



Bayside Council

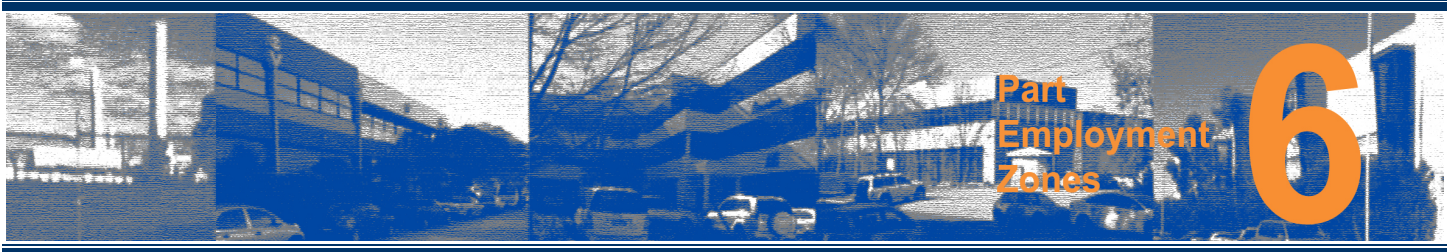
Serving Our Community

Part 6

Employment Zones

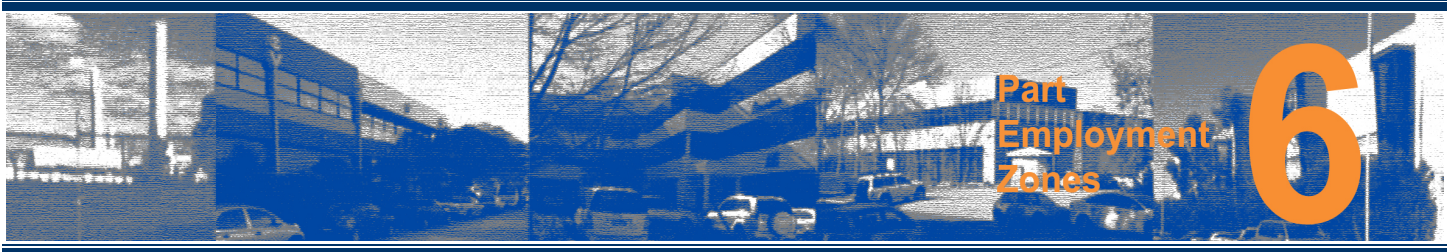
Botany Bay Development Control Plan 2013





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6.1 Introduction

This Part of the DCP provides a framework to guide future development in the IN1 and IN2 industrial zones and the B5 and B7 business zones. These zones generate a significant amount of employment opportunities and play an important role in the economy of the State. The purpose of this part is to provide more detailed objectives and controls for these employment zones, to support the provisions within the Bayside Local Environmental Plan 2021.

6.1.1 Land to which this Part Applies

This Part of the DCP applies to land zoned IN1 General Industrial, IN2 Light Industrial, B5 Business Development & B7 Business Park (**refer to Figure 1**), including the BATA Site at Lot 1 DP.1187426, at the corner of Heffron Road and Bunnerong Road, Eastgardens; but excludes land within the Botany South Industrial Precinct, which is detailed in **Part 9 - Key Sites**.

Industrial, business development and business park development are located in the following Precincts (refer to Figure 1):

- Mascot West Business Park Precinct
- Mascot West Industrial Precinct
- Mascot Business Development Precinct
- Mascot Industrial Precinct
- Lord Street Business Park Precinct
- Botany (West) Industrial Precinct
- Banksmeadow Industrial Precinct

This Part of the DCP needs to be read in conjunction with:

- Part 1 - Introduction
- Part 2 - Advertising and Notification
- Part 3 - General Controls
- Part 4 - Residential Development
- Part 5 - Business Centres
- Part 7 - Other Development and Land Uses
- Part 8 - Character Precincts
- Part 9 - Key Sites
- Part 10 – Technical Guidelines

Existing dwelling houses in the B7 zone and alterations and additions to such dwellings are to comply with the provisions of **Clause 6.12** of the Bayside Local Environmental Plan 2021 and the provisions of Part 4A - Dwelling Houses of this DCP where relevant.

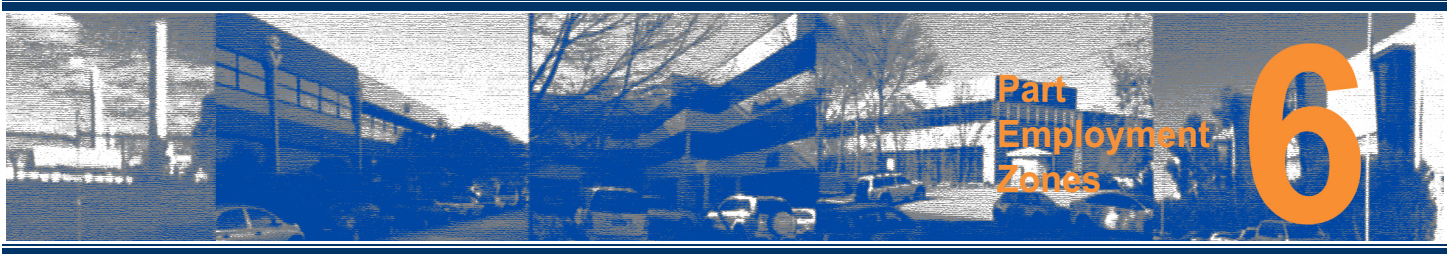
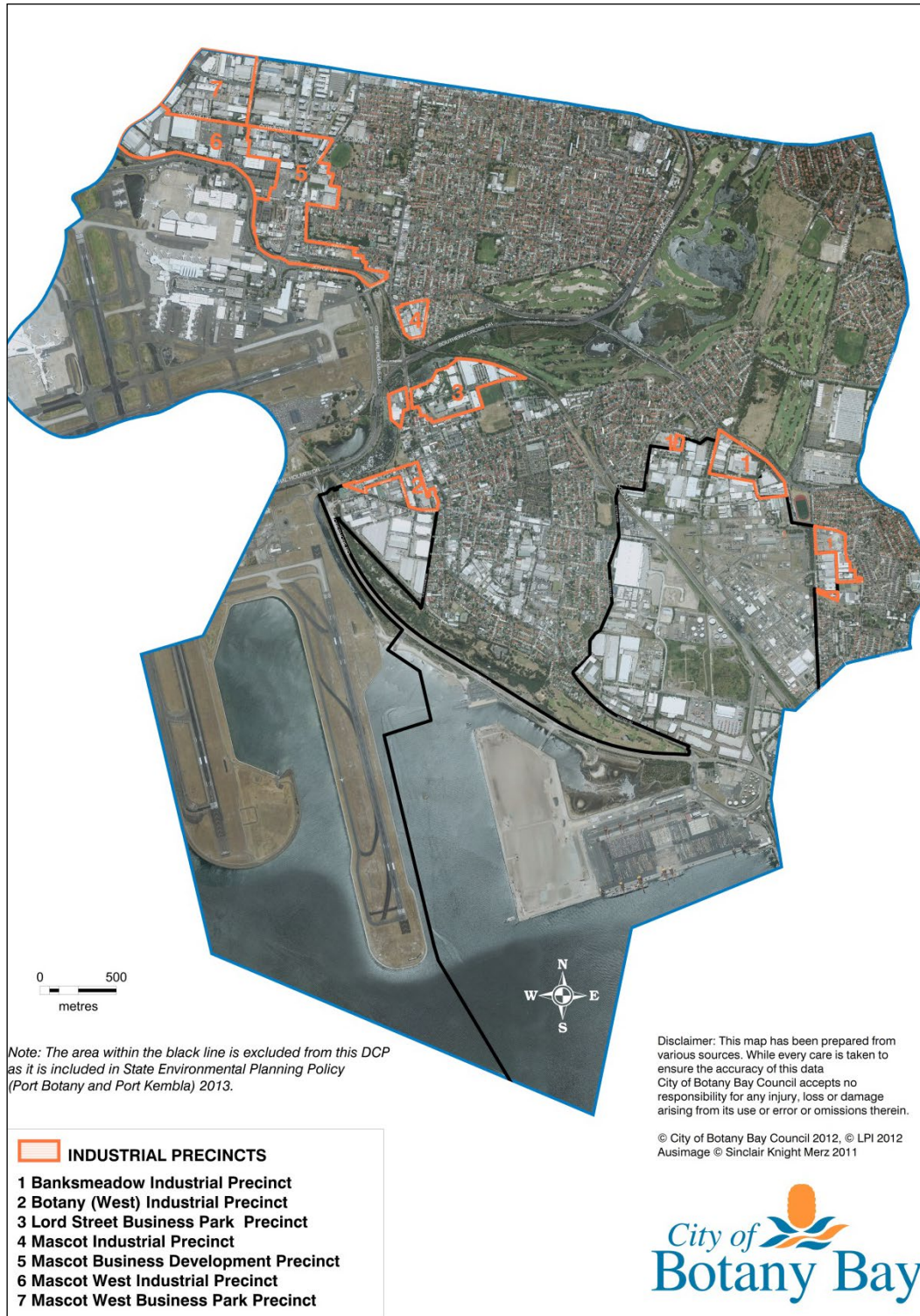
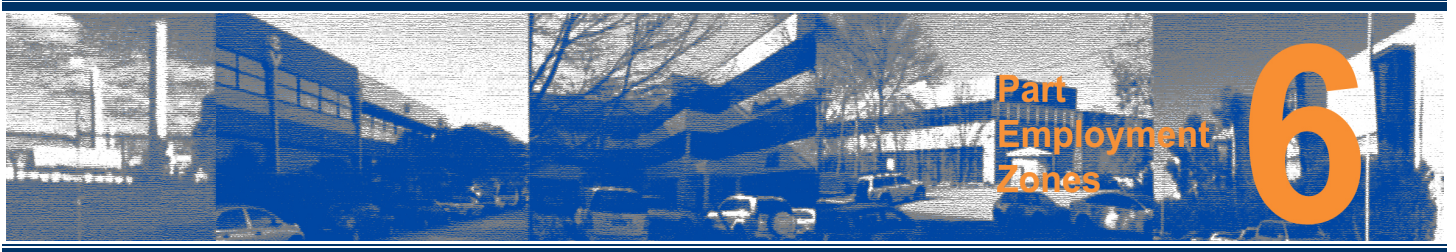


Figure 1 - Industrial and Business Park Precincts





6.1.2 General Objectives

This Part aims to improve the quality of industrial and business park development within Bayside. The general objectives of this Part are:

- O1** To implement the aims of Bayside Local Environmental Plan 2021;
- O2** To guide the nature, scale and quality of development in the industrial and business park areas;
- O3** To improve the environmental and aesthetic amenity of industrial and business park areas for those who visit and/or work in the areas;
- O4** To encourage the development of cleaner, well-landscaped industrial and business park zoned areas with well maintained industrial/commercial buildings and sites;
- O5** To ensure industrial and business park development has minimal impacts on adjacent sensitive land uses;
- O6** To ensure that development incorporates safe, effective and convenient provision for servicing, parking, pedestrian and vehicular access and movements;
- O7** To ensure that the effects of development upon drainage, water quality and stormwater management are considered; and
- O8** To encourage ecologically sustainable development.

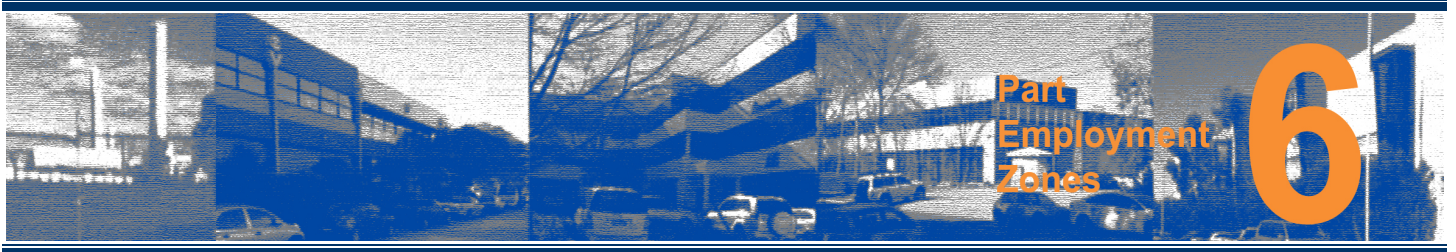
6.1.3 Contamination

Due to the industrial history of Bayside, the management of contaminated land remains an important issue for Council and strict controls are required to maintain and protect the health of residents and the environment.

Part 3K - Contamination creates the framework to ensure that while carrying out its planning functions, Council considers the possibility that a previous or adjacent land use caused contamination of the site, and that there may be a potential risk to health and the environment from that contamination.

In preparing your Development Application you are required to address the provisions of **Part 3K - Contamination**.

Any enquiries regarding the content of the Contamination Part should be directed to Council's Customer Service Centre on (02) 9562 1666.



6.1.4 Design Quality Principles

Bayside Local Environmental Plan 2021 aims “to create a highly liveable urban place, through promotion of design excellence in all elements of the built environment and public domain.” In recognition of this aim, Council has adopted design quality principles for industrial and business park development. Good design is linked to its site and locality, responding to the landscape, existing built form, culture and attitudes.

Good design also serves the public interest and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges. The design quality principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merit of proposed solutions.

Developments covered by this Part are required to consider the following Design Quality Principles:

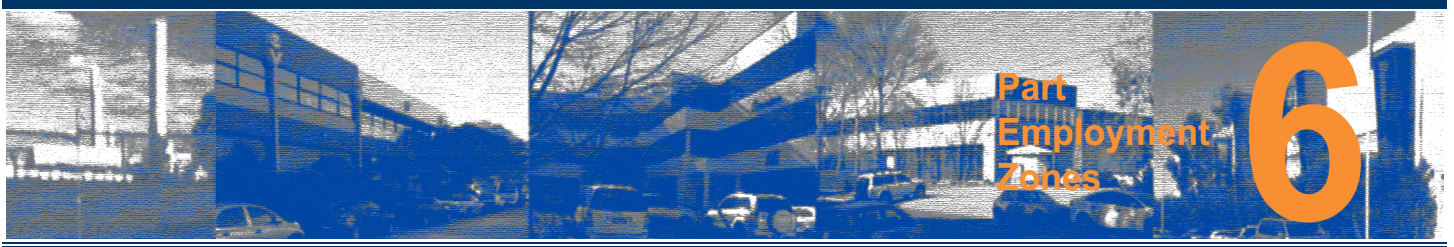
Design Quality Principles

P1 The contribution of industrial and business land use activity at the Local, Regional and State levels

- Development contributes to the economic viability of the State, and Region through the provision of services/infrastructure connected with the airport, seaport and service industry;
- Development contributes to the employment levels within the Region/Local area;
- Development promotes and strengthens the gateway role of the City;
- Development is located to promote the use of the passenger rail line, goods railway line and State / Regional road networks/links; and
- Development promotes a range of industrial and business activities.

P2 The improvement to the built form/urban form and public domain of the industrial and business areas of the City

- Development is of a building height, scale, design and layout that complements the adjoining / surrounding urban form;
- Building form is to provide interest – through an articulated façade and a variation in texture / finishes / materials;
- Built form / urban forms where strategically located, are of a high architectural standard to promote the Gateway function of the City;
- Buildings allow for a variation of uses over their life time; and
- Development activities through site layout and building design are to protect the visual and environmental amenity of adjoining non-industrial uses.



P4 The efficient design, operation and function of industrial / business land uses.

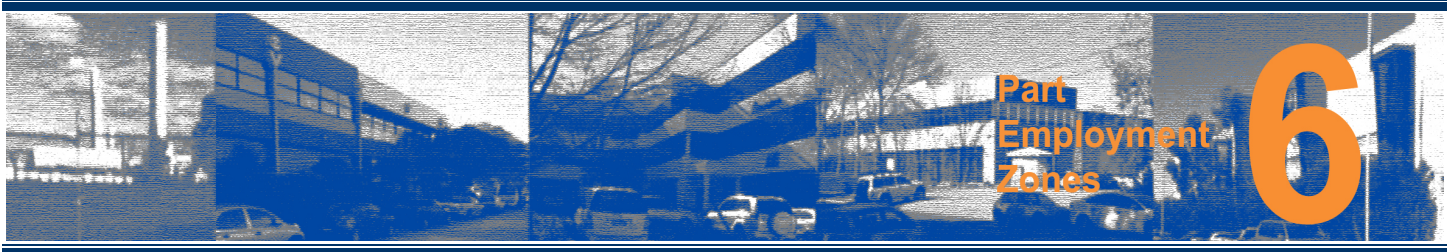
- All site operations and equipment associated with a development are to be contained wholly within the site;
- Building design and site layout shall allow for the efficient and safe system for manoeuvring, loading and unloading, and parking of vehicles;
- Development shall provide an adequate level of off street parking to address the parking demands generated by the subject use; and
- Developments are to be designed and managed to minimise the impacts on other industrial or business uses and to protect the amenity of surrounding residential areas.

P5 The need for a compatible and workable relationship between industrial/business and non-industrial/business uses.

- Developments are to have a buffer zone where the site adjoins a residential land use in order to protect residential amenity;
- Noise generation and air quality levels generated from the functions and operations of a development including associated vehicles are not to adversely impact on the amenity of non-industrial/business uses and residential areas;
- Local road networks within the City are not to be adversely affected as a result of the operations of an industrial or business use; and
- Developments are to protect the visual and environmental amenity of adjoining residential land uses.

P6 The promotion of developments that are sustainable and encourage the protection of the environment.

- Developments are to demonstrate the principles of environmental sustainability throughout all phases of development, including stormwater design, waste disposal, energy efficiency and water conservation;
- Developments are to minimise risks to human health and the off-site environment;
- Development's design, construction and operations are energy efficient and assist in the reduction of green house gas emissions and in the conservation of non renewable resources; and
- Developments are to be a safe and comfortable environment for workers and residents of the City.



6.2 Precinct Controls

The character of the industrial & business park areas varies greatly between the commercial and airport related uses located in Mascot; and the heavy industrial/port related uses situated in Banksmeadow in the vicinity of Port Botany.

The best way to describe the character of the industrial and business park related development is to divide the area into 7 Precincts. These Precincts are identified in **Figure 1**.

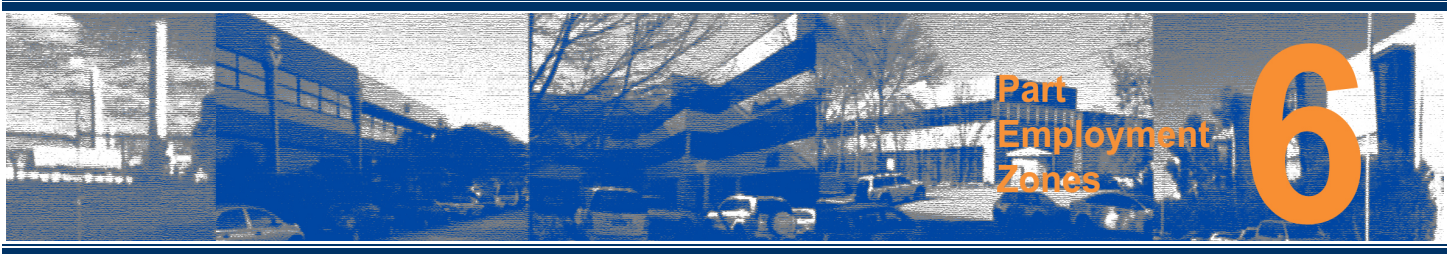
Each Precinct has a distinct character resulting from the physical characteristics, built form elements, land use activities, road network and allotment sizes. When considering these 7 Precincts, a broad strategy for industrial land use activity has emerged. This evolving strategy is briefly described as follows:

- Airport related commercial & warehousing uses are located in the Mascot West Business Park Precinct;
- Freight forwarding and related airport industrial activities are located in the Mascot West Industrial Precinct;
- Airport related commercial development as well as motels and serviced apartments are located in the Mascot Business Development Precinct;
- Light industrial uses in the Mascot Industrial Precinct;
- Light industrial & business park activities, and commercial uses that are relatively compatible with residential land uses in the Lord Street Business Park Precincts; and
- Heavy industry as well as warehousing and distribution related to Port Botany is concentrated in the Banksmeadow and Botany (west) Industrial Precincts.

6.2.1 Development Application Requirements

Developments within the identified Precincts are required to be consistent with the character statement, and the objectives and controls of the particular Precinct in which the site is located. These requirements should be addressed in:

- The design and layout of a proposed development; and
- The Statement of Environmental Effects submitted with any Development Application.



6.2.2 Mascot (West) Business Park Precinct

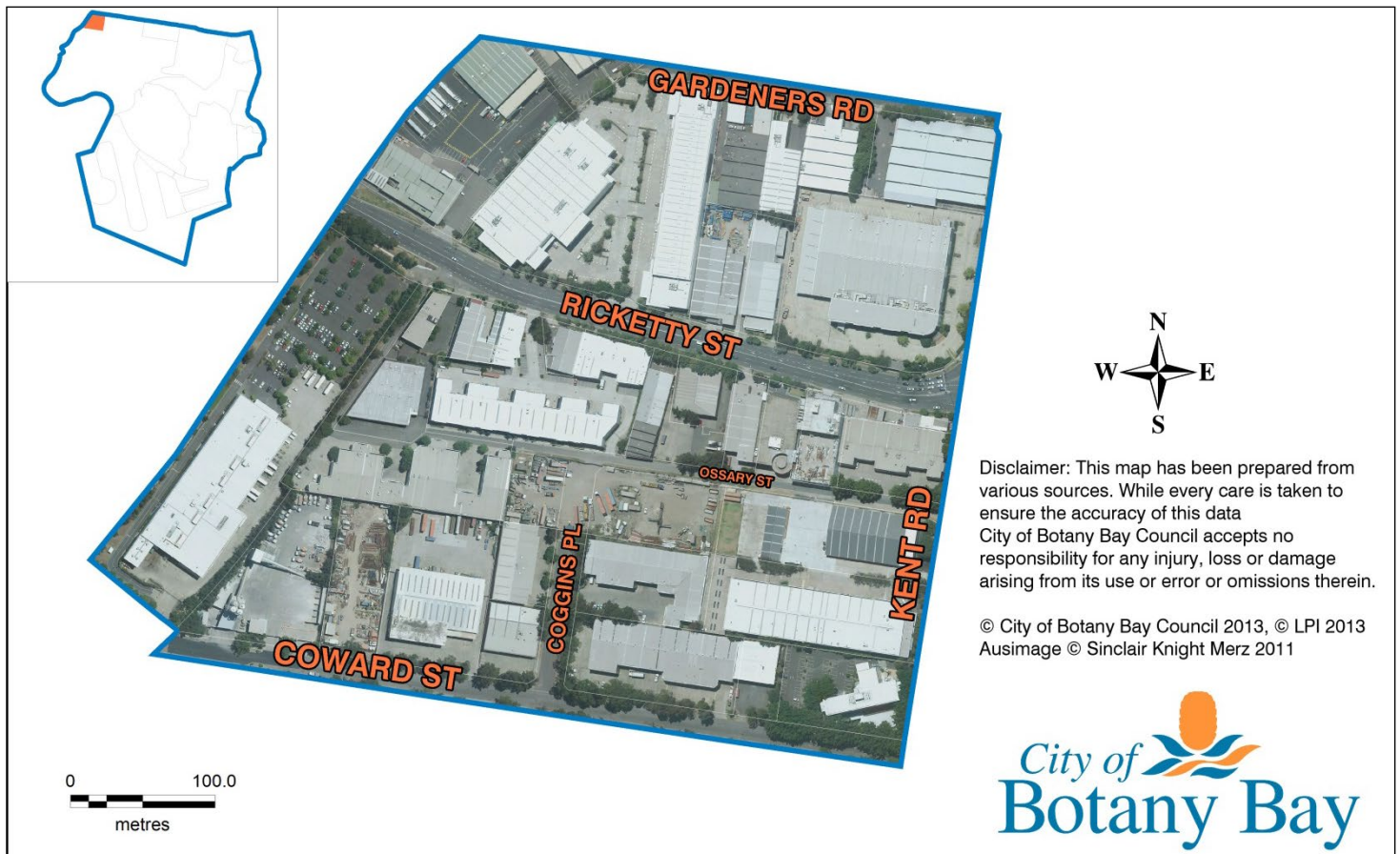
Existing Character

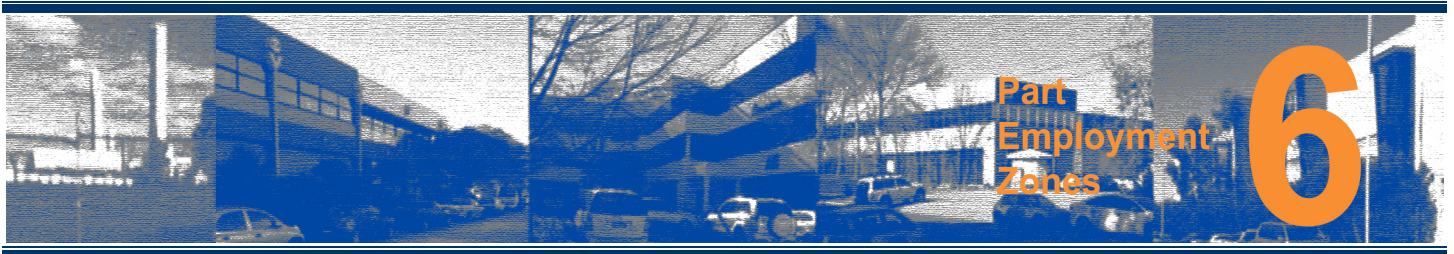
Mascot (West) Business Park Precinct is bounded by Coward Street, Alexandra Canal to the west and the airport to the south. **Figure 2** indicates the boundaries of the Precinct.

The Precinct is comprised of warehouse and distribution developments (related to freight transportation); and industrial developments including smash repair stations and welding businesses. Newer buildings include commercial and office premises with active street frontages comprising coffee shops and retail outlets. Company headquarters occupy the commercial buildings in close proximity to their warehouse operations. One heavy industrial use remains in the Precinct on a time-limited consent being the concrete batching plant at No.294-296 Coward Street, Mascot.

The Precinct is affected by 20 to 25 and 25 to 30 ANEF Contours and significant road traffic noise.

Figure 2 - Mascot (West) Business Park Precinct





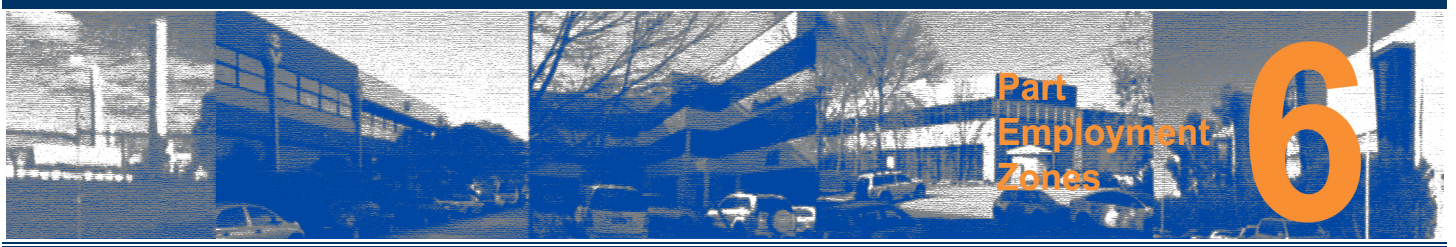
Desired Future Character

Objectives

- O1** To encourage and provide for business park development that has an affinity or locational need to be near to Sydney (Kingsford Smith) Airport;
- O2** To ensure that the scale, design, material of construction and nature of the development, in the opinion of the Council, contributes positively to the visual amenity and the gateway function of the area;
- O3** To allow for the provision and development of an open space and pedestrian corridor along the foreshore of Alexandra Canal;
- O4** To ensure that development adjacent to Alexandra Canal assists in achieving improved access visual amenity and quality of landscape in the area;
- O5** To ensure that development adjacent to Alexandra Canal minimises the quantity of stormwater runoff, its impact on the aquatic environment and the potential disturbance of contaminated sediments;
- O6** To ensure to that development supports an efficient and sustainable transport system with a high level of access to public transport; and
- O7** To ensure to that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding.

Controls

- C1** Development is to encourage a higher public transport (including walking and cycling) use and include strategies to encourage and promote car sharing and car pooling strategies. In this respect a Workplace Travel Plan is to be lodged with the development application. The Workplace Travel Plan is to establish measurable targets to achieve the mode share targets stated in the Mascot Town Centre Precinct TMAP – maximum car mode share: 65% by 2021 and 57% by 2031.
- C2** Developments, including alterations and additions must:
 - (i) Improve the appearance of buildings, particularly along the roads which serve a gateway function to Sydney Airport and the Sydney CBD; and
 - (ii) Comply with Sydney Airport's regulations in regard to safety, lighting and height of buildings.
- C3** 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. The Flood Study/Assessment is required to:



- (i) Be in accordance with the current version of Australian Rainfall and Runoff (ARR) and the NSW Floodplain Development Manual; and
- (ii) Consider the impacts from Climate Change and Sea Level Rise.

C4 Development shall:

- (i) Have finished floor levels of a minimum 500mm above the 1 in 100 year flood level habitable areas and 300mm for industrial areas and garages; and
- (ii) Not impede the passage of floodwater to cause a rise (afflux) in the flood level upstream and/or increase the downstream velocities of flow.

C5 Development within the precinct shall require submission of a Risk Management Plan to address potential risks related to coastal sea levels (projected to increase above Australian Height Datum by 40cm by 2050 and by 90cm by 2100). The Risk Management Plan shall be prepared by a qualified consultant and in accordance with the following policies and documents:

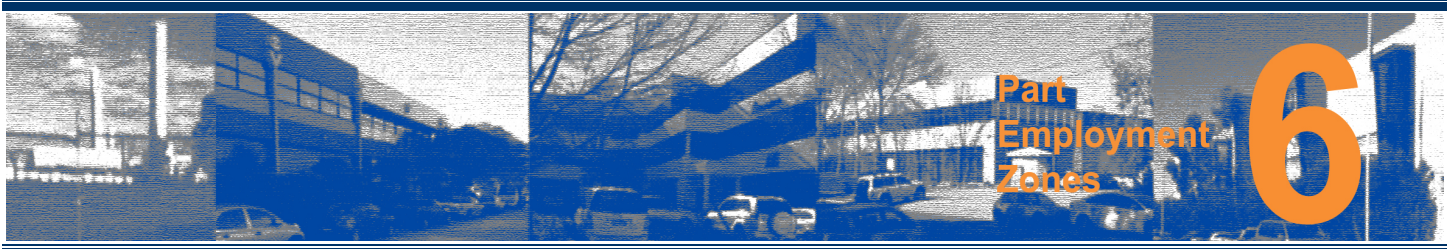
- (i) Any current policy of Council relating to projected future sea level rises and related inundation mapping;
- (ii) NSW Coastal Planning Guidelines: Adapting to Sea Level Rise;
- (iii) Flood Risk Management Guide: Incorporation Sea Level Rise Benchmarks in Flood Risk Assessment; and
- (iv) NSW Flood Plain Development Manual.

In addition, the Risk Management Plan shall minimise the exposure of development to coastal risk and provide management responses and adaptation strategies to identify and manage risk and coastal hazards associated with the following:

- (i) The safety of future workers and occupants on-site;
- (ii) The safety of the public off-site;
- (iii) The safety of adjoining properties;
- (iv) The safe evacuation route during storm and flood events; and
- (v) The freeboard above the flood planning levels.

