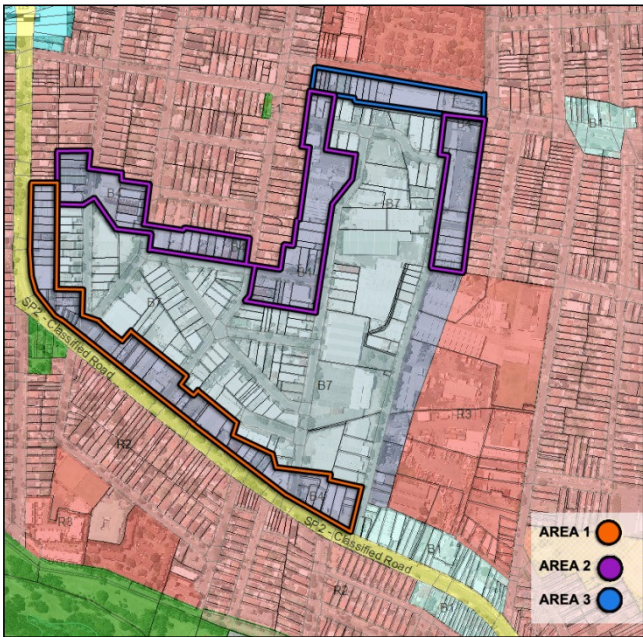






# 9B.4 B4 - Mixed Use Zone

Figure 9 - Areas within the B4 Zone



## 9B 4.1 Desired Future Character

The B4 zone within the Botany South Precinct is anticipated to develop into a high quality area of mixed uses featuring medium density housing, low impact commercial and business uses and creative industries. New works in the public domain will be required such as landscaping and pedestrian corridors to improve the amenity of the Precinct and encourage pedestrian movement and live/work opportunities.

The redevelopment of this area is to provide a transition from non-residential to surrounding residential uses with the intention of buffering any adverse amenity issues created within the B7 zone. New residential uses within the B4 - Mixed Use zone need to ensure that through site layout and building design any impacts from the B7 zone are adequately mitigated.

This Area is affected by 20 to 25 and 25 to 30 ANEF Contours and road traffic noise.

The Mixed Use Zone area has three distinct areas (**Areas 1, 2 and 3**) with varying interfaces and Desired Future Characters.





### 9B.4.1.1 Area 1 - Botany Road

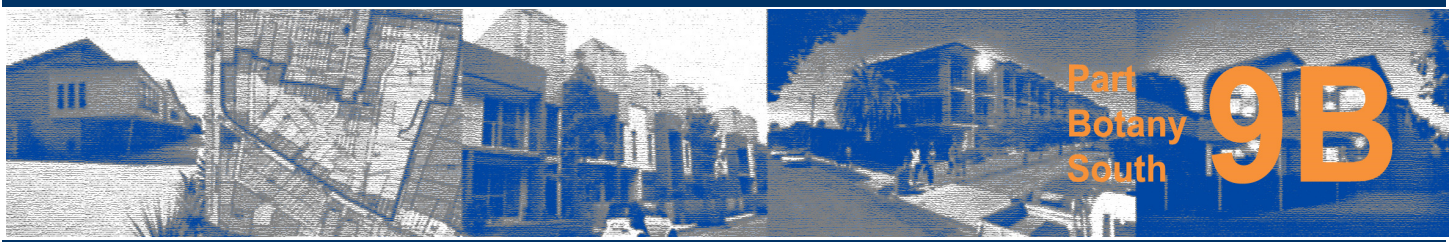
**Area 1** fronts Botany Road to the south, adjoins land within the B7 zone to the north and low density residential dwellings to the south. In **Area 1** residential is not permitted at ground floor. The ground floor of development must contain a complementary non-residential use that is permissible within the B4 Zone. In this regard please refer to **Clause 6.15 of the Botany Bay Local Environmental Plan 2013** and its **Active Street Frontages Map**.

The compatibility of mixing certain uses together must be considered, in conjunction with the design of such development, to ensure acceptable amenity for different uses and to ensure that development provides a transition from the B7 zone to low scale residential uses.

The Objectives and Controls for the Desired Future Character for Botany South Precinct: B4 Zone - **Area 1** are as follows:

#### Objectives

- O1** To encourage live/work opportunities;
- O2** To encourage improvements to the Public Domain;
- O3** To ameliorate conflicts on the interface between the non-residential and residential uses;
- O4** To encourage low scale mixed use development with residential at first floor and a range of compatible vibrant uses such as shops, professional offices, and studio/workshops at ground floor, which are not impacted by adjoining industrial and commercial uses and that do not impact on adjoining and adjacent residential amenity;
- O5** To ensure that proposed development is designed to minimise the impact of noise and vibration from uses with the B7 zone;
- O6** To retain existing trees both inside and outside the site and provide suitably proportioned areas of well designed landscaping on each development site;
- O7** To provide a buffer between residential and non-residential uses and zones in the form of building design and through high quality landscaping;
- O8** To create a focus for a wide variety of businesses that offer employees and visitors a lively and attractive environment, becoming more than just a 'place of work' but one that compliments and connects business activities with each other;
- O9** To promote and encourage a high design quality of buildings;
- O10** To provide a high level of pedestrian amenity and create a vibrant and safe precinct;

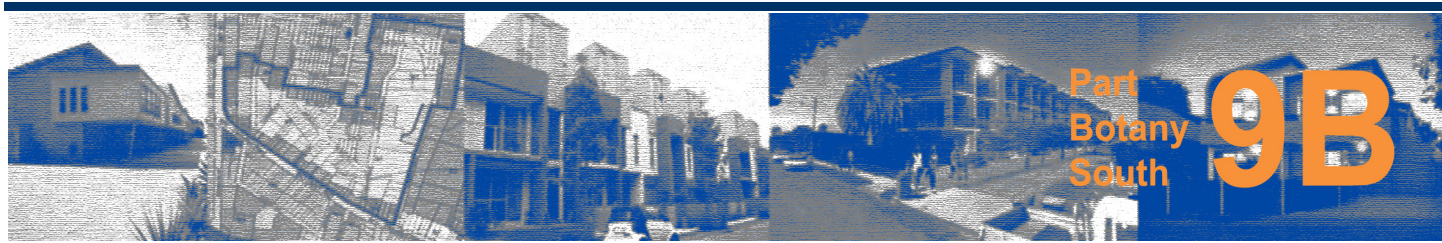


- O11** To promote the amalgamation of small sites to deliver better quality development and adequate on-site parking;
- O12** To limit access points from Botany Road;
- O13** To encourage the provision of parking, vehicular access and servicing areas that provide a buffer between residential and non-residential uses and pleasant, safe and provide shared working environment;
- O14** To ensure the protection and viability of the Botany Local Centre and Banksmeadow Neighbourhood Centre;
- O15** To ensure the drainage of the Area is not detrimentally impacted and property is protected;
- O16** To ensure non residential development is sympathetic with the streetscape character and maintains the amenity of surrounding residential development;
- O17** To protect existing public stormwater drainage assets; and
- O18** To minimise impact of flooding to the developments, nature environment and built up areas.

