

Bayside Development Control Plan 2022

Adopted: 25 March 2026
Effective: 17 April 2026

Bayside Council
Serving Our Community

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1.2 Amendment History

DCP Version	Date Adopted	Date Effective	Description of Changes
1 – Original	22 March 2023	10 April 2023	Primary DCP
2 – Amendment No. 1	10 May 2024 (TBC)	10 May 2024 (TBC)	Amendments consequential to commencement of *Bayside Local Environmental Plan 2021 Amendment No, 4* relating to new Heritage Conservation Areas at Bardwell Valley, Banksia, Brighton Le Sands and the Ocean View Estate, Bexley. See 3.4.6, 7.18, 7.19, 7.20 and 7.21.
3 – Amendment No. 2	25 March 2026	17 April 2026	Include new Chapter 7.22 Eastgardens Centre applying to the site at 152 Bunnerong Road, Eastgardens



Preliminary Information

2 Preliminary Information

2.1 Name of this Development Control Plan (DCP)

This plan is the Bayside DCP 2022. This DCP has been prepared in accordance with Part 3, Division 3.6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

2.2 Adoption and Commencement

This DCP was originally adopted by Council on 22 March 2023 and came into effect on 10 April 2023. Amendment 1 was adopted by Council on 10 May 2024 (TBC) and came into effect on 10 May 2024 (TBC).

This version is Amendment 2 and was adopted by Council on 25 March 2026 and came into effect on 17 April 2026. See section 1.2 for more information.

2.3 Review of the Plan

Bayside Council will review this plan periodically to assess whether the plan is fit for purpose, given any changes to the related local environmental plan (LEP) and changes in population, infrastructure, strategic direction, and other key indicators.

2.4 Application and Consent Authority

This plan applies to land within the Bayside Local Government Area (LGA), excluding land subject to *State Environmental Planning Policy (Precinct – Eastern Harbour City) 2021*, Chapter 6 Cooks Cove, and *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 5 Three ports – Port Botany, Port Kembla and Port of Newcastle.

Under section 4.15 of the EP&A Act, Bayside Council is required to take into consideration the relevant provisions of any applicable DCP when determining an application for development.

Refer to **Figure 1** to view the Land Application Map, for land to which this plan applies.



Figure 1: Land Application Map

Bayside Council is the consent authority for all development in the area to which this DCP applies, unless otherwise authorised by the EP&A Act. Bayside Council will use this DCP in its assessment of a planning application for development.

This DCP provides strategies, objectives and development guidelines for the assessment of Development Applications (DA) and complements the provisions of the Bayside Local Environmental Plan 2021 (BLEP2021).

2.5 Aims and Objectives of the Plan

This Plan aims to make development control provisions for land in Bayside in accordance with Division 3.6 of the EP&A Act.

The particular aims and objectives of this Plan are as follows:

- To ensure development is economically, environmentally and socially sustainable;
- To protect and enhance the natural environment, in particular waterways and biodiversity;
- To ensure development respects desired existing and future local character as identified in this Plan;

- To ensure development is sited and designed, including through its density, height and bulk, that is appropriate to its context;
- To protect Aboriginal and European heritage items and heritage conservation areas;
- To ensure development achieves a high standard of design, and encourages design excellence, particularly in important and large-scale development;
- To provide an amount and choice of housing that caters for the needs of the Bayside community in appropriate locations, including focussing higher density development close to centres and public transport corridors;
- To promote the role of Bayside's centres and local hubs for vibrant cultural and economic activity, including surrounding communities;
- To retain and appropriately manage business, industrial and urban services land;
- To provide for an efficient and safe transport network that caters for all users, encourages more sustainable modes of transport such as public and active transport and supports the economic functioning of employment areas;
- To provide for an integrated, high amenity public open space network that caters for the needs of the Bayside community, including a diverse range of passive and active recreation uses;
- To ensure development respects and contributes to Bayside's distinct landscape and scenic features;
- To ensure development achieves high levels of amenity for occupants and adjoining properties, including through consideration of solar access, wind and visual and acoustic privacy;
- To reduce carbon emissions through improved management of energy, water and waste;
- To protect and grow the international trade gateways of Sydney (Kingsford Smith) Airport and Port Botany;
- To minimise land use conflict, particularly between residential and industrial land uses; and
- To ensure people and property are not exposed to unacceptable risk from urban or natural hazards.

2.6 Compliance

Section 4.15 of the EP&A Act requires Council to take this DCP into consideration when determining applications. Compliance with the provisions of this DCP does not necessarily guarantee that consent to a DA will be granted. Each DA will be assessed having regard to the current LEP, DCP, adopted Council policies, State Environmental Planning Policies, and any other matters listed in Section 4.15 of the EP&A Act.

2.7 Relationship to other plans, standards, and codes

DCPs are part of a broader planning framework that is used to manage development in the Bayside LGA. This includes:

- acts and regulations;
- strategic plans, including region plans, district plans and local strategic planning statements;
- environmental planning instruments, including State environmental planning instruments and local environmental planning instruments; and
- other council adopted strategies, plans and policies such as development contributions plans.

A provision of a development control plan (whenever made) has no effect to the extent that:

- it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land,
- or it is inconsistent or incompatible with a provision of any such instrument.

This DCP is to be read in conjunction with the environmental planning instruments and policies that apply to Bayside, namely:

Acts and Policies

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation (2021);
- Local Government Act 1993;
- Roads Act 1993;
- Biodiversity Conservation Act 2016;
- Protection of the Environment Operations Act 1997;
- Relevant Regional and District Plans, and Local Strategic Planning Statements, as identified from time to time;
- Any relevant State Environmental Planning Policy (SEPP);
- Any relevant Land and Environment Court Planning Principle;
- National Construction Code and Building Code of Australia;
- Any relevant Australian Standard (identified or not in this Plan); and
- Any applicable policy or guideline adopted by Council.
- The National Airports Safeguarding Framework (NASF) which includes the ten following Guidelines:
    - Principles for National Airports Safeguarding Framework;
    - Guideline A: Managing Aircraft Noise;
    - Guideline B: Managing Building Generated Windshear and Turbulence;
    - Guideline C: Managing Wildlife Strike Risk;
    - Guideline D: Managing Wind Turbine Risk to Aircraft;
    - Guideline E: Managing Pilot Lighting Distraction;
    - Guideline F: Managing Protected Airspace Intrusion;
    - Guideline G: Communications, Navigation and Surveillance;
    - Guideline H: Protecting Strategically Important Helicopter Landing Sites;
    - Guideline I: Managing the Risk in Public Safety Areas at the Ends of Runways;

      These guidelines can be accessed at https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-safety/aviation-environmental-issues/national-airports-safeguarding-framework/national-airports-safeguarding-framework-principles-and-guidelines

It is the responsibility of the applicant to identify all relevant legislative requirements. The NSW Legislation website should be regularly checked for the most up-to-date version of all legislation and can be accessed at: www.legislation.nsw.gov.au

2.8 Savings Provisions

If an application has been made before the commencement of BDCP2022, but not finally determined, the development application must be determined as if BDCP2022 had not commenced.

All applications made after the commencement date of an amendment to the BDCP2022 are subject to BDCP2022 as amended at the date of lodgement.

Please refer to the Amendment History at the front of BDCP2022 for relevant commencement dates.

A reference to an application in the paragraph above is a reference to:

- a development application;
- an application to modify a development consent;
- an application to review a determination of a development application; or
- an application to review an application to modify a development consent.

General Development Provisions



3 General Development Provisions

3.1 Site Analysis and Locality

The key to good design outcomes is firstly understanding the context of the site. Site analysis is used to assess how future dwellings will relate to the immediate surroundings and to each other to produce a design that will minimise negative impacts on adjoining developments and the neighbourhood.

This section provides guidance on undertaking a site analysis, which establishes the context of the site; demonstrates constraints and opportunities; and considers built and natural elements of the surrounding locality.

3.1.1 Site Analysis Plan

A site analysis will typically include both a written statement and a plan which identifies contextual, built, and natural elements of the environment. The level of detail required for a site analysis plan and explanatory statement depends on the scale and nature of the proposed development.

Objective		**Control**	
O1.	To identify the prevailing existing conditions of an area within which a development site is located.	**C1.**	Development Applications are to include a Site Analysis which includes both a sketch/diagrammatic Site Analysis Plan and a written component.
O2.	To ensure site analysis plans and statements identify key site features, opportunities, and constraints, such as topography, views, landmarks, trees, vegetation structures, drainage, services, access, orientation and microclimate.	**C2.**	An example of a Site Analysis Plan is provided in **Figure 2**.
O3.	To identify the relationship between a development and its surrounds.	**C3.**	The Site Analysis Plan is to be drawn to a scale of either 1:100 or 1:200 and must include the following with respect to the subject site: a. the legal description of the site, including the lot and DP number b. site dimensions and site area c. spot levels, contours, and north point d. existing easements e. existing vegetation, including the height, and spread of established trees, as well as identifying any protected vegetation/biodiversity f. location of existing buildings and other structures g. significant noise sources (including traffic and aircraft noise) h. significant views to and from the site i. pedestrian and vehicular access j. identification of filled areas k. location of fences, boundaries, retaining walls and any other notable features l. prevailing winds for buildings 6 storeys and over
O4.	To ensure all new developments are well integrated with adjoining development and the wider street by responding to urban from, topography and landscape, view corridors and the local street and pedestrian networks.		

Objective		Control	
			m. overshadowing to the site
		C4.	For surrounding land, the Site Analysis Plan should show: a. the location, height, and use of buildings (including doors and windows), private open spaces, and out-buildings on adjoining properties b. items of heritage significance and heritage conservation areas c. characteristics of any public open spaces d. location and height of walls built to the site's boundary e. views and solar access enjoyed by adjacent residents f. major trees on adjacent properties, particularly those within 9 metres of the site g. street frontage features such as poles, street trees, kerb crossovers, bus stops and other services h. adjacent or nearby parkland, bushland and wetlands; including potential wildlife corridors i. topography of surrounding land j. location of neighbouring solar roof panels (if any) k. The location of any nearby industrial uses.
		C5.	Applicants are to demonstrate as a part of their Development Application how the Site Analysis has informed the design outcomes at the site. This should be identified within the Statement of Environmental Effects.

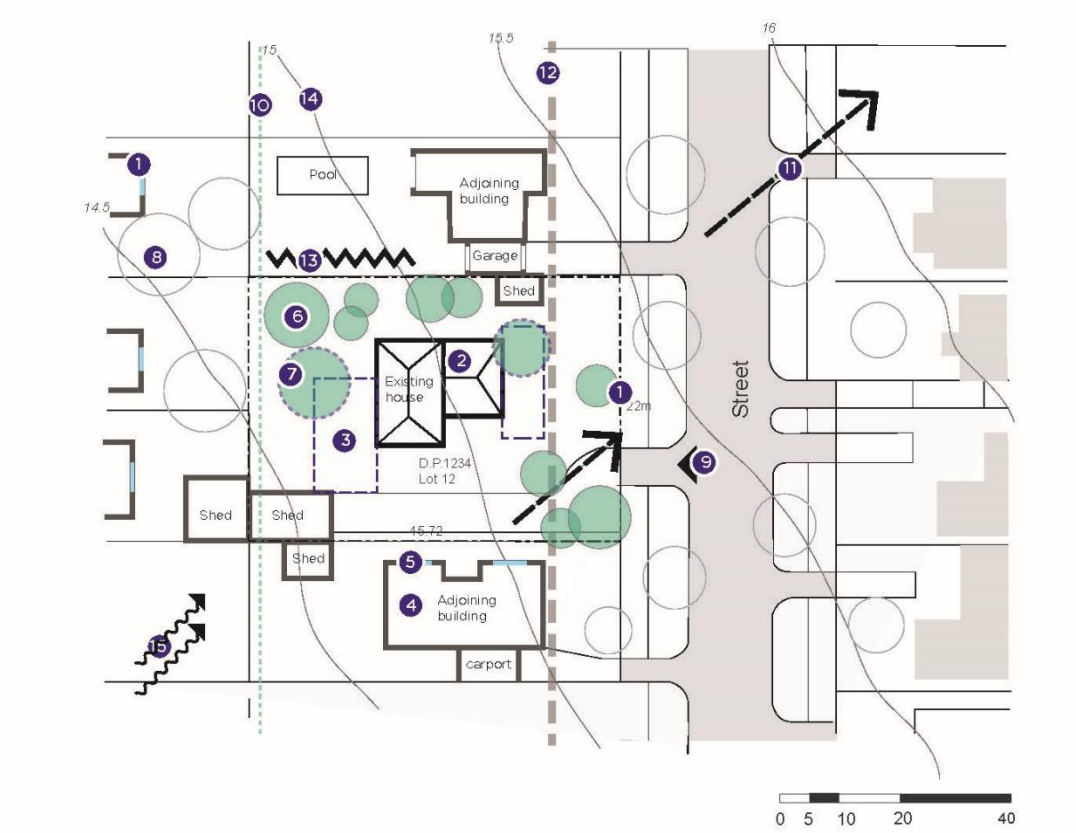


Figure 2: Example of a site analysis plan

3.1.2 Interface with Public Domain

This Section includes provisions to ensure that development makes a positive contribution to the public domain.

Objective		Control	
O1.	To ensure that all ground level elements of buildings visible from the streets and parks make a positive contribution to the public domain.	**C1.**	Buildings are to be designed to: a. have a clearly defined entry point; and b. address the street, side street, rear laneway or any adjacent parks and/or public spaces
O2.	To design building entrances that provide a clear entry to the development that will assist in visitor orientation.		

Objective		Control	
O3.	To ensure public domain elements that contribute to the streetscape are provided as part of future development.	**C2.**	The visual and physical connection between the building frontage and the public domain must be considered in all development applications to ensure that the interface at ground level promotes a high level of pedestrian amenity and equitable access.
O4.	To encourage longer visitation of public places to maximise passive surveillance opportunities.		
O5.	To co-locate pedestrian, cycling and vehicular routes, where possible, to maximise activity and passive surveillance.	**C3.**	For mixed use development which contains residential dwellings, the principal usable part of outdoor private open space must not be located on the street frontage, unless it is on the first floor or above.
		C4.	Public domain improvement works such as footpath paving, reconstruction of kerb and gutter, landscaping, street trees, amenity area lighting and furniture may be required at the developer's expense.
		C5.	Comfortable public places with high-quality public furniture, good shade and interesting outlooks within the public domain and open space shall be provided.
		C6.	Walking and cycling paths are to be an adequate width for both to pedestrians and cyclists and promote: a. connectivity b. convenience c. comfort d. enable clear sight lines.
		C7.	Pedestrian and cycling paths must comply with Australian Standard 1428.
		C8.	Developments are to be designed so that required services and infrastructure (e.g. hydrants) that interface with the public domain are considered and integrated into the built form design at development assessment stage.

3.1.3 Crime Prevention through Environmental Design

Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on planning and design of cities, neighbourhoods, and buildings. It aims to reduce opportunities for crime by using design and place management principles in new development.