C6 Development along Alexandra Canal must comply with the following:

- (i) No buildings, structures, car parking, storage or vehicle manoeuvring areas are permitted within a minimum 10 metre wide area adjoining the Canal and 6 metres along the tributaries;
- (ii) The maximum wall height at the edge of a building fronting the Canal at the line of the 10 metre setback is 9 metres. If the building is higher than 9 metres the additional height must be setback by 3 metres from the line of the 9 metres height;
- (iii) The setback is to be landscaped and planted with appropriate species, as detailed in the Alexandra Canal Masterplan, such landscaping not to include plants with invasive root systems and that have the potential to damage the canal wall or its surrounding infrastructure;



- (iv) The façade of buildings facing the setback should be enlivened by windows, staff amenities and provide passive surveillance of the setback area;
- (v) A right of carriageway shall be created along the Canal and at the end of Coward Street to provide public pedestrian access to Alexandra Canal foreshore for the purpose of permanent pedestrian or cycle access, stormwater easement requirements and/or access for essential maintenance; and
- (vi) Two access points are to be provided to Alexandra Canal - at Ricketty Street and at Coward Street.

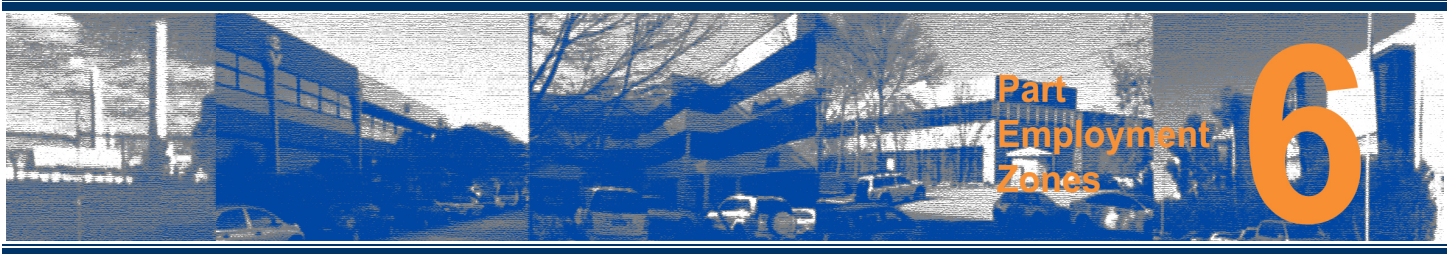
Note: Sydney Water owns Alexandra Canal, which is located on Council's north western boundary. Ownership of this 19th Century canal was transferred to Sydney Water by the New South Wales Government in 1993. The Environment Protection Authority (EPA) has determined that the sediments in the canal are contaminated to the extent that they constitute a 'significant risk of harm' under the *Contaminated Land Management Act 1997*. Since re-mobilisation of the sediments could increase the extent of the contamination, the EPA has indicated that the sediments should not be disturbed.

Accordingly any future development should refrain from carrying out or causing to be carried out any works in the Canal that would result in the disturbance, or further disturbance, of bed sediment at the site except in accordance with a plan directed at minimising the disturbance of the sediments, being a plan approved in writing by Sydney Water and the EPA. Sydney Water has requested that Council forward any development proposals, which could directly impact on the Canal or its sediments to Sydney Water for review.

- C7** 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**.

- C8** 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.
- C9** 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**'.



6.2.3 Mascot (West) Industrial Precinct

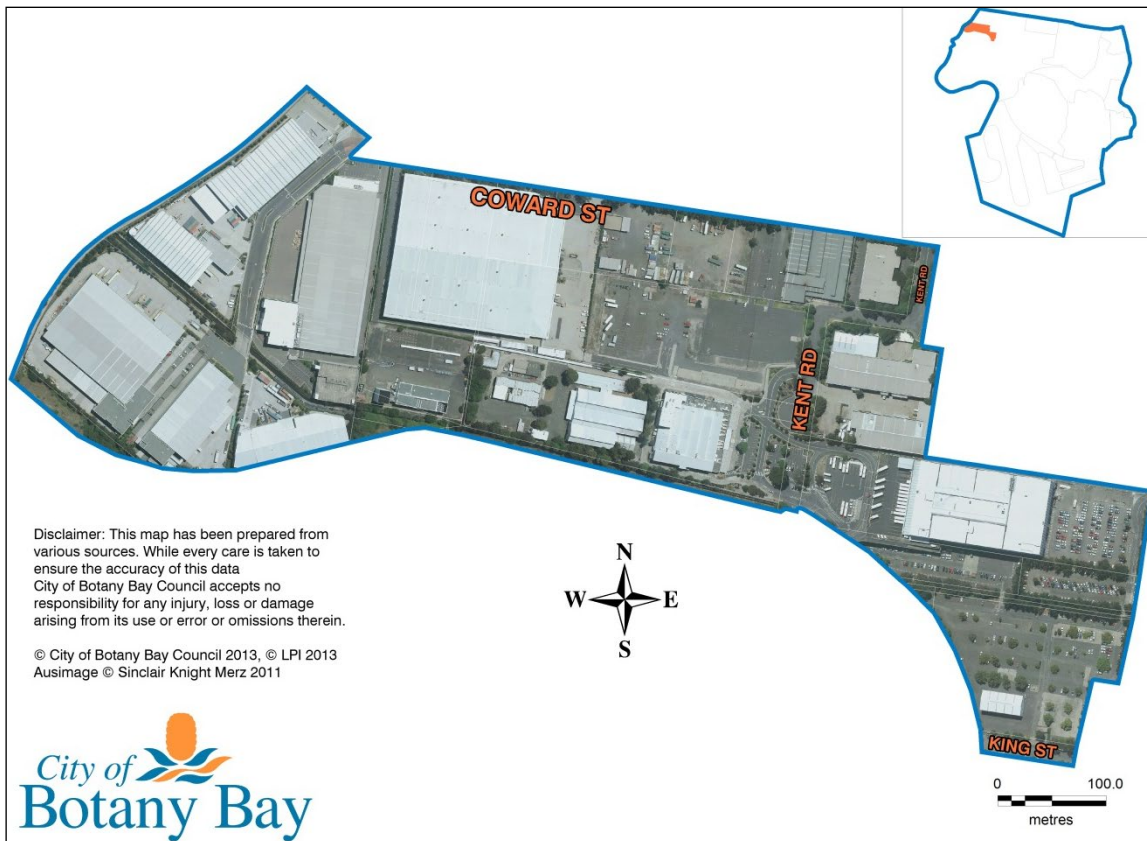
Existing Character

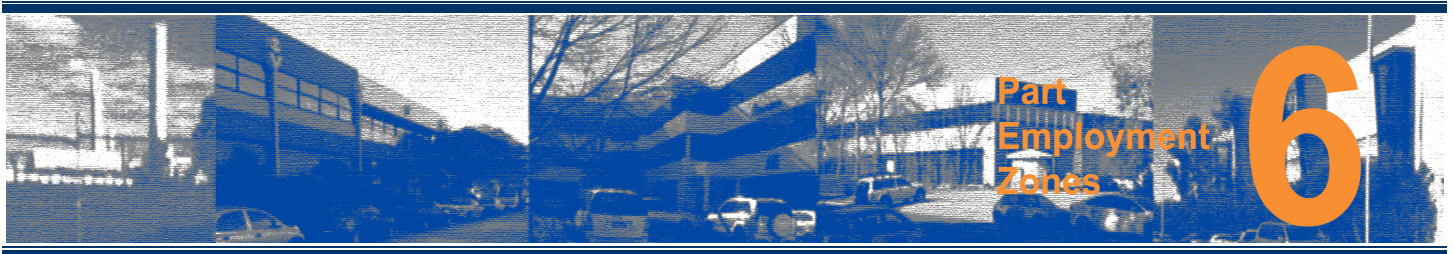
This precinct is bounded by Coward Street, Alexandra Canal to the west and the airport to the south. **Figure 3** indicates the boundaries of the Precinct.

This Precinct contains a large consolidated industrial area immediately north of Sydney Airport and provides the main area for airfreight companies; warehousing and distribution uses; and other uses related to Sydney Airport. The area is characterised by warehouse and distribution centres, industrial uses, office premises, car parks for Qantas staff and ground floor cafes to provide convenience products to workers in the area.

The Precinct is affected by the 25 to 30 ANEF Contour and road and rail noise.

Figure 3 - Mascot (West) Industrial Precinct





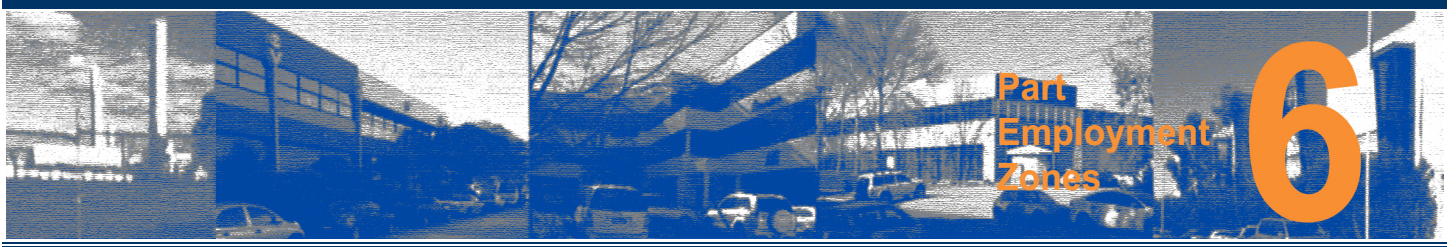
Desired Future Character

Objectives

- O1** To encourage and provide for industrial development that has an affinity or locational need to be near to Sydney (Kingsford Smith) Airport;
- O2** To allow for the provision and development of an open space and pedestrian corridor along the foreshore of Alexandra Canal;
- O3** To ensure that development adjacent to Alexandra Canal assists in achieving improved access visual amenity and quality of landscape in the area;
- O4** To ensure that development adjacent to Alexandra Canal minimises the quantity of stormwater runoff, its impact on the aquatic environment and the potential disturbance of contaminated sediments;
- O5** To ensure to that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding in the area; and
- O6** To ensure the protection of the Sydenham-Botany Goods railway line.

Controls

- C1** Development shall encourage a higher public transport (including walking and cycling) use and include strategies to encourage and promote car sharing and car pooling strategies. In this respect a Workplace Travel Plan is to be lodged with the development application. The Workplace Travel Plan shall establish measurable targets to achieve the mode share targets stated in the Mascot Town Centre Precinct TMAP - maximum car mode share: 65% by 2021 and 57% by 2031.
- C2** Development is to have a relationship with Sydney (Kingsford Smith) Airport.
- C3** Development shall not adversely affect the operation of duplication of the Sydenham-Botany Goods railway line.
- C4** Development 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 shall be prepared by a suitably qualified and experienced civil engineer. The Flood Study/Assessment is required to:
 - (i) Be in accordance with the current version of Australian Rainfall and Runoff (ARR) and the NSW Floodplain Development Manual; and
 - (ii) Consider the impacts from Climate Change and Sea Level Rise.



C5 Development shall:

- (i) Have finished floor levels of a minimum 500mm above the 1 in 100 year flood level for habitable areas shall be and 300mm for industrial areas and garages; and
- (ii) Not impede the passage of floodwater to cause a rise (afflux) in the flood level upstream and/or increase the downstream velocities of flow.

C6 Development within the precinct shall require submission of a Risk Management Plan to address potential risks related to coastal sea levels (projected to increase above Australian Height Datum by 40cm by 2050 and by 90cm by 2100). The Risk Management Plan shall be prepared by a qualified consultant and in accordance with the following policies and documents:

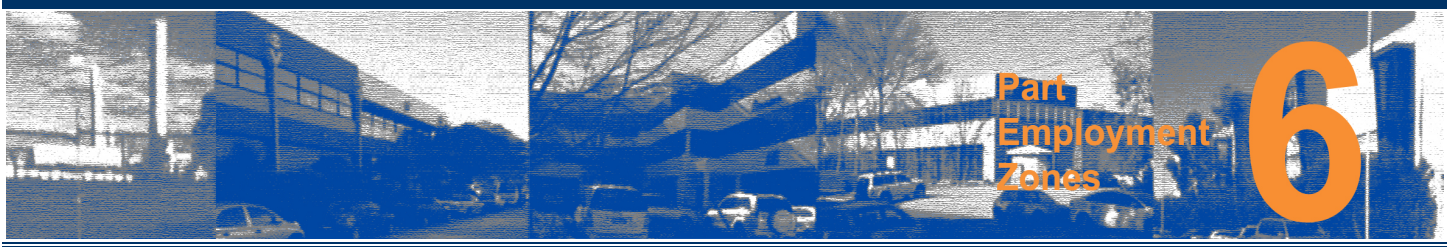
- (i) Any current policy of Council relating to projected future sea level rises and related inundation mapping;
- (ii) NSW Coastal Planning Guidelines: Adapting to Sea Level Rise;
- (iii) Flood Risk Management Guide: Incorporation Sea Level Rise Benchmarks in Flood Risk Assessment; and
- (iv) NSW Flood Plain Development Manual.

In addition, the Risk Management Plan shall minimise the exposure of development to coastal risk and provide management responses and adaptation strategies to identify and manage risk and coastal hazards associated with the following:

- (i) The safety of future workers and occupants on-site;
- (ii) The safety of the public off-site;
- (iii) The safety of adjoining properties;
- (iv) The safe evacuation route during storm and flood events; and
- (v) The freeboard above the flood planning levels.

C7 Development along Alexandra Canal must comply with the following:

- (i) No buildings, structures, car parking, storage or vehicle manoeuvring areas are permitted within a minimum 10 metre wide area adjoining the Canal and 6 metres along the tributaries;
- (ii) The maximum wall height at the edge of a building fronting the Canal at the line of the 10 metre setback is 9 metres. If the building is higher than 9 metres the additional height must be setback by 3 metres from the line of the 9 metres height;
- (iii) The setback is to be landscaped and planted with appropriate species, as detailed in the Alexandra Canal Masterplan, such landscaping not to include plants with invasive root systems and that have the potential to damage the canal wall or it surrounding infrastructure;
- (iv) The façade of buildings facing the setback should be enlivened by windows, staff amenities and provide passive surveillance of the setback area; and
- (v) A right of carriageway shall be created along the Canal and at the end of Coward Street to provide public pedestrian access to Alexandra Canal foreshore for the purpose of permanent pedestrian or cycle access, stormwater easement requirements and/or access for essential maintenance.



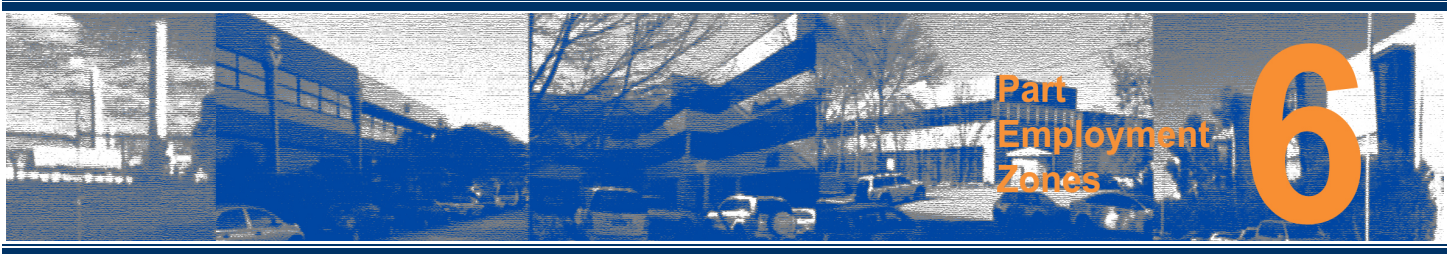
Note: Sydney Water owns Alexandra Canal, which is located on Council's north-western boundary. Ownership of this 19th Century canal was transferred to Sydney Water by the New South Wales Government in 1993. The Environment Protection Authority (EPA) has determined that the sediments in the Canal are contaminated to the extent that they constitute a 'significant risk of harm' under the Contaminated Land Management Act 1997. Since re-mobilisation of the sediments could increase the extent of the contamination, the EPA has indicated that the sediments should not be disturbed.

Accordingly any future development should refrain from carrying out or causing to be carried out any works in the Canal that would result in the disturbance, or further disturbance, of bed sediment at the site except in accordance with a plan directed at minimising the disturbance of the sediments being a plan approved in writing by Sydney Water and the EPA. Sydney Water has requested that Council forward any development proposals, which could directly impact on the Canal or its sediments to Sydney Water for review.

- C8** 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**.

- C9** 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.
- C10** 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**'.



6.2.4 Mascot Business Development Precinct

Existing Character

This Precinct is bounded by Coward Street, Alexandra Canal to the west and the airport to the south. **Figure 4** indicates the boundaries of the Precinct. The Precinct is comprised of warehouse and distribution developments (related to freight transportation); and industrial developments including smash repair stations and welding businesses. Newer buildings include commercial and office premises with active street frontages comprising coffee shops and retail outlets. Company headquarters occupy the commercial buildings in close proximity to their warehouse operations.

The Precinct is affected by a number of Classified Road Widening which are identified on the Bayside Local Environmental Plan 2021 - Land Reservation Acquisition Map. The Precinct is affected by 20 to 25 and 25 to 30 ANEF Contours and significant road and rail noise.

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

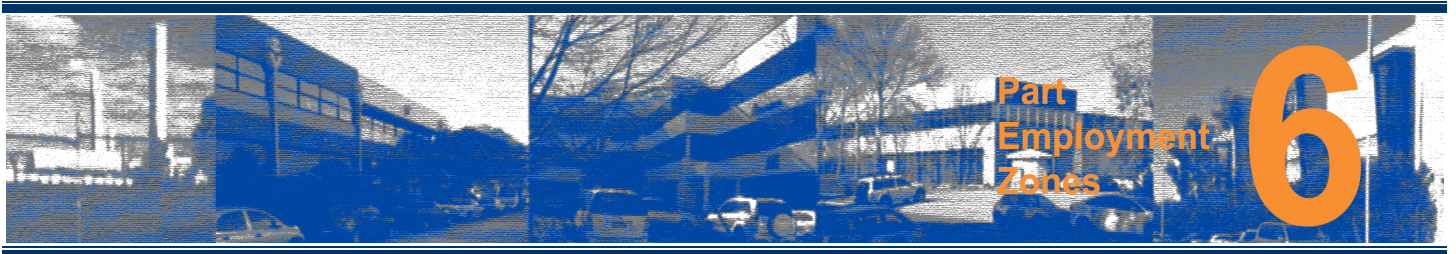
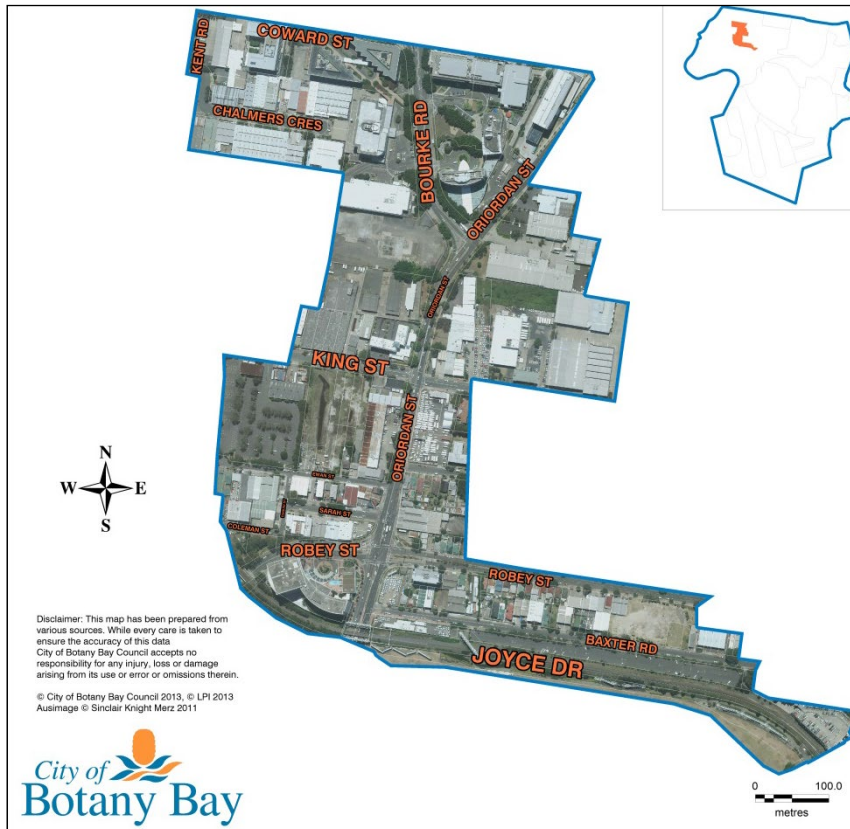


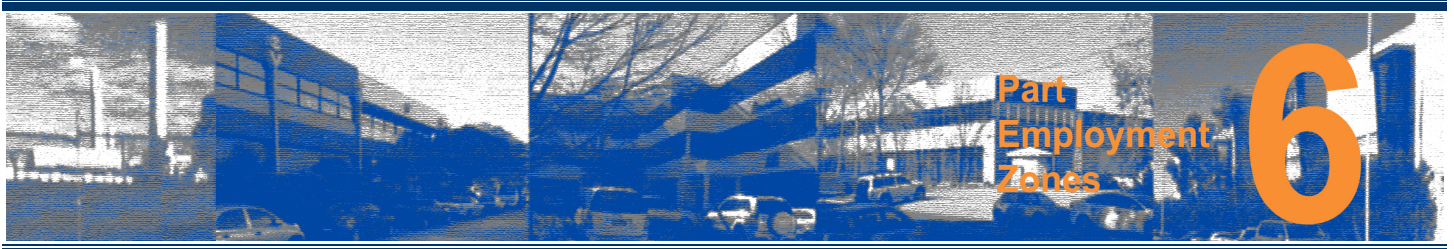
Figure 4 - Mascot Business Development Precinct



Desired Future Character

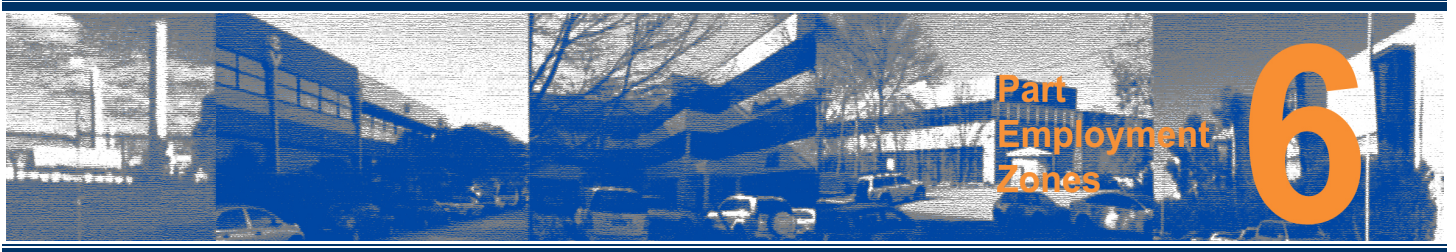
Objectives

- O1** To encourage and provide for business development that has an affinity or locational need to be near to Sydney (Kingsford Smith) Airport;
- O2** To ensure that the scale, design, material of construction and nature of the development, in the opinion of the Council, contributes positively to the visual amenity and the gateway function of the area;
- O3** To ensure to that development supports an efficient and sustainable transport system with a high level of access to public transport;
- O4** To ensure the protection of the Sydenham-Botany Goods Railway Line; and
- O5** To ensure the protection of the Airport Line Tunnel which is generally located under Bourke Road and O'Riordan Street.



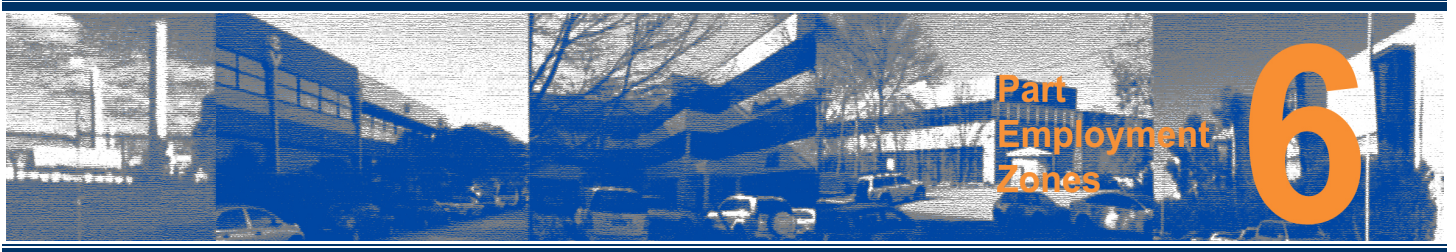
Controls

- C1** Development is to encourage a higher public transport (including walking and cycling) use and include strategies to encourage and promote car sharing and car pooling strategies. In this respect a Workplace Travel Plan is to be lodged with the development application. The Workplace Travel Plan shall establish measurable targets to achieve the mode share targets stated in the Mascot Town Centre Precinct TMAP - maximum car mode share: 65% by 2021 and 57% by 2031.
- C2** Developments, including alterations and additions shall:
- (i) Improve the appearance of buildings, particularly along the roads which serve a gateway function to Sydney Airport and the Sydney CBD; and
 - (ii) Comply with Sydney Airport's regulations in regard to safety, lighting and height of buildings.
- C3** Development which seeks the maximum building height under the Bayside Local Environmental Plan 2021 and is within land bounded by Coward Street, O'Riordan Street and Bourke Road; development along eastern side of O'Riordan Street; and development within land bounded by Baxter Road, O'Riordan Street, Joyce Drive and Botany Road, will penetrate the Obstacle Limitation Surface (OLS) and would need to be assessed by CASA, Airservices Australia & the Airlines before an application could be submitted to the Department of Infrastructure & Transport for their determination.
- C4** Redevelopment of property must take into account any road widening affectation.
- C5** Development must not adversely affect the operation of duplication of the Sydenham-Botany Good Railway Line.
- C6** Development within 25 metres of either side of the centre line of the Airport Line Tunnel is to be referred to RailCorp.
- C7** 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**.
- C8** 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.
- C9** 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'.
- C10** Development of 4 storeys or more in height, adjacent to a school, are to consider the following:



- (i) Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
- (ii) Orientating internal spaces so that low occupancy rooms face school property; and
- (iii) Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.

C11 Any new development proposals (regardless of scale) which are located along O'Riordan Street or Robey Street (within the area defined within **Figure 4 – Mascot Business Development Precinct**) must be referred to Roads and Maritime for consultation at the Pre-DA stage.



6.2.5 Mascot Industrial Precinct

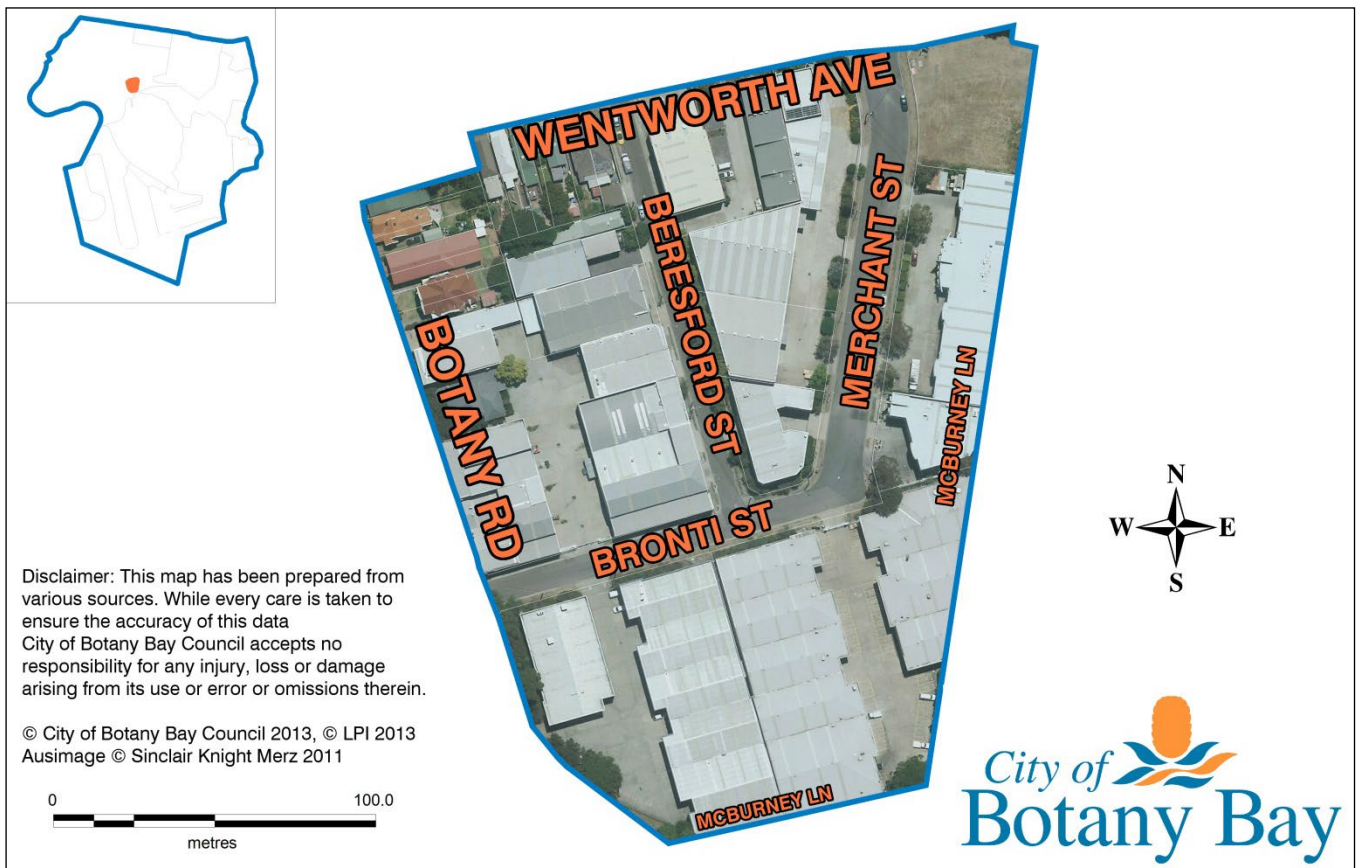
Existing Character

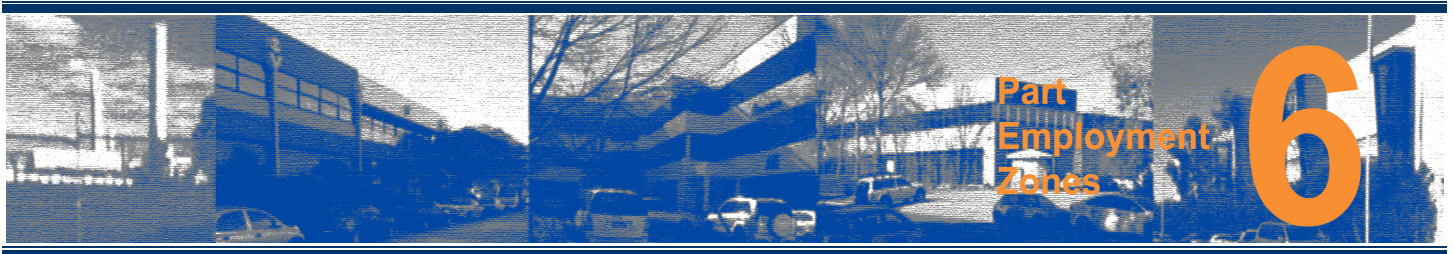
The Precinct is bounded by Botany Road to the west, Wentworth Ave to the north and McBurney Lane to the east and south. **Figure 5** indicates the borders of the Precinct. The Precinct is generally characterised by light industrial uses, warehousing and distribution and office premises. There are also a number of one storey dwellings and cottages and a church present within the Precinct. The dwellings have been acoustically treated for aircraft noise under the Sydney Aircraft Noise Insulation Project (SANIP) scheme as they are located within the 30-35 ANEF contour. The area is subject to heavy traffic along Botany Road and Wentworth Ave.