## Controls

### General

- C1** The ground floor of development must contain complementary non-residential uses permissible in the B4 zone. Residential uses are only permitted at first floor and above. In this regard please refer to **Clause 6.15 of the Botany Bay Local Environmental Plan 2013** and its **Active Street Frontages Map**.
- C2** The amenity of residential development shall not be impacted upon by non-residential uses. The following will be considered by Council:
  - (i) Scale and size;
  - (ii) Floorspace ratio;
  - (iii) The size and number of vehicle movements;
  - (iv) Noise;
  - (v) Air and water pollution;
  - (vi) Hours of operation; and
  - (vii) Any other negative environmental impact.
- C3** Residential development must be designed so that it will not be detrimentally impacted by any non-residential uses in the vicinity.



**C4** Residential alterations and additions must:

- (i) Improve the appearance of buildings; and
- (ii) Improve the interface and amenity with non-residential uses.

**C5** Development shall be designed and constructed in accordance with Australian Standard AS 2021 (Acoustic Aircraft Noise Intrusion-Building Siting and Construction).

**Note:** Details to be included in the Development Application. For further details in relation to Aircraft Noise refer to **Part 3J - Development Affecting Operations at Sydney Airport**.

**C6** The introduction of noise abatement measure to achieve compliance with current AS 2021 must be done in a manner that does not compromise the architectural design of a building or impact on the character of an existing streetscape.

**C7** All development that is in, or immediately adjacent to Botany Road must be designed in accordance with NSW Department of Planning '**Development Near Rail Corridors and Busy Roads - Interim Guidelines, December 2008**'.

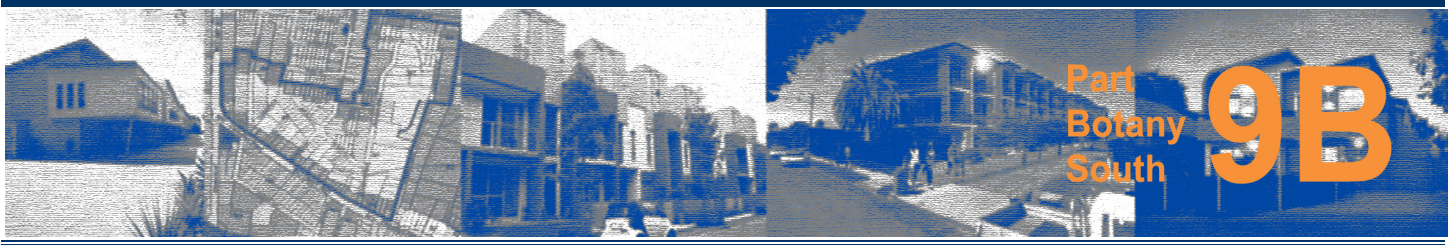
**C8** Internal habitable rooms of dwellings within the B4 Mixed Use Zone which are affected by high levels of external noise are to be designed to achieve internal noise levels of 50dBA maximum. Development Applications which contain residential accommodation are to be accompanied by a noise assessment prepared by a qualified acoustic consultant addressing the following:

- i. address the noise requirements of the NSW Infrastructure SEPP in terms of road traffic noise;
- ii. address the requirements of Part 4A, 4B or 4C (Acoustic Privacy controls), depending on the type of residential accommodation proposed;
- iii. conduct detailed site attended audits during the day, evening and night periods to identify and assess noise from activities associated with the B7 Zone;
- iv. assess noise from ground activities including aircraft take-off's and landing's at Sydney Airport referenced to each floor of the proposed building;
- v. 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) the acoustical assessment is to take into account noise from the operations of Port Botany;
- vi. confirm noise exposure levels for each floor of the proposed residential building;
- vii. and confirm building noise controls for internal noise levels to satisfy the recommended noise criteria.

## Amalgamation and Subdivision

**C9** Amalgamation of sites is encouraged to reduce the number of access points from Botany Road.





## Change of Use

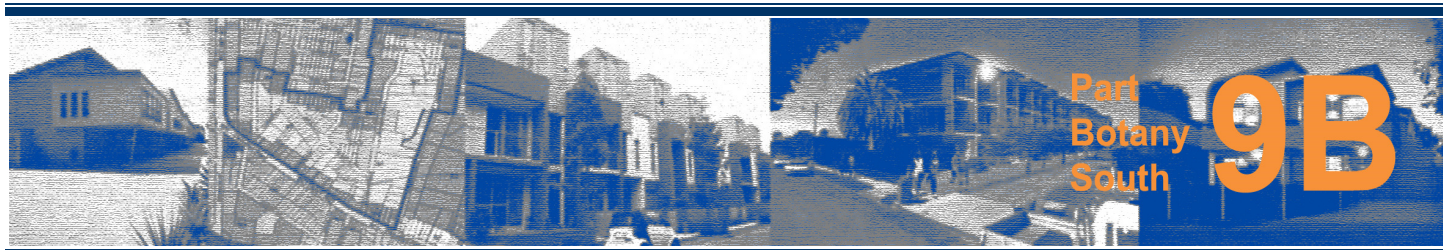
- C10** A change of use must not result in a significant impact on adjoining or nearby properties, in particular adjoining residential uses or on traffic movements within the locality.
- C11** A change of use must comply with the Desired Future Character of the area.
- C12** Where existing landscaping is below the standard identified in the DCP, the existing area of landscaping shall where possible be upgraded to the standard specified in the DCP (refer to **Part 3L - Landscaping**).

## Building and Site Layout

- C13** New residential buildings shall be designed to accommodate and minimise any adverse effects on the amenity of residential areas by way of overlooking, lighting, dust, noise or fumes from adjoining uses.
- C14** Car parking, landscaping and non-residential uses are to be located at the rear of the property to provide buffer between the B4 and B7 zones (refer to **Figure 10**).
- C15** On small frontage sites, buildings may align to the rear and side boundary in all locations except where a residential use or zone adjoins.

**Figure 10 - Buffer between B4 and B7 Zones**





## Setbacks

**C16** Setbacks are to be in accordance with the **Table 2**.

**Table 2 - Setback in Area 1**

Boundary	Landscaping Setback	Building Setback
Front	4m	7m
Side	Nil to 1.5m	Nil to 1.5m
Side – adjoining a Residential Use/zone	3m	3m
Rear	Nil to 3m	Nil to 3m
Rear - adjoining a Residential Use/zone	3m	6m

**C17** Building setbacks must form a continuous and consistent alignment.

### Note:

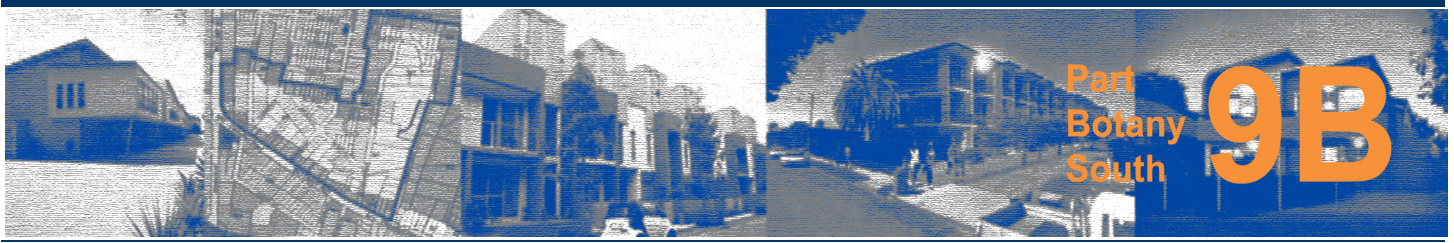
- Awnings and verandas along classified roads should be set back a minimum of 1.5 metres from the kerb;
- Awnings and verandas along local roads that intersect with classified roads should be set back a minimum of 1.5 metres from the kerb for a distance of up to 100 metres from the intersection with the classified road; and
- At any signalised intersections (on local roads or classified roads), awnings and verandas should be set back a minimum of 1.5 metres from the kerb for a distance of up to 100 metres from the signalised intersection.