Objective		Control	
O1.	To ensure development results in safer urban environments within the Bayside LGA, minimising opportunities for criminal activities and anti-social behaviour, and improving community safety.	**C1.**	CPTED principles are to be addressed in all development applications where there is the potential to minimise risk and improve safety.
O2.	To ensure CPTED principles are considered as part of the development process.	**C2.**	Larger development applications (as outlined below) are to be supported by a Safer by Design Assessment Report: a. Residential flat buildings and multi dwelling housing (20 or more dwellings). b. mixed use developments (with 20 or more dwellings) c. New or upgraded commercial/retail development (major work) d. New industrial complex (i.e. 10 industrial units) e. New or upgraded schools (major work) f. Large sports/community facilities g. Club/hotels (i.e. extended hours, gaming rooms) h. Service stations/convenience stores i. Hospitals; or j. Any other development which the Council considers needs to be reviewed by the Police in the interests of community safety.
O3.	To maximise natural surveillance to public spaces and streets by increasing the level of activity for nearby buildings and streets.	**C3.**	CPTED principles that are to be integrated as part of new development include, but are not limited to the following: a. incorporate and/or enhance opportunities for effective natural surveillance b. deliver clear sight lines between public and private places c. install effective lighting d. include appropriate landscaping of public areas e. minimise opportunities for crime through suitable access control, such as audio or video intercom systems to building lobbies or restricted swipe card access to common areas and car parks. f. incorporate design elements that contribute to a sense of community ownership of public spaces g. define transitions between public and private spaces as a method of territorial reinforcement. Methods

Objective		Control	
			other than gates, fences and enclosures are encouraged. h. increase the possibility of detection, challenge and apprehension of persons engaged in crime i. provide non-slip pavement surfaces to public pedestrian areas and communal accessways j. for buildings adjoining laneways and through block connections, activate these spaces at ground level and provide casual surveillance k. avoid secluded and hidden areas that could encourage criminal and anti-social behaviour. l. ensure clear wayfinding measures are incorporated into large scale developments, such as signage and numbering. m. ensure fences and walls do not interfere or reduce the visibility and natural surveillance to and from public areas, streets and private entrances. n. Ensure landscape planting and vegetation do not impede views to communal areas, building entries, or public streets and spaces, o. Avoid long blank walls and deep insets.
		C4.	Public domain and open space are to be visible from neighbouring buildings, surrounding streets and infrastructure (i.e. schools, library, etc.).
		C5.	Solid fences are strongly discouraged for new development or subdivisions backing onto public domains and open spaces.
		C6.	Public facilities (i.e. ATMs, bicycle storage, public toilets and telephones) are to be highly visible from public areas. Where possible, these facilities are to be located adjacent to uses or activities with extended trading hours such as restaurants, cafés and convenience stores.

3.1.4 Active Street Frontages

This Part applies to land identified as “Active street frontage” on the Active Street Frontages Map in the Bayside LEP 2021, as well as other centres zoned for business or mixed use purposes across the LGA.

Objective		Control	
O1.	To ensure that active street frontages present as pedestrian oriented and are of high-quality design.	**C1.**	Where active street frontages are required, development is to: a. identify landscaping, street paving and furniture etc along the active street frontage b. orientate and program active uses on the ground floor to maximise the visual amenity for outdoor seating opportunities c. provide a minimum width of 2 metres on a public footpath that is clear of any obstructions or structures for pedestrian access
O2.	To provide for continuity in design and outcomes for active street frontages.	**C2.**	On other sites within centres where no Active Street Frontage is required under BLEP 2021, active uses are to be provided (for example, retail and business premises) at ground level facing the street. These should maximise operable and glazed shop frontages, entries for all uses, active office uses such as reception and any other activities which provide pedestrian interest and activation.
O3.	To ensure safe design principles are incorporated in the design of active street frontages in the LGA.	**C3.**	Where outdoor dining is proposed to occupy the Council footpath, the applicant must obtain development consent, in addition to a lease agreement with Council.
O4.	To promote pedestrian activity and vibrancy.	**C4.**	The ground floor entries to all uses are to generally have same finished floor level as the adjacent footpath to facilitate direct access from the street.
		C5.	If the active street frontage adjoins a Heritage Item the setback, design and scale of the active street frontage must complement the Heritage Item.
		C6.	Active frontages are to maintain the existing fine grain subdivision pattern where appropriate.
		C7.	The design of active street frontages are to include a minimum 80% transparent glazing.
		C8.	The design of active street frontages must not incorporate security roller door and window bars.
		C9.	Active frontages are to contribute to the vitality of streets and night time activation by maximising entries / display windows to shops / food and drink premises.

3.1.5 Views

The Bayside LGA forms the backdrop to Botany Bay and the foreshores of the Cooks River. The ridgelines and higher points within the municipality were amongst the earliest parts of the LGA to be developed. Typically, prominent buildings such as churches and grand mansions, were located on these high points and today they still form distinctive landmarks. More recent development at Brighton Le Sands and Wolli Creek has seen the creation of new landmark buildings on the shores of the Botany Bay and Cooks River.

There are many significant natural features, heritage items and buildings in the LGA that contribute to its identity. The preservation, and wherever possible, enhancement of public views of these assets helps to maintain legibility and allows an interpretation of the area's landscape and cultural features.

"View sharing" concerns the equitable distribution of views between properties. View sharing also needs to be considered in site planning and building design.

Objective		Control	
O1.	To protect significant view corridors including to and from: a. Botany Bay b. Sydney CBD c. Local landmarks d. Heritage Items e. The Cooks River f. Other items that contribute to a sense of place or character, which may include natural and constructed.	**C1 .**	Development must consider any significant vistas or views to, from and across the site including those which contribute to the character, identity, or sense of place of the site.
		C2.	Development must retain existing views to Botany Bay, from within the site and from adjoining and adjacent sites, and where possible enhance views through site planning and building design.
O2.	To encourage view sharing as a means of ensuring equitable access to views from private property.	**C3.**	Development on highly visible sites, such as ridgelines, must be carefully designed so that it complements the character of the area and its skyline.
O3.	To provide additional views and vistas from streets and other public spaces where opportunities arise.	**C4.**	View corridors to landmarks and significant heritage items must be protected where possible. Development Applications may need to be supported by photo montages of the proposed development to illustrate the impact on views.
		C5.	Roof forms on the low side of streets are well articulated to allow public views and add interest to the scenic outlook. Large, flat expansive roofs with vents, air conditioning units and similar structures are inappropriate.
		C6.	Building forms and setbacks permit views from public streets and open spaces. In particular, views from public open spaces to the bay and district are preserved.

3.2 Design Excellence

This section contains objectives and provisions to guide design excellence and fine grain urban form in significant development. All buildings contribute to the urban and public domain character of Bayside Council and it is important that design excellence is a key consideration in the assessment of development applications.

The following DCP provisions complement Clause 6.10 of the Bayside LEP 2021. and must be read in conjunction with the Draft Government Architect's Design Excellence Competition Guidelines, 2018.

Bayside Council contains a number of urban renewal areas and large development sites. Within these areas it is important that development achieves high design quality standards and design variety. The following objectives and provisions aim to achieve design excellence through the application of the following provisions.

Objective		**Control**	
General			
O1.	Ensure development individually and collectively contributes to the architectural and overall urban design quality of the local government area.	**C1.**	Development is to give consideration to the principles of design excellence as outlined within Clause 6.10 of *Bayside Local Environmental Plan 2021* and within Council's Design Excellence Guidelines. The Guidelines can be located: https://www.bayside.nsw.gov.au/services/development-construction/planning-our-city/bayside-design-excellence-guidelines.
Design Competitions			
O2.	Ensure high quality and varied design through the use of competitive design processes for large and prominent developments.	**C2.**	Where a competitive design process must be undertaken as identified in the Bayside LEP 2021, it must be undertaken in accordance with the Design Excellence Guidelines as referenced in Clause 6.10 of the LEP and Bayside Council's Design Excellence Guidelines. The Guidelines can be located: https://www.bayside.nsw.gov.au/services/development-construction/planning-our-city/bayside-design-excellence-guidelines.
O3.	Encourage variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens Bayside Council's public realm.	**C3.**	Where a competitive design process is required, it is to be undertaken before the detailed Development Application is submitted.
O4.	Ensure development individually and collectively demonstrates the principles of ecologically sustainable development through exhibition of exceptional sustainable design measures and mitigation of any environmental impacts such as urban heat island effect, overshadowing, wind, air quality and reflectivity.	**C4.**	Any Development Application to which Clause 6.10 of the LEP applies, must be accompanied by a Design Excellence Report, including the following information: a. Site, context, form and design excellence analysis; b. Public domain layout including levels, uses, access, circulation and dedications; c. Statement outlining how the proposal achieves the requirements of Clause 6.10(4) of the Bayside LEP 2021 and is consistent with Bayside Council's Design Excellence Guidelines;

Objective		Control	
			d. Overshadowing and view analysis; e. Ecologically sustainable development strategies and benchmark commitments - including connection to green infrastructure and biodiversity and landscape commitments; and, where relevant, a f. Staging plan.
		C5.	Development is to incorporate the following sustainability measures (in addition to the requirements of **Section 3.3** of this DCP): a. Provision of Solar Photovoltaic Cells on the rooftop designed to maximise the coverage of the non-trafficable roof space. b. Provision for Electric Vehicle (EV) charging within the parking facility. c. Maximisation of non-potable stormwater re-use. d. Zoned and sensor-controlled lighting and air conditioning. e. Use of LEDs and other low energy flicker free lighting resources. f. Use of water saving appliances above and beyond BASIX requirements. g. Provide ample recycling storage rooms. h. Extensive use of deep soil landscaping and planters on interior/exterior of the buildings including provision of green walls, green roofs where possible etc. i. Provide separate circuiting for temporary power to minimal stair and corridor lighting. j. Consideration for adoption of sustainable building materials such as timber and the use of blast slag, fly ash or other pozzolan admixtures in concrete to minimise cement and reduce embodied carbon. k. Mitigation of any environmental impacts such as urban heat island effect, overshadowing, wind, air quality and reflectivity.

3.3 Energy and Environmental Sustainability

Overview

This Part sets out objectives and controls to provide a framework for the application of ecologically sustainable development principles in the design, construction, and operation of buildings across the Bayside LGA.

Bayside Council encourages energy and water efficient buildings. Energy efficient buildings require less energy for construction and maintenance, heating and cooling, lighting, and ventilation. A building's operating energy can be conserved through passive heating and cooling features such as insulation, double-glazing, thermal mass, shading, and natural ventilation.

A building's embodied energy can be reduced by constructing it from locally sourced and/or recycled materials, and by making it easy to dismantle and recycle in its turn. Large buildings can also conserve

energy by installing cogeneration units, which use the waste heat from electricity generation. Solar hot water heaters on roof tops can offset demand for electricity and gas by using sunlight to heat water.

Principles

The design of buildings should follow the general principles of 'green building design' to reduce consumption of non-renewable energy sources and thereby:

- use energy efficiently
- minimise the use on non-renewable energy
- reduce the peak demand on energy supply systems
- reduce greenhouse gas emissions
- reduce the use of potable water
- make buildings more comfortable for occupants all year round
- reduce energy bills and the lifecycle cost of energy services.

Note: State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX) sets provisions that aim to reduce energy and water consumption for residential development. BASIX is designed to reduce the impacts of new housing on the environment by identifying the minimum standards that a development is to achieve. Details are at www.basix.nsw.gov.au.

The BASIX SEPP also mandates that a DCP cannot include provisions which require a development to exceed its minimum standards. However, where voluntarily proposed, Council encourages development to exceed minimum BASIX scores. Residential developments must meet the BASIX benchmarks as well as the requirements of the Part.

Section J of the Building Code of Australia contains mandatory requirements for the design of building envelopes and fixtures to minimise energy use and should also be referenced in conjunction with these controls.

3.3.1 General Controls

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td colspan="4">Energy and Water Efficiency – General</td></tr>
<tr><td>O1.</td><td>Development:
a. ensures that energy efficiency is a fundamental component of the design and construction of residential development.
b. minimises consumption of resources including energy, water, waste and soil for the lifecycle of the building/development
c. applies principles and processes that contribute to ecologically sustainable development (ESD)
d. minimises green-house gas emissions</td><td>C1.

C2.

C3.</td><td>Areas of glazing are located to avoid energy loss and unwanted energy gain.

Development provides appropriate sun protection during summer for glazed areas facing north, west and east, whilst allowing for penetration of winter sunlight (see Figure 3).

Extensive areas of glazing that are unprotected from sun during summer are not permitted. Shading devices include eaves, awnings, balconies, pergolas, external louvers, and projecting sunshades. Unprotected tinted windows are not acceptable.</td></tr>
<tr><td>O2.</td><td>To reduce the potable water consumption of all new residential developments.</td><td></td><td></td></tr>
</table>

Objective		Control	
		C4.	Lighting for streets, parks and any other public domain spaces provided as part of a development should use energy efficient lighting such as LED lighting.
		C5.	Ensure the location of windows, doors and internal layout of the building promotes air movement for cooling.
		C6.	For all developments where BASIX is not applicable, the following water efficiency design elements must be included and demonstrated on the plans: a. new or altered showerheads are to have a flow rate of no greater than 9 litres per minute or a 3 star or greater rating b. new or altered toilets are to have a flow rate no greater than 4 litres per average flush or a 3 star or greater rating c. new or altered taps must have a flow rate no greater than 9 litres per minute or 3 star or higher water rating

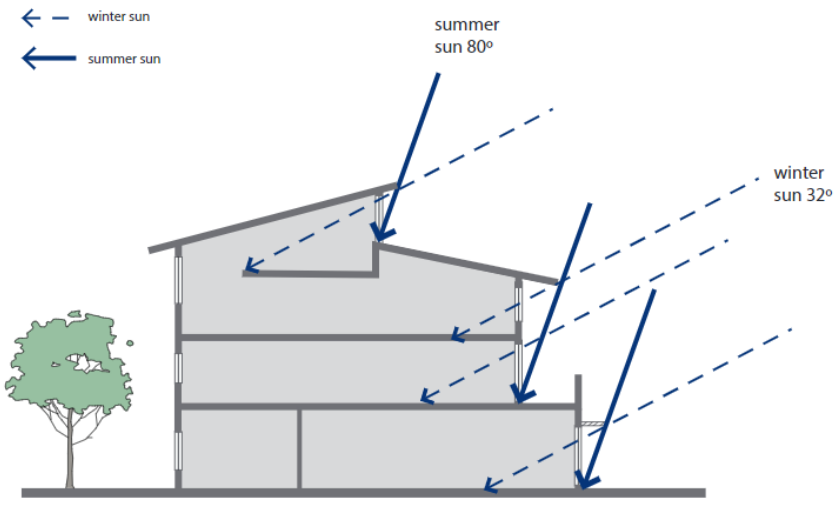


Figure 3: Example of application of shading devices

Energy and Water Efficiency – Non-residential development

Objective		Control	
O3.	Design and construction of non-residential development: a. incorporates energy efficiency as a fundamental component b. minimises adverse impacts on the environment, including preventing pollution of air, soil, and water	**C7.**	Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, appropriate use of thermal mass and external shading, including vegetation.
O4.	To design developments to improve water conservation and increase on-site storage of rainwater for reuse.	**C8.**	Rainwater tanks are to be installed for all non-residential developments, including major alterations and additions that have access to a roof form from which rainwater can be feasibly collected and plumbed to appropriate end uses.
		C9.	Development is to be designed and constructed to meet the rating systems shown in **Table 1**.