There is a small open space reserve located at the corner of Botany Road and Wentworth Ave which is owned by the RMS and under care, control & management of the Council. This Precinct is affect by 25 to 30 and 30 to 35 ANEF Contours and significant road and rail noise.

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

Figure 5 - Mascot Industrial Precinct





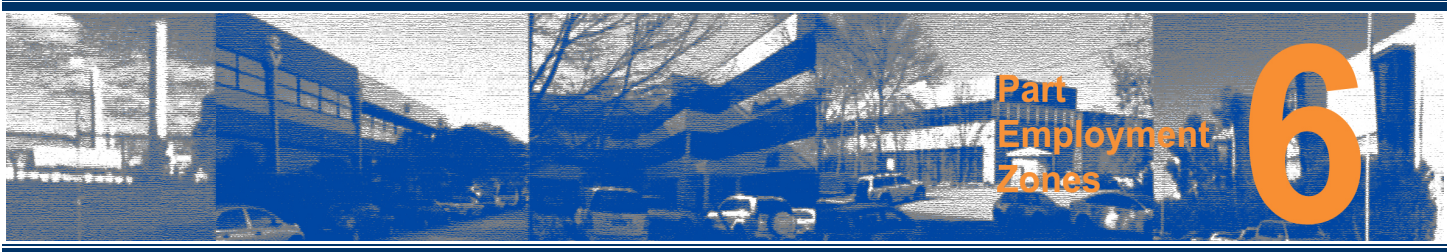
Desired Future Character

Objectives

- O1** To ensure that any development does not adversely affect the heritage significance of Heritage Items within the Precinct;
- O2** To ensure that the industrial uses are compatible with the adjoining established residential area; and
- O3** To ensure to the protection of the Sydenham-Botany Goods Railway Line.

Controls

- C1** Development must not adversely affect the operation or duplication of the Sydenham-Botany Goods railway line.
- C2** Development is not to impact adversely on the surrounding residential areas.
- C3** Development which seeks the maximum building height under the Bayside Local Environmental Plan 2021 will penetrate the Obstacle Limitation Surface (OLS) and would need to be assessed by CASA, Airservices Australia & the Airlines before an application could be submitted to the Department of Infrastructure & Transport for their determination.
- C4** 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**.
- C5** 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.
- C6** 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'.



6.2.6 Lord Street Business Park Precinct (including 1024 Botany Road, Botany)

Existing Character

The Lord Street Business Park Precinct is identified in **Figure 6**. It has a "Business Park / High Technology" appearance. A main feature of the Lord Street development is the Mill Ponds, which forms a visual gateway to Botany. The Mills Ponds are part of the State listed Heritage Item – Botany Water Reserves, which stretch from the northern part of The Lord Street Business Park, east of the goods railway line and up to Gardeners Road. Botany Water Reserves contain two threatened ecological communities. The wetlands are also identified as being of National significance within the Directory of Important Wetlands of Australia. The Lord Street Park Precinct is adjacent to the Botany Township Heritage Conservation Area and the St Matthew's Anglican Church at 1331 Botany Road, Botany which is a heritage item in the Bayside Local Environmental Plan 2021. The Church is also listed in the Register of the National Estate. The eastern side of the Lord Street Park Precinct which fronts Lord Street is zoned B7 Business Park. The western component of the Lord Street Park Precinct includes the site at No. 1024 Botany Road which consists of the following parcels:

- Lot 1 DP.826172
- Lots 1 and 2 DP.7826
- Lot 1 DP.590790
- Lots 6, 7, 8, 9, and 10 DP.7826

This site is zoned B5 Business Development under the Bayside Local Environmental Plan 2021. The Precinct is affected by the 20 to 25, 25 to 30 and 30 to 35 ANEF Contours and significant road and rail noise. Applicants are also to refer to **Part 3M - Natural Resources** as the Precinct is adjacent to the Botany Wetlands.

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

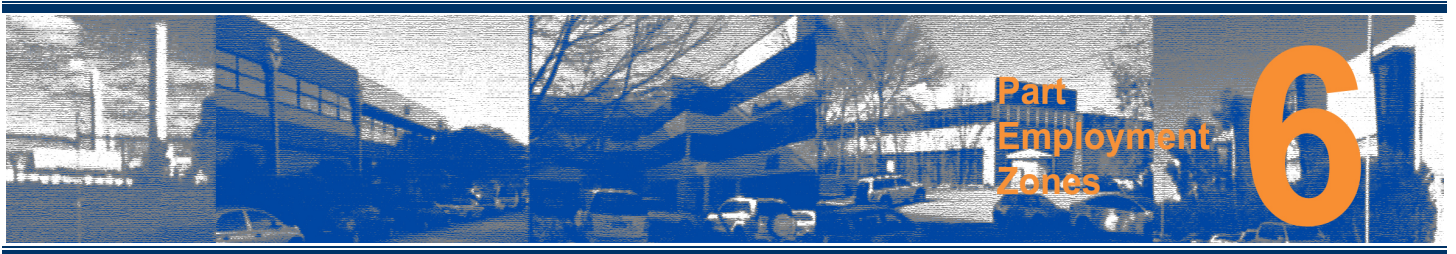
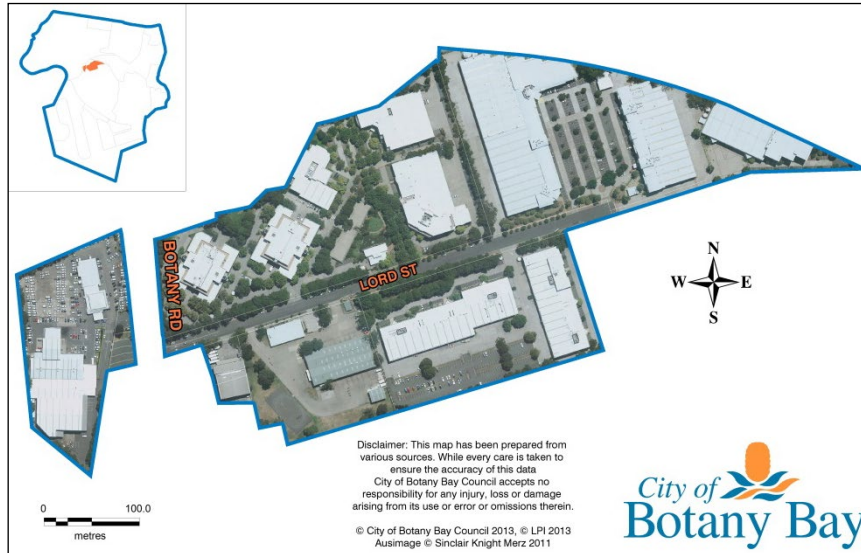


Figure 6 - Lord Street Business Park Precinct



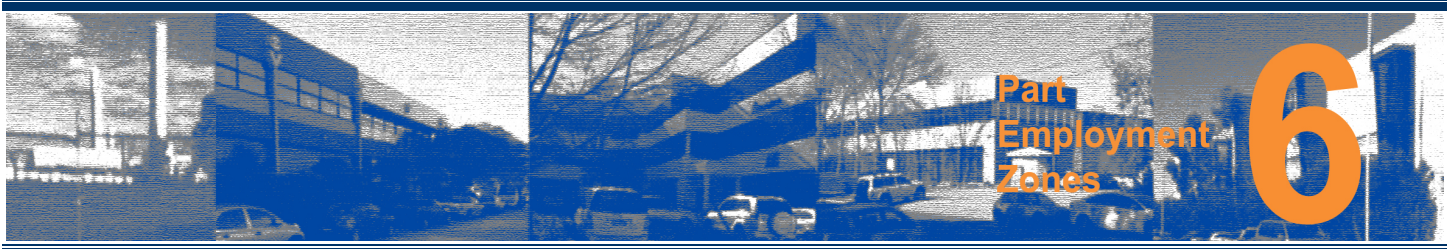
Desired Future Character

Objectives

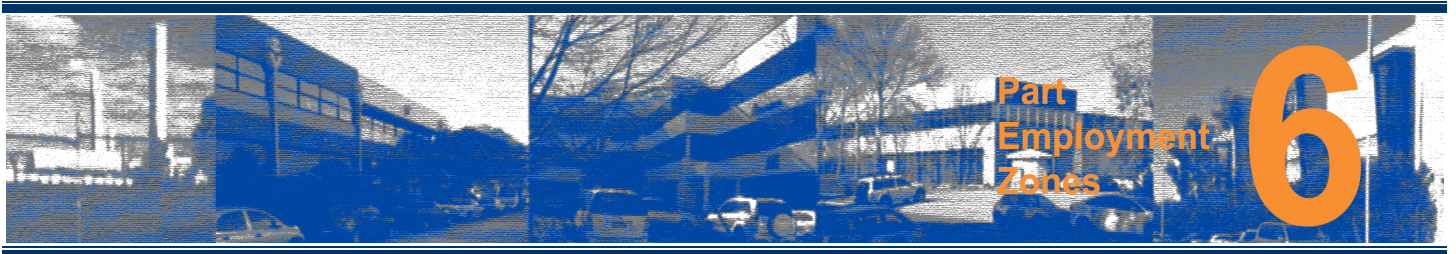
- O1** To ensure that any new development enhances the environmental and visual amenity of the locality, especially the Mill Ponds (east and west of Botany Road);
- O2** To ensure that any development does not adversely affect the heritage significance of Heritage Items within the Precinct and the adjacent Botany Township Heritage Conservation Area;
- O3** To ensure that the business park and business development uses are compatible with the adjoining established residential area; and
- O4** To ensure to that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding.

Controls

- C1** Development, including alterations and additions, shall be of a high standard and shall maintain the Business Park/High technology appearance of the Precinct.
- C2** Any development fronting the Mill Ponds shall include a buffer zone or setback area between the waterbody and any buildings, structures or pavements to minimise environmental and visual impact on the wetlands and its environs and maintain existing environmental amenity. The extent of the buffer shall be assessed on the merit of each case and may be required to be embellished with landscaping using appropriate species.



- C3** Developments are to ensure a high level of on-site stormwater management, with stormwater retention and treatment to maximise the passage of fauna around the wetlands and to minimise impact of runoff on the riparian system.
- C4** Development is not to impact adversely on the surrounding residential areas, in terms of height, scale and building bulk and heritage significance.
- C5** Development, including alterations and additions, is to comply with Sydney Airport's regulations in regard to safety, lighting and height of buildings.
- C6** Development north of Lord Street and west of Botany Road 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. The Flood Study/Assessment is required to:
- (i) Be in accordance with the current version of Australian Rainfall and Runoff (ARR) and the NSW Floodplain Development Manual; and
 - (ii) Consider the impacts from Climate Change and Sea Level Rise.
- C7** 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**.
- C8** 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.
- C9** 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**'.
- C10** Development of 4 storeys or more in height, adjacent to a school, are to consider the following:
- (i) Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
 - (ii) Orientating internal spaces so that low occupancy rooms face school property; and
 - (iii) Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.



6.2.7 Botany (West) Industrial Precinct

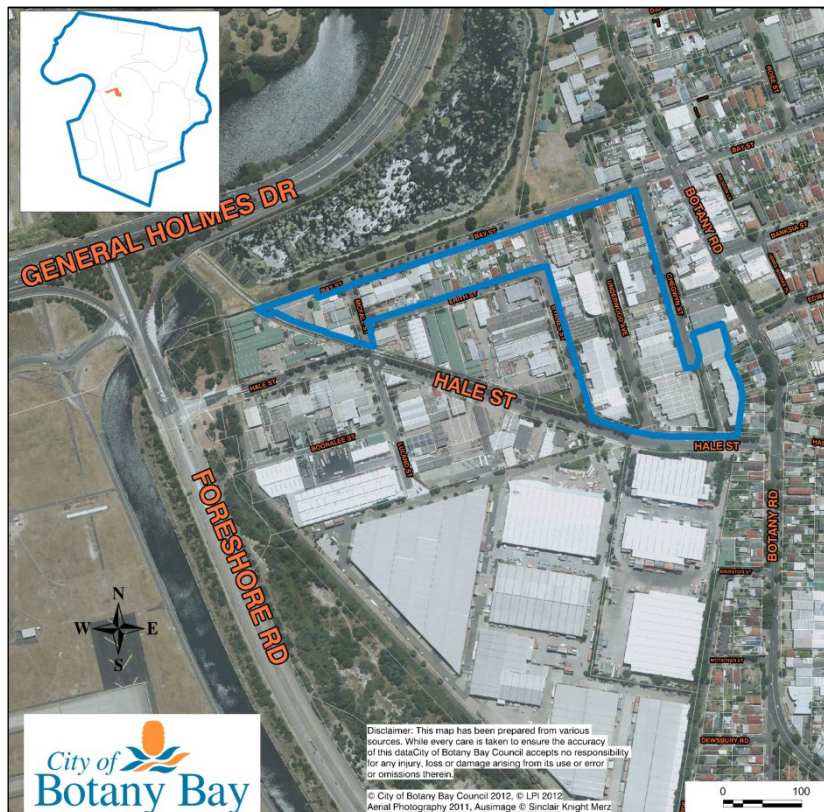
Existing Character

Figure 7 indicates the boundaries of the Precinct.

The remainder of the industrial area is zoned under the SEPP (Three Ports) 2013. Applicants are to note that Council is currently preparing a separate DCP for the land zoned under the SEPP (Three Ports) 2013.

The Precinct is affected by the 25 to 30 and 30 to 35 ANEF Contours and road noise.

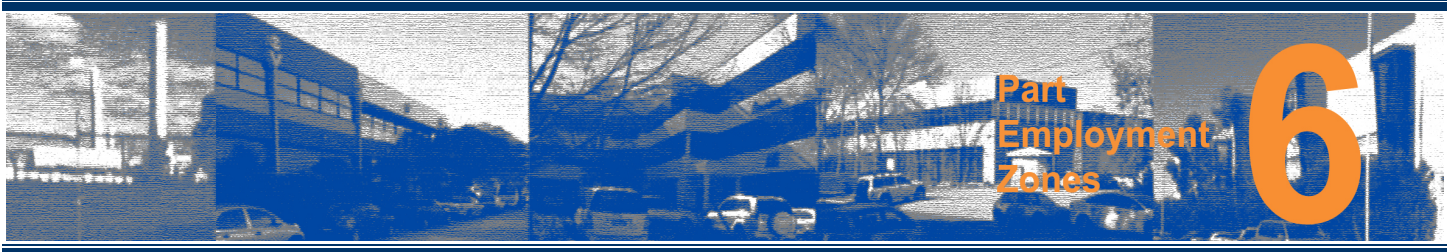
Figure 7 - Botany (West) Industrial Precinct



This area is characterised by industrial uses on single and relatively small (residential size) allotments, interspersed with residential uses. The area generally to the north of Erith Street is zoned IN1 Industrial and B7 Business Park under the Bayside Local Environmental Plan 2021.

To the south of Erith Street it is zoned IN1-General Industrial under *State Environmental Planning Policy (Three Ports) 2013*.

The B7 zone allows light industry to continue thereby not reducing the floor space potential in the zone. The B7 zone however does allow other industries such as high technology industries and may accommodate more creative industries including film studios, art galleries and architect's offices.



Due to the allotment sizes in this area large scale industrial uses would not be economically viable hence the need to promote other employment generating uses which do not require large warehouse units. The small land sizes reflect the heritage items along Bay Street that represent the last known fishing village cottages in the area. This heritage listing means the sites could not be amalgamated for larger scale industrial units. Therefore small-scale start up business would be better located within these heritage items.

Furthermore, Bay Street and Erith Street are narrow streets which limits the size of trucks able to access the area and manoeuvre within the street network. This access issue will also limit the type of industrial uses that would be able to function in this area.

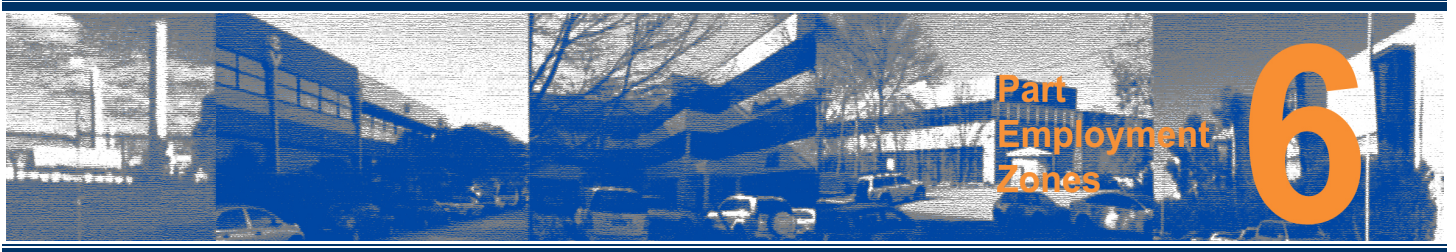
Council is not seeking to reduce or remove the employment generating opportunities within this area but rather promote businesses which best fit within the constraints of the area. The location of this B7 Business Park zoning adjoining the Hale Street Industrial Precinct will allow service and support industries to be located in close proximity to the industrial area and the Botany Town Centre.

Residential uses are located mainly along Bay and Erith Streets. Industrial uses include manufacturing and warehousing in industrial complexes. The streets are also generally narrow in width.

There are a number of Heritage Items in this area of the Precinct. These include:

- 45-57 Bay Street (house group);
- 19 Bay Street (house);
- 18-20 Erith Street (house group);
- 23 Byrnes Street (Canary Island Date Palms);
- Electricity Substation in Byrnes Street; and
- The Sewage Pumping Station SP0060 at the corner of McFall and Erith Streets.

The streetscape of Bay Street in this Precinct is also listed as being of Heritage Significance. The Precinct is adjacent to the Botany Township Heritage Conservation Area.



Desired Future Character

Objectives

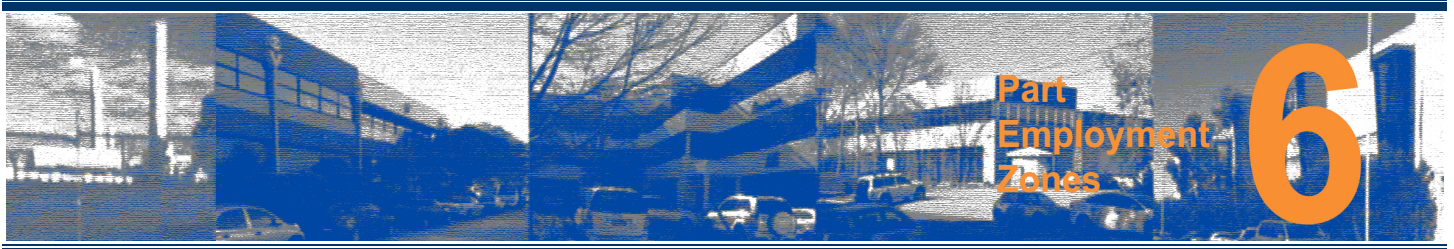
- O1** To protect the heritage integrity of the Heritage Items within the precinct and the integrity of the Botany Township Heritage Conservation Area;
- O2** To protect the northern precinct's amenity by limiting the size of delivery vehicles;
- O3** To ensure that business park and industrial uses within the precinct are compatible with adjoining residential areas;
- O4** To ensure that development does not have an adverse impact on the drainage within the Precinct;
- O5** To ensure that industrial uses concentrate in the southern part of the Precinct with access to Foreshore Drive through the Hale Street extension; and
- O6** To ensure to that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding.

Controls

- C1** The design and function of development shall assist in protecting the heritage significance of the precinct and the integrity and significance of heritage items within the Precinct and of the adjacent Botany Township Heritage Conservation Area (refer to **Part 3B - Heritage**).
- C2** Development is not to adversely impact on the surrounding residential areas.
- C3** Developments are to be designed so that they do not have an adverse impact on any existing or proposed drainage facilities.
- C4** The maximum size of any vehicle accessing sites in the Precinct shall not exceed a Medium Rigid Vehicle (MRV) as defined by AS2890.2
- C5** 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. The Flood Study/Assessment is required to:

- (i) Be in accordance with the current version of Australian Rainfall and Runoff (ARR) and the NSW Floodplain Development Manual; and
- (ii) Consider the impacts from Climate Change and Sea Level Rise.



C6 Development shall:

- (i) Have finished floor levels of a minimum 500mm above the 1 in 100 year flood level for habitable areas and 300mm for industrial areas and garages; and
- (ii) Not impede the passage of floodwater to cause a rise (afflux) in the flood level upstream and/or increase the downstream velocities of flow.

C7 Development within the precinct shall require submission of a Risk Management Plan to address potential risks related to coastal sea levels (projected to increase above Australian Height Datum by 40cm by 2050 and by 90cm by 2100). The Risk Management Plan shall be prepared by a qualified consultant and in accordance with the following policies and documents:

- (i) Any current policy of Council relating to projected future sea level rises and related inundation mapping;
- (ii) NSW Coastal Planning Guidelines: Adapting to Sea Level Rise;
- (iii) Flood Risk Management Guide: Incorporation Sea Level Rise Benchmarks in Flood Risk Assessment and; and
- (iv) NSW Flood Plain Development Manual.

In addition, the Risk Management Plan shall minimise the exposure of development to coastal risk and provide management responses and adaptation strategies to identify and manage risk and coastal hazards associated with the following:

- (i) The safety of future workers and occupants on-site;
- (ii) The safety of the public off-site;
- (iii) The safety of adjoining properties;
- (iv) The safe evacuation route during storm and flood events; and
- (v) The freeboard above the flood planning levels.

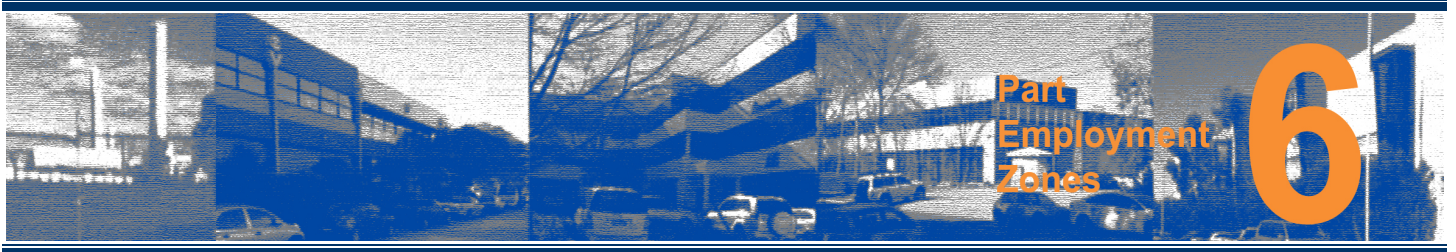
C8 Development shall be designed and constructed in accordance with Australian Standard AS 2021 (Acoustic Aircraft Noise Intrusion-Building siting and Construction).

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**.

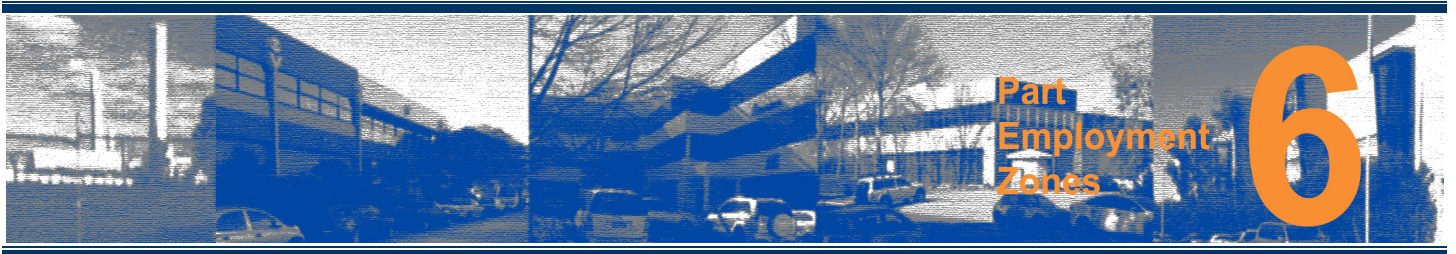
C9 The introduction of noise abatement measure to achieve compliance with current AS 2021 must be done in a manner that does not compromise the architectural design of a building or impact on the character of an existing streetscape.

C10 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**'.

C11 Development of 4 storeys or more in height, adjacent to a school, are to consider the following:



- (i) Mitigation of overshadowing impacts on the school and its grounds through setbacks and controlled bulking and scaling of buildings;
- (ii) Orientating internal spaces so that low occupancy rooms face school property; and
- (iii) Windows and balconies are to be designed to reduce opportunities for overlooking school grounds.



6.2.8 Banksmeadow Industrial Precinct

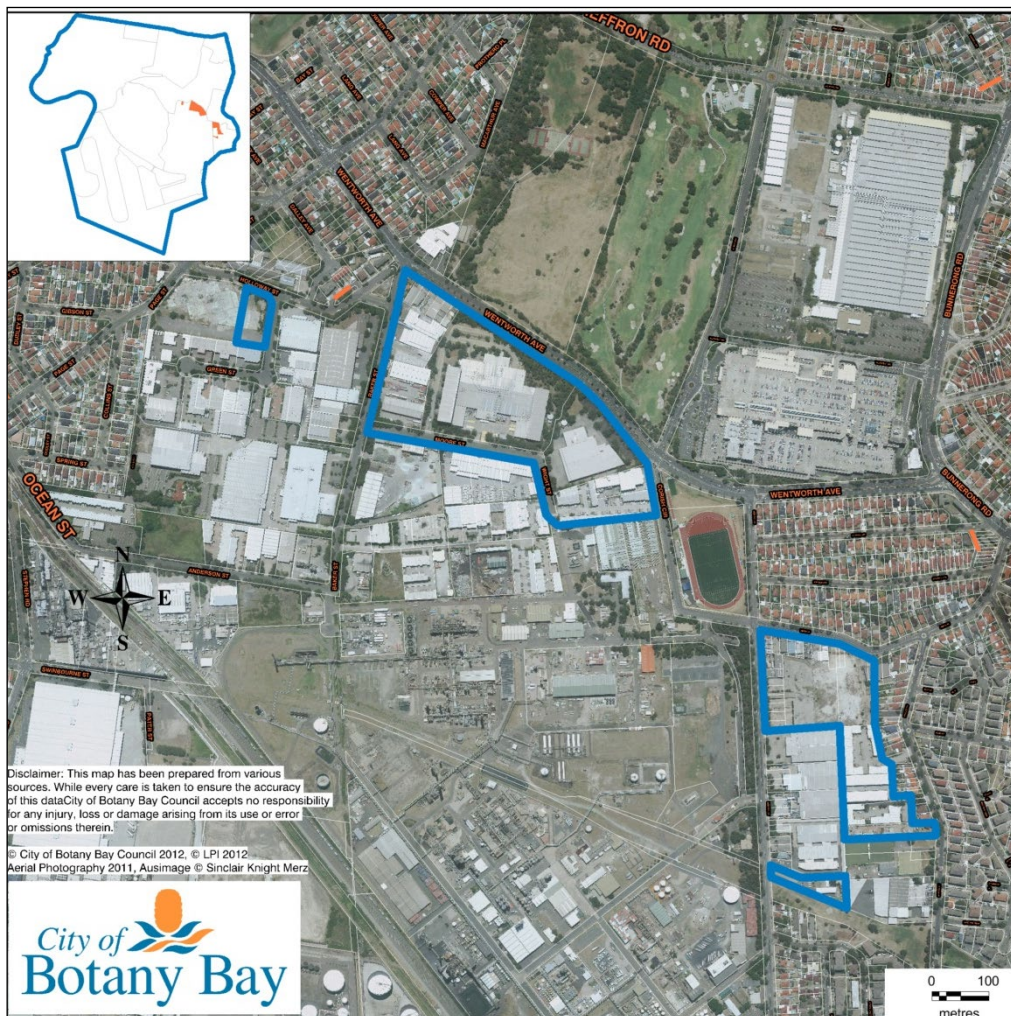
Existing Character

Figure 8 indicates the boundaries of the Banksmeadow Industrial Precinct. As indicated in the Figure below, only the following areas are zoned under Bayside Local Environmental Plan 2021:

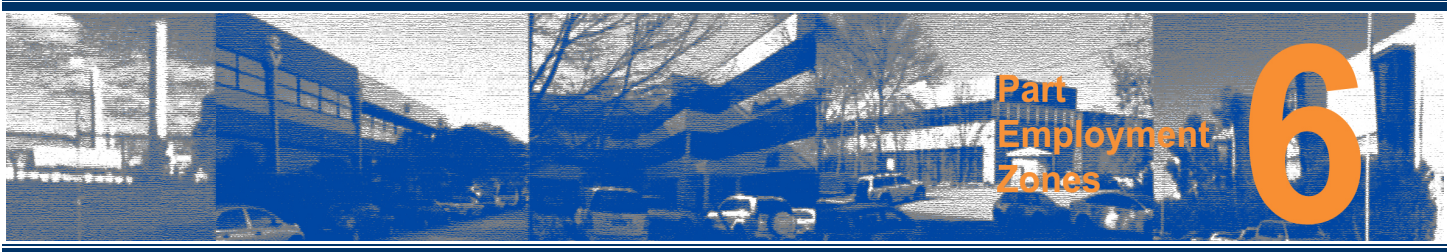
- Area zoned IN2 Light Industrial bounded by Wentworth Avenue, Baker Street, Moore Street, Wight Street, & Corish Circle;
- B7 Business Park area at 32 Page Street, Pagewood; and
- B5 Business Development and B7 Business Park along Denison, Smith and Rhodes Streets Hillsdale.

The remaining industrial area is zoned under *State Environmental Planning Policy (Three Ports) 2013*.

Figure 8 - Banksmeadow Industrial Precinct



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



warehousing and transport. The Precinct also contains a number of pipelines carrying hazardous substances such as natural gas and jet fuel.

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

There are no Heritage Items listed in the Bayside Local Environmental Plan 2021 within this Precinct.

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

Risk Assessment within the Banksmeadow Industrial Precinct

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

The State Government has released three studies that investigate industrial operations and make land use planning recommendations. Studies released to date include:

1. 'Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany' (1985),
2. 'Botany / Randwick Industrial Area Land Use Safety Study' (2001); and
3. Port Botany Land Use Safety Study' (1996).

The recommendations of the above studies are summarised below.

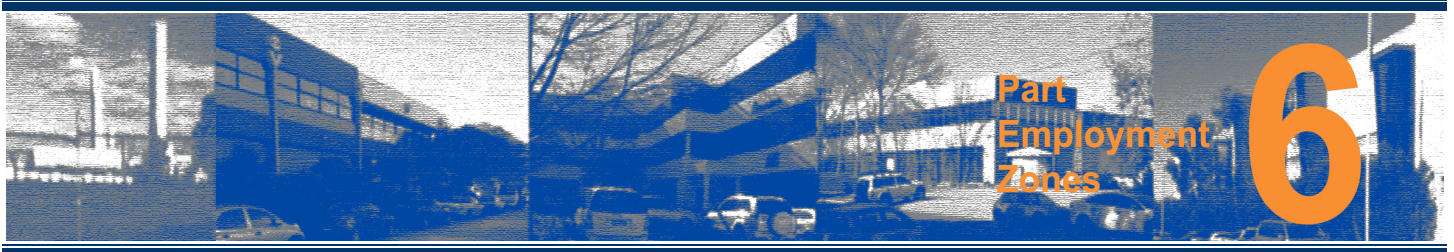
A Risk Assessment Study for the Botany/Randwick Industrial Complex and Port Botany - 1985

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

Port Botany Land Use Safety Study - 1996

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

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



The recommendations of the Study were:

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

Botany/Randwick Industrial Area Land Use Safety Study - 2001

Planning NSW in 2001 published a review of the 1985 Cumulative risk study titled the 'Botany / Randwick Industrial Area Land Use Safety Study'. The purpose of this review was to update the research and findings of the 1985 Study. The review of the Study involved considering industrial rationalization and technological advances, which have seen the operations and associated risk levels of the Botany / Randwick industrial area change considerably.