## Parking and Vehicle Access

**C18** Access driveways should be paired so that adjacent properties locate driveways side by side to reduce the number of access points.

**C19** Any carparking spaces allocated for residential purposes are to be located at the rear of sites to provide a buffer from the B7 zone.

**C20** The provision of car parking must comply with **Part 3A - Car Parking**.



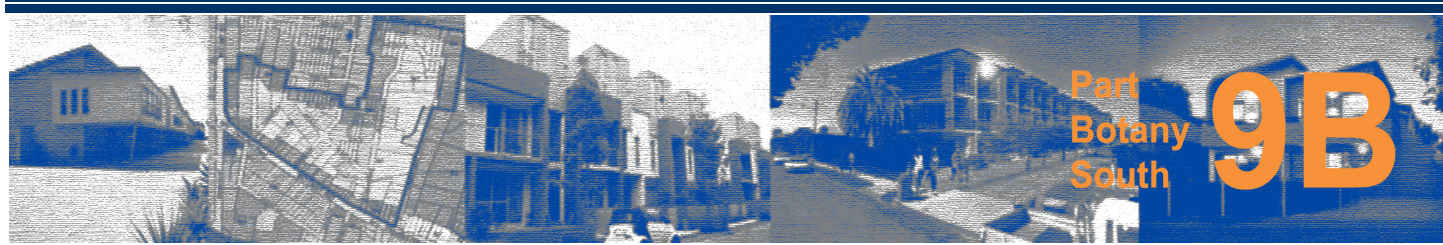
## Flooding

- C21** No structures shall be built over Sydney Water or Council stormwater drainage system/easements.
- C22** Foundations of development shall extend to at least 1m below the invert of the existing public stormwater drainage assets.
- C23** Finished floor levels of the habitable buildings/structures and non-habitable buildings/structures (including garage, ramps to the basement car parking area etc.) shall be minimum 500mm and 300mm above the 1 in 100 year flood level respectively.
- C24** Structures/filling shall not be placed within the floodways or overland flow paths unless suitable and adequate mitigation measures have been proposed and implemented. A flood study may be required to be lodged with the DA to support the mitigation measures.
- C25** No structures/filling shall be allowed to obstruct the 1 in 100 year flood level.
- C26** Flood storage within the site shall be maintained before and after the development.
- C27** The boundary fence in the flood extent shall be open type fencing to allow unimpeded passage of overland floodwater.

## Landscaping

- C28** A suitable area of dense landscape planting is required in the rear setback to provide a buffer between the B4 and B7 zones including landscaping of car park areas to achieve a high level of amenity which will screen the development from residential areas. Details of the proposed planting are to be provided on a landscape plan to be submitted with the Development Application.





## Fences

**C29** Fences are not encouraged within the Area as fencing is not a typical characteristic of the area.

**C30** If fences are required they shall be not higher than **Table 3**.

**Table 3 - Fence Height in Area 1**

Use	Fence Height
Residential	1 m
Non-Residential	1.5m (over 50% must be transparent)

## Residential Component

**C31** The residential component of development must comply with the relevant sections of **Part 4 - Residential Development**.

**Note:** **Part 4B.5.1 - Dwelling Mix, Room Size and Layout** for Multi Dwelling Housing and **Part 4C.5.1 - Dwelling Mix, Room Size and Layout** for Residential Flat Buildings.

## Mixed Use Development

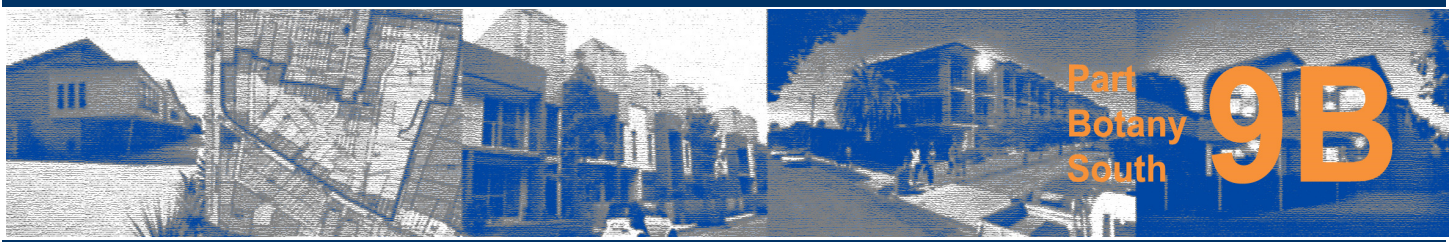
**C32** The ground floor level of a mixed use development that relates to the active street frontage must be predominantly used for commercial uses or other street activating uses.

**C33** A Plan of Management (POM) may be required where non-residential uses are proposed within a mixed used development or in proximity of a residential land use. The Plan of Management (POM) is a written report which describes how the ongoing operation of non-residential uses will be managed to reduce its impact upon the amenity of surrounding properties.

The POM allows Council to exercise control over the ongoing operation of a premises by requiring, as a condition of consent, that the premises operate in accordance with the POM. A condition of consent may require that a POM be regularly revised and submitted to Council.

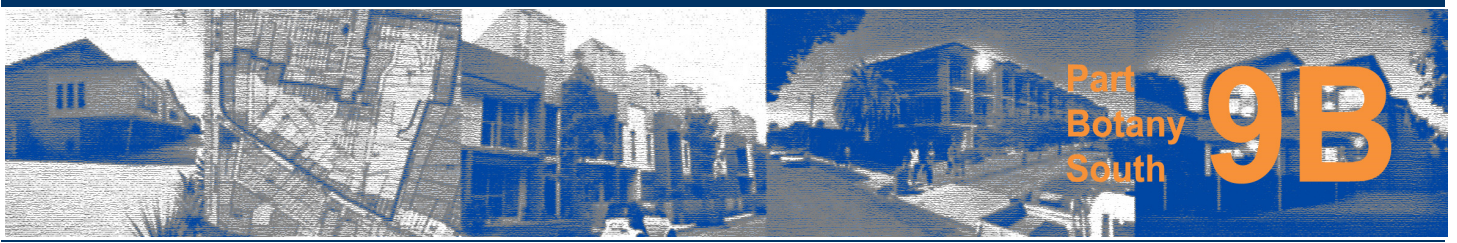
The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:

- (i) Title;
- (ii) Objectives;



- (iii) Operational details;
- (iv) Hours of operation;
- (v) Staffing details;
- (vi) Guidelines for staff for using the site facilities and equipments;
- (vii) Deliveries and loading/unloading;
- (viii) Managing customers or patrons;
- (ix) Security details;
- (x) Noise Impact Assessment;
- (xi) Shadow Analysis;
- (xii) Complaint recording and handling process; and
- (xiii) The review process to continuously improve the POM.