Development type	Energy	Water
Hotels (new hotels only)	Minimum 4.5-star NABERS rating or equivalent	Minimum 4-star NABERS rating or equivalent (new hotels only)
Office development over 1,000sqm NLA (including within mixed use schemes and significant alterations and additions valued at over $5m)	Base building to achieve a minimum 5-star NABERS rating or equivalent (140kgCO2e/sqm/year)	Base building to achieve minimum 4-star NABERS rating or equivalent (0.65kL of water use/sqm/year)
Shopping centres/retail development over 15,000sqm GLAR	Base building to achieve minimum 5-star NABERS rating or equivalent (100kgCO2e/sqm/year)	Base building to achieve minimum 4-star NABERS rating or equivalent (0.95kL/sqm/year)
Industrial development over 20,000sqm GFA	Minimum 5-star Green Star rating or equivalent	Minimum 5-star Green Star rating or equivalent

Table 1: Energy and Water Efficiency – Non-residential development

3.3.2 Natural daylight and ventilation (passive design)

Objective		Control	
General			
O1.	To maximise the benefits of passive solar design and minimise reliance on artificial lighting in residential development.	**C1.**	Buildings must comply with the following minimum ceiling heights to facilitate adequate natural lighting and ventilation:

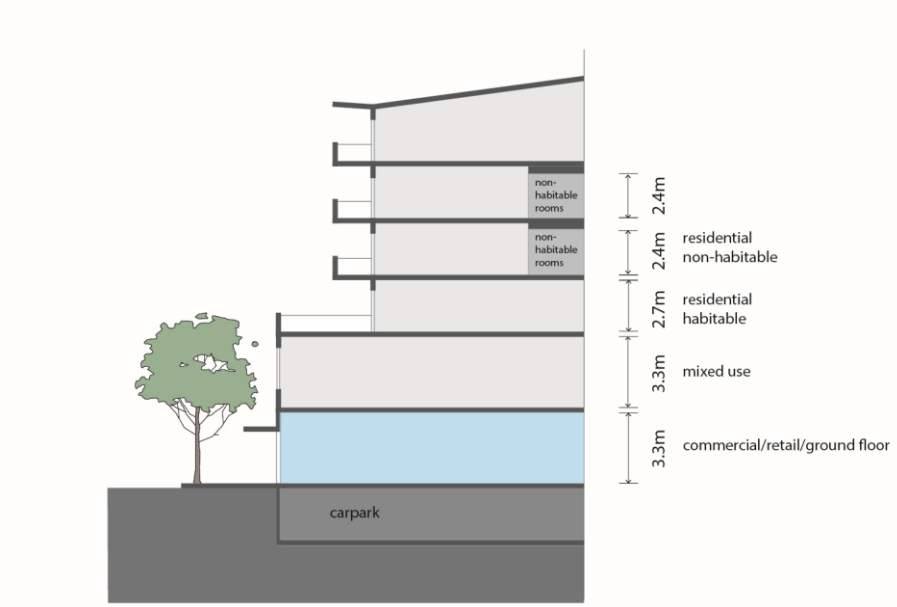
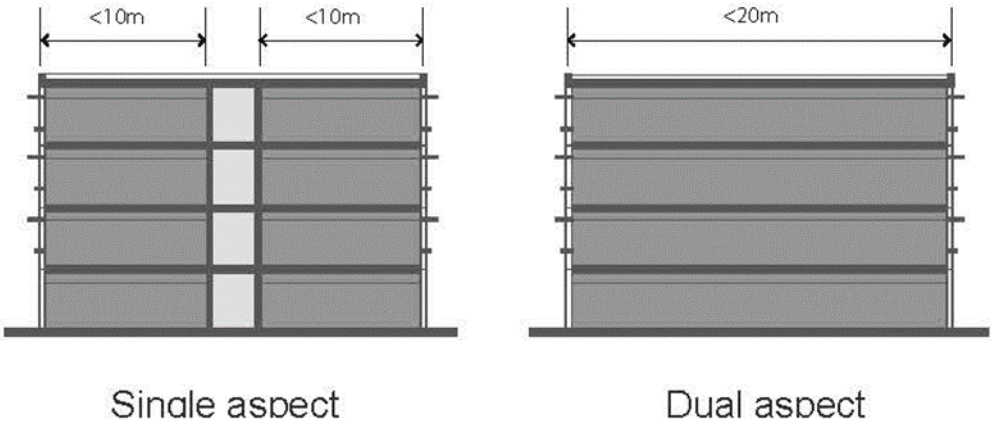
<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td></td><td></td><td>
<table>
<tr><th>Development Type</th><th>Habitable rooms</th><th>Non-Habitable rooms</th></tr>
<tr><td>Residential</td><td>2.7m</td><td rowspan="3">2.4m</td></tr>
<tr><td>Retail & commercial</td><td>3.3m</td></tr>
<tr><td>First floor & above of mixed-use building</td><td>3.3m</td></tr>
</table>
Table 2: Minimum Ceiling Heights
</td></tr>
<tr><td colspan="4"> 

Figure 4: Minimum ceiling heights (for clear space and provision of services, in addition to slabs)</td></tr>
<tr><td></td><td></td><td>C2.</td><td>Buildings must be designed to maximise opportunities for cross flow ventilation by providing clear breeze paths and shallow building depths. The maximum internal plan depth of a residential apartment should be 18m from glass line to glass line. Developments that propose greater than 18m must demonstrate how satisfactory daylight and natural ventilation is achieved.</td></tr>
<tr><td></td><td></td><td>C3.</td><td>Windows that can open and which are designed to provide controlled air flow should be installed.</td></tr>
<tr><td></td><td></td><td>C4.</td><td>Buildings must have an adequate number of openings at each level to allow natural light</td></tr>
</table>

Objective		Control	
			and ventilation, including lift lobbies and entries.
		C5.	Office premises must be designed to receive natural light and ventilation. Office floor plates are to have a depth of no greater than 20m if dual aspect, or 10m if single aspect. Office spaces should be designed, through orientation and the inclusion of environmental control devices, to achieve maximum daylight without compromising the internal amenity through glare or heat gain from direct sunlight.
 **Figure 5: Office floorplate depths**			
		C6.	Each industrial unit within an industrial complex must have a reasonable size window at each level to allow natural light and ventilation.
		C7.	On deep sites, courtyards and light wells should be provided on the lower levels of mixed use and commercial buildings to achieve natural lighting of every level and cross ventilation and/or stack effect ventilation.

3.3.3 Reflectivity

Objective		Control	
O1.	To protect the amenity of the public domain from excessive glare and reflection.	**C1.**	A Reflectivity Report that analyses potential solar glare from the proposed building design may be required for tall buildings.

Objective		Control	
O2.	To reduce the risk of distractions to pilots of aircraft from lighting and light fixtures near Sydney Airport.	**C2.**	For buildings in the vicinity of arterial roads/major roads and Sydney Airport, proof of light reflectivity is required and is to demonstrate that light reflectivity does not exceed 20%.
		C3.	The placement, orientation and configuration of new buildings and facades must not result in glare that produces discomfort or endangers safety of pedestrians or motorists.
		C4.	Materials must be durable and can be easily cleaned and are graffiti resistant.
		C5.	National Airports Safeguarding Framework Guideline E – Managing Pilot Lighting Distraction should be referred to where relevant. This is available to view at: https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-safety/aviation-environmental-issues/national-airports-safeguarding-framework/national-airports-safeguarding-framework-principles-and-guidelines.

3.3.4 Rating Tools

3.3.4.1 NABERS

The National Australian Built Environment Rating Scheme (NABERS) is a national rating system that measures the environmental performance of Australian buildings, tenancies and homes and is managed by the Office of Environment and Heritage.

The NABERS scheme covers offices and commercial tenancies, selected hotels, shopping centres and homes. The scheme is being developed for hospitals, schools and data centres. The key environmental categories covered under NABERS include:

- Energy use and greenhouse emissions;
- Water use;
- Waste; and
- Indoor environment.

The NABERS scheme is voluntary; however, Federal Legislation will require building owners selling or leasing commercial office space greater than 2,000m^2 to disclose their NABERS rating through a Building Energy Efficiency Certificate (BEEC).

3.3.4.2 Green Star

Green Star is a national, voluntary environmental rating system run by the Green Building Council of Australia, which evaluates the environmental design and construction of buildings and communities.

Green Star rating tools are currently available for a variety of sectors. Businesses and organisations are encouraged to have buildings rated under the Green Star system to help reduce the environmental

impact of buildings, improve occupant health and productivity, and achieve real cost savings and showcase innovation in sustainable building practices.

3.3.5 Energy Assessment

Objective		Control	
O1.	To apply principles and processes that contribute to ecologically sustainable development which reduces impacts on the environment.	**C1.**	A report on energy and water efficiency is to be submitted with a development application for any building works with a construction cost of $1,000,000 or more. The report must address how the principles of this DCP Part have been incorporated which should include but not necessarily be limited to: a. Whether the building has achieved a NABERS or Green Star rating. b. Passive solar design principles used to avoid the need for additional heating and cooling. c. How energy efficiency has been incorporated into the design in general, such as the incorporation of building articulation to allow daylight into ground and first floor levels. d. Justification of hot water systems selection. e. Overshadowing of adjoining properties. f. Total anticipated energy consumption. g. Water efficient fixtures and water conservation measures. h. How demand for water and discharge of wastewater will be minimised. i. Incorporation of renewable energy types such as solar hot water heating. j. Use of recycled building materials and materials with low embodied carbon. k. Use of materials that are non-polluting in manufacture, use and in disposal. l. Use of roof lights and vents to internal service rooms at roof top level to minimise reliance on artificial light and ventilation. m. Use of advanced air conditioning systems and new technologies such as chilled beam air conditioning and waste heat recovery systems for larger buildings. n. Incorporate water conservation measures as referred to in this DCP.

3.4 Heritage

3.4.1 Heritage overview - General

Our history, both Indigenous and non-Indigenous is important. Heritage items can include Aboriginal places and objects, buildings, monuments, gardens, bridges, cultural landscapes, parks, archaeological sites, shipwrecks, relics, bridges, streets, industrial structures, and heritage conservation areas. Heritage listings can also apply to single buildings or individual places (heritage items), groups of buildings listed together as a group heritage item, or precincts and suburbs (heritage conservation areas).

The heritage items of Bayside are significant in the course and pattern of Bayside's history and have heritage value to the people of the Bayside Local Government Area (LGA). Local heritage items in the LGA contribute to the community's sense of place and identity and form important links to the past that are protected and conserved for future generations. Heritage conservation does not prevent change, rather it contributes to the rich tapestry of the history and stories that have shaped the places, and people across the Bayside LGA.

The Bayside LSPS reinforces the strategic important of heritage in the future planning of the LGA to ensure that the design of the public domain and built environment respects, protects and enhances the distinctive character, important scenic and cultural landscapes and reinforces the unique stories and diverse histories of communities across Bayside LGA.

Land to which this Part Applies

This Part of the Bayside DCP is to be used to guide proposed development or works to heritage items and within heritage conservation areas and works proposed within their vicinity. It incorporates overarching objectives and detailed provisions which aim to ensure the conservation of heritage in the Bayside LGA, whilst allowing appropriate change to occur. Specifically, it applies to:

- Land that is listed as a heritage item
- Land that forms part of a group heritage listing
- Properties that are located within heritage conservation areas
- Properties that are in the vicinity of heritage items and heritage conservation areas.

Development Application Documentation

Where a proposal seeks to undertake works to a heritage item, on land adjacent to a heritage item or in the vicinity of a heritage item, or within a heritage conservation area, a heritage management document is required to be submitted for consideration, in accordance with Clause 5.10 of the Bayside Local Environmental Plan 2020.

The extent of information required in a heritage management document will depend on the heritage significance of the property, the contribution of the property to a heritage conservation area (if relevant), and the nature and scope of the development proposed. Council may require any of the following heritage management documents:

- **A Heritage Impact Statement (HIS)** (sometimes known as a Statement of Heritage Impact): is required for work to heritage items and work to properties within heritage conservation areas. The type of HIS required depends on the scope of works proposed. Some minor works, such as internal works or repair, will only require a short HIS that can be written by the property owner or architect/designer. If the proposed works will have an impact on significant fabric or alter the structure of the building, the HIS should be prepared by a suitably qualified heritage consultant.

  Heritage Impact Statements should address the following:

  - Historical development of the site

- Description of the item and its setting (e.g. garden, fences, ancillary buildings, etc)
- Contribution to the streetscape: height, scale, mass, setback, fenestration, architectural style and period
- Heritage significance (use heritage manual criteria and state heritage inventory datasheet)
- Effects of the proposal on the heritage significance of the place and its setting
- Design options and rationale for the preferred option
- Relevant conservation principles in accordance with the Burra Charter (where appropriate).

For more information, refer to the information sheet 'Statements of Heritage Impact' on Council's website. Guidance on preparing Heritage Impact Statements is also available at www.heritage.nsw.gov.au. Council's heritage advisor and planning staff can help prior to lodging your application.

- **A Heritage Assessment (HA)**: may be required by Council where a proposal may affect the heritage values of a place that is not identified as a heritage item within the LEP but may have heritage value. A HA should be prepared by a suitably qualitied heritage consultant.
- **A Schedule of Conservation Works (SoCW)**: may be required by Council as a condition of development consent, if a proposal is submitted for a heritage place in need of repair or maintenance. Refer to Clause 5.10.10 of the LEP.
- **A Conservation Management Plan (CMP)**: is rarely required for residential development. A CMP is only required for places that are considered to have a high level of heritage significance. This will usually be a place of state heritage significance (that is, a place on the State Heritage Register [SHR] or identified in the LEP as a place of state significance), or a heritage item owned by Council.
- **A Conservation Management Strategy (CMS)**: is an alternative to a CMP and provides a broad overview of conservation approaches that apply to the heritage item, and guidance for the management of its heritage values. A CMS may be required for local heritage items, or as an interim document pending the preparation of a full CMP for state heritage items. The CMS should contain a Schedule of Conservation Works describing the conservation and maintenance works proposed to be undertaken to the item.
- **A Heritage Landscape Plan**: may be required if the property has significance for its landscape values, including Parks and significant private gardens. A qualified consultant should be engaged to prepare the Heritage Landscape Plan, when it is required.

Heritage management documents should be prepared in accordance with the following documents and best practice guidelines:

- NSW Heritage Manual (NSW Heritage Office 1996)
- Assessing Heritage Significance (NSW Heritage Office 2001)
- Assessing Significance for Historical Archaeological Sites and Relics (NSW Heritage Branch 2009)
- the relevant principles and guidelines of the Australia ICOMOS Burra Charter, 2013 (the Burra Charter).

Bayside Council acknowledges the principles and practices recommended by the Burra Charter in the conservation of items of cultural heritage, which have informed the preparation of this section of the DCP. The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places). The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers, and custodians.

When preparing a development application, the principles of the Burra Charter should be applied. In the event of any inconsistencies between the Burra Charter and the DCP, the DCP will prevail.

This part has been compiled having regard to the following relevant Acts and documents:

- Heritage Act 1977 (NSW) (the Heritage Act)
- National Parks and Wildlife Act 1974 (NSW) (the NPW Act)
- Environmental Planning and Assessment Act 1979 (NSW) (the EPA Act)
- Bayside Local Environmental Plan 2020
- Environment Protection and Biodiversity Conservation Act 1999 (Cwlth) (the EPBC Act)
- The Government Architect of NSW Design Guide for Heritage
- Bayside Heritage Study 2019
- The Burra Charter.

3.4.2 Aboriginal cultural heritage

For the purpose of this DCP Aboriginal heritage is referred to generally as Aboriginal heritage places.

Aboriginal heritage places may include Heritage Items or Aboriginal places of heritage significance that are listed in the Bayside LEP Heritage Schedule, and/or may be listed on the State government Aboriginal Heritage Information Management System (AHIMS). In Bayside, Aboriginal heritage places that have already been recorded include ancient campsites where Aboriginal people lived, burial places, trees scarred by Aboriginal people, historical Aboriginal camps, historic buildings where Aboriginal people lived or worked, factories and industrial areas that employed Aboriginal people in more recent times, and a range of other places that have cultural or historical associations for Aboriginal people.

Based on archaeological and historical records and Aboriginal community knowledge there are areas which have the potential to contain unrecorded Aboriginal heritage places. These areas of potential have been defined as an 'Area of Aboriginal heritage sensitivity' and are being mapped on the Aboriginal Heritage Sensitivity maps which will be included the future Aboriginal Heritage Management Strategy. Objectives and controls relating to Areas of Aboriginal heritage sensitivity are to be released with the Aboriginal Heritage Management Strategy.

Development consent requirements

Development consent is required for an activity that will impact an Aboriginal object or Aboriginal place of heritage significance, and Council must consider the effect of the proposed activity on heritage significance.