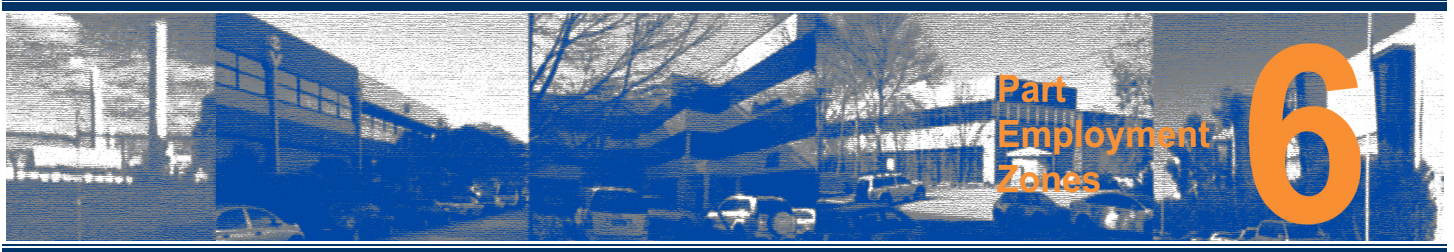
The review investigated two cases based on two industrial scenarios. The cases were aimed at identifying the cumulative risk levels resulting from the industrial area under the current conditions (pre - 2001) and a predicted future case (2001). An explanation of the cases are as follows:-

The Existing Case (Pre-2001): The Orica mercury cell chlorine plant and chlorine liquefaction facilities and associated bulk chlorine storage. Risks associated with the chlorine plant include incidences such as a chlorine vapour cloud explosion, storage failure resulting in fire and heat radiation effects or the rupture of a chlorine road tanker.

The Future Case (2001): The Existing Orica chlorine plant being replaced with membrane production facilities and liquefaction. The bulk storage of chlorine has ceased. The removal of chlorine liquefaction and storage on site will reduce the likelihood of chlorine releases occurring.

Key Findings

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



The recommendations with respect to industrial development within this Industrial Precinct are detailed below:

Recommendations

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

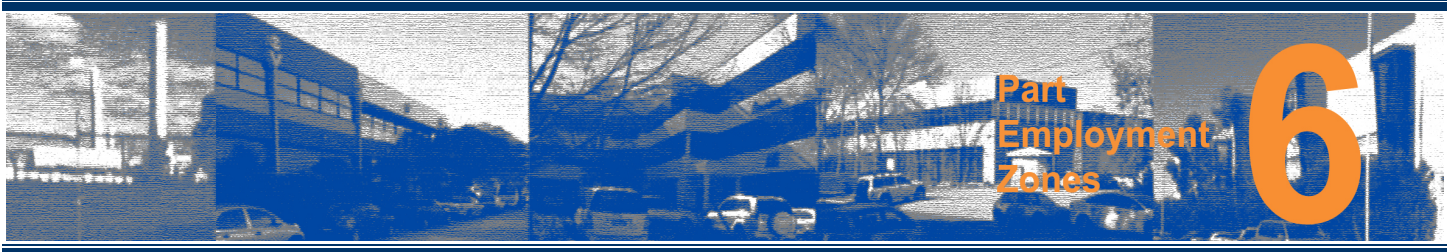
1. There should be no significant increase in the quantities of toxic compressed or liquefied gases stored or handled within the industrial area.
2. Proposals to expand industrial facilities in the area should be subjected to the seven-stage assessment process under the *Environmental Planning and Assessment Act 1979* and demonstrate compliance with relevant risk criteria.
3. The Director-General's requirements for the preparation of an Environmental Impact Statement (EIS) should incorporate the above requirements to ensure appropriate assessment is carried out.
4. Should conditions in the Botany/Randwick industrial area change to a significant degree, through facility commissioning, decommissioning, expansion or production changes, this study should be updated to reflect potentially altered cumulative risk impacts on surrounding land uses.

A process of regular reviews and updates for site safety management systems should be undertaken.

1. All sites should review and strengthen their safety management system (SMS). The effectiveness of the SMS should be monitored by periodic independent compliance audits at intervals of not less than once every two years.
2. An overall review of incident/accident recording and reporting systems should be undertaken. A consistent best practice guideline should be developed and adopted by industry in the area.
3. All sites should review their training arrangements to ensure that personnel have an appropriate understanding of operational hazards and are fully trained in operating and emergency procedures.

Emergency plans and procedures, and fire prevention and protection systems should be kept up to date.

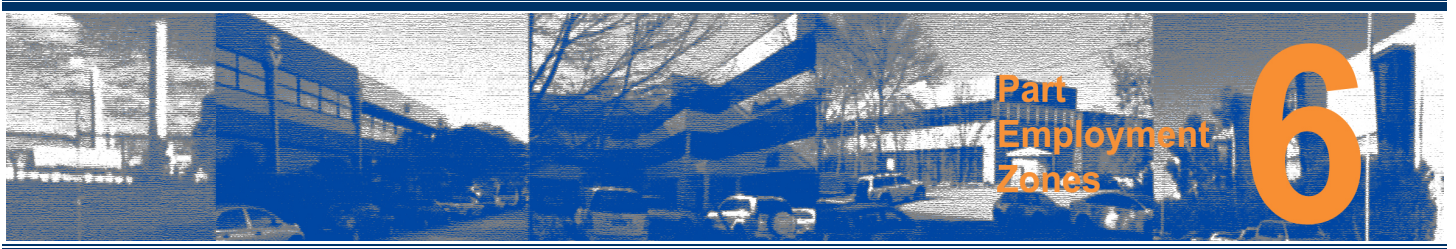
1. Emergency plans for all sites should be reviewed and updated. There should be emphasis placed on developing emergency plans that are consistent between facilities.
2. Industrial facilities should develop greater contact with regard to emergency planning. An integrated emergency plan for the industrial area needs to be developed, and mutual aid arrangements between facilities need to be investigated in more detail.



3. Consideration should be given to holding periodic coordinated surprise emergency field exercises to validate emergency procedures and practices.

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

1. A formal mechanism should be established to implement a community right-to-know program through a consultative committee having representation from the industrial developments in Botany/Randwick, Councils, community groups and relevant government agencies.
2. Priority should be given to regular dissemination to the community of information relating to safety and environmental management and performance through regular annual reporting, newsletters and public forums.
3. Existing industrial developments should be encouraged to establish Community Consultative Committees to facilitate the dissemination of information to the public and to receive feedback from the community related to the industry's performance. Where practical, Community Consultative Committees established for similar types of industry or developments in the same general locality should be encouraged.
4. For new industrial developments, conditions of consent should require the formation of a Community Consultative Committee for the development, or its representation on an appropriate existing Committee.



Desired Future Character

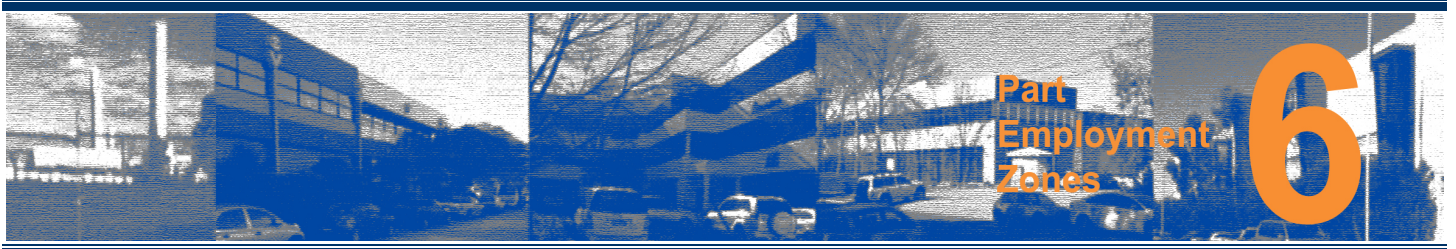
Objectives

- O1** To encourage the office component of industrial development to front the road or any adjoining residential area;
- O2** To ensure that industrial uses are compatible with adjoining established residential areas;
- O3** To ensure that any risk to human health, property or the natural environment arising from the operation of the development is minimised and addressed;
- O4** To ensure that existing pipelines are identified and protected during the development process; and
- O5** To ensure to that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding.

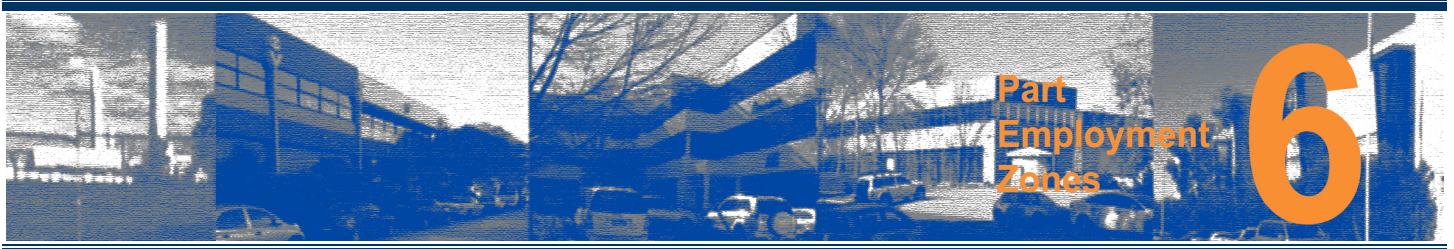
Controls

General

- C1** Business Park and industrial uses with access from Rhodes Street or Smith Street are to have low vehicular generation characteristics and exclude the use of container handling or semi-trailers.
- C2** Development on the B7 Business Park Zone at the corner of Holloway and Green Streets are to have their commercial offices (or other non-industrial activity) fronting Holloway Street and the school with a return (no less than 10m) to Green Street. All industrial activities are to be undertaken behind the commercial building buffer.
- C3** The transport of hazardous substances should be directed away from residential areas and a Traffic Route Study showing the proposed traffic route of such transport is required.
- C4** Development fronting Denison Street, Rhodes Street, and Smith Street are to have their commercial offices (or other non-industrial activity) fronting the road/street. All industrial activities are to be undertaken behind the commercial building buffer.
- C5** Development is not to adversely impact on the surrounding established residential areas through noise, traffic, pollution and risk.
- C6** A survey is required to identify any pipelines, easements etc affecting the development site. If the pipeline enters Council land an appropriate deed of agreement is to be executed.
- C7** Redevelopment of land at the corner of Denison Street & Beauchamp Road (the Orica site) is to take into account the road widening affectation proposed by RMS.



- C8** Developments within the vicinity of Floodvale Drain, Springvale Drain and Bunnerong Stormwater Channel No. 11 (SWC 11 – Sydney State Water) 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. The Flood Study/Assessment is required to:
- (i) Be in accordance with the current version of Australian Rainfall and Runoff (ARR) and the NSW Floodplain Development Manual; and
 - (ii) Consider the impacts from Climate Change and Sea Level Rise.
- C9** Development shall:
- (i) Have finished floor levels of a minimum 500mm above the 1 in 100 year flood level for habitable areas and 300mm for industrial areas and garages; and
 - (ii) Not impede the passage of floodwater to cause a rise (afflux) in the flood level upstream and/or increase the downstream velocities of flow.
- C10** Restricted Access Vehicles (RAV) classified by Roads and Maritime Services (RMS) (including B-Doubles) are not permitted to access:
- (i) Holloway Street;
 - (ii) Green Street;
 - (iii) Ocean Street;
 - (iv) Swinbourne Street;
 - (v) Stephen Road;
 - (vi) Smith Street; and
 - (vii) Rhodes Street.
- C11** The maximum size of vehicle accessing Smith Street and Rhodes Street is restricted to Medium Rigid Vehicles (MRV) as defined by AS2890.2.



Risk Management:

C12 In order to address the recommendations, a Risk Assessment Evaluation is required to accompany all applications for sites:

- (i) Within the study area of the Botany/Randwick Industrial Area Land Use Safety Study - 2001; and/or
- (ii) Affected by the recommendations of the Port Botany Land Use Safety Study Overview Report - 1996.

Note: Recommendation No. 2-2.2 of the Port Botany Safety Study states that proposals for the development or redevelopment of residential, commercial or high density developments outside the Port area, particularly inside the one in a million residential risk contour, identified in figure 2 of the Port Botany Land Use Safety Study Overview Report should not take place.

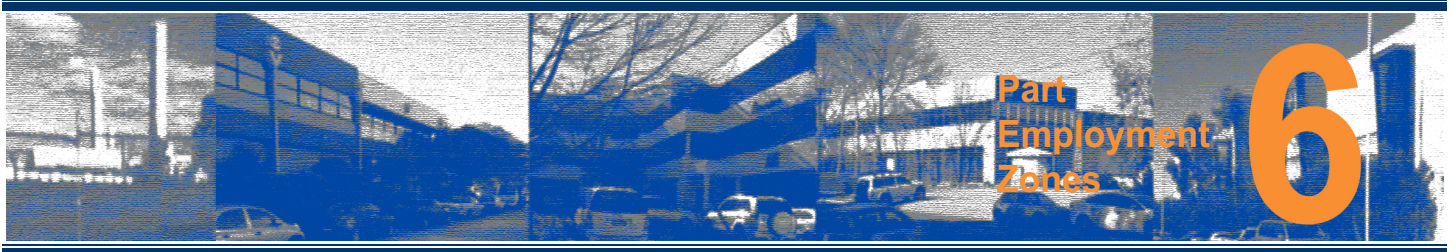
C13 The Risk Assessment Evaluation to Council is to be completed by a qualified risk management professional and take into account the nature of the proposed business and the proximity of the site to surrounding hazardous facilities. The report is to recommend safety procedures to be followed.

The report needs to conclude whether or not the activities proposed for the premises constitute an escalation of existing hazards, and that the risk posed by neighbouring uses in the exposure of hazards to the site is acceptable.

Applicants are to refer to the applicable Hazardous Industry Planning Advisory Papers (HIPAPs) and other guidelines such as *Applying SEPP 33* and *Multi-level Risk Assessment found at <http://www.planning.nsw.gov.au/planning-guidelines-for-hazardous-development>*

C14 If a site fronts Denison Street a Transport Risk Assessment Report is required to be lodged with Council. The assessment report to Council should be completed by a qualified risk management professional and address the hazard analysis methodology outlined within the Hazardous Industry Advisory Paper N° 6: Guidelines for Hazard Analysis. The areas of assessment should include:

- (i) Identification of potential release scenarios, including analysis of the hazards associated with transport of potentially hazardous materials;
- (ii) Estimation of release frequencies, using information available from such sources as Bayside Council, the Bureau of Statistics and Transport for NSW;
- (iii) Assessment of consequences in terms of effect zones following the ignition or dispersion of a release, including the assessment of the evaporation and permeation of a spill and of the resulting heat radiation in case of ignition;
- (iv) Estimation of risk by combining release frequencies, consequences, and population distribution for the particular route under survey; and
- (v) Comparing the estimated risk with relevant tolerability criteria and guidelines.



Results from the traffic hazard analysis should be assessed on the basis of generally accepted land use safety guidelines provided in the 'Hazardous Industry Planning Advisory Paper N° 4: Risk Criteria for Land Use Safety Planning' published by Planning NSW in 1992 and 'Hazardous

Industry Planning Advisory Paper No. 10 Land use Safety Planning' published by the NSW Department of Planning in January 2011.

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

- C15** Where a site is considered by Council to be located partly adjacent to a dangerous goods route defined in this plan, any development on the site will be assessed and viewed as though it was located within the area or route with the more stringent risk-related development controls specified in this development control plan.

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

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

carry traffic containing dangerous goods. The consideration of risk arising from the transportation of dangerous goods on this local and regional road network and the impacts this may have on residential and sensitive use development within the Study area needs to be considered as part of the assessment process for future development activity.

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

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

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

Applicants are also to refer to **Part 6.3.15 - Risk**.

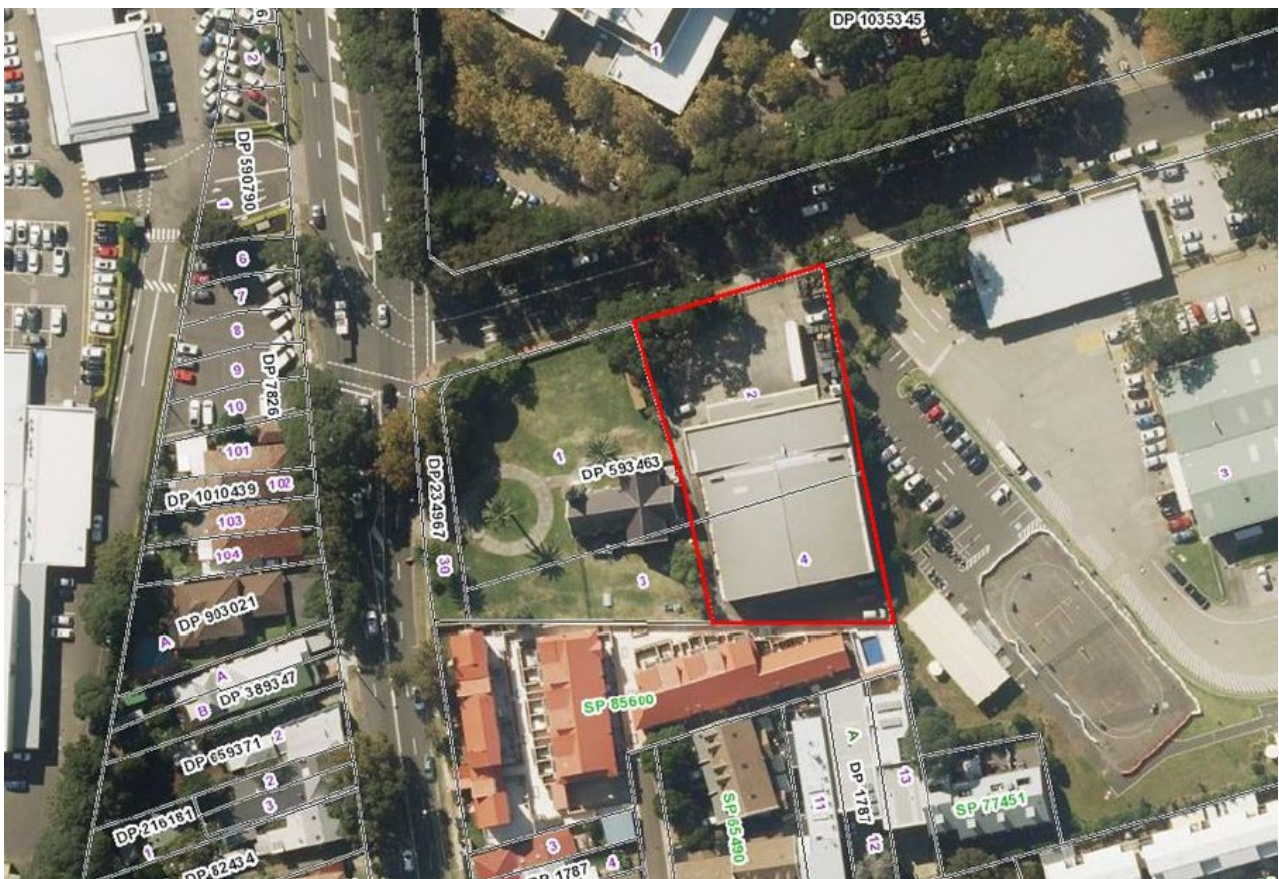
6.2.9 1-3 Lord Street, Botany

Land to which this Part applies

This Part applies to land at 1-3 Lord Street Botany being Lot 2 in DP 593463 and Lot 4 in DP 593463 (the site).

The areas to which this Part applies is illustrated as the land contained within the red boundary of **Figure 9**.

Figure 9 – 1-3 Lord Street, Botany

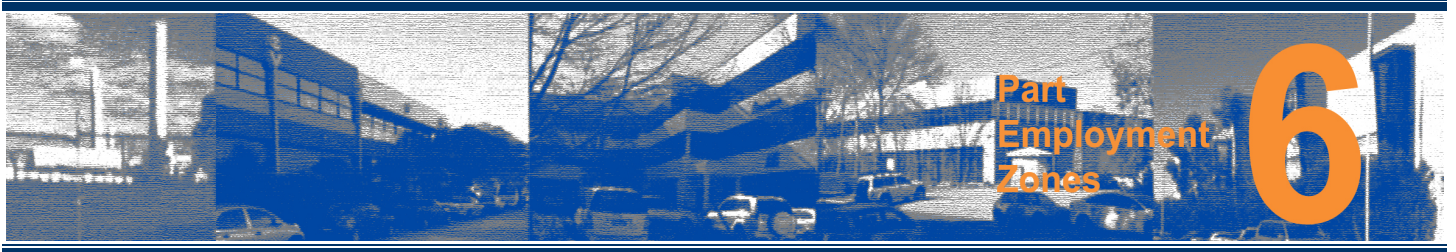


Site Context

The site is located within the B7 Business Park zone. It is adjacent to the locally listed heritage item St Matthew's Anglican Church (Item I190 under the Bayside LEP 2021), which is located in a heritage conservation area. The St Matthew's Anglican Church is situated to the west of the site and reflects influences from Victorian Gothic styles.

In 2016, a contemporary steel framed multi-function centre was constructed to the south of the church building. This new building is visually subservient to the Church building.

St Matthew's Anglican Church is primarily viewed from Botany Road, from which any future development on the site will form a backdrop. The Church is visually prominent as viewed from its Botany Road and Lord Street frontages.



3-4 storeys residential development constructed of multi coloured brick and panelling are located to the south of the site and St Matthew's Anglican Church.

The site is uniquely positioned in a transitional location between residential, church and commercial land uses. The interface between any proposed building and the adjoining historic church is of paramount importance. To this end the objectives in this DCP must be carefully incorporated into any design.

Objectives

The following key objectives are applicable to all future development on the site:

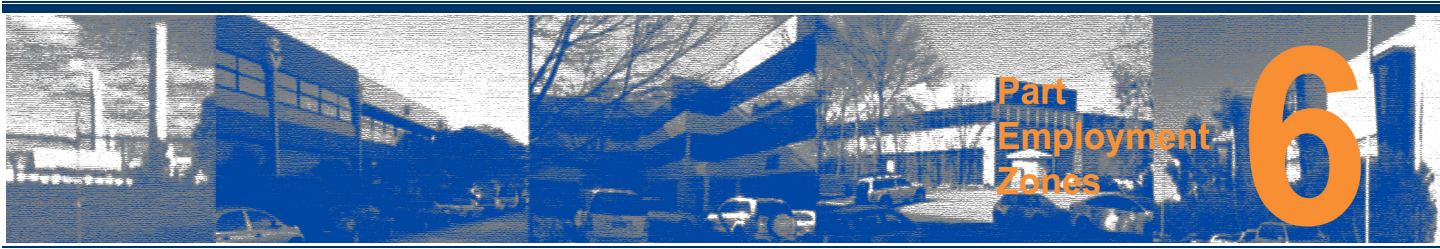
- O1** To provide built form controls that facilitate development consistent with the objectives of the site's B7 Business Park zoning within the Lord Street Business Park precinct.
- O2** To create a bookend style development that visually integrates with and provides an activated edge to the adjoining church.
- O3** To retain and enhance the visual prominence of the St Matthew's Anglican Church as viewed from Botany Road and Lord Street.
- O4** To establish a high quality interface between any future built form on the site and the adjacent St Matthew's Anglican Church and adjoining lawn area.
- O5** To facilitate the transition of use between the site at the edge of the employment precinct and the adjacent St Matthew's Anglican Church.
- O6** To establish a functional building envelope that is capable of meeting employment-based industry operational requirements of the site.
- O7** To maintain appropriate solar access and ensure privacy to residential buildings in the adjacent R3 Medium Density Residential zone.
- O8** To facilitate ongoing safety and security.

Building Character

A key consideration informing any future built form on the site is establishing an appropriate visual relationship between that built form and the adjacent St Matthew's Anglican Church. The transition and interface between business uses and the St Matthew's Anglican Church as well as establishing a sympathetic design response to the Church are important factors to consider in this regard.

Controls

- C1** Any future built form on the site is to reflect the Business Park character of the precinct as well as providing a sympathetic design response to the adjacent Church through design articulation, modulation of form, variation in texture, finishes and materials.



- C2** Development must be of a high visual quality and must include appropriate architectural articulation and modulation of form particularly to the northern frontage to Lord Street and western frontage to the Church.
- C3** Setbacks to the western façade of the building (i.e. facing the St Matthew’s Anglican Church) are to provide space to enable the activation of the ground-floor edge between the site and its boundary with the Church.
- C4** Landscaping of the setback to the western boundary is to facilitate the future integration and transition between the site and the adjoining lawn area within the adjacent Church grounds. Should fencing be proposed between the two properties, ground level setbacks are to ensure the ground floor of the building remains accessible in perpetuity.
- C5** The ground floor of the building is to be designed enable activation of the ground level and is to include outward facing floorspace that is oriented towards the northern and western boundaries of the site.
- C6** Landscaping of the setback to the northern boundary is to be designed so as to contribute positively to the building frontage as viewed from Lord Street and to enhance the visual appearance of the site as a gateway corner to the Lord Street Business Park.

Building Envelope

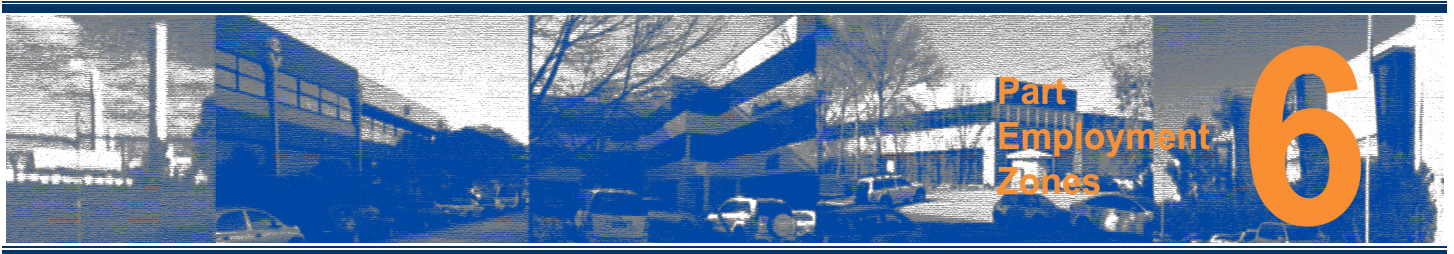
The site’s transitional location adjacent to the Church and medium density residential uses require careful consideration to establish a functional building envelope that is capable of meeting employment-based industry operational requirements of the site as well as appropriately managing impacts on the church and residential uses. Maintaining appropriate levels of solar access to existing residential dwellings and facilitating a scale of built form that is compatible with neighbouring uses are key considerations in this regard.

Controls

- C7** Development on the site must not exceed a height of 16.5 metres and RL 21.82 metres (i.e. height of the church spire).
- C8** Setbacks for any future development on the site are to be in accordance with those outlined in Table 1.
- C9** Upper level setbacks are to minimise solar overshadowing impacts to adjacent residential properties.

Table 1 – Building Setbacks

	Front (Lord St North)	Side (East)	Side (West)	Rear (South)
Ground Level	Minimum 3m from site boundary.	Minimum 8m from site boundary.*	Minimum 7m from site boundary.*	Minimum 6m from neighbouring building



Upper Levels 1-3	Minimum 3m from site boundary.	Minimum 3.5m from boundary.*	Minimum 4m from site boundary.*	Setback to increase by one metre for every additional metre in height for the proposed development, above 5 metres in building height.
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* Where a setback is increased to the western boundary for the purpose of providing careful articulation of upper levels that improves access to natural light to the east facing church windows, a commensurate reduction may be permitted at any point along the eastern setback to a maximum setback reduction of 0.5m.

Building Frontage and Façade Design

The site is unique in that each façade of a future building on the site will respond to different contextual conditions and relationships. The site’s gateway location adjacent to the St Mathews Church heritage item has a transitional role from the open, garden character of the church grounds to the treed and garden commercial frontages of Lord Street, as well as between commercial uses north and east of the site with residential uses to the south.

This places a high degree of importance on ensuring each façade responds to the unique visual qualities and characteristics of its context. Articulation, materials and finishes of each façade play an important role in ensuring a sympathetic and contextually appropriate response to the surrounding context and maintaining the visual prominence of the church.

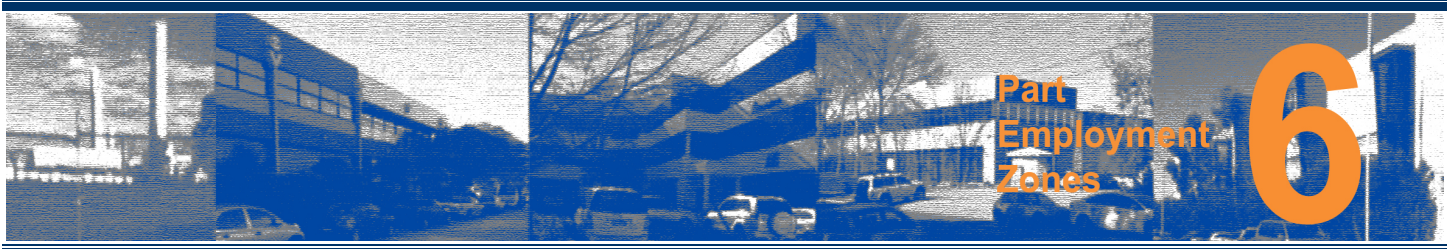
West Façade Objectives

The open church grounds will enable the western frontage of any future built form on the site to be highly visible from Botany Road and from the western part of Lord Street. Any future built form on the site will form a backdrop to the heritage listed St Mathew’s church and will require a sensitive design response to the church.

The intent for the western façade is to provide an active relationship between the Site and the church. Landscaping elements along the north-west corner of the Site can be used to manage the visual relationship between the church and a future building on the Site as well as the visual impact of the north façade on the prominent views to the Church.

The design of this façade is to be consistent with the following objectives:

- O9** To ‘bookend’ the Lakes Business Park precinct with subtle articulation of form and relatively simple composition of façade elements so as to establish a visually sympathetic relationship with the church.
- O10** To use a material palette, building articulation and roof design that provides a backdrop to the church and creates a sympathetic visual relationship between built form on the site and the adjacent church when viewed from Botany Road.



- O11** To provide a contemporary design response that uses high quality materials that work to maintain and enhance the visual prominence of the Church as viewed from Botany Road, with the use of glazing, shading and screening devices, softer articulation and simple composition of façade elements.
- O12** To establish a visual or physical connection between internal ground floor commercial floorspace and external landscaped areas through façade treatments at ground level such as fixed and/or operable glazing.
- O13** To create an active pedestrian access at ground level between the western façade of the building and the western boundary, including seating, soft landscaping and a visual connection to the historic church.
- O14** To ensure the appropriate access to light is provided to the stained glass windows of the adjoining historic church, through careful consideration of building articulation, building materials, colours and design of façade and roof elements.
- O15** To provide protection to openings from the west sun.