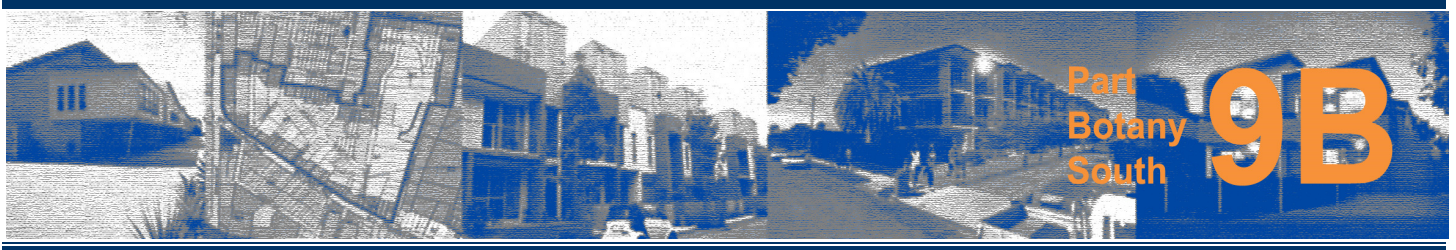
- C34** The traffic movements, hours of deliveries, use of parking areas and garbage collection must be managed through the POM where non-residential uses are close to residential premises. Where significant amounts of traffic are likely to be generated which could affect residential areas or residential zoned land, schedules of vehicle movements and their routes must be provided and may be regulated in conditions of consent.
- C35** Loading and unloading must not detract from the amenity of nearby residential uses. Where loading and unloading movements are likely to affect residential areas or residentially zoned land, schedules of vehicle movements and their routes must be provided in the POM and may be regulated through conditions of consent.
- C36** New development is to be designed so that noise-producing activity is remote from the interface boundary. New manoeuvring areas and parking areas facing existing residential areas are not permitted due to noise resulting from such activities.
- C37** Site lighting for building security and staff safety must be directed so as to not cause annoyance to neighbours, residents or glare to passing motorists.
- C38** Walls of buildings adjacent to residential uses are to make use of non-reflective colours and materials to avoid glare on residential areas (especially balconies). The walls are to be treated to aesthetically as well as acoustically. Window placement and/or tall trees should be considered as ways to protect privacy, reduce noise and light pollution.
- C39** Where a site contains or adjoins a residential use or property, Council shall require the applicant to provide shadow diagrams prepared by a suitably qualified person. These shadow diagrams shall:
- (i) Show the shading effects of a proposal on adjoining residential properties or the public domain;
  - (ii) Be based on a survey of the site and adjoining development; and
  - (iii) Be prepared at 9.00 a.m, 12.00 noon and 3.00 p.m. at 21st June (winter solstice).
- C40** Where the windows of habitable rooms and the private open space of adjoining dwellings already receive sunlight, they shall receive a minimum of 2 hours of sunlight between 9.00 a.m. and 3.00 p.m. during 21st June.



**Note:** Council will refer a contentious Development Application or one that involves an extension to the trading hours of a licensed premises to a Resident Consultative Committee or where there have been a significant number of objections received as a result of exhibition and/or notification of the Application. Both the Applicant and the Objectors will be invited to attend. The purpose of the Committee is to address the issues raised by residents in an open forum.

**C41** Any commercial car parking must be conveniently located and identified.





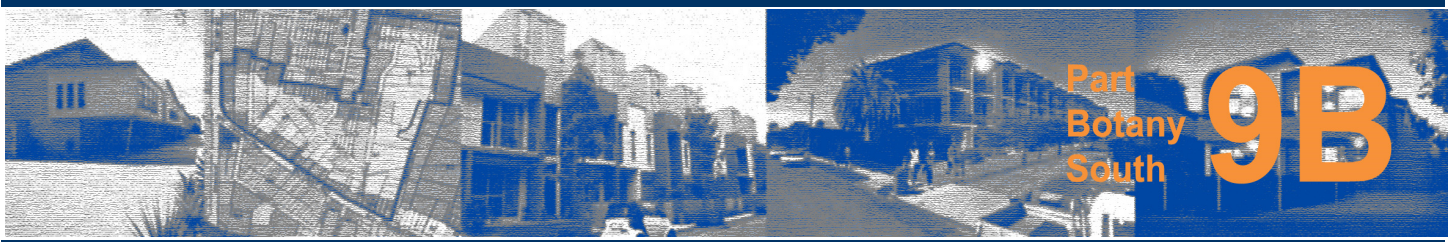
### 9B.4.1.2 Area 2

**Area 2** contains land which adjoins both non-residential uses and low scale residential dwellings. It is anticipated that the Area will provide a transition between the uses. Any residential development within the Area must mitigate any potential impacts from the uses within the B7 zone and not detrimentally impact on any existing adjoining residential dwellings.

The Objectives and Controls for the Desired Future Character for Botany South Precinct: B4 Zone - **Area 2** are as follows:

#### Objectives

- O1** To encourage live/work opportunities;
- O2** To ensure development encourages a mix of uses that co-exist and provide a transition from non-residential uses to residential uses through development which emits low levels of noise, provides high level of privacy for residential and minimises operating hours;
- O3** To encourage improvements to the Public Domain;
- O4** To ameliorate land use conflicts on the interface between the non-residential and residential uses;
- O5** To ensure development is environmentally compatible and respects the non-residential and residential uses;
- O6** To ensure proposed development is designed to minimise the impact of noise and vibration from uses with the B7 zone;
- O7** To promote and encourage a high design quality of buildings;
- O8** To manage the transition in building use and scale from low-scale residential, multi use areas and business park uses;
- O9** To provide a high level of pedestrian amenity and create a vibrant and safe precinct;
- O10** To ensure that future development contributes to the creation of a high quality landscape environment in the Precinct;
- O11** To retain existing trees both inside and outside the site and provide suitably proportioned areas of well designed landscaping on each development site;
- O12** To ensure the protection and viability of the Botany Local Centre and Banksmeadow Neighborhood Centre;
- O13** To ensure the drainage of the Area is not detrimentally impacted and property is protected;
- O14** To maintain the scale of streets as incremental change occurs; and

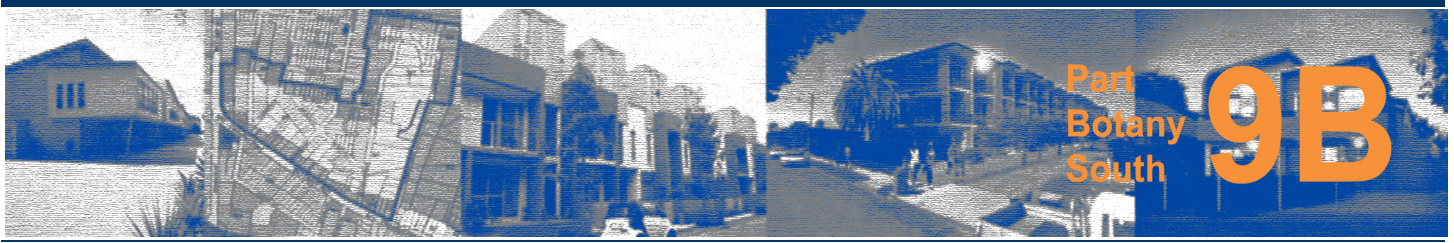


- O15** To ensure building setbacks achieve a comfortable street environment through the provision of sunlight, scale, sense of enclosure and landscaping.