Objective		**Control**	
O1. **O2.**	Respect and value Aboriginal heritage, culture and places in the Bayside LGA. Ensure that new development protects, conserves, and considers that significance of Aboriginal heritage.	**C1.**	Where a development proposal affects an Aboriginal heritage place an Aboriginal heritage assessment report must be submitted with the development application. The report shall: a. be undertaken by a suitably qualified Aboriginal heritage consultant b. contain evidence of Aboriginal community consultation with the

Objective		Control	
			relevant Local Aboriginal Land Council(s) c. include evidence of a site inspection d. consider ways in which harm to known or potential Aboriginal objects can be avoided in relation to the proposed activity and outline the steps to be followed to ensure this e. identify further requirements in situations where harm cannot be avoided, such as archaeological test excavation and application for an Aboriginal Heritage Impact Permit f. provide recommendations for identifying and dealing with unexpected finds

3.4.3 Archaeological management

The heritage and archaeology of Bayside Council is diverse and includes evidence of early contact between Aboriginal and non-Aboriginal people, nineteenth-century European settlement, continuous and ongoing cultivation of land for market gardens since the 1850s, and several items of public works infrastructure of state significance. Archaeological sites are important physical resources which may provide significant information about the past that is not available from other historical sources. This section clarifies how these resources are to be managed.

Under the EPA Act, Council provides management provisions for heritage through the LEP and this DCP. Beyond the requirements of the provisions contained within the Bayside LEP, the Heritage Act affords automatic statutory protection to 'relics' which form part of archaeological deposits. The Heritage Act defines a 'relic' as any deposit, object, or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of state or local heritage significance.

Some areas within Bayside Council have more potential to contain archaeological deposits than others. If a proposed development is located on land listed as having state or local heritage significance in the Bayside LEP an assessment may be required before the application can proceed. The assessment will grade the potential for and significance of potential archaeological deposits and will identify further management requirements, including the need for excavation permits.

As the exact location of some historical archaeological sites may be unknown, controls and policies need to be in place to identify, retain and conserve these sites where possible. Under the Heritage Act there is also an obligation to stop work and contact the Heritage Office if relics are unexpectedly disturbed or uncovered.

The types of place or items studied by historical archaeologists include:

- Archaeological sites: below ground evidence including building foundations, occupation deposits, features and artefacts and above ground evidence, including buildings, works, industrial structures and relics that are intact or ruined.
- Cultural landscapes: areas of land that display evidence of human activity, occupation or significance to a historic group or entity.

- Maritime sites: shipwrecks, deposits, and structures in the water or within the tidal zone

Objective		Control	
O1.	Ensure the protection and conservation of archaeological or potential archaeological sites.	**C1.**	Where it can be reasonably expected that archaeological relics may exist on a property, investigations are to be undertaken to determine the archaeological significance of that site prior to the issue of development consent.
O2.	Ensure the appropriate management and conversation of an archaeological site and relics once its significance has been established.	**C2.**	Where investigations show the site is of archaeological significance, a Heritage Assessment report is to be prepared by a suitably qualified heritage consultant. Depending on the nature of the archaeological significance, this may take the form of: a. Historical Archaeological Assessment b. Heritage Impact Assessment c. Conservation Management Plan
		C3.	Where a proposed development may impact a known or potential archaeological site, excavation permits may be required before works can proceed.
		C4.	Disturbance of below ground relics should be minimised. On sites with state significance, relics may need to be conserved in situ.
		C5.	Design and location of new works should not detract from the inherent significance of the site.
		C6.	Council may impose conditions of consent to ensure any unexpected discovery of archaeological relics ensures these relics are investigated and, where appropriate, preserved.

3.4.4 European Heritage Items

Bayside's heritage is identified through the provisions of the Bayside Local Environmental Plan 2021 (LEP). Planning controls seek to maintain and enhance the identity of the area by protecting heritage listed places and encouraging development that respects the scale and character of the significant heritage fabric.
There is considerable diversity in the architectural styles and periods of development across the LGA. Heritage listed buildings can originate from one of the following periods of development within the local area:

- Victorian (up to 1895–1900)
- Federation (between c1900 and 1915)
- Interwar (between WWI and WWII)
- Post-war (WWII to the 1960s)
- Mid-century (1960s to 1980s)

Objective		Control	
General			
O1.	Maintain the heritage significance and integrity of heritage items and group heritage items.	**C1.**	Any development application for works to a heritage item must be accompanied by a Heritage Impact Statement as required by the Bayside Local Environmental Plan 2020.
O2.	Ensure new work is sympathetic and provides for the long-term conservation of the heritage item.	**C2.**	Development of a heritage item must: a. protect the setting of the heritage item b. retain the significant internal and external fabric and recycle, re-purpose and re-use fabric and building elements c. avoid 'facadism' by retaining all significant elements of the building including the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials (including the interior when it is of significance) d. remove unsympathetic elements where they are directly affected by the development. e. reinstatement of missing building elements and details is encouraged but should be based on evidence and not conjecture. f. use materials, finishes and colours that are appropriate to the architecture, style and age of the heritage item g. reflect the dimensions, pattern and style of original window and door openings when creating new openings h. maintain and repair the building in order to keep the heritage item in good condition
O3	New development to support ongoing care, maintenance, use and re- use of heritage items.		
		C3.	The design and siting of new work must complement the form, orientation, scale and architectural style of the heritage item.
		C4.	Encourage heritage items to be used for purposes that are appropriate to their heritage significance.
		C5.	Adequate open space must be provided around the heritage item to maintain significant or historic public domain views to and from the heritage item.
		C6.	Original or significant landscape features that are associated with the heritage item

Objective		Control	
			and/or contribute to the setting must be retained. Where it can be demonstrated that changes to significant elements of a heritage item are unavoidable, they must be reversible where possible.
		C7.	Development of a heritage item must seek to reconstruct missing architectural detailing where possible, including gables, joinery details, front verandas or bays. Verandas on the front and sides of a heritage item shall not be infilled.
		C8.	Development of buildings which form part of group heritage items must ensure that the integrity of the group is retained. Alterations and additions should be located at the rear and designed such that the significant scale, form, features, and materials of the group are retained.
Alterations and Additions			
O4.	Ensure that important elements and features of a heritage item are not obscured or destroyed by alterations and additions.	**C9.**	Alterations and additions must not adversely impact the significance of a heritage item and, where possible and appropriate, locate additions and alterations in the footprint of previous additions on the site and minimise their visibility and prominence from the street.
O5.	Ensure alterations and additions to heritage listed commercial buildings are designed to minimise the impact on the heritage significance of the item.	**C10.**	Maintain the integrity of the building form (including the roof form and profile) so that the original building is retained and can be clearly discerned, particularly when viewed from the public domain.
		C11.	The height of an addition must not project above the main ridgeline of the heritage item.
		C12.	Changes at the rear of heritage items are generally supported where new work does not impact on the heritage significance of the heritage item or alter its scale. Additions should be designed to be submissive in scale to the original building.
		C13.	Original shopfronts and awnings must be retained and must not be covered by solid roller doors or security screens.
		C14.	Existing open first floor balconies shall not be enclosed.
		C15.	Original painted signs on walls shall not be painted over or damaged.

Objective		Control	
		C16.	New commercial signage shall be sympathetic to the proportion and colour scheme of the façade. Neon signage, rooftop signage, signage to first floor facades and signage painted onto face brickwork is not permitted.
		C17.	Rear extensions shall not be visible from the street and dormer and roof windows are not permitted on roofs visible from the street.
		C18.	Where possible, locate ancillary infrastructure on other non-significant structures, such as existing non-significant garages, to minimise intervention in significant fabric.
Design and Materiality			
O6.	Materials, details and finishes that contribute to the significance of heritage items must not be removed or obscured.	**C19.**	Retain and conserve original materials and details. Original materials of heritage items must not be replaced with different materials.
O7.	Retain original features, proportion of walls and openings that contribute to the aesthetic quality and/or significance of a heritage item.	**C20.**	The original roof cladding of a heritage item (slate, tiles or corrugated iron) must not be changed if it is in good repair. Replacement of roof cladding must use the same materials as the original roof.
		C21.	The front façade of a heritage item is not to be rendered or painted unless paint is the original finish.
		C22.	External colour schemes must be sympathetic to the heritage item and based on historic research and paint scrapings (where appropriate).
		C23.	Original door and window openings are to be retained and repaired. If non-original doors or windows are to be replaced the new doors or windows must match the proportions and materials of the original.
		C24.	Extensive areas of glazing visible from the public domain are not permitted unless this was a feature of the original design of the building.
		C25.	New skylights, air conditioners, solar panels, skylights and other infrastructure are to be located on roof planes facing away from the street and must not be visible from the public domain.
Landscaping			

Objective		Control	
O8.	Retain and protect heritage listed landscapes and garden elements that contribute to the significance of heritage items.	**C26.**	A Heritage Landscape Plan may be required for development that impacts heritage-listed gardens.
		C27.	Established trees that contribute to the significance of the heritage item shall not be removed unless it can be established by an arborist that the health of the tree is such that it requires removal. Where such trees are removed, they should be replaced with trees of the same species.
		C28.	Original or early garden layouts that contribute to the significance of the heritage item are to be retained. Garden elements that are original shall not be removed, including trees, plants, paths, decorative features, walls and fencing.
		C29.	Original fences shall be repaired and retained and original face brick or stone fences must not be painted or rendered.
		C30.	New fencing and gates must be of a style that is consistent with the style of the dwelling.
		C31.	New fencing forward of the building line (i.e. front boundary fencing) shall be between 700–1200mm in height, unless justification can be provided to establish a greater height (e.g. if the property is located along a major road; the original fencing was of a greater height).
		C32.	Driveways are to be designed as concrete or brick strips with grass or gravel in between. Hard landscaping is to be minimised.
Parking and Garages			
O9.	Minimise the visual intrusion of new structures that accommodate vehicles.	**C33.**	Garages and carports are to be located at the rear or at a minimum of 3 metres behind the front building line of the existing house. If there are significant side windows the garage or car port must be set back behind these.
		C34.	Where a property has access to a rear lane, vehicle accommodation is to be located adjacent to the laneway with vehicle access from the laneway.
		C35.	Garages must be sympathetic and recessive to the front building line and proportionally less than the remaining front façade. They should be integrated with or

Objective		Control	
			hidden from the overall design of the building in terms of height, form, materials, detailing and colour. Roller doors are not permitted, garage doors are to be tilt or panel lift doors.
Interiors			
O10.	Ensure that significant interior layouts and elements of heritage items are retained and conserved. **Note**: Building interiors often have heritage significance. This does not mean that interiors cannot be upgraded or changed; however, where a building's interior or parts of that interior have heritage value, the heritage listing seeks to retain and incorporate those values into proposals. If changes to the principal rooms of a heritage item are proposed, this is to be addressed within the HIS. Council may request current photographs of the interiors of the heritage item as part of a HIS to assist in understanding the heritage significance of an interior.	**C36.** **C37.** **C38.**	Minimise change to significant internal room layouts and finishes. Allow for reversibility of internal changes to significant areas where possible. Retain significant building entrances, hallways and foyers and internal features such as cornices, ornamentation, fireplaces, original flooring, plasterwork etc. Locate changes away from main rooms that have intact or significant internal features. New openings in internal walls must retain the structural integrity of the building and should retain significant ceilings and cornices. The ability to interpret original wall positions and room proportions is desirable.
Integration of Heritage Items and Change of Use			
O11.	Heritage significance is the foundation of design development and future use.	**C39.** **C40.**	The history of uses of a building is to be interpreted on the site in the form of interpretation panels, artefact, and photographic displays, in situ retention of machinery and/or artistic interpretation. Where a heritage item is proposed to be integrated into new development of larger scale, a Conservation Management Plan must be prepared that includes guidelines for the appropriate use and development of the place, and detailed policies for its conservation. The design of the proposal should include appropriate measure to: a. ensure the heritage significance of the item is conserved b. document how the proposal achieves the conservation of the item's heritage significance c. retain a suitable setting for the heritage item that enables the continued appreciation and integrity of the heritage item

Objective		Control	
			d. ensure that repair and stabilisation treatments to heritage items identified in the conservation and design process are to be carried out to promote the conservation of the item e. ensure that interventions do not adversely impact on the significant fabric and construction of the heritage item.
		C41.	Any proposal for a change of use, including the adaptive re-use of a heritage item, should demonstrate the following: a. that the new use minimises alteration of significant fabric and detailing, and incorporates the existing fabric into the development proposal b. that the impact of alterations to the external form and fabric and interior spaces minimise impact and retain the integrity of the heritage item c. that the significant original use of the item is interpreted d. that the original signs and building names are retained in situ that the impacts from the introduction of new services into the interior and the exterior of the heritage item are minimised
Subdivision and Amalgamation			
O12.	Ensure that subdivision and amalgamation of land involving a heritage item maintains an appropriate visual and physical curtilage for the conservation of the significance of the heritage item, including its setting and views to and from the item.	**C42.**	Original subdivision boundaries and patterns should be interpreted in the site layout, building form, setbacks, and landscape design.
		C43.	Lot boundary changes shall not occur when the lot boundaries form part of the significance of the heritage item.
		C44.	Lot boundary changes to heritage items shall involve the retention of significant features such as trees, gardens and outbuildings associated with the heritage item.
		C45.	Lot boundary changes to large allotments shall ensure that all significant elements associated with the heritage item are retained.
Demolition of Heritage Items			

Objective		Control	
O13.	Retain all heritage items within the Bayside LGA.	**C46.**	Heritage items must not be demolished.
		C47.	Despite the above, Council may consider the demolition of a heritage item, but only where an applicant can satisfactorily demonstrate why it is not reasonable to conserve the heritage item taking into consideration: a. the heritage significance of the property b. the structural condition of the building c. that alternative options to demolition have been considered with reasons provided as to why the alternatives are not acceptable.
		C48.	Applications for demolition of a heritage item must be accompanied by a proposal for a replacement development.

3.4.5 Development adjoining or in close proximity to Heritage Items

Objective		Control	
O1.	Ensure that development in the vicinity of a heritage item or heritage conservation area is designed and located such that the significance and setting of the heritage item or HCA is conserved.	**C1.**	New development in the vicinity of heritage items or heritage conservation areas must respect the significance of the heritage item, its built character and architectural significance with regard to the following: a. building envelope b. proportions c. setbacks d. scale e. material and colours
		C2.	Development in the vicinity of a heritage item or heritage conservation area must demonstrate that it: a. retains adequate space around the heritage item to enable its interpretation b. conserves significant landscape features including horticultural features, trees, rocky outcrops and outbuildings c. enables archaeological sites to be conserved in accordance with relevant approvals

Objective		Control	
			d. retains significant public domain views and lines of sight to the heritage item

3.4.6 Development in Heritage Conservation Areas

This section applies to properties that are located within Heritage Conservation Areas (HCAs). HCAs are listed within Schedule 5 of the Bayside LEP and identified on the Bayside LEP Heritage Maps.

HCAs can be streetscapes, suburbs, areas, and precincts that are recognised by a community for their distinctive historic character. They often evidence a particular historical period of development and an architectural style, generally have a high proportion of original buildings, and provide a cohesive sense of place and character which is valued by the community. Their significance is often a function of the subdivision and street pattern, and buildings that share common periods of development, historical associations, materials, form, and scale. Heritage conservation areas are afforded similar statutory protections within LEPs as individual heritage buildings.

This section provides controls to ensure that new work is sympathetic to the heritage significance and the character of the conservation area.

Buildings within HCAs are classified as contributory, neutral or uncharacteristic. Building classifications are identified on the maps accompanying each HCA.

- Contributory buildings generally originate from the significant era of development of the HCA and display the key characteristics of the area through their architectural style and typology, scale, form, features and materials.
- Neutral buildings usually originate from the original era of development but have been much altered, although the alterations can usually be reversed. Contemporary buildings that respond to the significant scale and character of the HCA can also be neutral.
- Uncharacteristic buildings are usually buildings from a later era that are inconsistent with the scale and form of characteristic development.

Some properties in HCAs will also be listed as individual heritage items; such places may be particularly fine examples of their type or may have significance for their association with a person or group of people, distinguishing them from the other places in the HCA.