North Façade Objectives

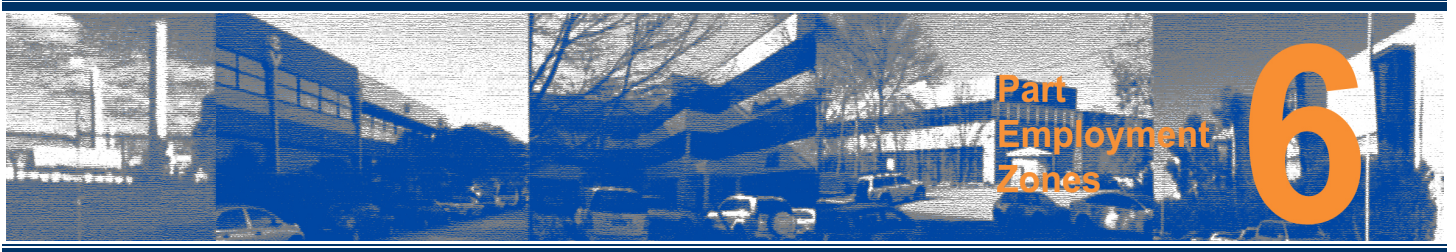
The Lord Street frontage is the main address of the site and provides the opportunity for a unique 'gateway' architectural response to enhance the sense of arrival to the precinct. The design of this façade is to be consistent with the following objectives:

- O16** To provide a level of articulation that provides a unique architectural response, accentuates street presence and provides a strong visual identity to the main frontage of the building.
- O17** To create a sense of visual interest and design quality to the façade facing Lord Street by way of modulation of form and the visual articulation of colour, texture, and materials.
- O18** To include materials and finishes that reflect the commercial and industrial context of Lord Street.
- O19** To enhance the visual qualities of the gateway to the Lakes Business Park precinct.
- O20** To include soft landscaping at ground level between the site boundary and the building, to reflect the garden character of Lord Street.

East Façade Objectives

The east façade of a future building in the site will face towards B7 Business Park zone and will respond primarily to a commercial and industrial context. The design of this façade is to be consistent with the following objectives:

- O21** To provide a high degree of articulation and include a visually interesting composition of materials that reflect the adjacent industrial and commercial context.



South Façade Objectives

The southern façade will directly face a medium density residential development. The design of this façade needs to respond to domestic styles of articulation and materials to soften the visual appearance and manage privacy issues between commercial and residential uses. The design of this façade is to be consistent with the following objectives:

- O22** To provide articulation and modulation to maintain solar access. To provide appropriate screening devices to manage any potential overlooking from south facing openings or balconies.
- O23** To provide landscaping within the rear setback to screen adjoining residential uses and ameliorate any impacts of development.

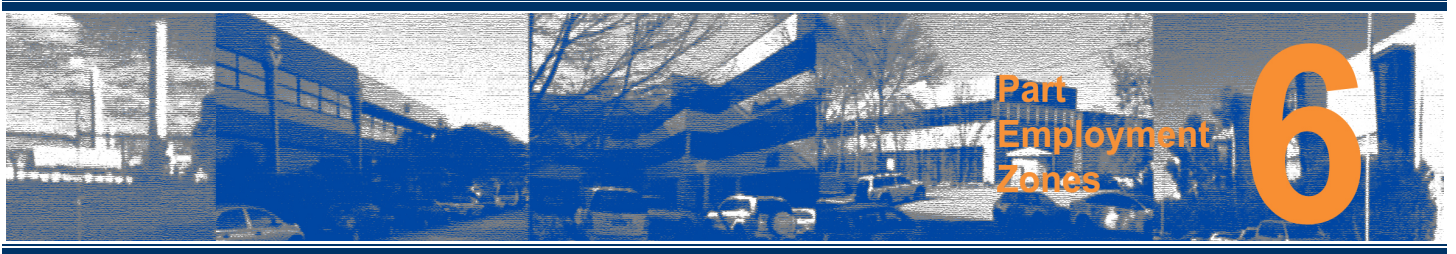
Safety and Security

The intent of this Part is to facilitate activation, provide an attractive interface with the public domain (i.e. Lord Street) and also to establish an interrelationship between the site and the adjacent church grounds. It is anticipated that this interrelationship will primarily occur on publicly accessible, private land. As such, consideration for safety and security of these spaces is essential in the design as well as ongoing occupation stages of development.

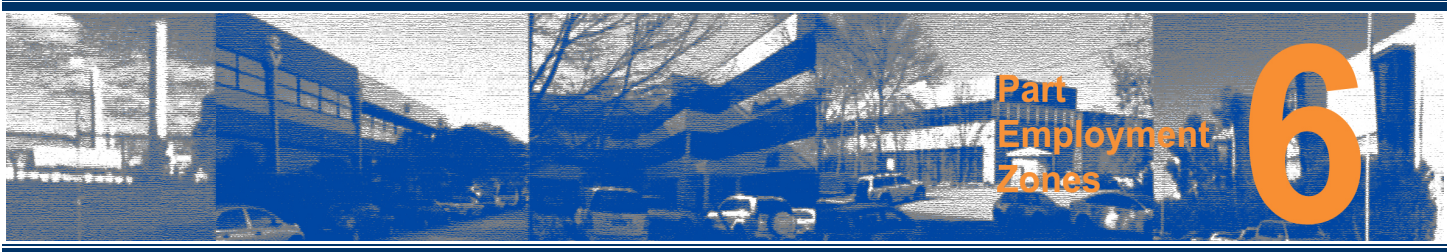
Controls

- C10** Development on the Site should be supported by a Crime Prevention Through Environmental Design (CPTED) study to demonstrate how the development incorporates 'Safer by Design' principles of:
 - **Surveillance:** maximise visibility and surveillance of the public domain and publicly accessible spaces.
 - **Access Movement and Sight lines:** establish direct connections and sight lines that minimise residual spaces and concealment opportunities.
 - **Activation:** maximise activity in the public domain by providing outward-facing land uses, especially at ground level. Where complementary land uses such as takeaway/ food and beverage (e.g. café) are proposed, these should be located at ground level to front onto public streets and/or publicly accessible spaces.
 - **Ownership/ Management:** provide clear definition of public and private areas of the development to ensure that public spaces (e.g. Lord Street/ public street), publicly accessible private space (e.g. laneway link/ lobby spaces) and private space (e.g. commercial premises) facilitate a logical and intuitive understanding of purpose of spaces and the permissibility of access to the public and when.
 - **Management: establish** clearly defined maintenance and management roles between adjoining land (i.e. the Site and adjacent Church) to ensure ongoing

Development Application Requirements



Any Development Application for the site will need to be supported by a Heritage Impacts Statement, which should consider external materials schedules and colours in order to maintain and enhance the visual prominence of the adjacent Church.



6.3 General Provisions

6.3.1 Amalgamation and Subdivision

The size and shape of a land parcel influences the relationship of a new building to its neighbours. Subdivision patterns and site amalgamation can have significant implications for the streetscape of an area. Effective amalgamation patterns promote the efficient use of land, and allow design constraints and interface issues to be more easily resolved.

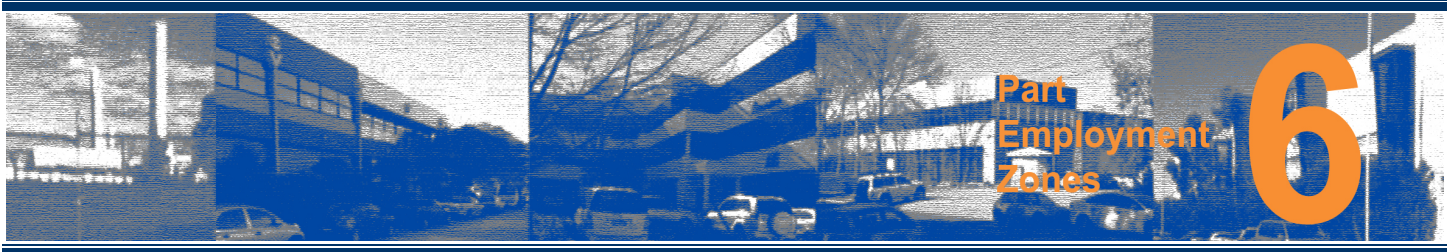
In particular, they help to produce a consistent urban form and built form rhythm which reflects the surrounding development pattern. It also attempts to balance the planning requirements relating to height, massing, underground car-parking, vehicular access, streetscape and amenity to achieve an appropriate building outcome.

Objectives

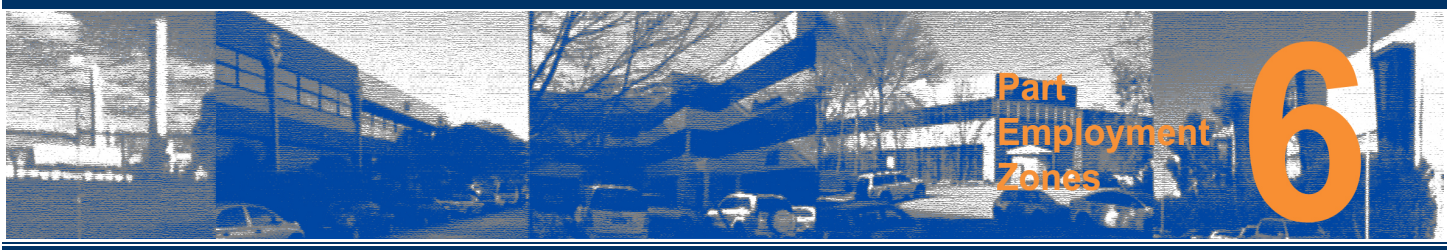
- O1** To ensure site development is consistent with land ownership and to prevent disposal of part of any property that may be integral to the effective functioning of a development and the continued compliance with conditions of consent;
- O2** To ensure sites for new industrial developments are of a sufficient size to provide a functional and efficient area for building(s), vehicle parking and movement, landscaping and the storage of raw materials, finished products, trade waste and recycling bins; and
- O3** To ensure all loading and unloading, turning movements, queuing and parking of vehicles, including delivery vehicles associated with the new development are safe and efficient and occur wholly within the site.

Controls

- C1** Development must comply with **Part 3E - Subdivision and Amalgamation**.
- C2** Detailed site plans for development for any industrial development must demonstrate how the proposed industry, including parking, landscaping and other ancillary facilities, will be wholly accommodated within the site boundaries.
- C3** Where development or use of a number of existing lots is proposed, the lots shall be consolidated into one parcel, and the plan of consolidation lodged with the Land and Property Information NSW Office prior to release of the Construction Certificate. Written notification as to the registration of the Consolidation Plan at the Land Titles Office is to be received by Council prior to the occupation of the premises or use of the site.
- C4** No part of any site is to be separately leased from the remainder of the property for the purpose of a separate occupation or operation from an approved use, except where the prior Development Consent of Council has been sought and received to any such lease, occupation or operation.



- C5** Where there is to be a strata plan of subdivision any space for parking or other purposes forming a part of a sole occupancy unit must be included in the same strata lot as the unit. All landscaped and access areas and directory board signs not forming part of an individual unit must be included in any strata plan of subdivision as common property.



6.3.2 Building and Site Layout

Good design provides a building layout that maximises the natural attributes of the site. Carefully considered building layout and design also creates a high level amenity for occupants through enhanced visual and acoustic privacy, passive heating and cooling, flexible and useable indoor and outdoor spaces that meet the needs of workers and/or occupants.

Objectives

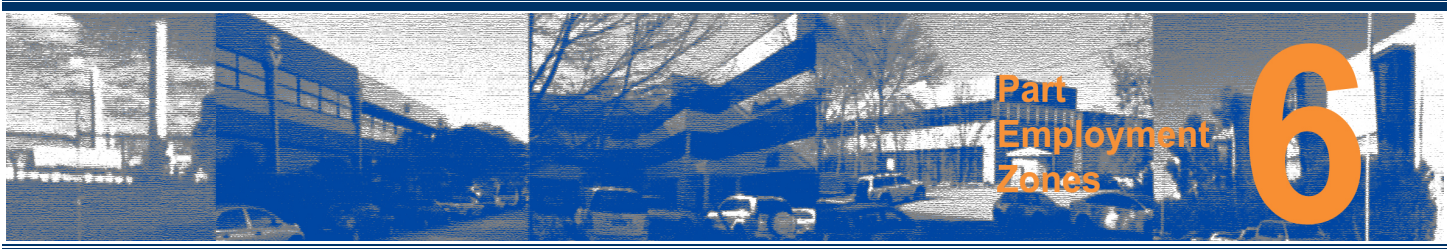
- O1** To ensure signage is compatible with the existing and 'Desired Future Character' of the area in which it is proposed to be located;
- O2** To ensure signage integrates with the building design; and
- O3** To ensure the colour schemes that do not detract from its surrounds.

Controls

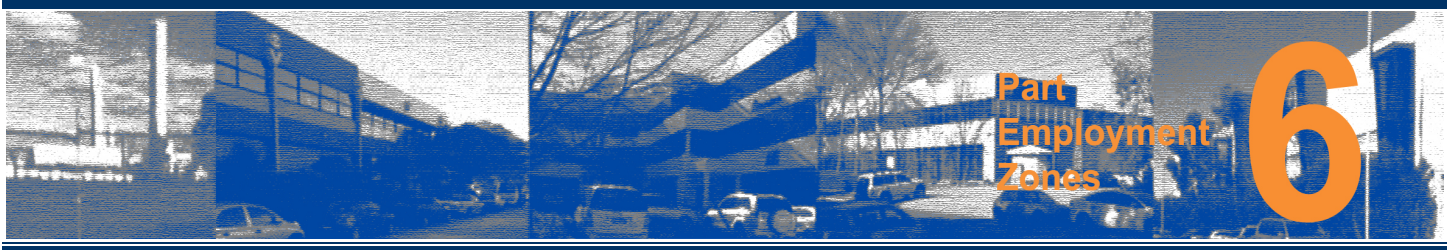
- C11** A site analysis plan is to be lodged with the Development Application in accordance with the Council's **Development Application Guide**.

Note: The layout of the site shall:

- (i) Take into account the site's context and constraints and opportunities;
 - (ii) Provide for all the operations of a use wholly on the site;
 - (iii) Improve the aesthetic amenity of the site and streetscape through adequate landscaping in suitable locations;
 - (iv) Prevent emission of odour and noise to adjoining properties;
 - (v) Use energy efficiency principles;
 - (vi) Consider the open space/amenity requirements of the employees; and
 - (vii) Consider the width of the road reserve and scale and location of adjoining building forms.
- C12** Through careful site arrangements new building works must :
 - (i) Address the street and highlight any non-industrial aspects (ie office section) of the development;
 - (ii) Avoid long blank walls of warehouse units facing the street and long continuous roof lines; and
 - (iii) Provide regular modulation to the façade or division of massing.
 - C13** 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.



- C14** Setbacks are to be deep soil zones (refer to **Part 3L - Landscaping** for Definition). No part of the building or structure (including basement car parks, driveways, or OSD/infiltration system are to encroach into the setbacks).
- C15** Setbacks are to maximise the retention of existing trees and their root systems and may need to be variable to achieve this (includes trees on adjoining properties).
- C16** Internal spaces are to be designed to satisfy the operational requirements of the particular land use whilst proving a safe and convenient work environment.
- C17** Each industrial building must provide for basic amenities including a designated staff room or area that is:
- (i) Of a reasonable area depending on the size, nature and staffing level of the proposed industry;
 - (ii) Adequately furnished for staff; and
 - (iii) Provided with attached kitchen/kitchenette with a fridge, microwave, sink and tea/coffee making facilities.
- C18** New buildings and the creation of new industrial units within close proximity to residential areas 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.
- Note:** If your site adjoins a residential premise please refer to **Part 6.3.11 - Industrial Development Adjoining a Residential Land Use** which requires loading and unloading facilities and car parking to be provided away from the residential boundary.
- C19** Adequate waste removal handling and minimisation facilities are to be provided on site for all development to ensure these facilities are not utilising car parking areas.
- C20** For new development (excluding multi unit industrial development) all loading and unloading facilities and the majority of car parking required for the development is to be provided at the rear or at the side of any buildings. It is not to be provided at the front of buildings. Visitor car parking may be provided at the front of buildings behind the setback required in **Part 6.3.5 - Setbacks**.
- C21** For Multi Unit Industrial Development car parking and loading/unloading facilities is not to be provided within the front setback to the street. Car parking and loading/unloading facilities can be provided from a central courtyard within the site.
- C22** For sites with a road frontage to residential areas (ie Stephen Road, Denison Street, Rhodes, Erith, etc) new construction is to locate offices fronting the residential areas, with restricted access points. The warehouse/factory functions as well as car parking, manoeuvring areas, loading and unloading facilities are to be located away from the residential areas.
- C23** For sites in excess of 1,000m², an outdoor staff recreation area is to be provided. This area:



- (i) Must be a minimum of 16m². with a minimum dimension of 3 metres;
- (ii) May be located within the front building setback, within an upper floor balcony, in an enclosed courtyard or in any other landscaped setting on the site. If this area is provided within the landscaped area at the front of the site, then the landscaped setback required in **Part 6.3.5 - Setbacks** should be increased by an additional 1 metre;
- (iii) Should be designed to include a table and chairs;
- (iv) Enable at least 6m², to receive direct sunlight for the four hours between 10am and 2pm during mid winter; and
- (v) Should provide shading in summer.

C24 Where an industrial unit complex consists of more than 10 units:

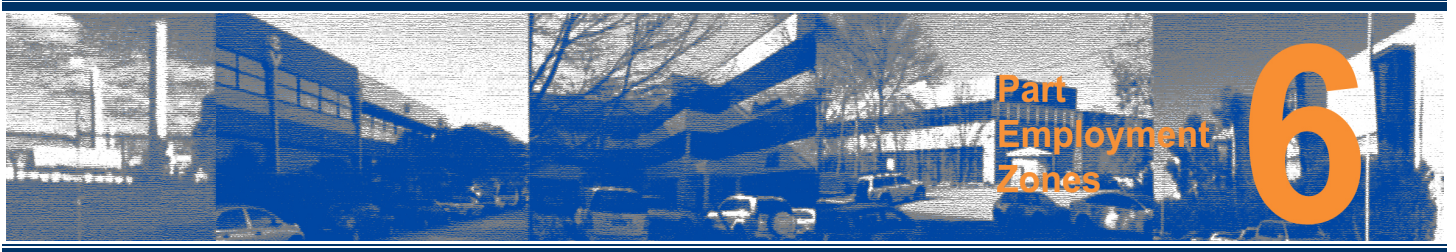
- (i) The building layout must allow for visual connections through and beyond the site to assist in breaking down the visual scale of the development and provide more legible site access for visitors; and
- (ii) Consideration should be given to the use of varying architectural resolutions to further assist in breaking down visual scale and improving legibility for visitors.

C25 Building entrances are to be clearly defined and located so that visitors can readily distinguish the public entrance to each building. Access to each entrance is to be provided by a safe direct route, avoiding potential conflict with vehicles manoeuvring on site.

C26 Site planning is to allow for the retention of significant trees and vegetation, particularly near the street frontage.

C27 Industrial buildings must have an adequate number of openings at each level to allow natural light and ventilation.

C28 Each industrial unit within an industrial complex must have a reasonable size window at each level to allow natural light and ventilation.



6.3.3 Floor space

The gross floor area of a building as a ratio of the site is usually expressed as a floor space ratio (FSR). Council's floor space ratio (FSR) controls aims to facilitate an acceptable bulk and scale of development that is in relationship with the streetscape and adjoining development.

Objective

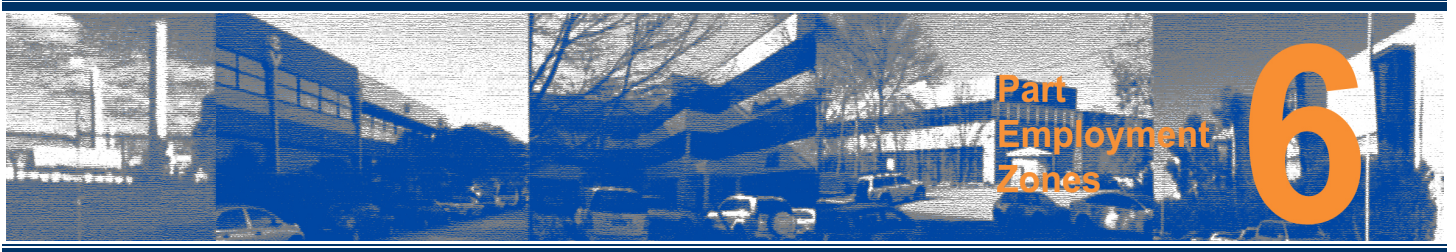
- O1** To facilitate an acceptable bulk and scale of development, that is consistent with the streetscape and minimises impacts on adjoining development.

Control

- C1** The maximum FSR is identified on the Floor Space Ratio Map within Bayside Local Environmental Plan 2021.

Note: Not all site developments may be able to achieve the maximum permissible FSR due to particular site characteristic, such as:

- (i) The size and shape of the land;
- (ii) The presence of existing buildings on site, required to be retained;
- (iii) The need to reduce adverse impacts on neighbouring sites; and
- (iv) Not being able to satisfy Council's traffic, parking and vehicular access requirements.



6.3.4 Building Design and Appearance

Council has strived to achieve buildings of superior architectural quality and innovation in its industrial zones and will continue to do so, favourably supporting buildings of contemporary design that utilise a variety of materials and decorative colours and finishes.

Objectives

- O1** To achieve a high standard of development both in terms of design and finish;
- O2** To achieve developments, which enhance the streetscape of the locality;
- O3** To ensure open storage areas are properly screened to minimise any adverse visual effects of the development;
- O4** To ensure building materials mitigate noise impacts to adjoining development, particularly residential development; and
- O5** To ensure developments do not adversely affect air safety of Sydney Airport.

Controls

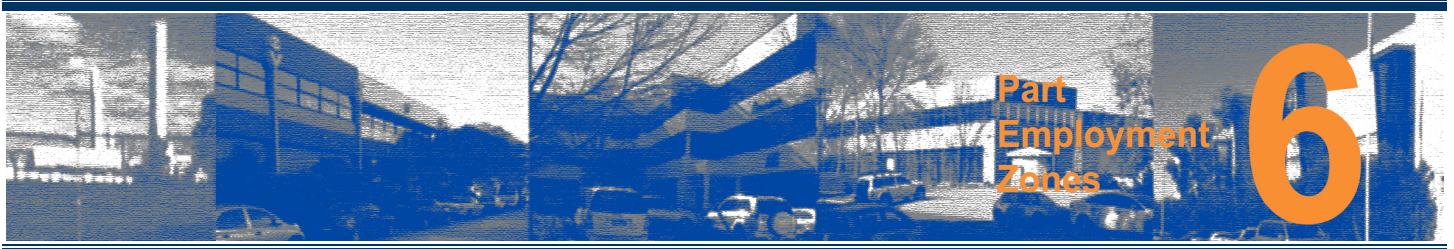
Height

- C1** The maximum building height is indicated in the Building Height Map attached to the Bayside Local Environmental Plan 2021.
- C2** The maximum height of an industrial building must comply with other controls in this DCP relating to urban design, solar access, privacy and residential/industrial interface.
- C3** Compliance with the Civil Aviation Safety Authority requirements.

Note: The Bayside Local Government Area lies within the prescribed airspace for Sydney (Kingsford Smith) Airport. The prescribed airspace for Sydney over Bayside consists of Procedures for Air Navigation Systems Operations (PANS-OPS) and Obstacle Limitation Surfaces (OLS).

The critical component of the prescribed airspace over the Bayside LGA is the Inner Horizontal Surface (51.0 metres AHD) of the OLS for Sydney (Kingsford Smith) Airport. Any intrusion into prescribed airspace would constitute a controlled activity¹ and as such, must be referred to Sydney Airports Corporation Limited (SACL) for an approval process (Airports Act 1996 Section 186).

¹ Section 182 of the Airports Act 1996 defines “Controlled Activities” as: constructing a building, or other structure, that intrudes into the prescribed airspace; altering a building or other structure so as to cause the building or structure to intrude into the prescribed airspace; any other activity that causes a thing attached to, or in physical contact with the ground to intrude into the prescribed airspace.



The approval process involves referral of the application to SACL for assessment relating to safety, efficiency and regularity of air traffic using Sydney (Kingsford Smith) Airport and then onto the Civil Aviation Safety Authority (CASA) and Airservices Australia (AsA) if required.

Consideration during the planning stages should be given to the operating heights of all construction cranes (short-term controlled activities) necessary for the proposed controlled activity. SACL advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct as the height of this equipment is generally significantly higher than the proposed structure, therefore approval may not be granted.

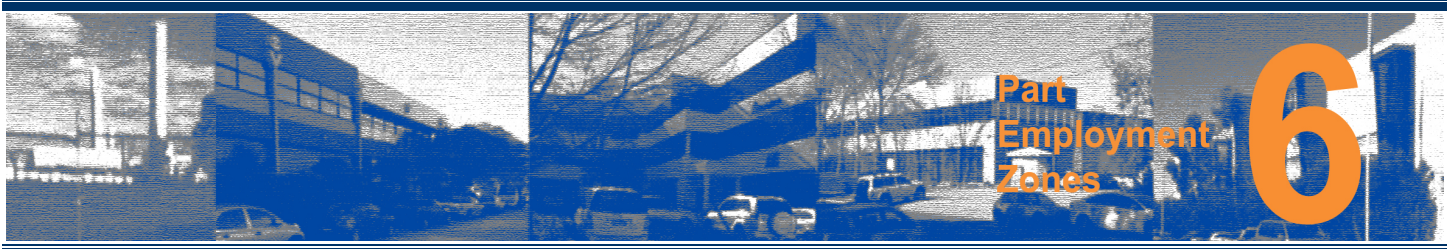
“Permanent controlled activities”² are not permitted to penetrate the Procedures for Air Navigation Services Operations surfaces (PAN-OPS) component of the prescribed airspace.

- C4** The maximum height of a building must be consistent with the height of other buildings in the immediate vicinity. Where the heights of a proposed development are higher than surrounding development, a submission is to be lodged with the Development Application giving reasons for supporting the height discrepancy. Unless proper planning reasons are presented, heights over above that approved in the locality will not be supported by Council.
- C5** 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 in regards to:
- (i) The overshadowing of a dwelling, private open space or public open space;
 - (ii) An inappropriate transition in built form and land use intensity;
 - (iii) The design excellence of a building;
 - (iv) View loss; or
 - (v) The Obstacle Limitation Surface (Please refer to the Precinct Controls).
- C6** All rooftop or exposed structures including lift motor rooms, plant rooms, etc., together with air conditioning, ventilation and exhaust systems, are to be suitably screened and integrated with the building in order to ensure a properly integrated overall appearance. If your site adjoins a residential premise the facilities are to be located away from the residential boundary.

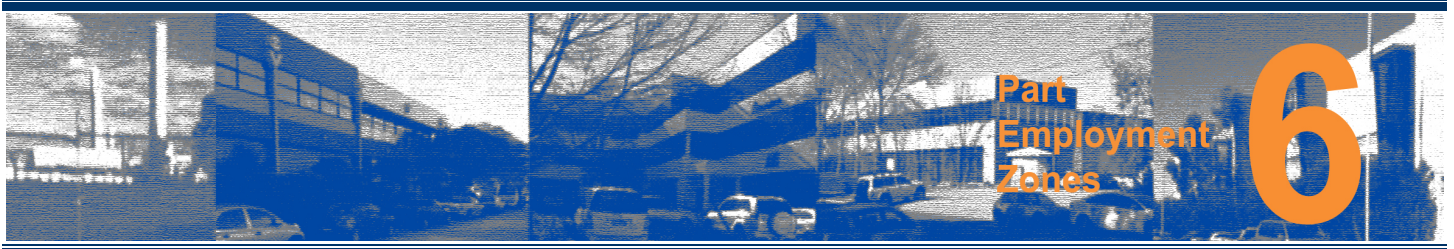
Design

- C7** All development applications involving external building works must be accompanied by a schedule of finishes and a detailed colour scheme for all external walls.
- C8** External finishes must be robust and graffiti resistant. An anti-graffiti coating may be required where buildings adjoins a public place or accessible from an open area that is not secured by fences. The business operator may be required to enter into a graffiti agreement with Council.

² Permanent controlled activity: any structure erected for a period of more than 3 months.



- C9** Where blank walls on street frontages are unavoidable in new construction they must be screened by landscaping or treated as sculptural elements incorporating murals reflecting modern architectural design. They must be finished to a high standard and minimise the potential for graffiti or other vandalism.
- C10** Walls of new development must make use of non-reflective colours and materials to avoid glare. The maximum reflectivity of any glazing is not to exceed 20% to avoid nuisance in the form of glare to occupants of nearby buildings, pedestrians and motorists.
- C11** All elevations of a building fronting a public place, or visible from a rail line, public place or proposed road, must be constructed of face brickwork or other decorative facade treatment to Council's satisfaction. Consideration must be given to installing windows or false windows in the facade to enable surveillance of the adjoining area or to engender a feeling that it is being overlooked.
- C12** Buildings should be of a contemporary and innovative design. All public frontages should be specially articulated with the use of brick, stone, concrete, glass (non-reflective), and like materials, but not concrete render.
- C13** Open style or transparent materials are encouraged on doors and/or walls of lifts and stairwells, where fire safety requirements allow.
- C14** Building height, mass, and scale should complement and be in keeping with the character of surrounding and adjacent development.
- C15** New buildings must be designed to:
- (i) Address the street and highlight any non-industrial aspects (such as the office section) of the development;
 - (ii) The administration office or showroom must be located at the front of the building;
 - (iii) The front door to a building is to face the street;
 - (iv) Building entrances should be clearly defined and well articulated through form, materials and colour and provide level or ramped access;
 - (v) Waiting areas and entries to lifts and stairwells are to be close to areas of active use and be visible from building entrances;
 - (vi) Windows on the upper floors of a building must, where possible, overlook the street;
 - (vii) Avoid long blank walls of warehouse units facing the street and long continuous roof lines;
 - (viii) New construction is to achieve both functional and visually attractive buildings;
 - (ix) Provide regular modulation to the facade or division of massing;
 - (x) Architecturally express the structure of the building by variation and minimal use of reflective glass;
 - (xi) Visually reinforce entrances, office components and stair wells of units to create rhythm on long facades and reduce perceived scale;
 - (xii) Introduce variation in unit design within building works;
 - (xiii) Introduce solid surfaces, preferably masonry, and incorporate horizontal and vertical modulation including windows in appropriate proportions and configurations;



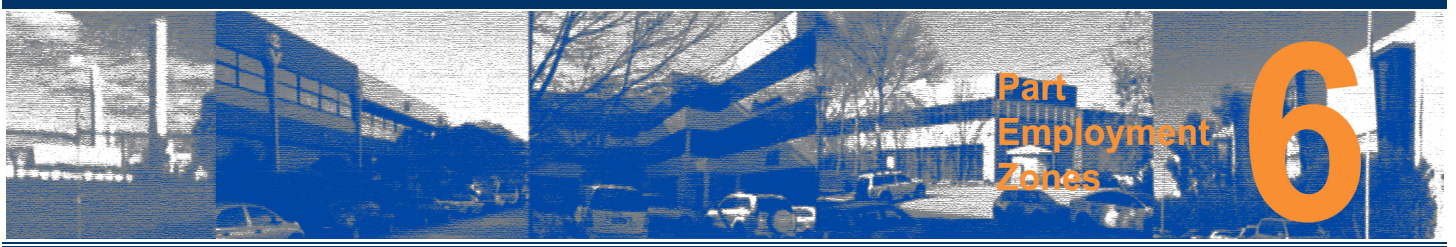
- (xiv) New development on corner sites must address both street frontages in terms of facade treatment and articulation of elevations; and
- (xv) Avoid bulky roof forms or extensive blank facades in a single material or colour.

- C16** The street number of a building must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of the building.
- C17** Where industrial 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.
- C18** New buildings and the creation of new industrial units within close proximity to residential areas 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.

Note: If a site adjoins residential uses loading and unloading facilities and car parking to be provided away from the residential boundary (refer to **Part 6.3.11 - Residential/Non-Residential Interface** and **Part 6.3.12 - Noise and Hours of Operation**).