## Controls

### General

- C1** The ground floor of development must contain complementary non-residential uses permissible in the B4 zone. Residential and live/work is encouraged at first floor and above.
- C2** Where development adjoins or is adjacent to residential uses the development must not detrimentally affect the amenity of residential uses by way of:
- (i) Scale and size;
  - (ii) Floorspace;
  - (iii) The size and number of vehicle movements;
  - (iv) Noise;
  - (v) Air and water pollution;
  - (vi) Hours of operation; and
  - (vii) Any other negative environmental impact.
- C3** Where residential development is proposed to adjoin the B7 zone, the proposed development must be designed and demonstrate that it will not be detrimentally impacted by any non-residential uses in the vicinity.
- C4** Residential alterations and additions must:
- (i) Improve the appearance of buildings; and
  - (ii) Improve the interface and amenity with non-residential uses.
- C5** Development shall be designed and constructed in accordance with Australian Standard AS 2021 (Acoustic Aircraft Noise Intrusion-Building siting and Construction).
- Note:** Details to be included in the Development Application. For further details in relation to Aircraft Noise refer to **Part 3J - Development Affecting Operations at Sydney Airport**.
- C6** The introduction of noise abatement measures to achieve compliance with current AS 2021 must be done in a manner that does not compromise the architectural design of a building or impact on the character of an existing streetscape.
- C7** All development that is in, or immediately adjacent to, the rail corridor or a busy road must be designed in accordance with NSW Department of Planning 'Development Near Rail Corridors and Busy Roads - Interim Guidelines, December 2008'.

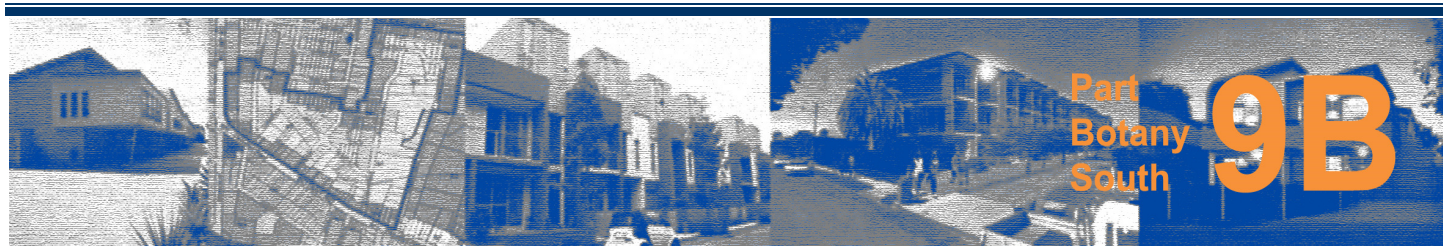


- C8** Internal habitable rooms of dwellings within the B4 Mixed Use Zone which are affected by high levels of external noise are to be designed to achieve internal noise levels of 50dBA maximum. Development Applications which contain residential accommodation are to be accompanied by a noise assessment prepared by a qualified acoustic consultant addressing the following:
- i. address the noise requirements of the NSW Infrastructure SEPP in terms of road traffic noise;
  - ii. address the requirements of Part 4A, 4B or 4C (Acoustic Privacy controls), depending on the type of residential accommodation proposed;
  - iii. conduct detailed site attended audits during the day, evening and night periods to identify and assess noise from activities associated with the B7 Zone;
  - iv. assess noise from ground activities including aircraft take-off's and landing's at Sydney Airport referenced to each floor of the proposed building;
  - v. 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) the acoustical assessment is to take into account noise from the operations of Port Botany;
  - vi. confirm noise exposure levels for each floor of the proposed residential building;
  - vii. and confirm building noise controls for internal noise levels to satisfy the recommended noise criteria.

### Building and Site Layout

- C9** New residential buildings which adjoin the B7 zone should be designed to accommodate and minimise any adverse effects on the amenity of residential areas by way of overlooking, lighting, dust, noise or fumes.
- C10** On small frontage sites, buildings may align to the rear and side boundary in all locations except where a residential use or zone adjoins.
- C11** Development shall avoid long blank walls facing the street and adjoining residential uses.
- C12** Floor space is to be distributed on the site to ensure the scale of the building reinforces the role of the street and buildings are arranged and aligned to create a pleasant working environment.
- C13** Site planning is to allow for the retention of significant trees and vegetation, particularly near the street frontage.





## Setbacks

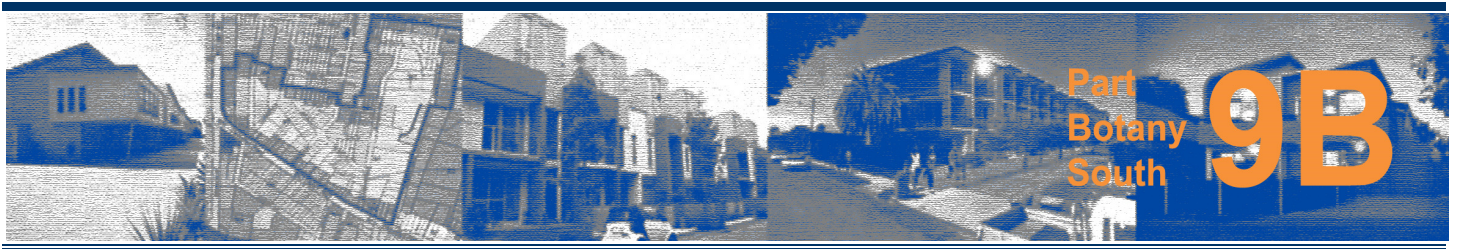
**C14** Setbacks are to be in accordance with the **Table 4**.