This part of the DCP should be applied in addition to the specific controls for heritage items. In the event of any inconsistency the controls in **Part 3.4.4** take precedence for heritage items. This part also provides general controls for Heritage Conservation Areas, specific controls that relate to each individual Heritage Conservation Area can be found in **Section 7.**

Objective		Control	
General			
O1. **O2.**	Contributory buildings are retained, and their positive contribution to the area or streetscape maintained and enhanced. Encourage removal of unsympathetic alterations and additions to neutral	**C1.**	The scale, form and character of contributory buildings and principal or significant street frontage is to be retained, as viewed from the public domain with alterations and additions located where are not visible from the street.

Objective		Control	
	buildings to improve the context and visual impact of neutral buildings.	**C2.**	Development to contributory buildings shall: a. respect significant original or characteristic built form b. retain original scale and form as viewed from the public domain c. respect significant traditional or characteristic subdivision patterns d. retain significant original fabric as seen from the street e. retain, and where possible reinstate, significant original features and building elements that contribute to the character of the street, including original balconies and verandas, fences, chimneys, joinery and similar fabric f. Remove previous unsympathetic alterations and additions g. Use appropriate materials, finishes and colours h. Respect the pattern, style and dimensions of original windows and doors
		C3.	Additional storeys above the original building are not permitted. Additions shall be clearly separated from the host building and should not be visible from the street. Rear pavilions are the preferred method of extending a contributory building.
		C4.	Development to neutral buildings shall: a. Remove previous unsympathetic alterations and additions, including inappropriate building elements b. Respect the original building in terms of form, bulk and scale, as well as that of the prevailing character of the street c. Minimise the removal of significant features and building elements d. Use materials finishes and colours characteristic to the HCA. e. Provide a more positive contribution to the significance and character of the HCA
Alteration and Additions			
O3.	Alterations and additions be designed to complement the special qualities of the HCA, the significance of the character	**C5.**	Alterations and Additions will not have a detrimental impact on the character or significance of the HCA.

Objective		Control	
	and streetscape and conserve the scale and context of the contributory buildings.	**C6.**	Additions are to preserve significant aspects of the HCA such as scale, roofscape, building form, external materials, details and bulk. Additions shall be designed and located such that they are not visible from the street.
		C7.	Neutral buildings are to be sensitively altered to be more characteristic of the area. A contemporary or contrasting form may be used where such additions are not visible from the street to distinguish original and new work. Pavilion additions and rear additions are encouraged.
		C8.	Additional storey additions that change the scale of the host building are not permitted.
		C9.	Additions should be located at the rear.
		C10.	The roof form and pitch of additions must complement that of the host building and be sympathetic to the detailing of the host building. Where visible from the street, roof forms are to respond to the local context, in terms of form, scale, pitch and material.
		C11.	Roof conversions may occur where the roof form can accommodate rooms wholly within the existing roof form. Characteristic roof forms shall not be altered and dormers are not permitted to the front elevation of the host building.
		C12.	In semi-detached houses and contiguous groups of terrace houses, additions and alterations are not to impact on the symmetry of the host building.
Design and Materiality			
O4.	Ensure the retention of original materials and details to converse the character of the contributory item and HCA.	**C13.**	Original details and materials are to be retained where possible and traditional building elements including windows, doors, hardware, chimneys, verandas, wall surfaces and other characteristic features of the building, are to be retained and repaired. Repair and replace joinery in profiles to match the original detail.
O5.	New materials and details compliment the local character, scale and context of the contributory item and HCA.	**C14.**	New materials, colours and details must reflect the historical character of the conservation area, where visible from the street.
		C15.	External colour schemes should be complementary to the heritage

Objective		Control	
			conservation area, based on research, and have regard of the setting.
		C16.	Exposed surfaces such as brickwork, stone, tiles and shingles must not be painted or rendered.
Landscaping			
O6.	Ensure front gardens, original fencing and wall features are part of the streetscape, where appropriate to the character of the conservation area.	**C17.**	Traditionally designed gardens that enhance the appearance of historic houses and the streetscape are encouraged.
		C18.	Retain, repair, and reinstate original and traditional fences and retaining walls. Later fences where they reflect traditional fence design are to be retained and missing fences reconstructed to their original design based on documentary evidence.
		C19.	Front fences are to be between 700–1200mm high measured from ground level, except where the existing historic fences demonstrate an alternative prevailing height. Higher fences are only permitted along major roads.
		C20.	Original or early garden layouts that contribute to the significance of the conservation area should not be altered and original surviving garden elements such as gates, paths, edging tiles, brick kerbing and similar fabric must be retained.
		C21.	Driveways are to be designed as concrete or brick strips with grass or gravel in between. Hard landscaping is to be minimised. Full width concrete driveways are not supported.
Parking and Garages			
O7.	Minimise the visual intrusion of new structures that accommodate vehicles.	**C22.**	Garages and carports are to be located at the rear or behind the front building line of the existing house to allow the original form of the host building to remain clearly visible.
		C23.	Where a property has access to a rear lane, vehicle accommodation is to be located adjacent to the laneway with vehicle access from the laneway.
		C24.	Significant historic kerbing is to be retained and new crossovers must relocate existing brick and stone kerbing.
Infill Development			

Objective		Control	
O8.	Infill development shall be consistent with characteristic development in the HCA in terms of height, bulk, scale, setback, materials, and character.	**C25.**	New development within heritage conservation areas shall be designed to positively respond to the significance of the HCA, be consistent in scale, bulk and form with characteristic development maintain the setting and the character of the area. **Note**: A preferred approach is to design new buildings in a contemporary manner, which is sympathetic to the surrounding area.
		C26.	New development must be sited to reflect the front and side setbacks and predominant orientation of the HCA and the established pattern of setbacks within a street or precinct. **Note**: Where there is a variation in the front setbacks within a street, the prevalent pattern of setback along the entire length of the street should be used to determine the appropriate front setback.
		C27.	Infill development must incorporate the use of materials and details that are compatible with, yet do not directly copy, those of contributory buildings in the streetscape and colours used should be recessive (i.e. not prominent) so that they do not visually dominate the HCA.
		C28.	The roof form and roofing materials of new development should be consistent with characteristic development within the HCA.
		C29.	New landscaping is to be compatible with the character of surrounding heritage buildings and be designed to minimise the visual appearance of new development to reduce its impact on the heritage item or HCA.
Subdivision or Amalgamation in Heritage Conversation Areas			
O9.	Ensure that subdivision and amalgamation of land in a HCA is commensurate with the heritage significance of the area, and conserves the important characteristics of the subdivision pattern and allotment layout, streetscape character and notable features.	**C30.**	All development proposals should demonstrate how they have interpreted the original subdivision pattern within the HCA.
		C31.	Lot boundary changes are not supported where the development pattern or early subdivision is integral to the heritage significance of the HCA.
		C32.	Lot boundary changes within HCAs should retain significant features such as buildings,

Objective		Control	
			archaeology, trees, gardens, and outbuildings associated with the pattern of development of that area.
		C33.	Amalgamation of sites within HCAs must allow for the ongoing interpretation of the original subdivision through building form and landscape design.
Demolition of buildings within Heritage Conversation Areas			
O10.	Ensure that all buildings and elements that contribute to the significance and character of a HCA are retained.	**C34.**	Buildings that are identified as contributory items within an HCA must not be demolished.
O11.	Encourage the replacement of uncharacteristic buildings with buildings that respond better to the significance and character of the HCA.	**C35.**	Buildings that are identified as neutral items within an HCA should be retained where possible.
		C36.	Despite C34 and C35, Council may consider demolition of a contributory or neutral item, but only when the applicant can satisfactorily demonstrate that: a. the building does not contribute to the significance of the HCA b. all reasonable alternatives to demolition have been considered c. the building is structurally incapable of retention and adaptation d. the replacement building is compatible with characteristic development in terms of height, bulk, scale, form, setbacks and character
		C37.	Council will consider the demolition of uncharacteristic items when the applicant can demonstrate that the replacement building will be designed to respond to characteristic height, bulk, scale, form and character such that it will allow the site to be reclassified as ‘neutral’.
Retail Streetscapes in Heritage Conservation Areas			
O12.	Ensure that the special public domain character of retail shopping streetscapes is retained and conserved.	**C38.**	New lots must be orientated at 90 degrees to the street alignment.
		C39.	Re-subdivision must be consistent with the traditional pattern in the area and will be assessed by Council using a merit-based approach.
		C40.	The existing setbacks must be retained and matched by new development (generally meaning buildings shall be built to the front and side boundaries).

Objective		Control	
		C41.	Additions and alterations must retain the prevailing building height of the streetscape when viewed from the street.
		C42.	Significant original roof forms, where visible from the street, must be retained. Removal of original parapets shall not be permitted.
		C43.	Dormer and roof windows are not permitted on roofs visible from the street.
		C44.	New commercial signage shall be sympathetic to the proportion and colour scheme of the façade. Neon signage, rooftop signage, signage to first floor facades and signage painted onto face brickwork is not permitted.
		C45.	Original painted signs on walls shall not be painted over or damaged.
		C46.	Existing open first floor balconies shall not be enclosed.
		C47.	Original shopfronts and awnings must be retained and must not be covered by solid roller doors or security screens.

3.5 Transport, Parking and Access

This section provides controls for aspects of a development relating to movement, access, and parking provision of and for vehicles. The provisions aim to satisfy the parking demand likely to be generated by the development whilst discouraging unnecessary car use and encouraging other modes of transport.

Development shall facilitate and encourage greater pedestrian, bicycle, and public transport usage to improve local amenity, minimise pollution and the use of non-renewable resources. Parking areas, garages and driveways must be carefully designed so that they do not detract from the appearance of the development and the surrounding streetscape. For technical requirements and required documentation for the layout and design of parking and access within a development refer to Bayside Technical Specification - Traffic, Parking and Access.

3.5.1 Design of the Parking Facility

Objective		Control	
O1.	To minimise the visual appearance of on-site parking areas on the streetscape.	**C1.**	Off-street parking facilities, including carports, are generally not permitted within the front setback due to the impact on streetscape and landscape character. Driveways/hardstands and carports encroaching into the minimum front boundary setback may be considered for single dwelling houses in circumstances where:
O2.	To securely distinguish parking areas for different users of a development.		
O3.	To ensure adequate ingress and egress to the site and parking facilities.		

Objective		Control	
O4.	To ensure the safe and efficient circulation and manoeuvring of vehicles and minimise the potential of pedestrian and vehicle conflict in the on-site parking areas.		a. the hardstand or carport is to serve a single dwelling house (not permitted for any other form of residential development); b. there is no opportunity to provide off street parking from a rear lane, side street, or behind the required front setback; c. the hardstand or carport is for a single vehicle and is no larger than 3m in width, 6m in length and 3m in height if a flat roof, or 3.6m if a pitched roof; d. the design is sympathetic to the host dwelling and the existing streetscape, in regard to materials, scale, form, roof style and the predominant setbacks of similar structures; e. the carport does not include enclosing walls, or a solid panel or roller shutter door; f. gates do not encroach upon public land during operation and a minimum length of 5.5m is available so that a parked vehicle does not overhang the front boundary; and g. all other requirements of this DCP are met, including landscaping requirements.
		C2.	For mixed use development, residential on-site parking areas are to be clearly separated from parking areas associated with other uses by installation of a security roller door or boom gate.
		C3.	The design/width of the access driveway shall minimise the loss of on-street parking and be as per with Bayside Technical Specification - Traffic, Parking and Access.
		C4.	Off-street parking facilities are to be designed in accordance with current Australian Standards (AS2890 parking series).
		C5.	Tandem or stacked parking shall comply with the following: a. a maximum of two (2) spaces will be permitted for each tandem/stacked parking arrangement.

Objective		Control	
			b. each tandem or stacked parking arrangement shall be allocated to the same residential/commercial unit and not be used for visitor parking c. shuffling of stacked vehicles shall be carried out wholly within the premises d. stacked parking in excess of two vehicles may be appropriate where valet parking is provided, or parking is managed by a single operator.
Vehicular Access			
O5.	To ensure that on-site car parking, loading facilities and driveways do not dominate or detract from the appearance of the development and the local streetscape.	**C6.**	A maximum of one vehicular access point is permitted per property.
		C7.	Development shall avoid vehicular access points being located: a. in places with high traffic volumes, such as classified or arterial roads b. close to intersections as outlined in Section 3.2.3 of AS2890.1 c. where there is heavy or constant pedestrian movements along the footpath d. where vehicular access would interfere with or blocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings e. less than 0.5m from any power pole f. adjacent to or at the sag point of the street g. in places where sight distance requirements outlined in Section 3.2.4 of AS2890.1 cannot be complied with h. within the dripline/canopy of trees
O6.	The location and design of on-site parking areas, including vehicular entry points, are: a. safe and functional for all vehicles, pedestrians and other road users b. accessible to all vehicular movements generated by the development c. designed to minimise the loss of on-street parking d. designed to prevent potential queueing on a public road reserve		
O7.	To ensure that on-site parking areas do not interfere with traffic flow and safety in adjacent public roads or endanger pedestrian traffic on or off the site.		
O8.	Ensure that the safety of pedestrians in the public domain is preserved.		
O9.	To reduce the apparent scale and visibility of vehicular access points from the primary street.	**C8.**	The following developments shall be designed with internal manoeuvring areas so that vehicles can enter and exit the site in a forward direction: a. Developments with four or more dwellings/car spaces b. Childcare centres & boarding houses c. Developments with vehicle access to/from a classified road d. Industrial & commercial development
O10.	To allow for safe access and exiting of vehicles from a property.		
O11.	To provide sufficient driveway width for vehicles to safely access the property.		

Objective		Control	
			e. Developments with basement car parking accessed via a steep ramp f. Where council considers it necessary due to the site-specific circumstances
O12.	To allow for safe queueing of vehicles within car parking areas.	**C9.**	Adequate sightlines are to be provided for pedestrians on the footpath as per Australian Standards.
		C10.	Vehicular access is to be provided from a secondary street frontage or rear lane, where possible.
		C11.	The maximum driveway gradients for at least the first six (6) metres into the property shall be no greater than 1 in 20 or 5% (except for low density residential development).
		C12.	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.
		C13.	The location of vehicle control points (e.g. roller doors / boom gates) are to allow sufficient queuing areas (minimum 1) within the site for entering vehicles.
Pedestrian Access			
O13.	To provide safe, legible, and convenient pedestrian access from car parking and other public areas.	**C14.**	Pedestrian entrances and access within a development must be legible and separated from vehicular access paths.
O14.	To delineate building entrances, pedestrian zones, or other specialised areas in car parking areas.	**C15.**	Car parks must provide a direct and safe pedestrian access to a building's entry and exit (well-lit and free of concealment opportunities).
		C16.	Pedestrian access routes between car parking and other public areas are to provide: a. co-ordinated signage b. lighting c. security d. direct paths of travel with stairs and disabled access ramps e. protected from vehicular aisles and manoeuvring areas by bollards f. for childcare centres, the parent drop off/pick up spaces are to be provided with a minimum 1.5m

Objective		Control	
			dedicated pedestrian link connecting to the child care centre entrance which does not protrude into, and is protected from, the vehicular manoeuvring areas g. for laneways, where possible provide a minimum 0.9m laneway setback for the extension of the public footpath covered by a right of footway easement.