- C19** All external walls, where located less than 900mm from a side boundary, must be of masonry construction.
- C20** No service plumbing pipes, other than downpipes for the conveyance of roof water, must be external to the building or visible to any public place.
- C21** Buildings should maximise energy efficiency, through measures such as the use of high efficiency lighting systems, insulation, natural ventilation, and low embodied energy materials.
- C22** For new development all loading and unloading facilities and the majority of car parking required for the development is to be provided at the rear or at the side of any buildings. It is not to be provided at the front of buildings. Visitor car parking may be provided at the front of buildings behind the setback.

Note: For Multi Unit Industrial Development car parking and loading/unloading facilities is not to be provided within the front setback to the street. Car parking and loading/unloading facilities can be provided from a central courtyard within the site
- C23** Driveways must provide adequate sight distance for the safety of pedestrians using the footpath area in accordance with AS2890.1 and AS2890.2.
- C24** Pathways should provide direct access and any edgework should be low in height or not reduce visibility of the pathway.
- C25** Entry to basement parking areas should be through security access via the main building. This access should be fitted with a one way door (allowing for fire safety provisions) and allow only authorised access from the foyer into the basement.



- C26** Internal spaces are to be designed to satisfy the operational requirements of the particular land use whilst proving a safe and convenient work environment.
- C27** 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.

Public Utilities

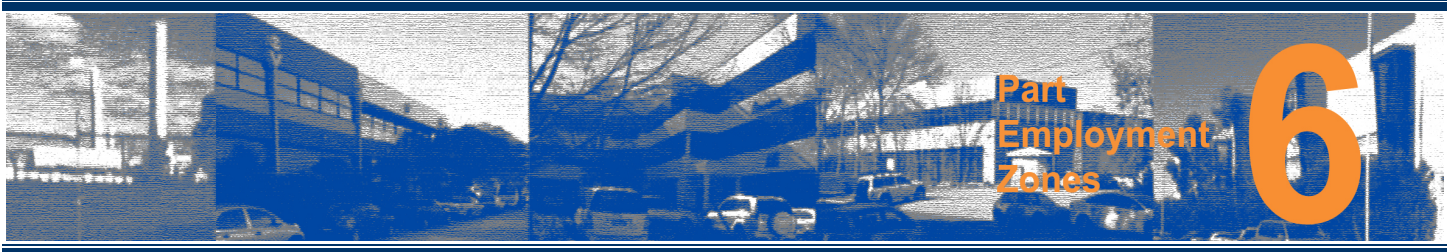
- C28** For new development and substantial alterations to existing premises provision must be made for connection to future underground distribution mains. In such developments the following must be installed:
- (i) An underground service line to a suitable existing street pole; or
 - (ii) Sheathed underground consumer mains to a customer pole erected near the front property boundary (within 1 metre).
- C29** Council may require the bundling of cables in the area surrounding the development to reduce the visual impact of overhead street cables.

Lighting

- C30** Lighting must be provided to the external entry path, common lobby, driveway, and car park to a building using vandal resistant, high mounted light fixtures.
- C31** The lighting in a car park must conform to AS1158.1, AS1680, and AS2890.1.
- C32** External lighting to an industrial development must give consideration to the impact of glare on the amenity of adjoining residents.

Facilities

- C33** The siting of a telecommunication facility, aerial, satellite dish, plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must integrate with the architectural features of the building to which it is attached; or be sufficiently screened when viewed from the street and neighbouring residential zoned land.

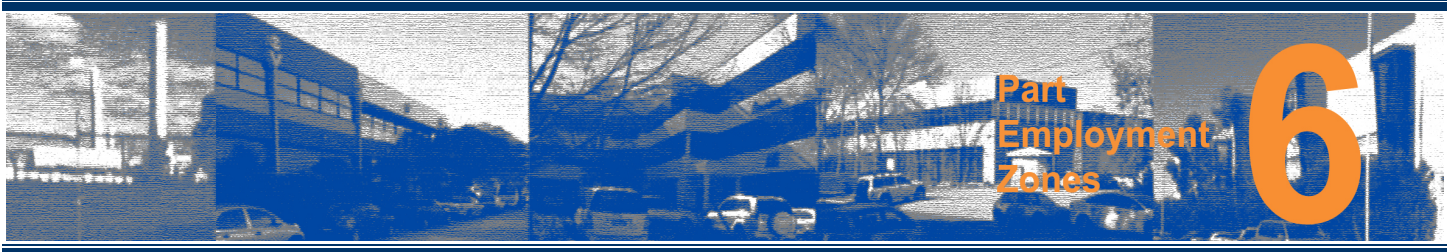


Service Areas

- C34** Service areas including waste, recycling areas and external storage areas are to be located away from principal street frontages and screened from view.

Kerb, Gutter & Footpaths

- C35** The kerb and gutter, concrete footpath (or paved footpath) and any associated works along all street(s) frontage of a site shall be constructed and/or reconstructed of at the full cost of the developer.



6.3.5 Setbacks

Setbacks enable landscaping and buffers to be provided. Setbacks contribute to the streetscape and help to modulate a building's bulk and scale.

Objectives

- O1** To minimise the impact of development and buildings on the surrounding area;
- O2** To create a pleasant environment within and external to the site; and
- O3** To ensure setbacks to Alexandra Canal and the Mill Pond.

Controls

- C1** Setbacks are to be in accordance with the following **Table 1**.

Note: Greater setbacks will be required for bulky, hazardous and noise or odour generating activities.

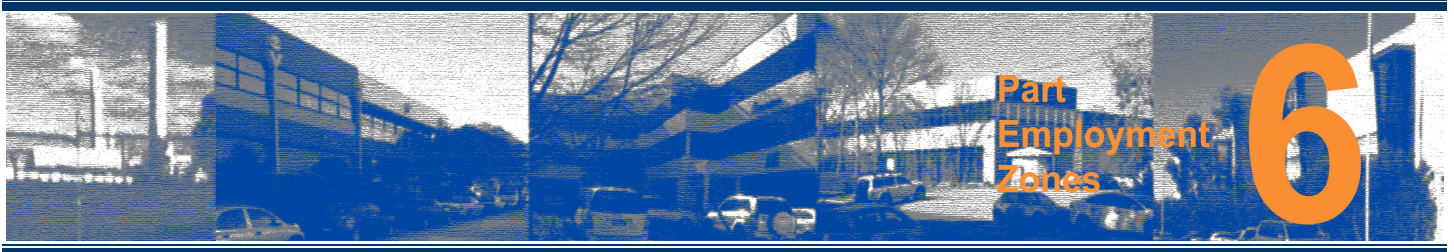
Note:

- 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.

- C2** Notwithstanding C1 above, no buildings, structures, car parking, storage or vehicle manoeuvring areas are permitted within a minimum 10 metre wide area adjoining Alexandra Canal and 6 metres along the tributaries of the Canal.

The setback is to be landscaped and planted with appropriate species, as detailed in the Alexandra Canal Masterplan, such landscaping not to include plants with invasive root systems and that have the potential to damage the canal wall or its surrounding infrastructure.

- C3** Setbacks on corner blocks must enable sufficient sightlines for traffic in accordance with the relevant Australian Standard (AS2890.1).
- C4** Setbacks are to be deep soil zones (refer to **Part 3L - Landscaping** for a definition of “deep soil zone”). No part of the building or structure (including basement car parks, driveways or OSD/infiltration) system are to encroach into the setbacks.



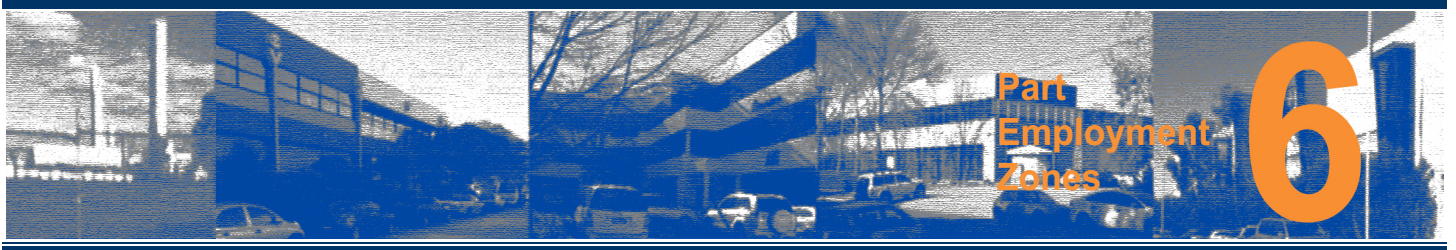
C5 Setbacks are to maximise the retention of existing trees and their root systems, and may need to be variable to achieve this (includes trees on adjoining properties).

Table 1 - Setbacks

Boundary	Landscaping Setback (Refer to Note 4)	Building Setback (Refer to Note 1)
Front - to a non-classified road (Refer to Note 2)	3 metres	9 metres (Refer to Note 5) (Refer to Note 6 for corner sites)
Front - to a classified road (Refer to Note 2)	4 metres	9 metres (Refer to Note 5) (Refer to Note 6 for corner sites)
Side - adjoining a non-residential use/zone Including lanes	2 metres	2 metres (Refer to Note 6 for corner sites)
Side - adjoining a residential use/zone or in the Council's opinion the building impacts on the streetscape	3 metres	3 metres (Refer to Note 6 for corner sites)
Rear (Refer to Note 3)	Nil to 3 metres	Nil to 3 metres

Notes:

1. Building setback relates to new building works. Underground parking is to be situated underneath the building footprint. The building setback is inclusive of the landscape setback required under this Table.
2. Classified roads are defined by the *Roads Act 1993*.
3. The setback will depend on the character of the site and its surrounds. Please check with Development Assessment Officers. Rear boundary walls are to be treated aesthetically.
4.
 - i. Landscaping setbacks are to be free from overhangs, hard elements such as paths, ramps, substations; fire hydrant boosters; signs, parking (both above ground and underground) advertising structure (including pole signs); and
 - ii. May be used in calculation 10% landscaped area.
5. New buildings are to be setback a minimum of 9 metres (this includes the landscaped setback) from the street frontage unless the prevailing setback is closer than 9 metres, or unless stipulated differently in this DCP. For sites fronting designated roads the minimum building setback is to be 4 metres.
6. New development on sites that have a corner frontage is to provide a 9-metre minimum setback to the main street/road and a minimum 3- metre setback to the secondary road/street.
7. Where the setback of adjoining buildings is inconsistent, the building should be consistent with the dominant setback found along the street.



6.3.6 Parking and Vehicular Access

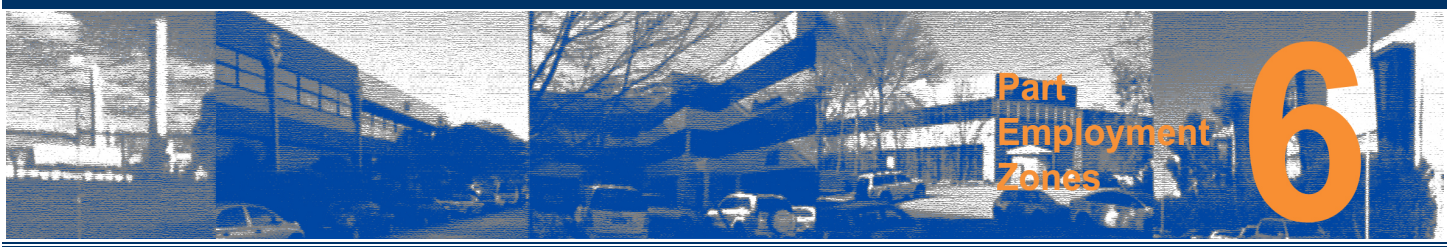
Industrial traffic has a great impact on residential areas within Bayside. It is important that all servicing, loading/unloading and parking are provided on site for new development, and that with any change of use external impacts (such as traffic and car parking impact on the road networks) are minimised.

Objectives

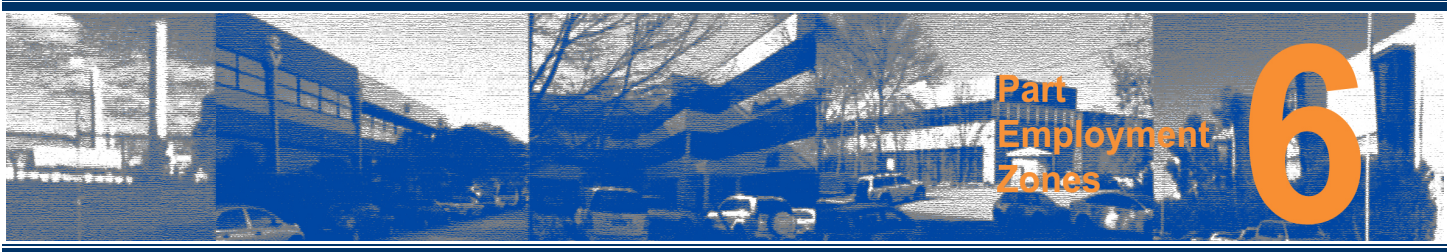
- O1** To encourage the provision of parking, vehicular access and servicing areas that are:
 - (i) Integrated with the form and arrangement of buildings on site;
 - (ii) Suitably designed and landscaped to minimise large expanses of hard paving;
 - (iii) Pleasant, safe and provide shared working environment; and
- O2** To provide opportunities for large developments to integrate with public transport services where appropriate.

Controls

- C1** All vehicles (including deliveries) are to enter and leave the site in a forward direction with no vehicles permitted to reverse from or onto public road. A Swept Path Analysis may be required for the largest vehicle accessing the site.
- C2** A Traffic and Parking Impact Assessment Report shall be prepared. The Traffic and Parking Impact Assessment Report is required to be prepared by a suitably qualified and experienced civil engineer and in accordance with the current version of AUSROADS “Guide to Traffic Management, Part 12: Traffic Impacts of Development” and RMS “Guide to Traffic Generating Development”.
- C3** Car parking areas are to be suitably covered with canopy trees and are to be screened with landscaping and paved to reduce their impact (refer to **Part 3L - Landscaping**).
- C4** Parking provision should be in accordance with the **Part 3A - Car Parking**.
- C5** All internal circulation roads, turning areas, parking aisles, parking bays, service areas and service bays are required to be sealed with hard standing all weather materials. Any alternative materials require Council approval.
- C6** Separation of service areas (loading/unloading) and parking areas is required.
- C7** All loading and unloading operations shall only be carried out wholly within the dedicated service bays at all times and shall not be made direct from public places, public streets or any road related areas.

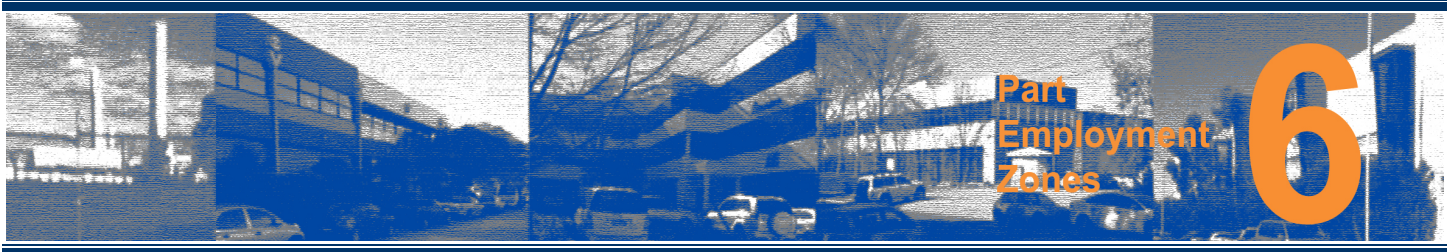


- C8** All loading/unloading facilities and service bays (including parking bays for commercial vehicles) are to be provided in accordance with the current RMS “Guide to Traffic Generating Developments” and Australian Standard 2890.2 - 2002 Off Street commercial vehicle facilities.
- C9** All loading docks, car parking spaces, internal circulation access and access driveways are to be kept clear of goods at all times and should not be used for storage purposes including garbage storage, good and machinery.
- C10** Access driveways/vehicular crossings are to be designed to accommodate the turning circle of the largest vehicle expected to use the service area without crossing the centreline of the road. Specific consideration is to be given to two-way simultaneous movements
- C11** The minimum width of the access driveways/vehicular crossing at the property boundary shall be in accordance with AS2890.2.
- C12** All servicing, including garbage collection, is to be carried out within the site with suitable collection points at convenient locations.
- C13** The following information is required:
- (i) Details of all traffic generation and possible impacts;
 - (ii) The largest vehicle expected to access the site (including delivery);
 - (iii) The frequency of deliveries to the site; and
 - (iv) The maximum number of staff expected to be on-site at any one time.
- C14** Access routes for delivery vehicles are to be specified.
- C15** Development on sites south of Wentworth Avenue is required to access the site via the use of Foreshore Drive.
- C16** 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.
- C17** Where significant amounts of traffic generation will affect the traffic flow efficiency and safety of the local and arterial road network, the proponent is required to provide, at full cost, a package of mitigative measures to support the development. Both the Council and the RMS will assess the mitigative measures.
- C18** Proposed parking areas, truck docks, driveways, vehicular ramps and turning areas are to be maintained clear of obstruction and used exclusively for purposes of car parking, loading or unloading and vehicular access respectively. Under no circumstances are such areas or any portion thereof to be used for the storage of goods and waste materials.
- C19** Provision must be made for all loading and unloading of goods and manoeuvring of vehicles to take place in an internal dock areas and adjoining goods handling area. These areas are to be physically line marked and are to be maintained free of obstruction, for the sole use of delivery vehicles.



C20 Where Council is asked to reduce the required numbers of car parking under **Part 3A - Car Parking** due to a private (company owned) bus link with the Mascot Railway Station. The Application is to provide details of the bus size, bus times and indicate the provision of on-site bus parking.

Note: If the private bus service ceases then additional car parking will need to be provided on-site by the applicant. Conditions will be included in any consent issued by Council addressing these issues.



6.3.7 Signage

It is important that a coordinated approach is adopted towards signage.

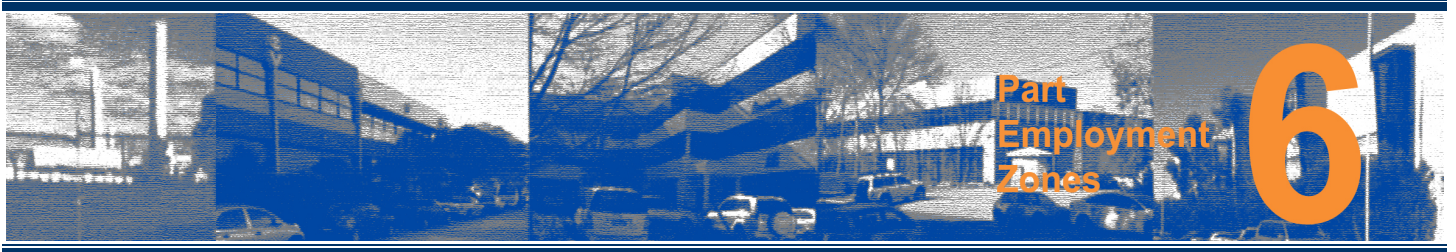
Note: This clause does not relate to third party advertising signage.

Objective

- O1 To ensure adequate identification of all industrial premises whilst preventing the proliferation of advertising signs or structures.

Controls

- C1 Signage shall comply with **Part 3D - Signage**.
- C2 Advertisements and associated structures are to be placed so that they enhance the architectural and landscape presentation of the locality, and be proportional to the scale of the building and surrounding open space within which they are placed.
- C3 A property identification number is to be displayed conspicuously at a prominent position on the property.
- C4 Free standing advertisements and associated structures shall relate (in their size and form) to the scale of the building(s) on site, visibility and other advertisements in the vicinity (to avoid clutter).
- C5 All large sites shall contain suitable directional signs within strategic vehicular and pedestrian locations within the development.
- C6 There shall be no lighting overspill from signage.



6.3.8 Site Facilities

Site facilities generally include mailboxes, waste storage and garbage collection areas, general storage areas, gatehouses, substations, staff recreational facilities, telecommunications, fire hydrants/booster valves, and water storage/recycling tanks. Site facilities need to be appropriately designed and well integrated within the development, as the facilities need to be accessible to occupiers of the development.

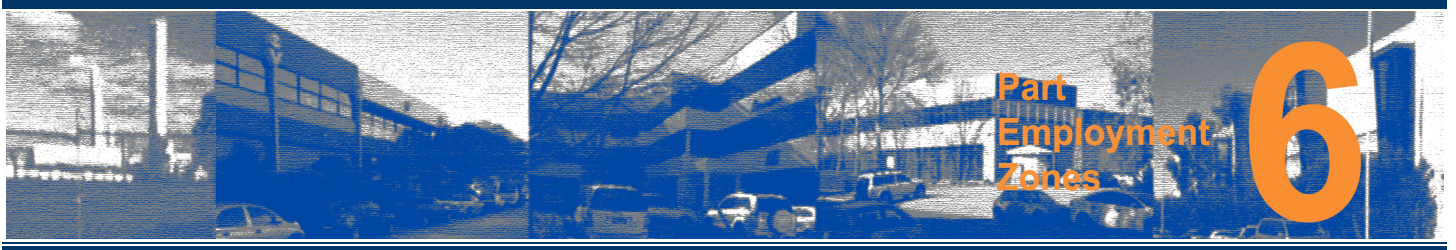
Consideration needs to be given to the impact of these facilities on the overall appearance and amenity of the development and the local streetscape.

Objectives

- O1** To ensure site facilities are designed as part of the overall development;
- O2** To achieve the safe and aesthetic provision of services; and
- O3** To ensure that open storage areas are properly screened to minimise any adverse visual effects of the development.

Controls

- C1** New site facilities such as mail boxes and electricity sub-stations shall be designed and/or sited so that they enhance the development.
- C2** New site facilities shall be situated so that there is satisfactory vehicular access by service personnel and vehicles.
- C3** The existing above ground electricity and telecommunication cables within the road reserve and within the site shall be replaced, at the applicant's expense, by underground cable and appropriate street light standards, in accordance with the Energy Providers guidelines. The applicant shall bear the cost of the new installation and the first 12 months of additional street light charges.
- C4** In some cases it may be necessary to provide an electricity substation at the front of the development adjacent to the street frontage. This will involve dedication of the area as a public road to allow access by the electricity provider. The front boundary treatment used elsewhere on the street frontage shall be used at the side and rear of the area
- C5** The name and address of the premises shall be displayed in a position that is clearly visible from the street and / or service lane to assist identification and deliveries.
- C6** The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.

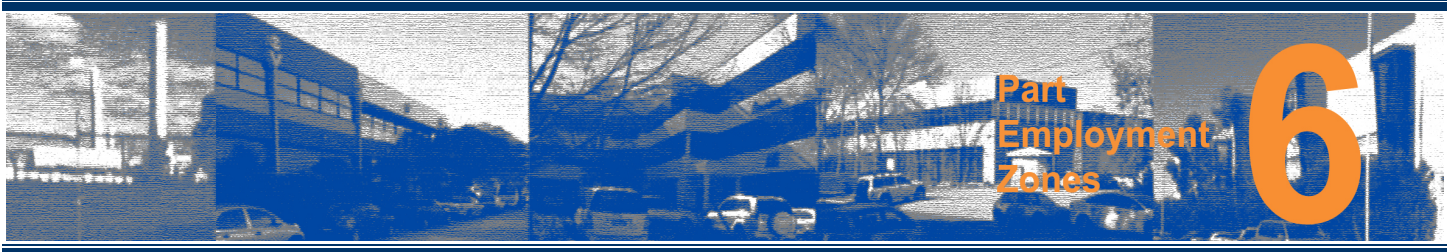


- C7** Development must not be carried out on the land until arrangements satisfactory to Sydney Water have been made for the provision to the land of water and sewerage services.

Note: Developers of proposed developments in Bayside that will affect Sydney Water's water and wastewater systems are required to obtain a Section 73 Compliance Certificate from Sydney Water before development can proceed. This will be a condition of consent for these developments. Issuing of the Certificate will confirm that the proponent of the development has met Sydney Water's detailed requirements, which include but are not limited to correctly sized water and wastewater mains; adjustments, extensions or amplifications; payment of Sydney Water charges; landscaping; and the completion of any other requirements. Adjustments to existing Sydney Water systems resulting from developer activity will be charged to the particular developer.

Developers are encouraged to engage the services of a Water Servicing Coordinator (WSC) to obtain the Section 73 Certificate and manage the servicing aspects of their projects. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at www.sydneywater.com.au.

- C8** New utility services associated with the development of the site, such as fire hydrant booster valves, substations, water storage tanks and so on are not to be incorporated into the landscaping to be established in the development of the land.
- C9** Any open storage areas shall be delineated in area, to be screened effectively and shall harmonise with existing or proposed landscaping and prevent the land 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. The storage areas are not to be located within the landscaped area.
- C10** Letterboxes shall be located along the front boundary and be clearly visible and accessible from the street.
- C11** Owners are to provide their own waste management services. These facilities will vary depending on the needs of the site. Any waste management equipment must not be visible from the street. Waste bins must be provided in a designated area that is easily and safely accessible for workers.
- C12** Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council.
- C13** Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
- C14** Any electrical kiosk, fire booster assembly or similar utilities are to comply with the provisions of **Part 3L – Landscaping**.



6.3.9 Landscape

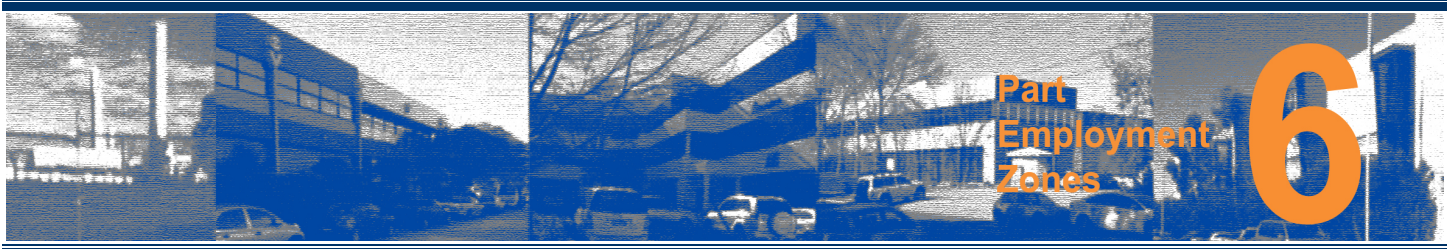
Since the early 1980's, Bayside Council has set a precedent by upgrading the image of its industrial areas by extensive, well designed landscaping on development sites.

Objectives

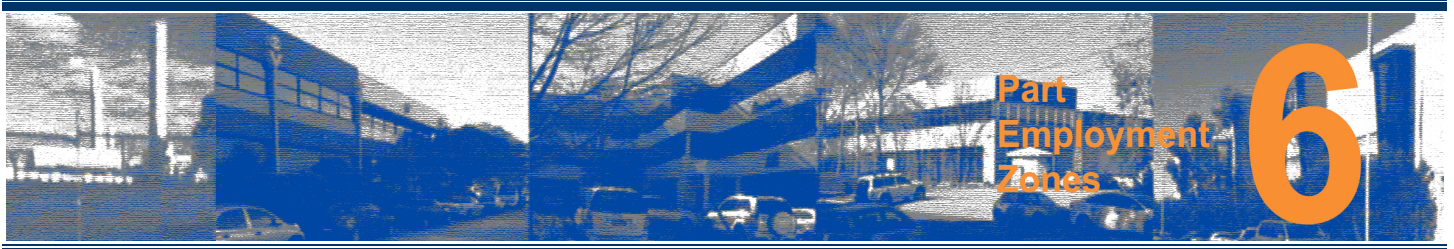
- O1** To ensure that future development contributes to the creation of a high quality landscape environment in the Precinct, to improve the appearance of developments, the streetscape and the public domain;
- O2** To subdue the appearance of buildings by providing landscaping and planting that is of an appropriate scale for the building envelope;
- O3** To retain existing trees both inside and outside the site and provide suitably proportioned areas of well designed landscaping on each development site;
- O4** To improve the visual and environmental amenity of industrial and commercial areas;
- O5** To screen unsightly land uses and provide landscaped buffers between other properties and land uses, especially residential;
- O6** To provide pedestrian linkages and connections to surrounding public domain and community facilities on larger sites;
- O7** To provide recreation areas for workers in larger developments;
- O8** To design landscaping so that is integrated with the built form - the size, scale, building envelope and finishes, as well as parking, circulation and service facilities; and
- O9** To increase natural stormwater infiltration and decrease runoff through landscaping.

Controls

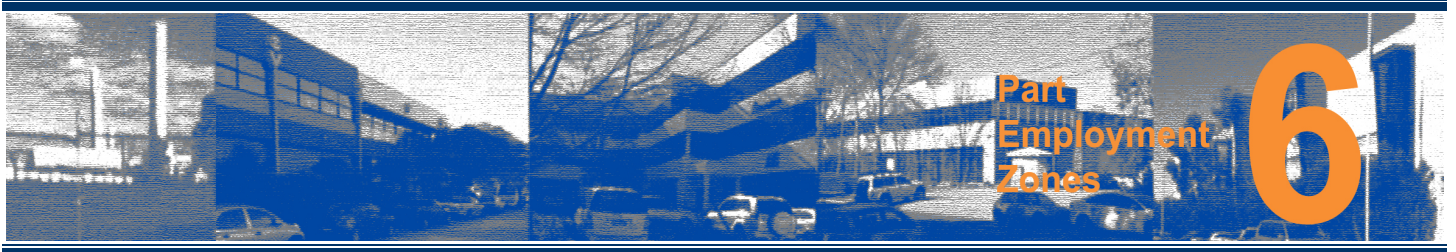
- C1** Landscaping is to be designed to ameliorate the bulk and scale of industrial and business park buildings, to shade and ameliorate large expanses of pavement and surfacing, to create a comfortably scaled environment for pedestrians in the public domain or from within the site and to screen utility areas and the like. Emphasis is to be placed on leafy internal spaces and landscaped setbacks designed for screening and visual amenity. In designing landscaping on a site, the requirements of **Part 3L - Landscaping** are to be complied with.
- C2** Existing trees, including Council street trees and trees on neighbouring properties, are to be retained and adequate provision allowed for the protection of their primary root zone and canopy when locating new buildings, driveways and parking areas (refer to **Part 3F - Tree Management**).



- C3** Planter beds at the base of the building façade are encouraged to soften and visually ground buildings.
- C4** Canopy trees are to be planted liberally throughout the development and with a contiguous, even distribution to reduce the scale and bulk of buildings, unify buildings with the landscape and open spaces, enhance the streetscape and provide shade and canopy cover over the site. Minimum tree size is 100 litre. Tree selection shall be in scale with building heights and shall be strategically located, for example, to soften the ends and corners of buildings. Canopy trees strongly influence the impacts of a development on the streetscape.
- C5** Energy efficient and sustainable landscaping practices are to be incorporated in the landscape design.
- C6** Vehicle manoeuvring, circulation, access and parking areas are to be located on the site in order to maximise the area available for landscaping. Excess hardstand areas are to be minimised. Contrasting pavement finishes shall be used to break up large sections of paving and to delineate different usages.
- C7** Stormwater absorption basins are to be planted with suitable trees and native grasses in preference to lawn. Species are to be tolerant of periodic inundation and water logging and shall not reduce the storage capacity of the basin. Species are not to have invasive root systems.
- C8** Landscaping in the public domain is to reinforce existing streetscape planting themes and patterns. Council may require the developer to provide street tree planting, landscaping, paving or street furniture in any development proposal.
- C9** Not less than 10% of the development site shall be landscaped. On sites over 2000m² the front landscaped setbacks are additional to the 10% requirement. The majority of landscaping shall front the street/s to which the development has frontage and include side and rear landscaped areas.
- C10** If an existing site is to be re-furbished, or with change of use applications, and if the landscaping forms less than 10% of the site area, then 10% will be sought if there is unused land available or excess parking. If there is less than a 3 metre wide landscaped frontage width this will also be sought.
- C11** If underground parking is included it must be located beneath the building footprint so that all landscaping and landscaped setback areas are deep soil natural ground zones (refer to **Part 3L-Landscaping** for a definition of a Deep Soil Zone).
- C12** Landscaped setbacks on side and rear boundaries should not contain access or fire egress paths. These should be positioned outside the landscaped setbacks or a wider setback provided.
- C13** Sub-surface on-site stormwater detention devices (OSD) are not to be located within any landscaped setback or underneath areas to be landscaped or planted. Alternative locations such as underneath driveways, car parks, pavements or within basements is required. Additionally, no stormwater inlet pits, piping or OSD structure are to be located within the canopy dripline or 3 metres outward of the dripline of existing trees to be retained. Above ground rainwater tanks shall not be visible from the public domain.