**Table 4 - Setbacks in Area 2**

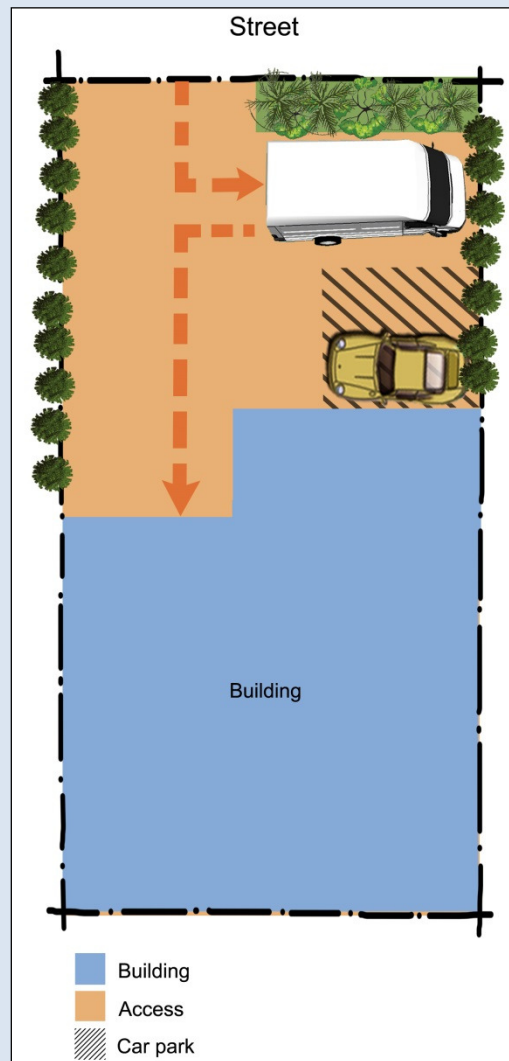
Boundary	Landscaping Setback	Building Setback
Front	3m	Merit (Min 6m and 9m for large lots)
Side	1m to 1.5m	1m to 1.5m
Side – adjoining a Residential Use	3m	3m
Rear	Nil to 3m	Nil to 3m
Rear * - adjoining a Residential Use	3 m	3m

## Parking and Vehicular Access

**C15** For delivery vehicle access/manoeuvring on narrow and small lots in the area, car parking may be provided within the front setback in order to allow such vehicles to enter and leave in a forward direction (refer to **Figure 11**) provided minimum landscape requirements are met (refer to **Table 4**).

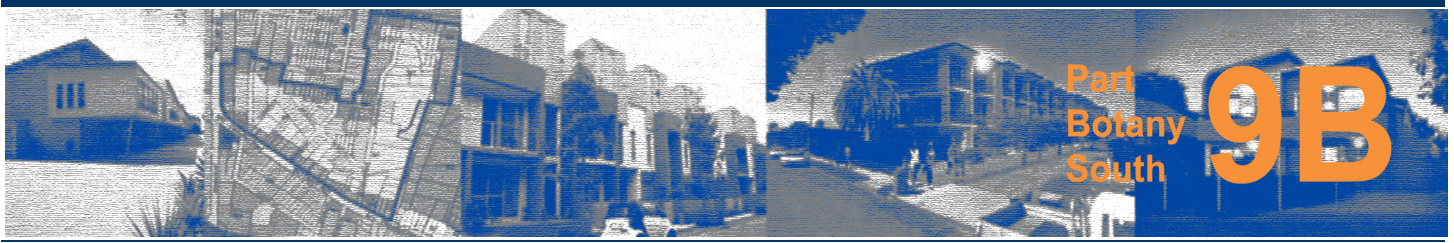


**Figure 11 - Vehicle Access and Manoeuvring within Area 2**



### Storage Areas

- C16** Any open storage areas shall be effectively screened and shall harmonise with existing or proposed landscaping to prevent the storage area being viewed from a public road, nearby public reserve or adjoining residential property. Specific details of the materials to be stored external to the building shall be lodged with the Application.
- C17** Storage areas are not permitted to be located within the landscaped setbacks or areas.