3.5.2 Traffic Impact Assessment and Transport Plans

Objective		Control	
O1. **O2.**	Ensure that development considers traffic and parking impacts on the local and surrounding road networks. Ensure adequate traffic safety and management is considered in the design of the proposed new parking/access scheme.	**C1.**	A Traffic and Parking Impact Assessment Report is to be prepared and submitted for development: a. listed in Schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021 b. listed in **Table 3** below with a GFA in excess of 600m^2 c. where, in the opinion of Council, the proposed development is likely to generate significant traffic impacts
		C2.	The Traffic and Parking Impact Assessment Report is to be prepared by a qualified and experienced traffic engineer and prepared generally in accordance with the most recent version of the RTA "Guide to Traffic Generating Developments (2002") and AUSTROADS "Guide to Traffic Management, Part 12: Traffic Impacts of Development."
		C3.	Traffic and Parking Impact Assessments are to assess the design of the parking facility in regard to Australian Standards. Numerical parking provisions are also to be assessed.
		C4.	Swept path analysis is to be provided for manoeuvring of passenger, commercial and servicing (truck) vehicles within the development. The swept path diagrams shall be prepared by recognised software (e.g. Auto Track, Auto Turn or equivalent) in accordance with Australian standards and include a scale, dimension and legend.
		C5.	The Traffic and Parking Impact Assessment Report is to undertake a cumulative traffic impact assessment for 'all developments' in

Objective		Control	
			the area (including current and approved Development Applications). **Note**: Council will supply information on the current and approved DAs to be taken into consideration.
Sustainable Transport Management			
O3. **O4.**	Ensure that the demand for transport generated by development is managed in a sustainable manner. Encourage staff to make good use of public transport, cycling, walking and car sharing for commuting work-related journeys and hence reduce car based travel demand.	**C6.**	Commercial developments with more than 10 employees and a GFA greater than 1000m^2 are required to prepare a Workplace "Green" Travel Plan. It is to be prepared accordance with Bayside Technical Specification - Traffic, Parking & Access and generally incorporate the following: a. Encourage staff to use public transport, cycle and/or walk to the workplace; b. Adopt car sharing and/or car pool scheme; c. Provide priority parking for staff with car pool; d. Provide bike storage area and end-of-trip facilities in convenient locations and encourage the use of these facilities; e. Adopt an implementation Strategy and set success measures; f. Establish clear and time bound measurable targets, actions, measurements, and monitoring framework on the number of staff travelling to work by public transport, cycling and walking.
		C7.	Council may reduce the requirement for onsite parking provisions (up to 10% of total parking spaces required) for commercial and industrial developments when both Workplace "Green" Travel Plans and Transport Access Guides are provided.

3.5.3 On-site Car Parking Rates

Objective		Control	
O1.	To provide sufficient, convenient, and safe on-site car parking while encouraging alternative modes of transport, such as walking and cycling.	**C1.**	Development is to provide on-site car parking in accordance with the car parking rates outlined in **Table 3** below.
		C2.	Council may reduce car parking provision in certain circumstances, as follows:

Objective		Control	
O2.	To discourage excess parking in development close to public transport.		a. Peak Parking and traffic activity occurs during periods where surrounding parking demand is lowest b. Existing site and building constraints make provision of car parking impractical c. Located adjacent to high frequency public transport services and/or urban services d. Includes management regimes to minimise car use, such as Workplace “Green” Travel Plans or on-site car share schemes e. Provides a business or social service that benefits the local community and contributes to the vitality of the area f. Safety of motorists, pedestrians and cyclists is unduly compromised by the provision of car parking g. Development contributes to heritage conservation of the building and setting Any request for a reduced car parking provision is to be accompanied by a traffic and parking impact assessment report.
O3.	To limit the amount of excavation required for the purpose of car parking so that impacts to groundwater flows are minimised and the amount of landscaped area is maximised.	**C3.**	No additional parking is required for a change of use involving commercial uses on existing sites that are less than 100m2 GFA.
		C4.	A 20% reduction in the “non-residential” component of the parking requirement shall be applied to any development within the Rockdale Town Centre, Arncliffe/Banksia Town Centre and Wolli Creek Town Centre.
		C5.	Where a development involves a change of use or alterations/additions that would generate a greater car parking requirement than existing, additional parking is required to be provided equivalent to the difference between the two parking requirements. **Note:** Any historical deficiency in parking for the existing use can be applied as a credit to the parking calculation.
		C6.	In the case of substantial alterations and additions that effectively involve the virtual reconstruction of a building, the historical

Objective		Control	
			deficiency will not be permitted to be credited to the parking calculation.
		C7.	For alterations and additions to single dwellings, where the existing parking facilities on the site are not considered to be functional and designed as per Australian Standards, those areas will not be considered as existing parking spaces and as such, a historical shortfall will apply.
		C8.	Council may waive the requirement for on-site parking for single dwellings, where such provision (in the form or a garage, carport, or handstand area) would: a. adversely impacts on the existing streetscape b. adversely impacts a Heritage Item or Heritage Conservation Area c. be inconsistent with the Desired Future Character of the area
		C9.	Where a contribution has previously been made to Council towards the provision of car parking in respect of a particular property, such contribution is to be taken into account when assessing the parking requirement for any redevelopment of the land.
		C10.	The number of parking spaces for small cars (as defined in AS2890.1) is not to exceed 10% of the total car parking spaces.
Car Wash Bays			
O4.	To ensure car wash facilities are provided as part new multi-unit residential development.	**C11.**	For all multi-unit development with at least 5 dwellings, one (1) car wash bay is to be provided for every 60 dwellings or part thereof. The car wash bay can either be a dedicated space or shared with a visitor parking space. The dimensions of each car wash space are to be at least 3.5m wide and 5.4m long.
		C12.	Car wash bays are to be fully bunded and discharge only to the sewer in accordance with Sydney Water requirements. Each car wash bay is to be covered, appropriately signposted, have a cold-water tap (typically connected to the rainwater tank) and a waterproof power outlet.
Shared Parking Concession			

Objective		Control	
O5.	To outline requirements for shared parking schemes to provide for a more efficient and sustainable parking facility.	**C13.**	Shared parking concession for mixed use development may be considered, where: a. the applicant provides justification for all temporal parking demand assumptions applied within the Shared Parking Register; b. all residential parking is freely accessible to residents at all times and not used for any other use on the site; c. land uses and subsequent peak parking demand periods are included within the Shared Parking Register; d. the minimum parking requirement as per the Shared Parking Register is the absolute minimum and should not necessarily be the acceptable minimum provided on-site. Consideration must be taken into account for future changes of use within the development and conservative variations within the peak times. **Note**: The method of completing the shared parking register is outlined in Bayside Technical Specification - Traffic, Parking and Access.

Table 3: Car Parking Rates

The provision of parking to satisfy the rates in Table 3 below must not be at the expense of providing landscaped area in accordance with part 3.7.1 of this plan. This may require parking to be located within the building footprint, either inside the building or in a basement, to maximise the area of the site available for landscaping and tree planting.

Land use	Car Parking Rate
Residential	
Dwelling House / Dual Occupancy / Semi-detached	• 2 spaces per dwelling
Secondary Dwelling	• 1 space per dwelling
Multi Dwelling Housing	• 1 space per dwelling with 1 bedroom or less • 2 spaces per dwelling with 2 bedrooms or more • 1 visitor parking space per 5 dwellings.

Land use	Car Parking Rate
Residential Flat Buildings/ Shop-top Housing	• 1 space per dwelling with 1 bedroom or less • 2 spaces per dwelling with 2 bedrooms or more • 1 visitor parking space per 5 dwellings. For sites located within 800m of a railway station, the car parking rates are as stipulated in the RTA Guide to Traffic Generating Developments (version 2.2 dated October 2002) section 5.4.3 - Metropolitan Sub-Regional Centres.
Affordable housing, boarding houses, group homes, co-living housing, build-to-rent housing, and seniors housing	As per requirements stipulated in State Environmental Planning Policy (Housing) 2021
Commercial	
Commercial Premises (including business premises, office premises and retail premises)	1 space / 40 m² GFA
Commercial Premises (including business premises, office premises and retail premises) located within 800m of Mascot Train Station	1 space / 80 m² GFA
Amusement centres	1 space / 25m² GFA
Animal boarding and training establishment	1 space / 40m² GFA
Bulky good premises	Parking Assessment based on survey of similar developments is required, Otherwise, the following applies: • 1 space / 50m² GFA
Entertainment facilities	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / 2 employees; plus • 1 space / 10 seats; or • 1 space / 10m² GFA (including ancillary spaces such as kitchens, offices, foyers and the like), whichever is greater
Function centres	• 1 space / 2 employees; plus • 1 space / 10 seats; or • 1 space / 10m² GFA (including ancillary spaces such as kitchens, offices, foyers and the like), whichever is greater
Registered clubs	Parking Assessment based on survey of similar developments is required, otherwise the following applies: • 1 space / 2 employees; plus • 1 space / 5m² GFA
Restricted premises	1 space / 40m² GFA
Sex services Premises	1 space / person offering sex services, in addition to the number required for the residential accommodation.
Health consulting room	3 spaces / each surgery, consulting room or treatment room

Land use	Car Parking Rate
Industrial	
Depots	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / employee; plus 3 visitor parking spaces
Freight transport facilities	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / employee; plus • 3 visitor parking spaces; plus • 1 space / each commercial vehicle or trailer parking, holding, servicing or repair on the site
General industry	• 2 spaces; or • 1 space / 80m² GFA, whichever is greater; plus 1 space / 40m² GFA of ancillary office
Heavy industrial storage Establishment	• 2 spaces; or • 1 space / 80m² GFA, whichever is greater; plus 1 space / 40m² GFA of ancillary office
Heavy industry	• 2 spaces; or • 1 space / 80m² GFA, whichever is greater; plus 1 space / 40m² GFA of ancillary office
Light industry	• 2 spaces; or • 1 space / 65m² GFA, whichever is greater; plus 1 space / 40m² GFA of ancillary office
Self storage units	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 2 spaces; plus • 1 space / 80m² GFA
Service station	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / 200m² site area; plus • 1 space / 40m² GFA of convenience store
Storage premises	• 2 spaces; plus • 1 space / 80m² GFA
Transport depots	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / employee; plus • 3 visitor parking spaces; plus • 1 space / each commercial vehicle or trailer parking or servicing on the site
Truck depots	Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / employee; plus • 3 visitor parking spaces; plus • 1 space / each commercial vehicle or trailer parking or servicing on the site
Vehicle body repair workshops	• 1 space / 50m² GFA
Vehicle repair stations	• 1 space / 50m² GFA

Land use	Car Parking Rate
Warehouse or distribution centres	• 2 spaces; or • 1 space / 300m² GFA, whichever is greater; plus 1 space / 40m² GFA of ancillary office
Tourist and Visitor Accommodation	
Backpackers accommodation	• 1 space for manager; plus • 1 space / 2 employees; plus 1 space / 100 m² GFA; plus 1 space for mini-bus **Note:** Size of a mini-bus is defined equivalent to Small Rigid Vehicle (SRV) in AS2890.2
Hotel or motel accommodation	**Hotel Accommodation** • 1 space per 4 rooms; plus • 1 taxi pick-up and set-down space / 100 rooms; plus • 2 coach pick-up and set-down spaces; plus • An efficient shuttle bus service must be provided by the development between the Hotel, Sydney Airport and the City. The shuttle bus service is to run at hourly intervals between the operating hours of the Sydney Airport. **Note**: A porte-cochere is to be provided for taxi and coach pick up and set-down, designed to appropriately accommodate the vehicles and their swept paths. Size of a coach is defined equivalent to Heavy Rigid Vehicle (HRV) in AS2890.2. **Motel Accommodation** • 1 space for manager; plus 1 space / 2 employees; and • 1 space / bedroom
Bed and breakfast accommodation	1 space for resident owner or manager; plus 1 space / guest room
Serviced apartments	• 1 space / 2.5 units; plus • 1 space / 2 employees; plus • 1 taxi pick-up and set-down space / 300 rooms • An efficient shuttle bus service must be provided by the development between the Serviced Apartments, Sydney Airport and the City. The shuttle bus service is to run at hourly intervals between the operating hours of the Sydney Airport. **Note**: A Porte-cohere is to be provided for taxi pick up/set down, designed to appropriately accommodate the vehicles and their swept paths.
Infrastructure	
Child care centre	1 space / 2 employees; plus 1 pick-up and set-down space / 20 children
Community facilities	• 1 space / 10 seats; or • 1 space / 10m² GFA (including ancillary spaces such as offices, foyers and the like), whichever is greater

Land use	Car Parking Rate
Educational establishments	**Schools** Infants, Pre-schools and Primary Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / 2 employees; plus • 1 pick-up and set-down space / 50 students; plus 1 bus pick-up and set-down space Secondary Parking Assessment based on survey of similar developments is required. Otherwise, the following applies: • 1 space / 2 employees; plus • 1 space / 10 students (Year 12); plus • 1 pick-up and set-down space / 100 students; plus • 1 bus pick-up and set-down space **Note:** Size of a bus is defined equivalent to Heavy Rigid Vehicle (HRV) in AS2890.2 **Others** Parking Assessment based on survey of similar developments is required. However, as a minimum: • 1 space / 2 employees; plus • 1 space / 5 students
Emergency services facilities	• 1 space / 2 employees; plus • 1 space / each emergency vehicle parking on the site
Health consulting rooms	• 3 spaces / each surgery, consulting room or treatment room **Note:** minimum 1 accessible parking spaces for people with disabilities shall be provided
Hospitals	• 1 space / 3 beds; plus • 1 space / each health care professional/management staff; plus • 1 space / 2 other employees; plus • 1 ambulance bay **Note:** minimum 1 accessible parking spaces for people with disabilities shall be provided
Industrial training facilities	• 1 space / 2 employees; plus • 1 space / 10 visitors
Information and education facilities	• 1 space / 2 employees; plus • 1 space / 10 visitors
Medical centres	• 3 spaces / each surgery, consulting room or treatment room **Note**: minimum 1 accessible parking spaces for people with disabilities shall be provided
Passenger transport facilities	Parking Assessment based on survey of similar developments is required.

Land use	Car Parking Rate
Places of public worship	• 1 space / 10 seats; or • 1 space / 10m² GFA (including ancillary spaces such as offices, foyers and the like), whichever is greater
Public administration building	• 1 space / 40m² GFA
Respite day care centres	• 1 space for manager; plus • 1 space / 2 employees; plus 1 space for mini-bus
Recreation	
Recreation facilities (indoor)	**Squash court** • 3 spaces / court **Indoor swimming pool** • 1 space / 10m² pool area; plus 1 space / 2 employees **Gymnasium** Within 400m radius of railway station or 200m radius of a public bus stop (minimum frequent two bus routes): • 1 space / 25m² GFA Any other locations: • 1 space / 10m² GFA *(Note: A commercial gym for personal fitness is typically defined as a business premises, not a gymnasium)* **Bowling alley** • 3 space / alley **Dance Studio** • 1 space/ 25m² GFA **Others** • Parking Assessment based on survey of similar developments is required.
Recreation facilities (major)	Parking Assessment based on survey of similar developments is required.

Land use	Car Parking Rate
Recreation facilities (outdoor)	**Golf course** • 1 space / hole; plus • 1 space / 2 employees; plus • 1 space / 5m² GFA of club house **Tennis Court** • 3 spaces/ court **Lawn bowling green** • 30 spaces for first green; plus • 15 spaces / each additional green **Outdoor swimming pool** • 1 space / 10m² pool area; plus 1 space / 2 employees **Others** Parking Assessment based on survey of similar developments is required.

Notes:
- The numbers shall be rounded up to the nearest whole number before they are added together
- Where a parking rate has not been specified in the table, the RTA Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to Council approval.