- C14** Landscaped setbacks shall be in accordance with **Part 6.3.5 - Setbacks** are to be landscaped to provide an effective, purposeful and site responsive planting design to enhance the visual amenity of the development, particularly at the interface with residential development and the public domain.
- C15** The rear and side setbacks shall contain tall screen planting that retains foliage near ground level using suitably selected trees and shrubs. A layered landscape approach is required using trees and shrubs of varying height, form and canopy dimensions to adequately ameliorate the development and provide screening and visual amenity where required.
- C16** Areas containing trees are to be of suitable dimensions to allow for lateral root growth as well as adequate water penetration and air exchange to the soil substrate.
- C17** A continuous landscaped planter bed shall also be provided between driveways and site boundaries of minimum dimensions 1 metre, 2 metres is preferred to screen driveways and buffer vehicular noise.
- C18** Any planter bed within a development (excluding setbacks) shall be a minimum of 1 metre wide.
- C19** All fence and masonry wall details shall be indicated in the landscape documentation and shall be in accordance with **Part 6.3.10 - Fences**. Retaining walls shall be masonry or concrete and to a Structural Engineer's design if over 500mm in height.
- C20** Landscaped areas shall be supplied with a fully automatic drip irrigation system with moisture sensors.
- C21** All planter beds shall be contained by a 150mm high concrete kerb or masonry edge and all car parking spaces shall contain concrete wheel stops. Car parks shall be landscaped in accordance with **Part 3L - Landscaping**.
- C22** New footpaths shall be appropriately located within the street with consideration for obstruction cause by electrical pillar associated with the undergrounding of mains power.



6.3.10 Fences

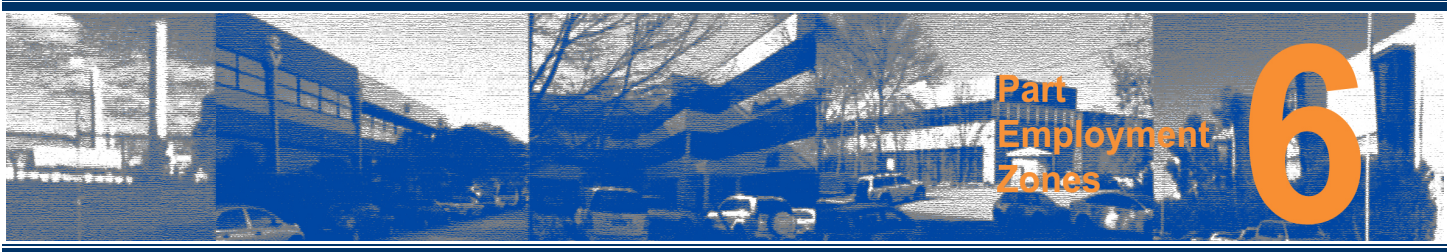
Fences and walls along the main street frontage, and dividing fences in front of the building alignment, can dominate the streetscape so they should be well designed, compatible with others in the street and constructed of materials that are compatible with buildings on the site and fences on adjoining properties. By keeping front fences either low or semi-transparent the streetscape has a more open, landscaped quality.

Objective

- O1 To provide guidelines for fencing of developments affected.

Controls

- C1 Fences are to be located behind the street frontage landscaped area or incorporated within the landscapes setback. All fencing along the street frontage is required to be permeable metal palisade or picket powder coated in a suitable colour, dark colours are preferable. Maximum height is 1.8 metres on street frontages.
- C2 Chain wire is permitted only on the side and rear boundaries with commercial or industrial developments, commencing at the front building alignment - not the front boundary. All chain wire fencing is required to be black PVC coated.
- C3 If the side or rear boundary faces a side or rear boundary of a residential premises, a timber paling/colourbond fence (commencing at the front building alignment) is allowed.
- C4 Council may require that any fencing be replaced in any development if it is in a dilapidated condition.
- C5 Masonry retaining walls along the frontage are restricted to 600mm in height.
- C6 Solid metal panel fences of any height are not permitted along the street frontage or in front of the building alignment.
- C7 Access gates shall be hung so that the direction of swing is inward.
- C8 Fences adjacent to access driveway/vehicular crossings are to be designed and constructed to ensure adequate sight distances can be maintained in accordance with the requirements of AS2890.1 and AS2890.2.



6.3.11 Industrial Development Adjoining a Residential Land Use

The residential/non-residential interface is one of the major issues within Bayside. Industrial and related developments have potential to cause a significant environmental impact in terms of odours, noise and discharges. Whilst some of these impacts are addressed by the *Protection of the Environment Operations Act 2008* the design and operation of development in industrial and business park area can contribute to avoiding these issues. The impacts may be on more sensitive land uses in nearby residential areas or on other uses (including dwellings) within the industrial and business park areas. As the range of uses permitted in the industrial areas is quite significant it is necessary to consider these impacts on land uses within the industrial and business park zones.

In order to protect adjoining or neighbouring residential development, the following interface amenity controls have been crafted to ameliorate any potential adverse impacts from proposed industrial development.

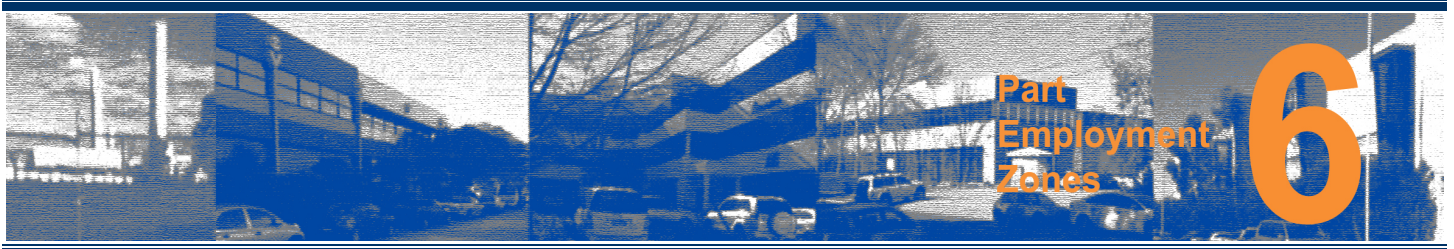
Objectives

- O1** To reduce the land use conflict between residential and non-residential uses;
- O2** To ensure non residential development is sympathetic with the streetscape character and maintains the amenity of surrounding residential development; and
- O3** To ameliorate any potential adverse amenity, noise, privacy or overshadowing impacts upon any adjoining or neighbouring residential development from any proposed non-residential development.

Controls

General

- C1** Where a new building or alterations and additions to an industrial building is proposed abutting a residential property the front building line setback is to be the same as the front building line setback of the adjoining residence.
- C2** A minimum 3 metre side or rear building setback is required for any building abutting a residential property. This setback is to be increased by one metre for every additional metre in height for the proposed development, above 5 metres in building height.
- C3** The setback area adjoining a residential property is to be densely landscaped with evergreen trees and shrubs, which at maturity will screen the development from the residence. Details of the proposed planting are to be provided on a landscape plan to be submitted with the Development Application.
- C4** For any proposed development that adjoins a residential property, the hours of operation are to be restricted to between 7.00am and 6.00pm Mondays to Fridays, 7.00am to 1.00pm Saturday and no work on Sundays or public holidays.



C5 Noise emissions are to comply with the following noise criteria:

- (i) Operation of all plant and equipment shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration);
- (ii) The operation of all plant and equipment when assessed on any residential property shall not give rise to a sound pressure level that exceeds LAeq 50dB(A) day time and LAeq 40 dB(A) night time; and
- (iii) The operation of all plant and equipment when assessed on any neighbouring commercial/industrial premises shall not give rise to a sound pressure level that exceeds LAeq 65dB(A) day time/night time.

For assessment purposes, the above LAeq sound levels shall be assessed over a period of 10-15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content where necessary.

For some uses a noise impact assessment is required to be submitted with a development application for an industrial development adjoining a residential property, verifying that this noise criteria can be satisfied. The report should identify all possible noise sources/activities from the proposed development and is to be prepared by a suitably qualified consultant who is a member of the Australian Acoustical Society (AAS).

C6 An industrial development should be designed to locate sources of noise such as garbage collection, loading/unloading areas, air conditioning plant/other machinery, and parking areas away from adjoining residential properties.

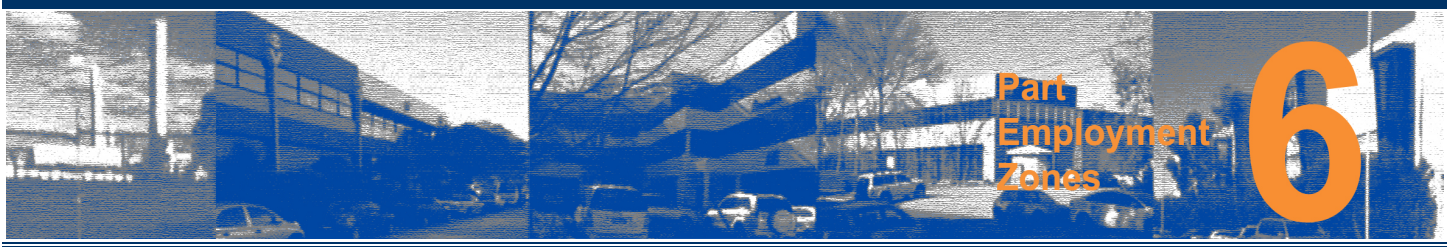
Plan of Management:

C7 A Plan of Management (POM) will be required when an industrial or business park activity is proposed 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.

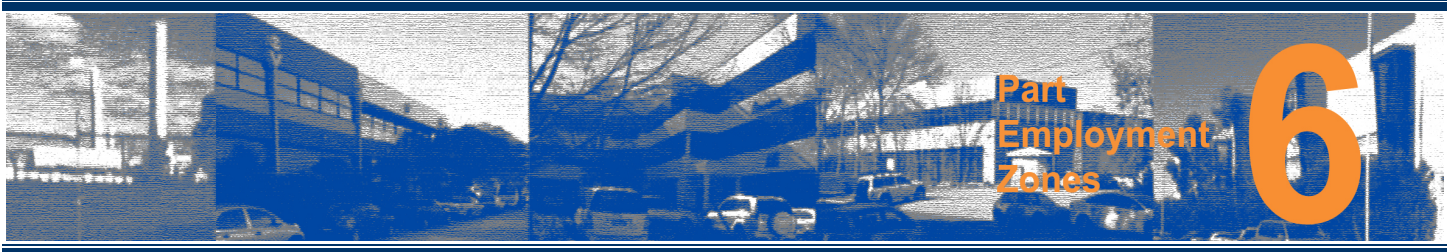
The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:

- (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.

- C8** The traffic movements, hours of deliveries, use of parking areas and garbage collection must be managed through the POM where industrial and/or business park sites 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.
- C9** Loading and unloading must not detract from the amenity of nearby residential areas or residentially zoned land. 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.
- C10** Where adjoining residential development, industrial and business park development is to provide appropriate buffer mechanisms to reduce the impact of their operations on the residential development.
- C11** Sources of noise such as garbage collection, deliveries, machinery, motors, parking areas and air conditioning plants are to be sited away from adjoining properties and where necessary, be screened by walls or other acoustical treatment.
- C12** New construction is to be located and designed to minimise any impact on adjoining residential properties by way of overshadowing, overlooking, glare, dust, fumes or noise generation.
- C13** 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.
- C14** Site lighting for building security and staff safety must be directed so as to not cause annoyance to neighbours or glare to passing motorists.
- C15** Sites with a road frontage to residential areas (ie Stephen Road, Denison Street, Cranbrook Street, Tenterden Road etc) are to locate any new offices to the residential areas and are to have restricted access points onto the residential fronted road. The warehouse/factory functions of a new development are to be located away from the residential areas.



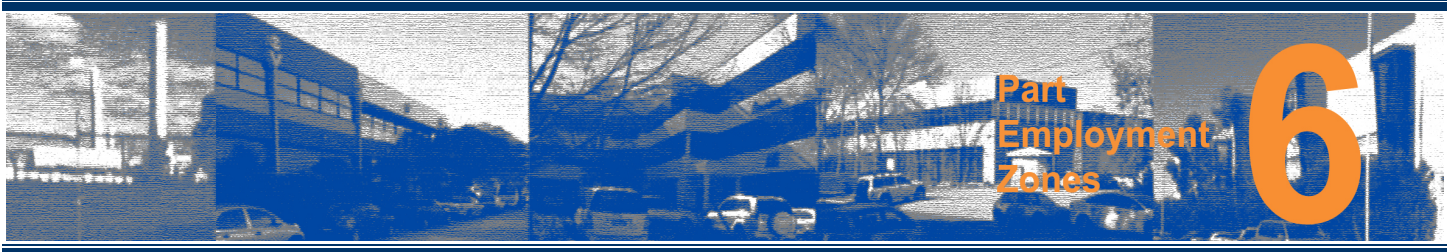
C16 Walls of buildings adjacent to residential areas are to make use of non-reflective colours and materials to avoid glare on residential areas (especially balconies). The walls are to be treated to aesthetically as well as acoustically. Window placement and/or tall trees should be considered as ways to protect privacy, reduce noise and light pollution.

C17 Where a site adjoins a residential 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 9.00a.m, 12.00noon and 3.00p.m. at 21st June (winter solstice).

C18 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 9.00a.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.



6.3.12 Noise and Hours of Operation

Noise from the operations of industrial/business operations is one of the main issues, especially at the interface between residential and industrial/business operations.

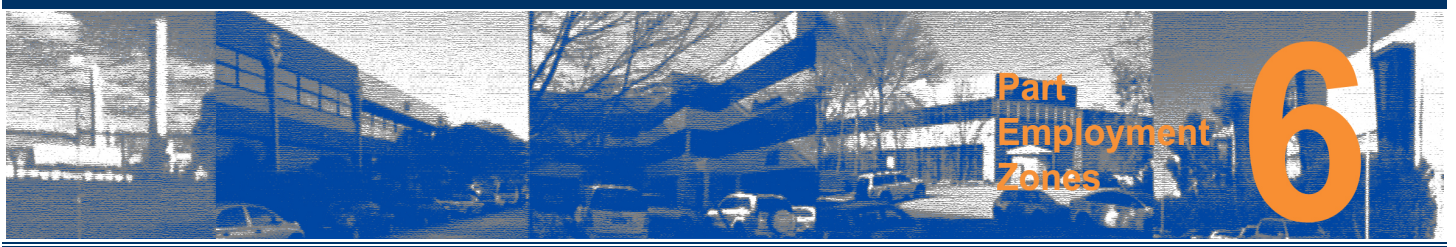
Objectives

- O1** To ensure appropriate noise attenuation measures are incorporated into building design and site layout;
- O2** To ensure that any noise generated from the operation of the development is minimised and maintained at acceptable levels;
- O3** To ensure that hours of operation are appropriate for the site and the neighbourhood;
- O4** To reduce, if not eliminate, land use conflicts and anomalies on the interface between industrial/business park areas and residential areas; and
- O5** To minimise the impact of noise and vibration by proposed operations and on proposed developments of existing and projected future sources of noise and vibration.

Controls

- C1** Noise control measures are to take into account all noise generating sources.
- C2** Sources of noise such as garbage collection, deliveries, machinery, motors, parking areas and air conditioning plants are to be, where practicable, sited away from adjoining properties and where necessary, be screened by walls or other acoustical treatment.
- C3** Development is to be designed with noise control measures to minimise the possibility of noise transmission to the occupants of adjoining or neighbouring dwellings. New development must be designed so that noise producing activity is remote from the interface boundary.
- C4** All applications for noise generating uses are to be accompanied by documentation from a qualified acoustic engineer certifying that the acoustic standards can be met.

Note: Noise generating uses include: Air transport facilities; amusement centres, animal boarding or training establishments; boat building and repair facilities; bulky goods premises; commercial car parks; child care centres; depots; entertainment facility; food and drink premises; freight transport facilities; function centres; garden centres; general industries; hardware and building supplies; heavy industrial storage establishments; heavy industries; high technology institutes; industrial training facilities; landscaping materials supplies; passenger transport facilities; place of public worship; pubs; recreation facilities (indoor); registered clubs; resource recovery facilities; service stations; storage premises; timber yards; transport depots; truck depots; vehicle body



repair workshops; vehicle repair stations; vehicles sales or hire premises; veterinary hospitals; warehouse or distribution centres; waste or resource management facilities; and any other uses designated by Council.

- C5** Noise mitigation measures around machinery and property are to be submitted with the development application.

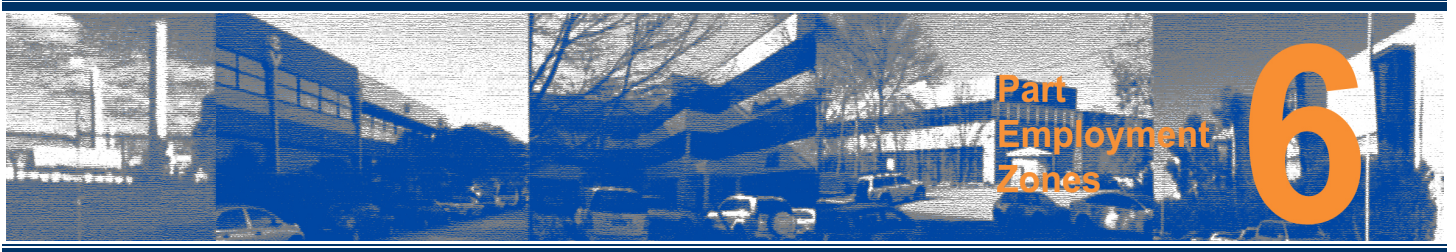
Note: Please refer to Council's Guidelines Minimum Acoustical Requirements for New Developments and to Council's **Development Application Guide**.

- C6** The emission of noise from any new development is to comply with the NSW EPA Industrial Noise Policy and Council's adopted Noise Criteria.
- C7** Any levels of noise generated from the operations or vehicles associated with the development is to be compatible with adjoining non industrial uses and the requirements of the NSW Environment Protection Authority "Environmental Criteria for Road Traffic Noise" and Council's adopted Noise Criteria.
- C8** The traffic movements, hours of deliveries, use of parking areas and garbage collection are to be restricted where sites are in close proximity to residential premises.
- C9** Hours of operation for the use of a site are to be restricted by Council if it is at all likely that the use will cause an impact on any adjoining or adjacent residential development. Uses that operate outside of normal hours of operation (ie Monday to Friday 8am to 5pm and Saturdays 8am to 4pm) are required to submit a Plan of Management (POM). The Plan of Management (POM) is a written report which describes how the ongoing operation of the use 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.

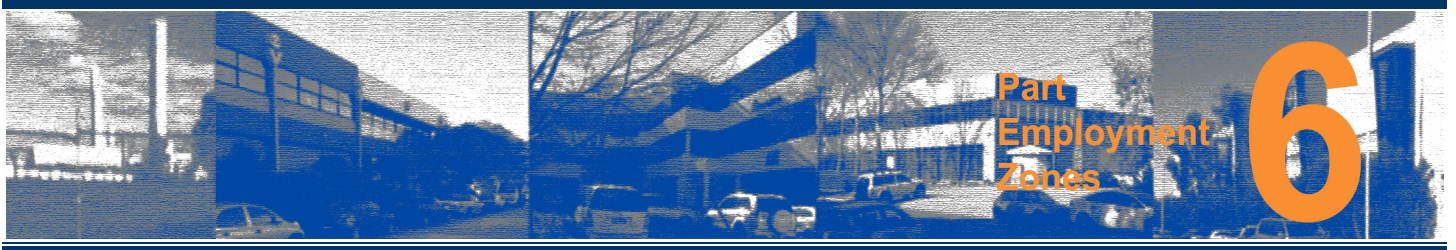
The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:

- (i) Title;
- (ii) Objectives;
- (iii) Operational details;
- (iv) Hours of operation;
- (v) Staffing details;
- (vi) details of plant and equipment and hours of use
- (vii) Guidelines for staff for using the site facilities and equipment;
- (viii) Car parking provision and use by staff and visitors;
- (ix) Deliveries and loading/unloading;
- (x) Sorting of materials;
- (xi) Storage of materials;
- (xii) Managing customers;



- (xiii) Security details;
- (xiv) Complaint recording and handling process; and
- (xv) The review process to continuously improve the POM.

- C10** Loading and unloading times are not to detract from the amenity of nearby residential areas, or residentially zoned land. 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 and may be regulated in conditions of consent.
- C11** High-intensity noise generating industries are not be permitted in close proximity to residential uses.
- C12** Sites with a road frontage to residential areas should locate any new offices to the residential areas with restricted access points onto the residential fronted road. Similarly, the warehouse/factory functions of the new development must be located away from residential areas.
- C13** 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 any conditions of consent.



6.3.13 Waste

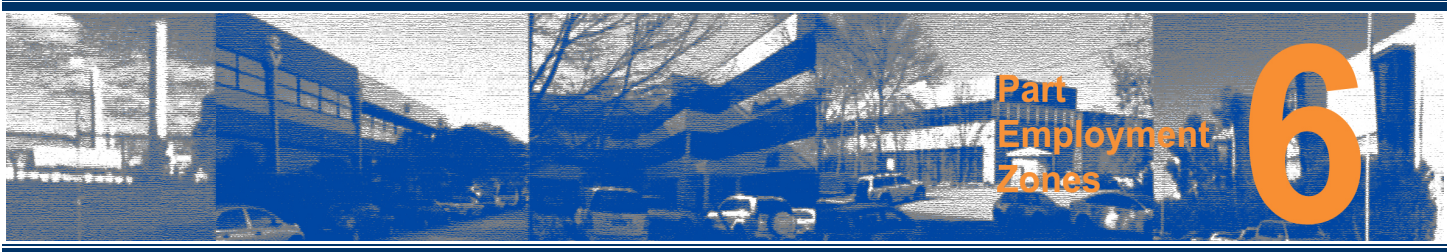
The consideration of waste issues when designing a development proposal will assist in the on going minimisation of waste through recycling and reuse of materials. Council encourages waste minimisation (source separation, re-use and recycling) and requires the efficient storage and collection of waste and quality designed of facilities. This section contains objectives and controls that must be complied with which apply specifically to industrial developments with both designated and communal waste storage areas.

Objectives

- O1** To assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans;
- O2** To minimise the overall environmental impacts of waste;
- O3** To require the preparation of waste management plans detailing actions to minimise waste generation and disposal;
- O4** To require source separation and other design and location standards that complement waste collection and management services offered by private providers; and
- O5** To encourage building design and construction techniques that minimise future waste generation.

Controls

- C1** Development must comply with **Part 3N - Waste Management and Minimisation**.
- C2** The system for waste management is compatible with the chosen collection services.
- C3** Sufficient space shall be provided for on-site separation and storage of recyclables and garbage.
- C4** For multi-use and industrial units, a waste storage and recycling area shall be provided for each unit or in communal areas. This area shall be designed to accommodate a range of uses as well as a change of use of the units.
- C5** The area is easily accessible from each unit and from the collection point and clear access for collection vehicles is provided.
- C6** The waste collection area shall be covered, drained to sewer through a Sydney Water Trade Waste Agreement and may need bunding depending on the material to be stored within the area.



6.3.14 Environmental Protection

This control covers the potential for pollution (including odour) from development and to try and minimise any adverse environmental effects of development.

Objectives

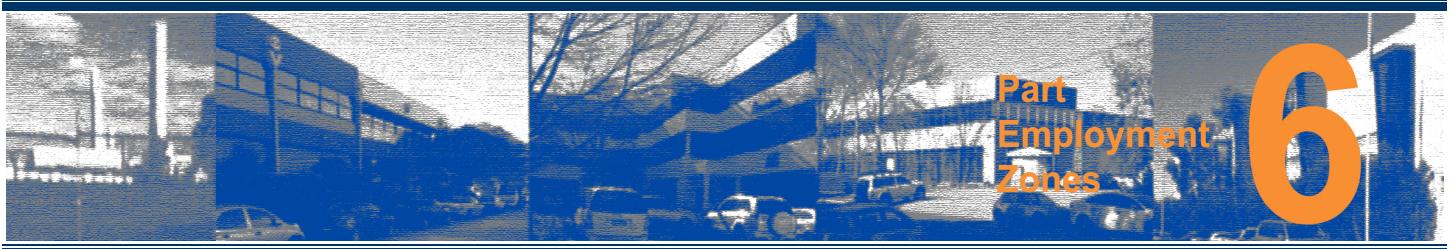
- O1** To ensure that development takes account of and minimises any adverse effects upon the environment; and
- O2** To limit the potential for noise, air (including odour), ground water, soil and surface water pollution.

Controls

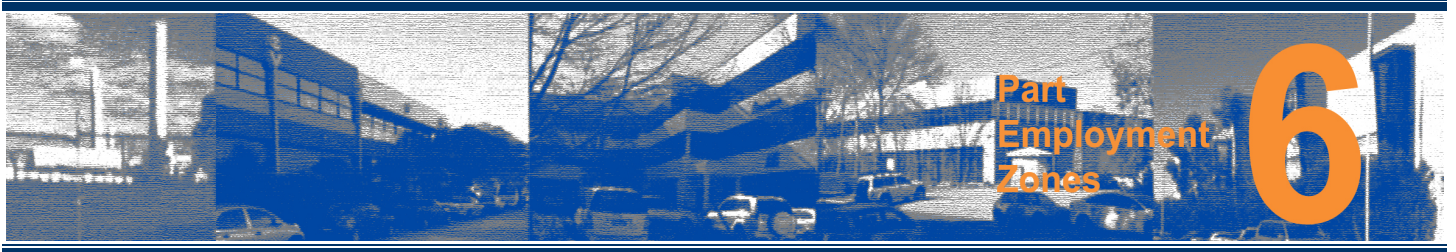
- C1** All development must comply with the provisions of the relevant air quality acts and regulations.
- C2** Detailed Stormwater Management Plans are required and all development must comply with **Part 3G - Stormwater Management**.
- C3** Industrial developments likely to emit air pollutants (including odour) shall demonstrate that best practicable means of control of air pollutants (and odour) will be applied to the proposed development. The applicant shall outline the type, quantity and quality air pollutants that are likely to be emitted, the collection and treatment proposed prior to discharge and methods to be employed to minimise fugitive emissions.

Note: for Best Management Practices for odour control please refer to www.environment.nsw.gov.au

- C4** The discharge of any matter whether solid, liquid, or gaseous onto the site, neighbouring land, public place or into any road, drain, pipeline or water course or into the air during demolition, excavation, construction or subsequent occupation of the property is required to conform to the Protection of the *Environment Operations Act 1997*, or a pollution control approval issued by the Environmental Protection Authority for Scheduled Premises.
- C5** A Trade Waste Agreement shall be obtained from Sydney Water prior to commencement of works for any use where wastewater is likely to be generated (in addition to toilet facilities). A Permission to Discharge Trade Wastewater shall be obtained from Sydney Water and a copy provided to Council prior to issuing of the Construction Certificate.
- C6** Any proposed building, construction or demolition works requires a Soil and Water Management Plan on the methods to be employed to minimise soil disturbance and soil migration from the site. The Plan is to be lodged with Council as part of the Development Application information.
- C7** Liquid materials shall be stored in an appropriately roofed and bunded area in accordance with the NSW EPA Bunding and Spill Management Guidelines.



- C8** No furnace, kiln, boiler, chemical plant or other equipment capable of discharging emissions into the atmosphere may be installed if it will result in unacceptable levels of air pollution.
- C9** Demolition materials shall not to be burnt on site.
- C10** No liquid waste may be discharged onto the site or neighbouring land, public place or into any road, drain, pipeline, or water course. (It needs to be treated and put to sewer or collected and disposed of in accordance with the EPA requirements).
- C11** Each loading dock shall be equipped with an airtight container for containment of any chemical contaminant which may be being transported and shall be manned, at all times, by a person trained in dangerous goods handling and decontamination. A store of absorbent material shall be kept on site at all times for use in the event of liquid spills. The equipment is to be installed prior to the issuing of the Occupation Certificate.
- C12** Developments that may handle significant quantities of any potential pollutants are to develop clean-up procedures in case the materials escape from the site. Occupiers are to train staff in clean-up procedures. Such training is to be on-going.
- C13** Any excavation adjacent to RMS infrastructure must comply with the requirements of the Technical Direction (GTD 2012/001) – Excavation Adjacent to RMS Infrastructure. A copy of this Technical Direction can be downloaded via the following link:
<http://www.rms.nsw.gov.au/doingbusinesswithus/engineeringpolicies/technicaldirections.html>



6.3.15 Risk

Objective

- O1** To ensure that any risk to human health, property or the natural environment arising from the operation of the development is minimised and addressed.

Controls

- C1** Should the proposed use involve the storage and/or transport hazardous substances Council will require an assessment of the Development Application under **State Environmental Planning Policy No. 33 - Hazardous and Offensive Development**.

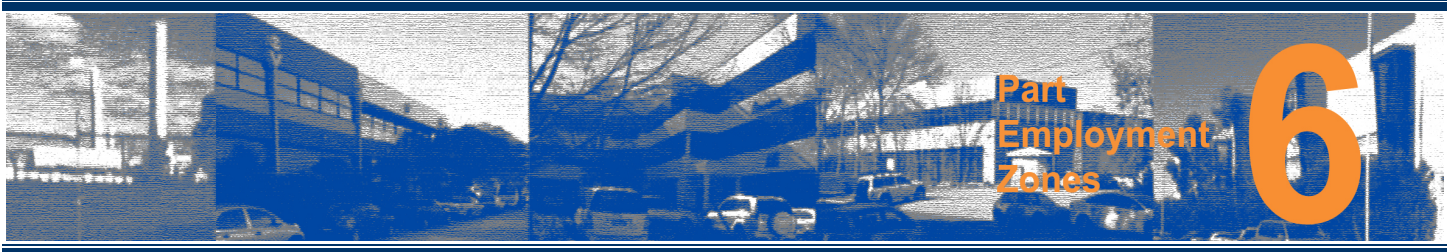
Note: All applications to carry out potentially hazardous or potentially offensive development will have to be advertised.

- C2** Development Applications to carry out potentially hazardous development will also have to be supported by a Preliminary Hazard Analysis (PHA). Applicants should refer to the provisions of State Environmental Planning Policy No. 33 - Hazardous and Offensive Development

Note: Applicants are to refer to the applicable Hazardous Industry Planning Advisory Papers (HIPAPs) and other guidelines such as *Applying SEPP 33* and *Multi-level Risk Assessment* found on the Department of Planning and Environment's website at <http://www.planning.nsw.gov.au/planning-guidelines-for-hazardous-development>

- C3** Development adjacent or adjoining sites/uses/pipelines that involve the storage and/or transport of hazardous substances are to prepare a risk assessment in accordance with the Hazardous Industry Planning Advisory Papers.