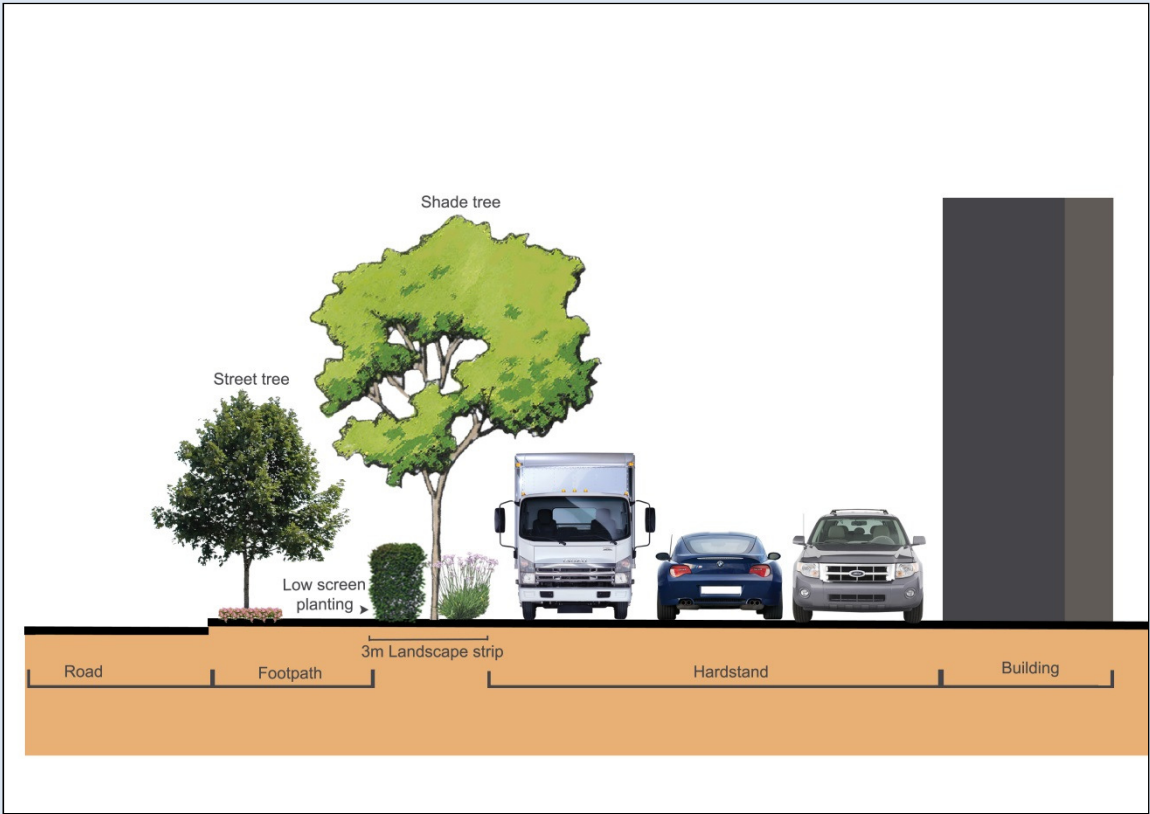


## Landscaping

- C18** A Landscape Zone is to be provided adjacent to the front property boundary of no less than 3 metres in width (refer to **Table 4**). The zone is to accommodate canopy trees to screen and soften buildings and to shade parking areas, underplanted with screen planting/hedging up to 1.2 metres in height (refer to **Figure 12**). These areas are to be mass planted areas of screen or buffer landscaping using a layered planting design (refer to **Part 3L - Landscaping** and Council's **Landscaping Technical Guidelines for Development Sites**).
- C19** Existing trees, including Council street trees and trees on neighbouring properties, are to be retained and adequate provision allowed for protection of the primary root zone and canopy when locating new buildings, driveways and parking areas (refer to **Part 3F - Tree Management**).
- C20** The side boundary returns within the front setback and forward of the building alignment must be landscaped (refer to **Table 4**) to integrate the setback landscaping with the buildings on the site.
- C21** For existing and new buildings, Council may require landscape improvement or enhancement of existing landscaping or the public domain through provision of:
- (i) Street trees;
  - (ii) Planter tubs/pots;
  - (iii) New paving;
  - (iv) Street furniture;
  - (v) A specific streetscape planting scheme;
  - (vi) Maintenance of the existing streetscape, and
  - (vii) Reinstatement of landscaping on site in accordance with a previously approved landscape plan.
- C22** For development adjoining the residential uses at the rear or side of a property, landscaping and car parking are to provide a buffer to achieve a high level of amenity.



Figure 12 - Treatment within the Landscape Zone



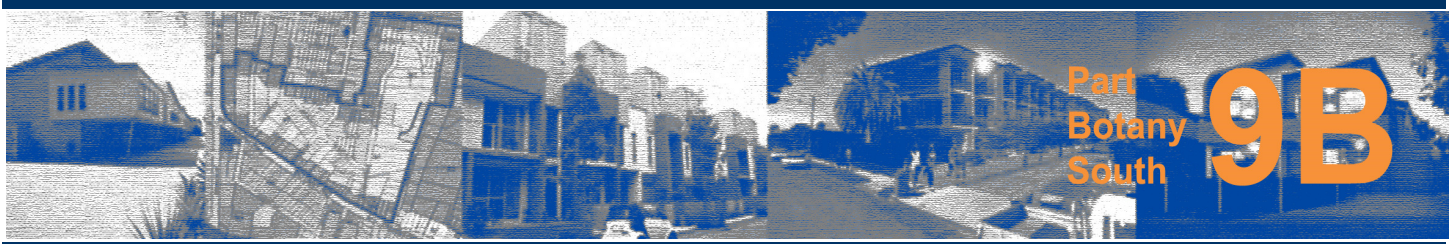
Source: Botany South Industry Study, Architectus, 2003

Fences

C23 If fences are required they shall be not higher than Table 5.

Table 5 - Fence Height in Area 2

Use	Fence Height
Residential	1 m
Non-Residential	1.5m (over 50% must be transparent)



## Dwelling Component

- C24** The residential component of development must comply with the relevant sections of **Part 4 - Residential Development**.

**Note: Part 4B.5.1 - Dwelling Mix, Room Size and Layout** for Multi Dwelling Housing and **Part 4C.5.1 - Dwelling Mix, Room Size and Layout** for Residential Flat Buildings.

## Mixed Use Development

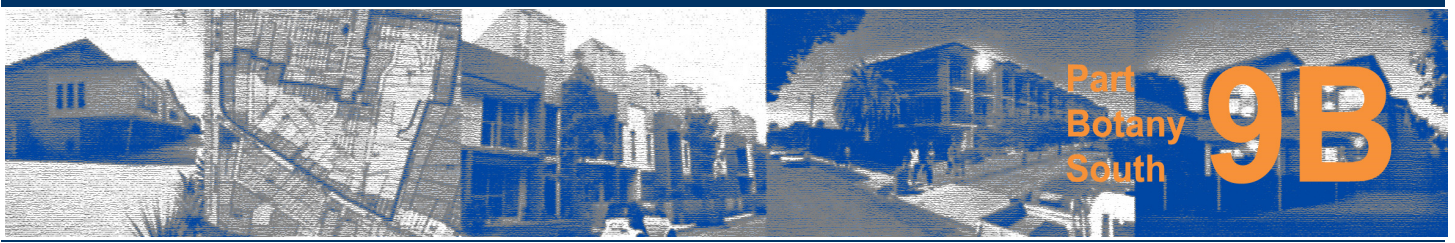
- C25** The ground floor level of a mixed use development that relates to the active street frontage must be predominantly used for commercial uses or other street activating uses.
- C26** A Plan of Management (POM) may be required when an non-residential uses proposed within a mixed used development or in proximity of a residential land use. The Plan of Management (POM) is a written report which describes how the ongoing operation of industrial premises will be managed to reduce its impact upon the amenity of surrounding properties.

The POM allows Council to exercise control over the ongoing operation of a premises by requiring, as a condition of consent, that the premises operate in accordance with the POM. A condition of consent may require that a POM be regularly revised and submitted to Council.

The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:

- (i) Title;
- (ii) Objectives;
- (iii) Operational details;
- (iv) Hours of operation;
- (v) Staffing details;
- (vi) Guidelines for staff for using the site facilities and equipments;
- (vii) Deliveries and loading/unloading;
- (viii) Managing customers or patrons;
- (ix) Security details;
- (x) Noise Impact Assessment;
- (xi) Shadow Analysis;
- (xii) Complaint recording and handling process; and
- (xiii) The review process to continuously improve the POM.

- C27** The traffic movements, hours of deliveries, use of parking areas and garbage collection must be managed through the POM where non-residential uses are close to residential premises. Where significant amounts of traffic are likely to be generated which could affect residential areas or residential zoned land, schedules of vehicle movements and their routes must be provided and may be regulated in conditions of consent.



- C28** Loading and unloading must not detract from the amenity of nearby residential uses. Where loading and unloading movements are likely to affect residential areas or residentially zoned land, schedules of vehicle movements and their routes must be provided in the POM and may be regulated through conditions of consent.
- C29** New development is to be designed so that noise-producing activity is remote from the interface boundary. New manoeuvring areas and parking areas facing existing residential areas are not permitted due to noise resulting from such activities.
- C30** Site lighting for building security and staff safety must be directed so as to not cause annoyance to neighbours, residents or glare to passing motorists.
- C31** Walls of buildings adjacent to residential uses are to make use of non-reflective colours and materials to avoid glare on residential areas (especially balconies). The walls are to be treated to aesthetically as well as acoustically. Window placement and/or tall trees should be considered as ways to protect privacy, reduce noise and light pollution.
- C32** Where a site contains or adjoins a residential use or property, Council shall require the applicant to provide shadow diagrams prepared by a suitably qualified person. These shadow diagrams shall:
- (i) Show the shading effects of a proposal on adjoining residential properties or the public domain;
  - (ii) Be based on a survey of the site and adjoining development; and
  - (iii) Be prepared at 9.00 a.m, 12.00 noon and 3.00 p.m. at 21st June (winter solstice).
- C33** Where the windows of habitable rooms and the private open space of adjoining dwellings already receive sunlight, they shall receive a minimum of 2 hours of sunlight between 9.00 a.m. and 3.00 p.m. during 21st June.
- Note:** Council will refer a contentious Development Application or one that involves an extension to the trading hours of a licensed premises to a Resident Consultative Committee or where there have been a significant number of objections received as a result of exhibition and/or notification of the Application. Both the Applicant and the Objectors will be invited to attend. The purpose of the Committee is to address the issues raised by residents in an open forum.
- C34** Any commercial car parking must be conveniently located and identified.