3.5.4 Bicycle and Motorcycle Parking

Objective		Control	
O1. **O2.**	To ensure adequate bicycle and motorcycle parking spaces are provided in development. To ensure bicycle and motorcycle parking is designed appropriately.	**C1.**	Bicycle & motorcycle parking must be provided on site as follows: **Multi Dwelling Housing/Residential Flat Buildings/Shop Top Housing/Serviced Apartments/Build-To-Rent Housing**: a. 1 bicycle space per dwelling (for residents) b. 1 bicycle space per 10 dwellings (for visitors) c. 1 motorcycle space per 15 car spaces **Commercial Premises (Business Premises, Office Premises, and Retail Premises):** a. 1 bicycle space per 150sqm GFA b. 1 bicycle space per 400sqm GFA provided for visitors c. 1 motorcycle space per 15 car spaces

Objective		Control	
			Boarding Houses and Co-Living Housing: a. 1 bicycle space per 1 private room or boarding room b. 1 motorcycle space per 5 private rooms or boarding rooms **Child Care Centres**: a. 1 bicycle space per 10 children **Tourist and Visitor Accommodation:** a. 1 bicycle space per 4 employees **For all other new development with a gross floor area greater than 600m²:** a. 1 bicycle space per 600sqm GFA b. 1 motorcycle space per 15 car spaces
		C2.	Bicycle parking facilities shall be designed in accordance with most recent edition of AS2890.3 and AUSTROADS. Motorcycle parking is to be designed as per AS2890.1.
		C3.	Bicycle parking for residents/staff of a building is to be in the form of individual bicycle lockers/cages or as bike racks within a well-lit secure room/structure monitored by security camera surveillance (security level A or B from table 1.1 of AS2890.3:2015).
		C4.	All visitor bicycle spaces shall be located at the entrance to the development and be designed as security level C from table 1.1 of AS2890.3:2015.
		C5.	Bicycle parking in basements is to be located on the uppermost level of the basement close to entry/exit points.
End of Trip Facilities			
O3.	To ensure non-residential development is provided with suitable end of trip facilities.	**C6.**	Non-residential development shall provide end of trip facilities on site as follows: a. 1 personal locker for each bike parking space b. 1 shower and change cubicle for every 10 bicycle spaces or part thereof c. 1 bicycle repair toolkit and pump d. Toilets, drying rooms, and hand washing facilities.
		C7.	End of trip facilities are to be located close to the bicycle parking area, close to entry

Objective		Control	
			and exit points and within an area of security camera surveillance.
		C8.	End of trip facilities are accessible for all staff.

3.5.5 Accessible parking

Objective		Control	
O1.	To ensure accessible parking spaces are provided in compliance with the requirements of the *Disability (Access to Premises – Building) Standards 2010*.	**C1.**	Accessible car parking spaces for people with a mobility impairment are to be included in the allocation of car parking for a development and provided in accordance with the rates specified in **Table 4** below.
		C2.	Accessible car spaces are to be allocated to the relevant adaptable units as part of any multi-dwelling or high-density residential development. Accessible car parking spaces allocated to adaptable dwelling units are to form part of the lot of the associated adaptable unit in the strata plan.
		C3.	Car parking facilities are to be designed to prioritise the location of accessible parking spaces so they are in close proximity to lifts and access points.

Table 4: Accessible Parking

Development Types	Accessible Parking
Residential apartment buildings, conversion of non- residential buildings into apartments, shop top housing, multi dwelling housing and live/work buildings (includes mixture of classes for those including commercial and industrial components).	Half of the adaptable dwellings provided in a development are required to have allocated accessible resident car parking, (e.g. 8 adaptable apartments requires a minimum of 4 accessible car parking spaces). The residential accessible spaces can be designed to comply with either AS4299 or AS2890.6. The visitor and commercial accessible car parking spaces must comply with AS2890.6.
Hotels, motels, serviced apartments and boarding houses containing guests/tenants' rooms. Hostels and backpackers' accommodation.	There is to be one accessible parking space for every accessible room or unit as specified by Table D3.1 of BCA Accessible parking spaces are to be designed as per AS2890.6.
Commercial and industrial developments (including office premises, business premises, retail premises, industry, and warehouses). Places of assembly (including cinemas or churches).	In a car parking area containing 5 or less vehicle spaces, one accessible car parking space shall be provided although not signposted and reserved only for people with disabilities.

Development Types	Accessible Parking
Public buildings (including council and government offices), health care buildings, educational establishments, childcare centres. Residential Care Facilities, Aquatic centres, public swimming pools, public open space and Facilities.	In a car parking area containing 6 or greater car parking spaces, one accessible car parking space will be provided for every 50 car parking spaces or part thereof. Car parks for retail and medical facilities shall instead provide 5% of car parking spaces as accessible. Accessible parking spaces are to be designed as per AS2890.6.

3.5.6 Loading Facilities

Objective		Control	
O1.	To ensure that adequate on-site loading facilities are provided for service vehicles.	**C1.**	The number of service bays are to be provided in accordance with **Table 5** below.
O2.	To avoid loading and unloading being undertaken in a public place, public streets, or any road related area.	**C2.**	Loading points are to be designed to: a. allocate sufficient areas for the efficient access, collection, and delivery of goods b. allow delivery vehicles to be able to access buildings safely and efficiently c. minimise the impacts of noise on building occupants, near neighbours and the local area d. not dominate or detract from the appearance of the development and the local streetscape e. not be positioned within the front landscape setback
		C3.	Service bays and loading docks for service vehicles, include access to these areas, are to be designed in accordance with AS2890.2 and AUSTROADS guidelines. Dimensions of loading bays shall be as per AS2890.2.
		C4.	Service bays are to be adequately screened from the street/public view and be located: a. near vehicle entry points and near lifts b. as far as practicable from adjoining sensitive land uses c. completely within the boundary of the site d. clear of parked vehicles and through traffic.
		C5.	Large format retail tenancies (e.g., greater than 1000m^2) are to justify that the loading

Objective		Control	
			dock and size of service vehicle can adequately accommodate the loading requirements of a supermarket.
		C6.	Loading bays are to be clearly designated and signposted for service vehicles only and are not to be used for other purposes such as storage of goods and equipment.
		C7.	Service vehicles are to be able to enter and exit the property in a method that does not compromise pedestrian safety.
		C8.	Loading and waste collection points shall be: a. located separately from public parking areas where possible b. designed and operated so that the vehicles can manoeuvre on site without interfering with buildings, parked vehicles, and landscaping
		C9.	A loading dock management plan is to be prepared for all development. This management plan shall also to address waste collection.

Table 5: Loading/Unloading Facilities

Land Use	Minimum Number of Loading Bays Required					
Commercial Premises (Business, Office & Retail)	GFA (sqm)	Van	SRV	MRV	HRV	AV
	0 - 199	1	-	-	-	-
	199 - 999	-	1	-	-	-
	1000 - 2999	1	-	1	-	-
	3000 - 4499	1	1	1	-	-
	4500 - 5999	2	1	1	-	-
	6000 - 8999	3	2	2	1	1
	9000 - 14999	5	3	3	1	1
	15000 – 26999	6	3	3	2	2
	27000 – 39999	8	3	4	3	2
	40000 and over	Subject to Study				
Residential flat buildings, Multi dwelling housing, shop top housing, boarding house	**10 dwellings or less** • 1 Van service bay **11 to 49 dwellings** • 1 SRV service bay **50 dwellings and above** • 1 MRV service bay; plus • 1 service bay (for MRV or larger) for every additional 100 dwellings					
Hotel or motel accommodation	**No. of rooms**	**Van**	**SRV**	**MRV**	**HRV**	
	0 – 199	2	1	1	-	
	200 – 399	2	1	1	1	
	400 – 599	3	1	2	1	
	600 and over	3	2	2	1	
Industrial	**< 8000 m² GFA** • 1 service bay (for MRV or larger) / 800 m² GFA **8000 m² GFA and above** • 10 service bays (for MRV or larger); plus • 1 service bay (for MRV or larger) / 1,000 m² GFA					
Note:	Van = B99 Vehicle (defined in AS2890.1) SRV = Small Rigid Vehicle (defined in AS2890.2) MRV = Medium Rigid Vehicle (defined in AS2890.2) HRV = Heavy Rigid Vehicle (defined in AS2890.2) AV = Articulated Vehicle (defined in AS2890.2) Where calculated provision of servicing bays numbers results in a fraction, the requirements shall be rounded up to the nearest whole number. For land uses not specifically listed, the number of service bays required is to be equivalent to its most comparable land use.					

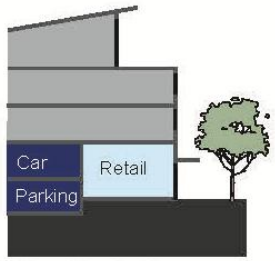
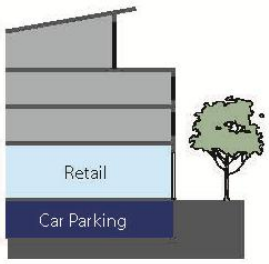
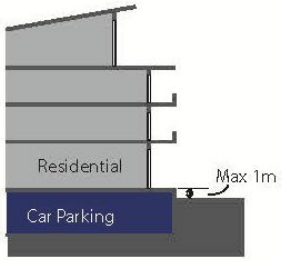
3.5.7 Waste collection

Objective		Control	
O1. **O2.**	Improve amenity by minimising the impact of waste collection activities/bin storage on the public domain. To ensure waste collection points:	**C1.**	Waste collection must be provided on-site within new building development (excluding development with less than 600m^2 GFA and multi-unit developments with 10 dwellings or less). This waste collection bay may be

Objective		Control	
	a. allocate sufficient areas for the efficient access, storage and collection of waste and recycling b. allow collection vehicles to be able to access buildings to remove waste safely and efficiently c. minimise the impacts of noise and odour from waste and recycling handling on building occupants, near neighbours and the local area d. do not dominate or detract from the appearance of the development and the local streetscape		shared with another loading/unloading space. Access must be designed to accommodate a Council garbage truck, or any vehicles used by private waste contractors (SRV minimum).
O3.	Waste management and recycling processes adopted by residential facilities are guided by the *Better practice guide for resource recovery in residential developments (EPA, 2019)*.	**C2.**	The waste collection point is to be designed to: a. allow waste loading operations to occur on a level surface away from parking areas, turning areas, aisles, internal roadways and ramps b. provide sufficient side, rear and vertical clearance to allow for the waste collection activity to be undertaken (e.g. the lifting arc for automated bin lifters requires clearance to remain clear of any walls or ceilings and all service ducts, pipes and the like). c. comply with Bayside Technical Specification - Traffic, Parking and Access.
		C3.	Waste rooms are to be located as close as possible to the waste collection point. Where this cannot be provided for and waste rooms are spread out across the basement of a development, a method to internally transport waste to the collection point is to be provided.
		C4.	Where collection vehicles are required to enter inside a building, the design of the building shall provide for: a. a minimum vertical clearance of 4.5 metres for MRV vehicles and 3.5m headroom clearance for SRV vehicles (clear of all service ducts, pipes etc) b. collection vehicles to enter and exit the premises in a forward direction c. the driveway width and gradient to be as per AS2890.2.

3.5.8 Basement Parking

Objective		Control	
O1.	To design basement layouts that aim to: a. maximise pedestrian safety b. create high quality ground level relationships between the building and the public domain.	**C1.**	Basement car parking is preferred for large scale residential and commercial development.
O2.	To improve safety for pedestrians within the public domain.	**C2.**	For single dwelling development with basement parking spaces, the basement shall be designed to enable forward entry and exit from each space to ensure sightlines and pedestrian safety is maintained.
O3.	To allow flexible car parking arrangements to improve efficiencies in space for car parking.		
O4.	To maximise the use of natural light and ventilation in basement parking areas.	**C3.**	Ventilation grills and screening devices of car park openings are to be integrated into the overall façade and landscape design of the development.
O5.	To ensure stacked parking is appropriately managed.		
O6.	To minimise and ameliorate the effect of car parks at the ground level.	**C4.**	Natural light and ventilation must be introduced into semi-basement parking, where possible.
		C5.	Basement parking areas are to be: a. adequately ventilated, preferably through natural ventilation and provided with daylight where feasible b. located within the building footprint to maximise opportunities for deep soil planting c. located fully below natural ground level d. Where site conditions mean that locating the basement fully below natural ground level is unachievable, the maximum basement elevation above natural ground level is to be 1m at any point on the site, or in flood prone areas, to the minimum floor level required by Council e. designed for safe and convenient pedestrian movement and to include separate pedestrian access points to the building that are clearly defined and easily negotiated
		C6.	Above ground parking areas are to be: a. Sleeved with active uses/ retail/lobbies/residential units etc. b. Have sufficient floor to ceiling heights that allow the area to be adapted into other uses.

Objective		Control	
	 Parking with active frontage to the street  Parking is located underground and within the building footprint  Half basement parking to residential development elevates dwellings above the street and allows some natural light and ventilation to the basement. This may be suitable for flood prone sites **Figure 6: Example basement parking areas**		
Car Parking Areas – CPTED			
O7.	To maximise the natural surveillance and visibility to and from car parking areas.	**C7.**	Dense vegetation, solid fences, and unnecessary structures along the perimeter of the car parking area is not permitted.
O8.	To ensure the design and siting of car parking does not reduce pedestrian and cyclist amenity and safety within the car park or in the street.	**C8.**	Parking spaces shall be designed to provide effective sightlines from moving cars, and between parked cars to enhance pedestrian safety.
O9.	To ensure pedestrian access to car parking areas is safe, convenient, and direct.	**C9.**	Entry to basement parking areas will be through security access via the main building. This access will be fitted with a
O10.	To minimise the opportunities for concealment within car park areas.		

Objective		Control	
			one-way door from the foyer into the basement.
		C10.	Access to car parks from common areas are to be secured by lockable doors.
		C11.	For multi-storey car parking, stairwells are to be open or see through to enable informal surveillance to be provided to and from the public areas.
		C12.	Car parking pedestrian entry and exit points shall be located on the street level to maximise pedestrian flow and natural surveillance from active uses on the ground floor.
		C13.	The number of pedestrian entry and exit points for multi-storey car parks are to be minimised.
		C14.	For residential developments, accesses to car parks from common areas are to be secured by lockable doors.

3.5.9 New and Emerging Transport and Parking Facilities

Objective		Control	
O1. **O2.**	Large scale development is to consider new and emerging transport opportunities. Development is to reduce the demand for private motor vehicle parking and use.	**C1.** **C2.**	Above ground carparks for large developments shall have a layout and design that is capable of being adapted in the future into alternative, non-vehicle parking uses such as storage, commercial uses, community uses etc. Mechanical parking facilities (car stackers, turntables, car lifts and fully automatic mechanical car parks etc.) will be assessed on merit. A traffic report will be required to be provided assessing compliance with AS2890 parking series along with manufacturer's specifications addressing how the mechanical facility will be implemented on site.
Car Share Schemes			
03.	Establish requirements for car share schemes to reduce the demand for car parking.	**C3.**

Objective		Control	
			e. The car share space must be dedicated solely for the use as a car share space and be made available to car share operators without a fee.
Electric Vehicle (EV) Charging			
O4.	To ensure new buildings provide the infrastructure to support the increased ownership of electric vehicles.	**C6.**	All multi-unit residential car parking spaces must be 'EV-Ready'. An 'EV-Ready' car space requires the provision of a backbone cable tray and a dedicated spare circuit within an EV Distribution Board enabling future installation of a smart EV charger and cabling to the EV Distribution Board.
		C7.	At least 20% of non-residential car parking spaces in development with a total GFA greater than 1000m2 shall be 'EV-Equipped'. An 'EV-Equipped' car space is a car space equipped with EV fast charger that is ready to use on completion of the development. These may be payment operated systems. At minimum, the charger(s) will need to be 'Level 2' fast charging charger – three-phase with 11-22kW power or greater as defined by NSW Electric and Hybrid Vehicle Plan.
		C8.	EV Distribution Board(s) shall be of provided of sufficient size to allow connection of all car spaces 'EV-Ready' and 'EV Equipped'. EV Distribution board(s) shall be located so that no 'EV-Ready' car space will require a cable run greater than 55m from the parking bay to an EV distribution board. Development shall provide cable trays sufficient to accommodate the electric circuitry to each 'EV-Ready' and 'EV Equipped' car spaces.
		C9.	EV Distribution Boards are to be dedicated to EV charging and capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to minimise impacts to maximum demand loads. To deliver this, an EV Load Management System and an active suitably sized connection to the main switchboard is required.
		C10.	EV Load Management System is to be capable of: a. Reading real time current and energy from the EV chargers under

Objective		Control	
			management via ethernet connection; b. Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are fully recharged; c. Scale for residents to engage an EV Load Management provider to provide additional smart chargers to residential car spots over time. Further details are within Bayside Technical Specification - Traffic, Parking and Access.