Note: Banksmeadow Industrial Precinct has specific risk related controls that have to be complied with. If your site is within the Banksmeadow Industrial Precinct you need to also refer to the Precinct controls in **Part 6.2.8 - Banksmeadow Industrial Precinct**.



6.3.16 Industrial & Business Park Unit Development

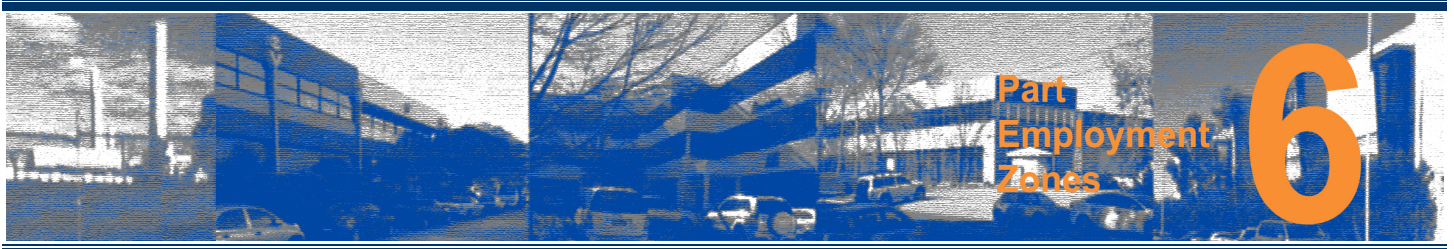
Objectives

- O1** To ensure that industrial & business park unit development has a consistent character and built form within the estate;
- O2** To introduce genuine architectural interest within the built form, which is responsive to the position and form of the buildings on adjoining sites and to the topography and position of the site within the estate and the locality; and
- O3** To ensure that the size and shape of the industrial unit is appropriate for the range of industrial uses permissible in the zoning of the site.

Controls

Building Form and Finishes

- C1** Each building within the estate whether it is positioned on its own site or within a multiunit development shall be provided with a clearly delineated entryway. This sends a clear message to anyone entering the property where the exact location of the entrance to each building is.
- C2** Each building within the estate shall be designed to address the public or private road to which it presents, with credible architectural elements.
- C3** Corner allotments shall contain buildings, which also address the corner of the site with an accentuated building form to help denote the entry to the estate etc.
- C4** Large expansive walls with no architectural interest or relief will not be permitted. Architectural elements, variations to colours, textures and or materials shall be utilised in these circumstances.
- C5** Large expansive buildings shall have their bulk visually broken down by the use of variations to the placement of the vertical walls of the buildings. Minor modulations to the height of the buildings may also be employed to achieve a reduction of its visual bulk.
- C6** Consideration shall be given to the proposed likely height and configuration of buildings on adjacent sites. Sensitivity to the resultant character of the street shall be addressed at the design stage of each development proposal.



Site Layout

- C7** The site layout and internal building design shall be arranged so as to ensure all car parking areas have the ability to undergo natural surveillance from the occupants of adjacent buildings.
- C8** The site layout shall also be arranged to facilitate natural surveillance of properties within the estate from both the public roads and internal roads.

Size of Industrial Units

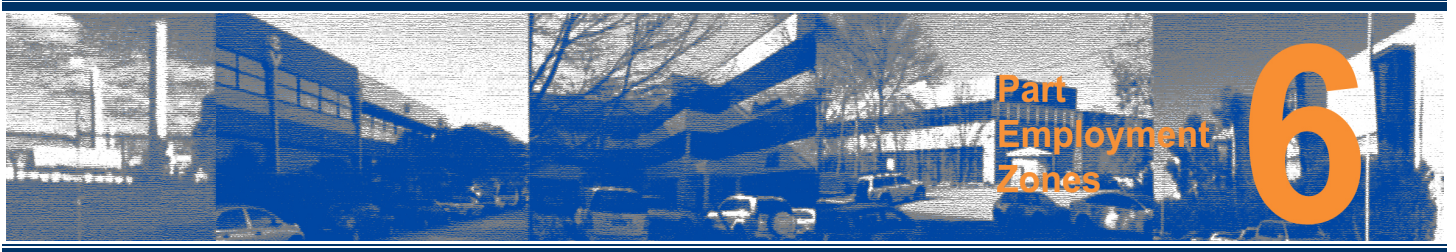
- C9** Units are to be of a size to accommodate uses permissible within the zoning.
- C10** The applicant is to demonstrate that the use operations, including the storage of raw materials, finished products, trade wastes and recycling bins are contained wholly within the industrial unit.
- C11** The applicant is to demonstrate that all vehicle parking and movement can be contained within the site.

Setbacks

- C12** In addition to the setback requirements in **Part 6.3.5 - Setbacks**, individual site proposals shall be designed with regard to the actual or likely positioning of buildings on their rear and side boundaries in order to ensure that optimal utilization of manoeuvring and landscaping areas occurs within the estate. Examples of where this may occur include:
 - (i) To obtain access to a landscaped area located at the rear of the site it would be appropriate to have a reasonable side boundary setback on at least one side of the site; and
 - (ii) To share a proposed vehicular turning area, it may be appropriate to have a zero side setback between two industrial buildings within the estate.

Paving

- C13** Large expanses of bland concrete paving shall not be permitted. A contrast of paving materials are required to be provided throughout the development i.e. unit pavers and concrete.
- C14** The majority of car spaces are to be paved with interlocking unit pavers.
- C15** Use of asphalt is not permitted.



6.3.17 Change of Use of Existing Buildings

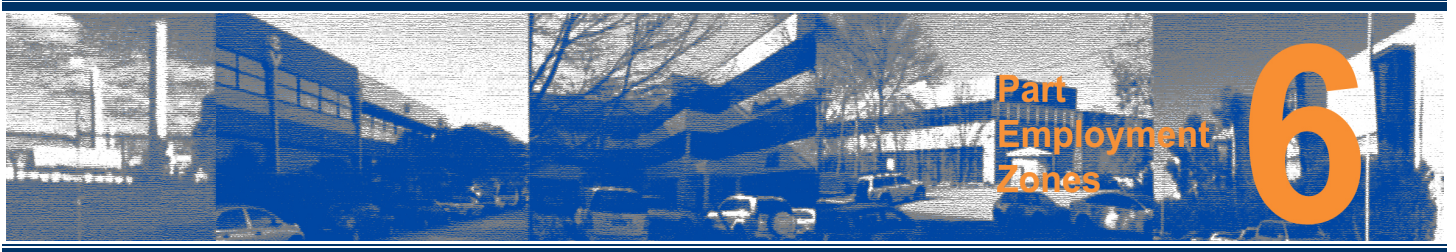
Changes to the use of existing buildings in industrial areas & business areas may require upgrades. It is necessary to ensure that the building will be suitable for the new use and that its use does not have an adverse impact on adjoining and nearby land uses.

Objectives

- O1 To ensure that the existing building is appropriate for the new use;
- O2 To ensure that any necessary upgrades including upgrades to landscaping, BCA compliance and car parking layout or changes to the development are made;
- O3 To ensure there are minimal adverse impacts on surrounding development; and
- O4 To ensure there are minimal adverse impacts on traffic and car parking on nearby streets.

Controls

- C1 A change of use is must not result in a significant impact on adjoining or nearby properties or on traffic movements within the locality.
- C2 All buildings on site are to be upgraded to comply with the Building Code of Australia relevant to the proposed use. Where this has an impact on the exterior of the building it is required to comply with the requirements in this DCP.
- C3 Where the new use requires more car parking than is currently provided; it shall where possible increase the car parking and loading provisions to meet the requirements of the DCP, subject to compliance with other provisions of the DCP. Existing landscaping areas however are not to be removed or reduced in size.
- C4 Where a new use results in additional traffic generation it may be necessary to adjust the access driveways to suit the traffic generation. Refer to **Part 6.36 - Parking and Vehicular Access** of the DCP for details on access provisions.
- C5 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**).
- C6 The new use shall not compromise the amenity of the locality in any greater, different or additional way than the existing use.
- C7 Any adjustments required to any Council infrastructure in conjunction with the change of use shall be at no cost to Council.



6.3.18 Non Industrial & Business Park/Developments

The Bayside Local Environmental Plan 2021 permits a range of non industrial & business land uses within the industrial and business zones. These are those uses which are ancillary to industrial & business uses or which are compatible with an industrial and business environment.

These land uses may involve using an existing building or construction of a new building. The following provisions are additional provisions for particular land uses. These land uses shall also comply with the other provisions of the DCP.

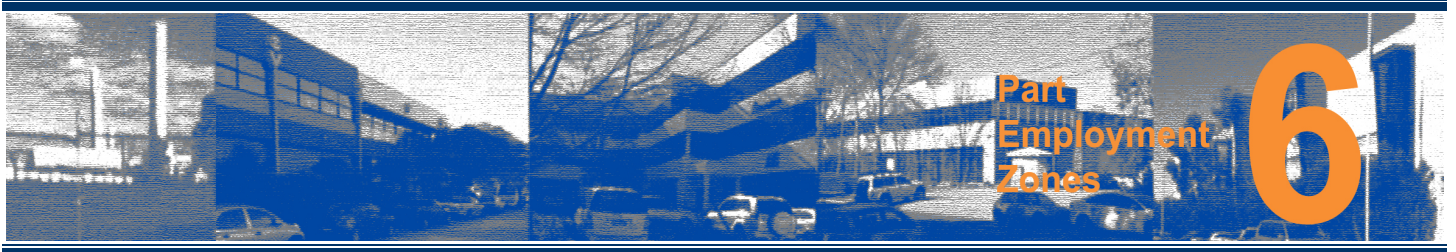
Some of the non related industrial and business park land uses have some specific controls (refer to **Part 7 - Other Development Types and Land Uses**).

Objectives

- O1** To ensure that the non industrial & business land uses are compatible with the industrial environment;
- O2** To ensure that the non industrial & business land uses do not unnecessarily restrict the operation of industrial and business uses in the industrial & business zones; and
- O3** To ensure that non industrial & business land uses are designed to operate without adverse impact from industrial developments.

Controls

- C1** Site planning for non industrial & business land uses shall ensure that the use will not unduly impose restrictions on existing or future nearby industrial uses.
- C2** Car parking for the non industrial & business land use is to be able to operate separately from other land uses on the site.
- C3** Where the hours of operation are after sunset, the car parking areas and any other public areas shall be provided with lighting to provide a safe environment for users of the premises after hours.
- C4** A Noise Impact Assessment Statement prepared by a qualified Acoustics Engineer may be required to be submitted with the application depending on the scale and location of the proposed use to show that the use can operate satisfactorily in the industrial area.



6.3.19 Caretaker Dwellings

It is acknowledged that in some cases, businesses require full-time care of buildings, plant and equipment. The need for a caretakers dwelling may be recognised in circumstances where it can be shown that a caretaker needs to reside full-time on land containing those buildings, plant and equipment in order to effectively fulfil their duty of care.

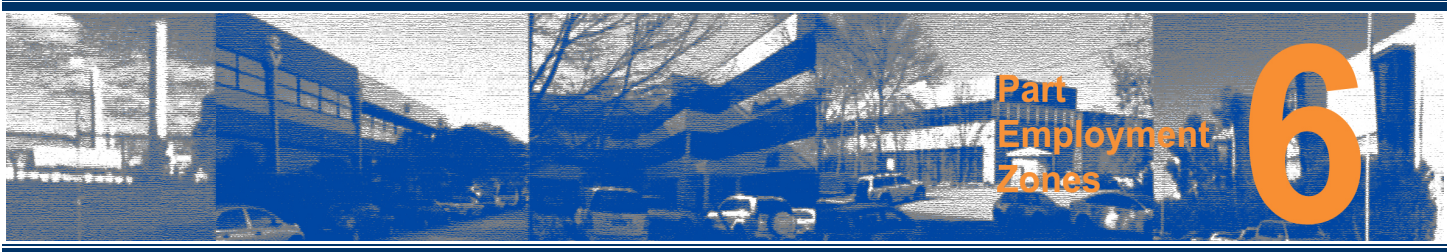
A caretakers dwelling is “a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant”.

Objectives

- O1** To provide for caretaker dwellings where they do not compromise the integrity of industrial or business areas by imposing unnecessarily restrictive constraints on the operation of industrial or business uses; and
- O2** To ensure caretaker dwellings are appropriately designed to provide reasonable amenity for occupants.

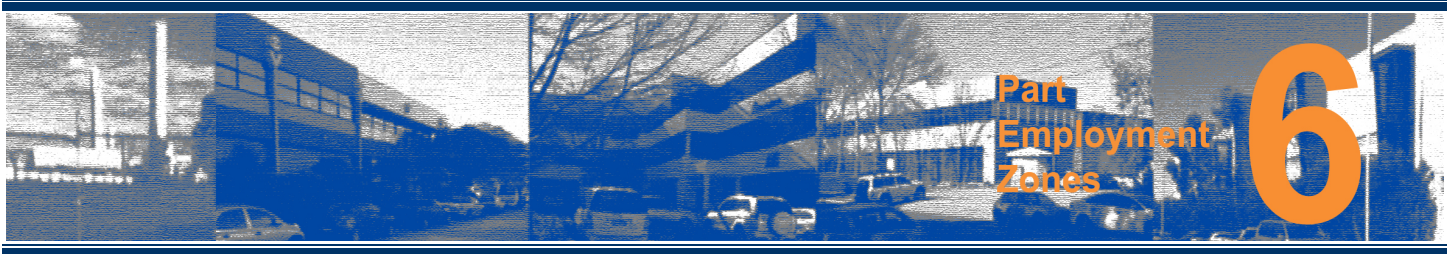
Controls

- C1** The caretakers dwelling is to be ancillary to the approved industrial or business use on the site.
Note: Ancillary use means any use located on the same site as a primary use, where the ancillary use is small in scale and incidental to the primary use, and serves a supportive function to the primary use.
- C2** Only one caretakers dwelling is permitted on a lot.
- C3** A caravan will not be permitted to be used as a caretakers dwelling.
- C4** The caretakers dwelling shall be occupied by a person who must be employed as a caretaker, owner of the business or operator of the business located on the same site. If consent is granted, a restriction on the use of land shall be registered on title that ensures that the caretaker dwelling is occupied by a person who must be employed as a caretaker, owner, or operator of the approved business on the site; and that the caretaker dwelling is not to be used as an independent flat or separate domicile or available for separate letting.
- C5** A caretakers dwelling is to have a maximum floor area of 75 square metres and is to contain a maximum of one kitchen, bathroom, toilet, laundry and living/dining area.
- C6** The caretakers dwelling shall be provided with a private open space area of:
 - (a) 15 square metres with a minimum depth of 3 metres at ground level that is directly accessible from a living room; or
 - (b) be located entirely above the ground floor on a balcony or roof area with a minimum area of 8 square metres and a minimum dimension of 2 metres, directly accessible from a living room.



- C7** The caretakers dwelling shall be located so that it does not suffer adverse impact from the operation of the business on site or reduce the operating capability or capacity of the adjacent businesses.

- C8** The impacts of industrial development are to be mitigated by providing protection for the caretakers dwelling from overshadowing and overlooking, noise, vibration, light, dust and odour nuisance. These impacts can be mitigated by provision of acoustic engineering, walls, screening, physical separation, site landscaping and maintaining appropriate hours of operation.



6.3.20 Creative Industries

Council is supportive of creative and high tech industries within the Bayside LGA as these uses have the potential to increase employment opportunities; and provide a transition between the traditional industrial areas and the adjacent residential areas.

As a majority of Council's industrial areas are now zoned under the Three Ports SEPP, the remaining reduced industrial areas need to cater for other non-port related industries that are being displaced - such as the high tech and creative industry sectors.

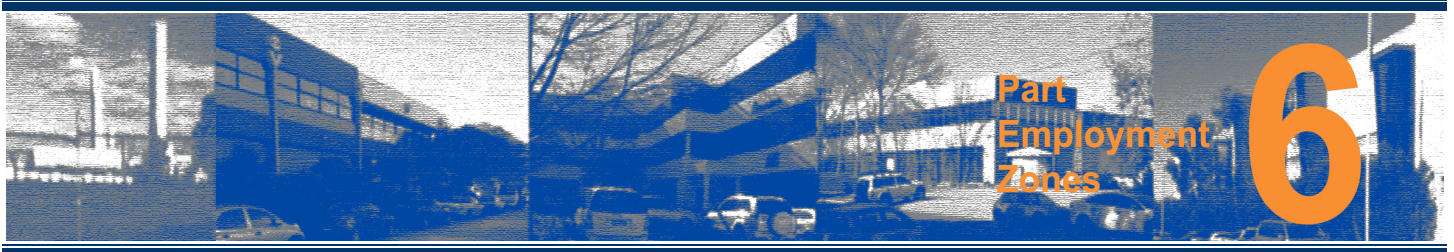
By encouraging creative industries, the decline in traditional industries can be rectified which will generate greater employment opportunities, as these industries tend to be high employment generators. The shift to these kinds of uses will also address the residential/industrial interface, by providing for a lower impact form of development. With these kinds of high tech uses there is an opportunity to enhance the streetscape of the industrial areas, which would be of benefit to adjacent residential and commercial zones.

Creative industries are businesses, which focus on individual creativity, skill and talent and include uses such as:

- Visual and performing arts;
- New media or multi media including film and television;
- Computer animation;
- Web design and music;
- Architecture;
- Urban design;
- Industrial design;
- Designer fashion;
- Writing; and
- Publishing.

The B7 Business Park Zone promotes uses in the creative industries and design sectors. The B7 zone will provide an interface between residential zones and the industrial zones. The following list indicates the types of uses which may be labeled "creative industries":

- Audiovisual, media and digital media;
- Advertising;
- Craft, visual arts and Indigenous arts;
- Design (including architecture, fashion, and graphic, urban, industrial and interior design);
- Film and television;
- Music;
- Publishing;
- Performing arts; or
- Cultural heritage institutions.



A creative industries local provision would be consistent with the Botany Bay Planning Strategy undertaken by SGS consultants. Section 5.6 of the Stage 3 (Employment) Final Report dated May 2008 prepared by SGS deals with the South Botany Sub-Precinct and states in part:

“The precinct differs considerably from the Lord Street and Hale Street precincts in that it features generally smaller lots, narrow streets and significant interfaces with residential development. There may be the potential for intensification of employment activities however this is likely to require a shift away from industrial uses toward activities with higher employment densities. Given the proximity of the precinct to residential development a move away from ‘heavier’ employment use towards low impact economic activities, such as high tech and creative industries may be appropriate.”

This report also recommended on page 38 that the Eastgardens/Hillsdale Industrial Precinct “*may be suitable as a host for local light industries and urban support displaced from other areas within the LGA given that projections are for a decline in jobs in the travel zone*”. Given that this Precinct is now zoned IN1 under the SEPP (Three Ports) 2013 local light industries and urban support services will be further displaced and opportunities for such industries need to be identified elsewhere within the LGA.

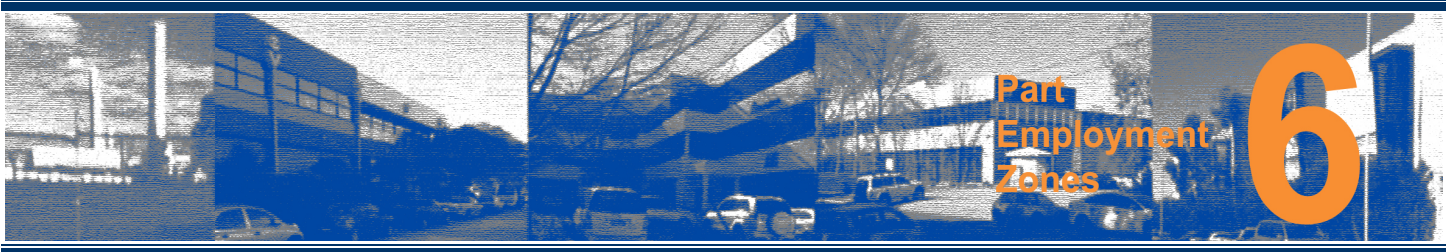
By locating these creative/high tech industries, adjacent to the residential interface areas, they can provide a lower impact transition zone between the traditional industrial areas and the residential zones.

Objectives

- O1** To support creative industries in the Bayside LGA;
- O2** To clarify the types of uses most suited to the business park areas;
- O3** To encourage the adaptive reuse of existing character buildings wherever possible;
- O4** To manage mixed use activities and their impacts so as to minimise land use conflicts;
- O5** To encourage active streetscapes by promoting ground floor employment generating uses and new public domain works; and
- O6** To provide a buffer between traditional industrial land uses and residential zones.

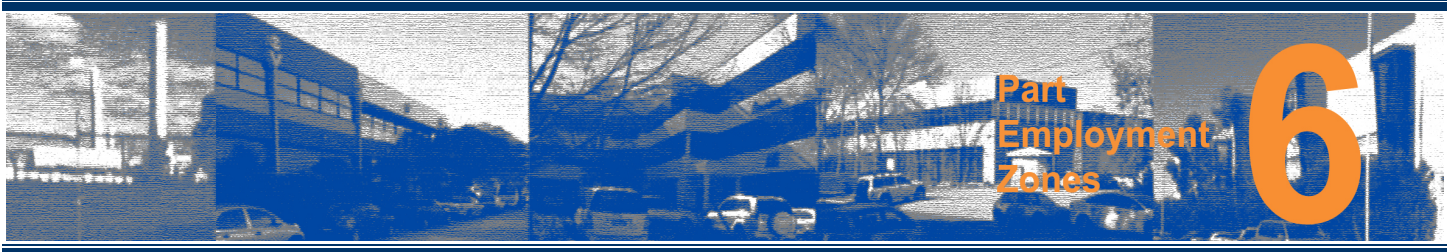
Controls

- C1** In order to maintain active street frontages, vehicle access points must be either:
 - (i) Provided from rear lanes; or
 - (ii) Designed as narrow as possible on street frontages subject to compliance with AS2890.1 and AS2890.2
- C2** New development must improve pedestrian/streetscape amenity by incorporating awnings over the street for weather protection, street furniture or public art. An improved public domain is encouraged particularly on sites where they adjoin residential areas.



- C3** To encourage activation of the street, the display of creative industry products along the street frontage is encouraged.
- C4** Hours of operation may be varied on occasion to accommodate forums or exhibition openings that may occur in the evening, provided the amenity of nearby residential properties is maintained.

Note: By integrating the private and public domain at the street interface creative industries will encourage a more vibrant and attractive streetscape.



6.3.21 Business Premises & Office Premises in the B5 Business Development & B7 Business Park Zones

Council has strived to achieve buildings of superior architectural quality and innovation in these zones and will continue to do so, favourably supporting buildings of contemporary design that utilise a variety of materials and finishes; and that provide for an improved public domain.

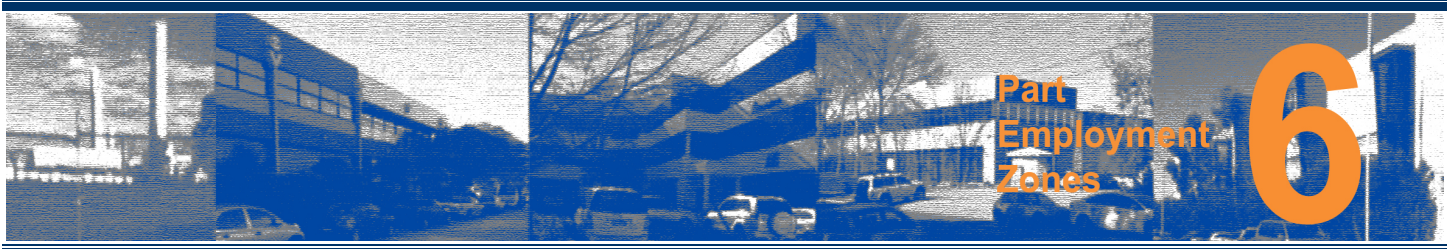
Objectives

- O1 To minimise the impact of stand alone office & business buildings on the surrounding area;
- O2 To enhance the visual quality of the B5 Business Development and B7 Business Park Zones and humanise the streetscapes surrounding them;
- O3 To provide visual relief and shade to the large amounts of ground and building surfacing; and
- O4 To create a pleasant “human” environment within and external to the site.

Controls

General

- C1 Building expression through façade modulation, roof silhouette and the use of a variety of contemporary materials and finishes is required to achieve buildings that are of architectural merit, innovation, variety and attractiveness. There is to be a balance between the solid walls and openings and between horizontal and vertical planes. A Schedule of Finishes is required for new buildings.
- C2 Buildings are to have a clearly delineated entranceway to address its main frontage. Buildings on corner allotments shall include an accentuated form on the corner. Minor modulation in the height of buildings is required to reduce visual bulk and scale.
- C3 Signage is to be kept to a minimum to reduce visual clutter and confusion. All proposed signage must be shown in the building elevations and plans (refer to **Part 3D - Signage**).
- C4 Vehicle manoeuvring, circulation, access and parking shall be arranged on site to maximise the area available for landscaping. Excess hardstand areas should be minimised whilst designing manoeuvring, circulation, access and parking in accordance with Australian and Council standards.
- C5 Stormwater absorption basins are to be planted with trees (where concrete storage tanks do not exist underneath), groundcovers and native grasses instead of lawn. Species are to be tolerant of periodic inundation and waterlogging and not reduce the storage capacity of the basin.

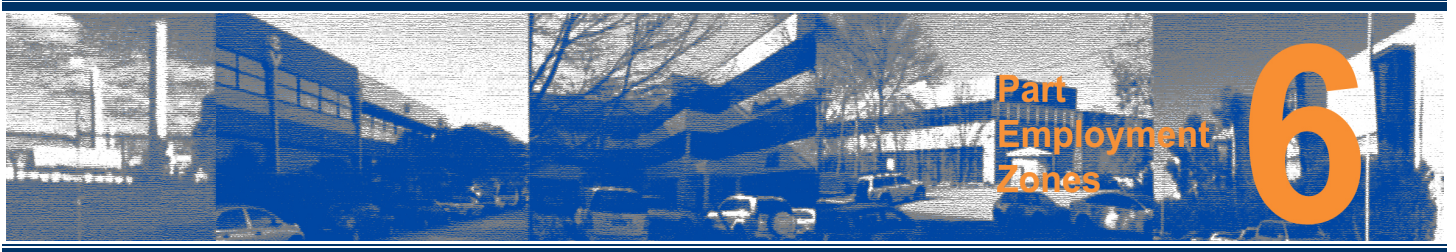


- C6** Hard paved areas shall be finished with unit pavers. Use contrasting finishes to break up large sections of paving and to delineate pedestrian areas, entries, car parks, special use areas or at transition zones between different uses. Porous paving should be utilised wherever possible.
- C7** There should be a balance between building footprint, parking/circulation and landscaping/open space. The majority of landscaping shall front the street/s to which the development has frontage and returning along the side boundaries of the setback.
- C8** Underground parking shall be situated underneath the building footprint so that the majority of landscaping will be on natural ground to allow for deep root planting. As a minimum, landscaping along the frontage/s and abutting residential land uses shall be on natural ground. Deep root planting is planting that is not on a suspended concrete slab and not over an underground car park (refer to **Part 3L - Landscaping** and **Part 6.3.9 - Landscape**).
- C9** Underground OSD (stormwater) detention tanks are not to be located underneath areas to be landscaped or planted. An alternative location ie. underneath driveways, car parks or pavements is required. No stormwater inlet pits or piping are to be located within the drip line of existing trees.

Landscaping

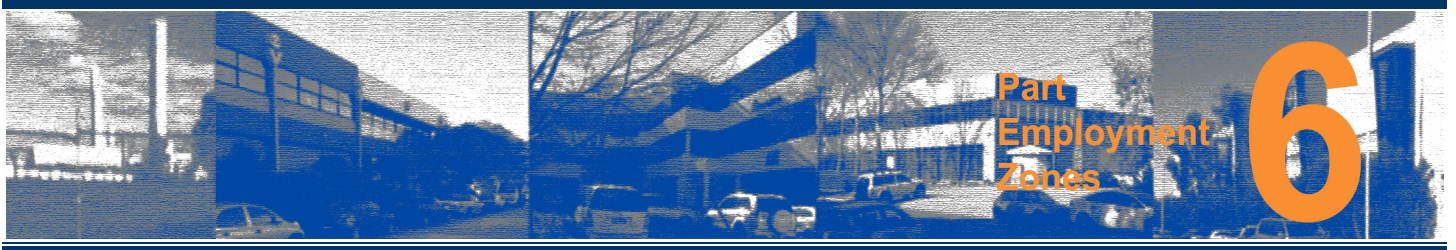
- C10** Landscaping must comply with **Part 3L - Landscaping**.
- C11** Landscaping is to be designed to reduce the bulk, scale and size of buildings, to shade and soften hard paved areas, to create a comfortably scaled environment for pedestrians in the public domain or from within the site and to screen unsightly areas. Emphasis is to be placed on leafy internal road corridors and a landscaped setback designed for softening of buildings.
- C12** Trees shall be used liberally throughout the design to reduce the scale and bulk of the built form and to reinstate canopy cover over the site.
- C13** Landscaping in the public domain is to reinforce existing streetscape planting themes and patterns. Council may require street tree planting, grassing, shrub and accent planting or any combination of these. Streetscape beautification may also include re-paving the public footway with pavers.

Note: Council may require that all street trees be planted at the Site Establishment Phase or during Stage 1 of a staged development so that trees become established, have some growth and achieve some softening of the development by Practical Completion.
- C14** There shall be a minimum landscaped setback of 3 metres on all street frontages, and 4 metres on classified roads. The landscaped setback may be varied by Council to enable landscaping to be in proportion to the height of the building, on large development sites or to be consistent with setbacks in the street. For example, buildings greater than 4 storeys in height will usually require a larger landscaped setback.



C15 Not less than 10% of the site area shall be landscaped. New commercial development shall allocate landscaping in accordance with the following ratios:

Site Area	Minimum Landscape Proportion
0- 2000m ²	10%
2000 m ² -5000m ²	20%
>5000m ²	30%



6.3.22 B-Double Vehicles

An applicant seeking B-Double access to a property in the Bayside LGA, via a Council controlled road (all local and regional roads in the LGA), which is not gazetted as an approved B-Double route, shall submit a DA to Council to gain approval to access such a property. The applicants must follow Council's B-Double Route Application Guidelines in conjunction with the RTA's Route Assessment Guidelines for B-Doubles and Road Trains, when submitting the DA to Council.

Objective

- O1** To minimise the impact of large vehicles on the road network and the surrounding residential areas.

Controls

- C1** Development Applications must submit an application as per RTA's Route Assessment Guidelines for B-Doubles and Road Trains directly to Council for all roads controlled by Council. However, if the requested route includes a section of state road, which is not approved for B-Doubles, the applicant should submit a separate application to the Roads and Traffic Authority to gain approval for the state road section.
- C2** B-Double Route Development Application to Council must incorporate the following documents:
 - (i) A map showing the proposed B-Double route;
 - (ii) Copy of Council's Development Consent for B-Double usage for the applicant's site;
 - (iii) Details of heavy vehicle trips to the applicant's site over the last full known year (should not be greater than 2 years from the date of application);
 - (iv) Details of anticipated heavy vehicles per annum to the applicant's site (including B-Double and other heavy vehicles) if the application is approved; and
 - (v) Swept Path Diagrams showing the turning movements of B-Double at each intersection of local roads along the proposed B-Double route.
- C3** A Road Pavement Performance Analysis Report along the local roads of the proposed B-Double route to and from the site is required to ensure existing road pavement can perform adequately under the anticipated traffic loading generated from the heavy vehicle movements.

Note: Council may request the applicant to provide additional information, which is necessary to assess the application. Council may stop the processing of the application until the applicant provides such information.

Applicants may identify in their application any other matter, which they consider should be taken into account when assessing the route.