### 9B.4.1.3 Area 3 - Aylesbury Street

**Area 3** - Aylesbury Street is at the northern tip of the Botany South Precinct. **Area 3** will be encouraged to develop into a residential area which will include low scale live/work opportunities.

The Objectives and Controls for the Desired Future Character for Botany South Precinct: B4 Zone - **Area 3** are as follows:

Objectives

01

To encourage residential development that co-exists and provides a transition from non-residential uses to low scale residential and provides a safe and livable environment;

02

To encourage live/work opportunities which will emit low level of noise and minimises operating hours;

03

To encourage improvements to the Public Domain;

04

To ensure there is no land use conflicts on the interface between the non-residential and residential uses;

05

To ensure that future development contributes to the creation of a high quality landscape environment in the Precinct;

06

To retain existing trees both inside and outside the site and provide suitably proportioned areas of well designed landscaping on each development site;

07

To ensure proposed development is designed to minimise the impact of noise and vibration from uses with the B7 zone;

08

To promote and encourage a high design quality of buildings; and

09

To ensure the drainage of the Precinct is not detrimentally impacted and property is protected.

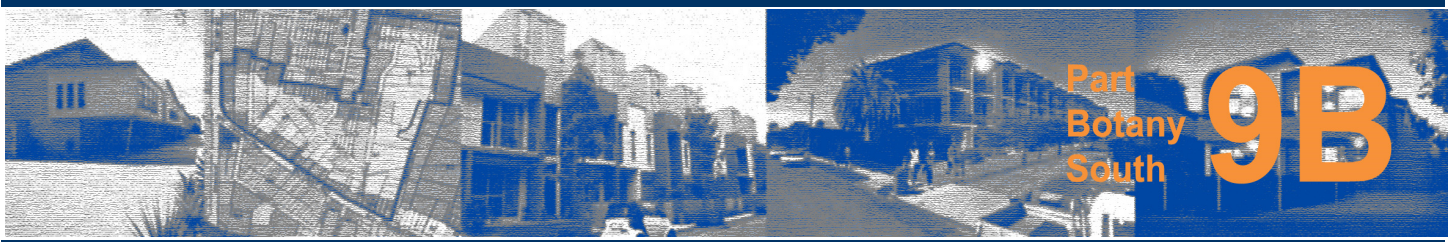
Controls

C1

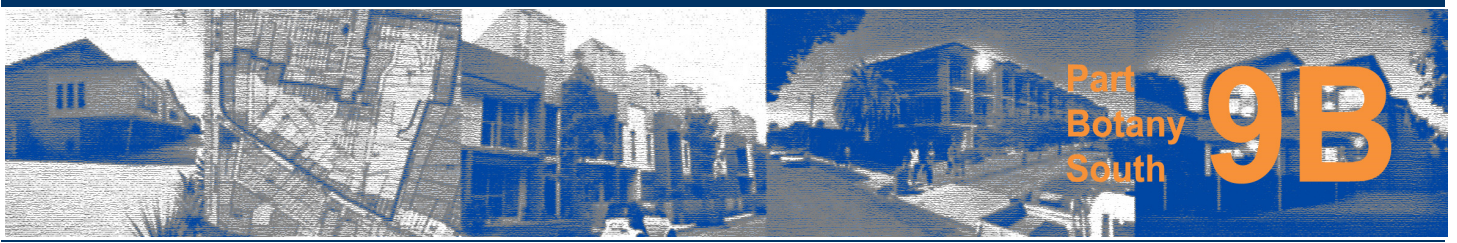
Development in this area is to be for residential purposes. Live/work opportunities are encouraged that can co-exist with residential uses.

C2

Development must comply with **Part 4 - Residential Development**.



- C3** Where development adjoins or is adjacent to residential uses the development must not detrimentally affect the amenity of residential uses by way of:
- (i) Scale and size;
  - (ii) Floorspace ratio;
  - (iii) The size and number of vehicle movements;
  - (iv) Noise;
  - (v) Air and water pollution; and
  - (vi) Any other negative environmental impact.
- C4** Residential development shall be designed and demonstrate that it will not be detrimentally impacted by any non-residential uses in the adjoining B7 Zone.
- C5** Development shall be designed and constructed in accordance with Australian Standard AS 2021 (Acoustic Aircraft Noise Intrusion-Building siting and Construction).
- Note:** Details to be included in the Development Application. For further details in relation to Aircraft Noise refer to **Part 3J - Development Affecting Operations at Sydney Airport**.
- C6** The introduction of noise abatement measure to achieve compliance with current AS 2021 must be done in a manner that does not compromise the architectural design of a building or impact on the character of an existing streetscape.
- C7** All development that is in, or immediately adjacent to, the rail corridor or a busy road must be designed in accordance with NSW Department of Planning 'Development Near Rail Corridors and Busy Roads - Interim Guidelines, December 2008'.
- C8** Internal habitable rooms of dwellings within the B4 Mixed Use Zone which are affected by high levels of external noise are to be designed to achieve internal noise levels of 50dBA maximum. Development Applications which contain residential accommodation are to be accompanied by a noise assessment prepared by a qualified acoustic consultant addressing the following:
- i. address the noise requirements of the NSW Infrastructure SEPP in terms of road traffic noise;
  - ii. address the requirements of Part 4A, 4B or 4C (Acoustic Privacy controls), depending on the type of residential accommodation proposed;
  - iii. conduct detailed site attended audits during the day, evening and night periods to identify and assess noise from activities associated with the B7 Zone;
  - iv. assess noise from ground activities including aircraft take-off's and landing's at Sydney Airport referenced to each floor of the proposed building;
  - v. 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) the acoustical assessment is to take into account noise from the operations of Port Botany;
  - vi. confirm noise exposure levels for each floor of the proposed residential building;
  - vii. and confirm building noise controls for internal noise levels to satisfy the recommended noise criteria.



- C9** A Plan of Management (POM) may be required when a non-residential use is proposed within a mixed use development or in proximity of a residential land use. The Plan of Management (POM) is a written report which describes how the ongoing operation of industrial premises will be managed to reduce its impact upon the amenity of surrounding properties.

The POM allows Council to exercise control over the ongoing operation of a premises by requiring, as a condition of consent, that the premises operate in accordance with the POM. A condition of consent may require that a POM be regularly revised and submitted to Council.

The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:

- (i) Title;
- (ii) Objectives;
- (iii) Operational details;
- (iv) Hours of operation;
- (v) Staffing details;
- (vi) Guidelines for staff for using the site facilities and equipments;
- (vii) Deliveries and loading/unloading;
- (viii) Managing customers or patrons;
- (ix) Security details;
- (x) Noise Impact Assessment
- (xi) Shadow Analysis
- (xii) Complaint recording and handling process; and
- (xiii) The review process to continuously improve the POM.