3.5.10 Materials, Colours, Lighting, Landscaping, and Signposting

Objective		Control	
Materials, Colours and Signposting			
O1.	To visually alleviate the massing and expanses of hard pavement to improve amenity and pedestrian safety.	**C1.**	A variety of alternative paving materials and colours are to be incorporated into large parking areas. A design scheme including, but not limited to, colour schemes, surface/wall/column finishes, mid rails/skirting boards is to be provided by an interior designer.
O2.	To provide a durable and safe ground surface in car parking areas.	**C2.**	Ground surfaces that are publicly accessible are to be: a. slip-resistant b. traversable by wheelchairs c. indicate changes of grade by use of materials which provide a visual and tactile contrast
O3.	To ensure parking bays are clearly identifiable.	**C3.**	Car parking areas are to be adequately finished with fully sealed surfaces, internal drainage systems, line markings, appropriate kerbing, paved aisle dividers and/or wheel stops.
		C4.	The pavement in internal circulation roadways, aisles, parking areas, turning circles, etc., are to be designed and constructed to withstand the specific wheel loadings of vehicles likely to use them.
		C5.	For parking facilities with separate ingress and egress points, these are to be clearly signposted.

Objective		Control	
		C6.	All parking bays are to be clearly designated, sign posted, and line marked. Signage and line marking shall comply with AS2890.1.
Landscaping			
O4.	To maximise opportunities for deep soil planting and landscaping.	**C7.**	Appropriate landscaping responding to site conditions and surrounding context, particularly the transition between public and private spaces is to be provided on-site. **Note**: the landscaping part of this DCP provides guidance on these requirements.
		C8.	Outdoor parking areas should be landscaped to provide shade, to improve the visual amenity of large, all-weather surfaces and to provide a buffer to neighbouring properties and may incorporate integrated water cycle management measures. Where possible, permeable paving is to be used for car parking areas to increase opportunity for deep soil landscaping.
Lighting			
O5.	To ensure adequate lighting is provided in the on-site parking areas.	**C9.**	Adequate lighting is to be provided if the parking facility will be used at night or is within a basement. Particular consideration is needed for places where liquor is sold.
O6.	To manage potential amenity impacts on surrounding properties from light spillage.	**C10.**	The design of lighting is to be in accordance with relevant Australian Standards (AS4282 & AS1158).
		C11.	Where residential or other sensitive properties closely abut large on-site parking areas, consideration is to be given to the management of glare and light spillage into adjacent properties.

3.6 Social Amenity, Accessibility and Adaptable Design

Planning for the population growth in Bayside must be responsive to the diversity of the Bayside community and appropriate for their diverse needs. By improving the social amenity, access to the built environment for people with a disability there are wider community benefits because of the increased opportunities for people with a disability to participate.

Creating safe, accessible, and functional housing, public spaces and buildings for a diverse demography including the elderly, families with children, and people with permanent or temporary disabilities will create a more inclusive and accessible city that provides non-discriminatory, equitable and dignified access for all residents, workers, and visitors.

The Bayside LSPS Planning Priority 7 is to provide choice in housing to meet the needs of the community, which includes increasing the amount of housing that is universally designed and Liveable Communities is a focus area of the Bayside Disability Inclusion Action Plan.

3.6.1 Accessibility

Bayside should be a place that is inclusive and accessible for everyone. People who design, build, own, manage, lease, operate, regulate, and use premises have responsibilities and rights under the Disability Discrimination Act, 1992 (DDA). The DDA is a Commonwealth Act which seeks to eliminate bias against people with disabilities and protect their rights.

The DDA states that failure to provide equal access is unlawful, unless to do so would impose an unjustifiable hardship. The Building Code of Australia (BCA) and associated Australian Standards set technical requirements regarding the accessibility of buildings.

It is noted that the Building Code of Australia (BCA) and Disability Discrimination Act (DDA) must be complied with on their own terms, and that, compliance with the BCA alone does not automatically signify compliance with the DDA and vice versa. Applicants must demonstrate compliance with both standards, in addition to the controls outlined in this Section of the DCP.

Objective		**Control**	
O1.	To ensure that all people within Bayside can participate in community life and easily access all public spaces and premises, services and facilities provided.	**C1.**	The siting, design, and construction of premises available to the public are to ensure an appropriate level of accessibility, so that all people can enter and use these premises.
O2.	Provide dignified and equitable access and facilities for all people to all new development and upgraded or intensified uses in existing buildings.	**C2.**	All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements; and Disability Discrimination Act 1992. Complex developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.
O3.	Increase understanding of access issues for people with disability through investigation and implementation of best practice.		
O4.	Ensure that new developments meet the principle of 'dignified access', which is defined as not imposing less favourable conditions on a person with a disability in entering a premises or using facilities, which is less convenient, dignified or safe than the access provided for other members of the public.	**C3.**	Ensure all publicly accessible buildings provide a safe and continuous path of travel for people with impaired mobility.
		C4.	A high standard of women's facilities, amenities for parents in both women's and men's toilets and amenities for people with disability (i.e. lift and change facilities) in buildings available to the public.
		C5.	Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available.
		C6.	Required egress routes in residential development are to allow for safe escape

Objective		Control	
			for persons with a disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments.
		C7.	Access for pedestrians and vehicles are to be separated.
		C8.	Where viable, ramping solutions are considered preferable to lift solutions due to the absence of machinery, which may affect accessibility should the machinery fail.
		C9.	Where a ramping solution not considered adequate, or considered excessive in terms of spatial requirements or cost, lift solutions must appropriately consider the following matters: a. Safety – consideration must be given to ensuring that lifts avoid conflict with stairs (for example, an inclinator located alongside a stairway, which in the event of mechanical failure may also block stair access), as well as the possibility that a wheelchair and accompanying carer may need to use the lift at the same time, with adequate space provided accordingly. b. Ease of use – lifts should be as simple to use as possible, being intuitively easy for a member of the public to understand, requiring minimal physical effort on the part of the user, and avoiding the need for an assistant or permanent staff member to operate. c. Reliability – where possible, machinery should be protected from the elements, and an adequate Plan of Management should be in place to manage maintenance and repair should a mechanical failure occur, ensuring that repair times are minimal and the machine parts included in the functioning of the lift are as simple and universally available as possible to ensure that staff and equipment can be sourced as close to the premises as possible to minimise delays. d. Comfort – lifts should be comfortable for occupants to use,

Objective		Control	
			minimizing exposure to the elements and ensuring that a visitor requiring its use is guaranteed the same level of dignified, equitable and safe access as a visitor who does not require its use. These requirements must be balanced against other constraints affecting the relevant subject site, including such matters as landscaping and the provision of car parking.
		C10.	It should also be recommended that accessibility solutions incorporate, where appropriate, landscape screening to minimise their visual impact.

3.6.2 Adaptable Dwellings and Universal Housing

Adaptable and universally designed dwellings are conventional dwellings that incorporates elements that are 'designed in' to meet people's changing mobility requirements over their lifetime and visitation by people with a disability. Typical features include level and relatively wide doorways, non slip surfaces, easy to use door handles, reachable power plugs, hobless shower recesses, and reinforced bathroom walls to facilitate grab rails.

In addition, flexible apartment design is also desirable to allow buildings to accommodate a diverse range of lifestyle needs such as different household structures, live/work housing arrangements and future changes in use.

This section applies to all development in Bayside for attached dwellings, multi dwelling housing, residential flat buildings, shop top housing and is encouraged for new dwelling houses, semidetached dwellings, and dual occupancy development. Design criteria for adaptable and liveable housing are set out in the relevant Australian Standards and *State Environmental Planning Policy 65- Design Quality of Residential Apartment Development*.

Objective		Control	
O1.	To increase the supply of adaptable and universal housing.	**C1.**	For all new dwelling house, semi-detached dwelling, and dual occupancy development should consider incorporating universal design measures.
O2.	Provide a reasonable proportion of residential units in multi-unit developments which are designed to be flexible and easily modified to cater for occupants with an existing or progress disability.	**C2.**	All new attached dwelling, multi dwelling and residential flat building development must incorporate the following universal design measures for all ground floor dwellings a. An accessible continuous path of travel from the street entrance and/or parking area to dwelling entrance. b. At least one level entrance into the dwelling.
O3.	Encourage to use the Universal Housing Guidelines which provide best practice examples of accessible design.		

Objective		Control	
O4.	To promote sustainable development by extending the usability of a dwelling to meet 'whole of life' needs of the community.		c. Internal doors and corridors widths that facilitate comfortable and unimpeded movement between spaces. d. A toilet on the ground (or entry) level that provides easy access. e. Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date. f. A continuous handrail on one side of any stairway where there is a rise of more than one metre.
		C3.	A minimum 20% of total dwellings in new multi dwelling housing, shop top housing and residential flat buildings containing 10 or more dwellings must be adaptable dwellings and designed and constructed to a minimum Class C Certification under AS 4299 Adaptable Housing.
		C4.	Where the development does not provide for lifts, the adaptable dwellings are to be located on the ground floor of the development.
		C5.	Design for adaptable apartments should include, but not limited to: a. convenient access to communal and public areas b. high level of solar access c. minimal structural change and residential amenity loss when adapted d. larger car parking spaces for accessibility e. parking titled separately from apartments or shared car parking arrangements
		C6.	The design of adaptable dwellings must be integrated into the development with the use of consistent materials and finishes.
		C7.	Where proposed, all adaptable and universally designed dwellings must be clearly identified on the submitted DA plans.

3.6.3 Social Impact

Social impacts are the consequences that people experience when a project brings about change and can be uniquely social or intrinsically related to other environmental impacts. The intangible nature of many social impacts, and the complexity of identifying, mitigating, and managing them, means that a 'one size fits all' approach doesn't result in effective management of social impacts.

A social impact assessment (SIA) is an evaluation of the social consequences of a proposed decision or action (such as development proposals, plans, policies, and projects) on affected groups of people and

on their way of life, life chances, health, culture, and capacity to sustain these. The preparation of a Social Impact Assessment responds to the scale of the project and potential impacts and provide recommendations that will respond to the needs of affected communities and mitigate the likely social impacts throughout the lifecycle of the development proposal.

The social impacts of planned development activity are required to be addressed under Section 4.15 of the Environmental Planning and Assessment Act (1979). In addition to this, Community Impact Statements are required under Section 48 of the Liquor Act (2007).

Bayside Council has discretion to require the preparation of a Social Impact Assessment for any development that it considers will likely generate social impacts.

Objective		**Control**	
O1.	Ensure that development applications demonstrate the proposal and design has considered the social value, benefits and potential impacts resulting from development and can be adequately assessed and managed throughout the life of the development, from construction to operation.	**C1.**	The development types or activities that Council requires the preparation of a Social Impact Assessment is listed in table below
		C2.	In addition to those listed in the table below, Council may require the preparation of a Social Impact Assessment for any other development that it considers likely to generate social impacts
		C3.	Where a Social Impact Assessment is not required, social impacts are to be addressed in the Statement of Environmental Effects (SEE) accompanying a development application. At a minimum, the Statement of Environmental Effects is to consider: a. the potential social impacts; b. the scale of those impacts; c. the likely extent of those impacts including when and where they might occur; d. outcomes of any discussions with affected people or groups; and e. any measures to maximise the positive impacts and eliminate or minimise negative impacts'
		C4.	A SIA should be prepared by a suitably qualified social planner with training and/or extensive experience in the field of community needs analysis and community consultation.
		C5.	The preparation of a SIA should take into account the impact of a proposed development on people experiencing homelessness and/or sleeping rough, with consideration given to The Protocol for Homeless People in Public Places, available to view at: https://www.facs.nsw.gov.au/providers/working-with-us/programs/homelessness/specialist-services/partnerships/safe-in-public/protocol

Table 6: Development types of activities that require the preparation of a Social Impact Assessment

Type of Development	Scale (SIA threshold)
Residential flat building	> 100 units
Affordable Housing	> 20 units
Group Homes	All
Social Housing	All
Boarding Houses	>10 rooms
Extended Trading Hours, wholesale liquor sale, liquor outlets and licensed restaurants	All
Pubs (LEP definition); bottle shops, registered clubs, nightclub, Licence public entertainment venue	All
Places of Public Worship	>200 patrons or greater than 250sqm
Major Shopping Centres *Note: Council may also require an economic/retail assessment to understand the potential impacts to business and alignment to Council's centres and employment lands strategies.*	New or expanded by 20,000 sqm
Sex services premises and restricted premises	All
Health services facilities	New or major expansion
Recreation facility	Major
Educational establishments (including schools, TAFE and universities)	New or major expansion
- Major public utility undertaking - Passenger transport,	Regional

3.7 Landscaping, Private Open Space and Biodiversity

3.7.1 Landscaping

Landscaping includes all areas of the site that are not occupied by buildings and structures or primarily used for other purposes such as vehicle parking, access and manoeuvring and should predominantly be made up of grasses, plants and other landscape elements such as outcrops or pervious paving.

One of the purposes of landscape controls are to retain and increase canopy cover and drainage/water quality within the site and respond to biodiversity/drainage corridors on adjoining sites, while also supporting efforts for 'urban cooling' and responding to flood risks.

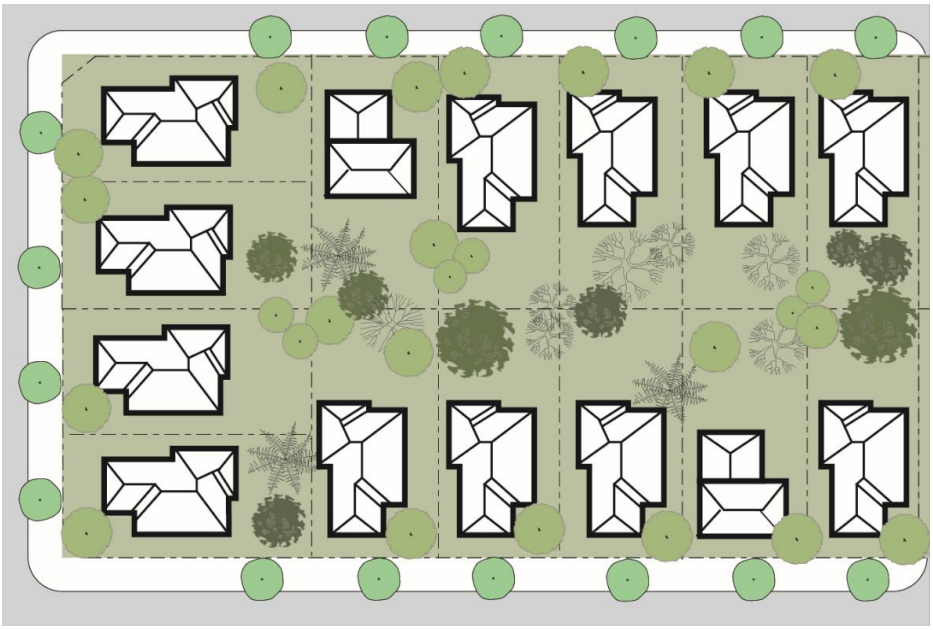
Objective		Control	
General Design and Layout			
O1.	Encourage landscape planning and design in conjunction with planning the layout of buildings, structures, vehicle circulation and ancillary areas on a development site.	**C1.**	Development must comply with Council's Technical Specification – Landscape and documentation is required to be submitted in accordance with Schedules – Chapter 9.3 of this DCP.
O2.	To preserve existing trees as part of future development, to increase canopy cover, particularly medium and large canopy trees and contribute to the urban forest, and character of the area.	**C2.**	For all development the layout and design of driveways, pedestrian entries and services maximises deep soil and retention of existing trees and planting of new trees. The location and use of outbuildings, swimming pools and spa pools should not impact on landscaped area / areas for tree planting and the amenity of adjoining private and public open space.
O3.	The amount of landscaped open space on site is sufficient to cater for the recreation needs of site occupants.	**C3.**	Landscaping is primarily located in larger, useable areas preferably located to the front and / or rear of buildings. (**Note:** council will not support small, narrow, fragmented or otherwise unsuitable areas being counted to achieve minimum landscape requirements).
		C4.	At least 20% of the front setback area of a residential development is to be provided as landscaped area.
		C5.	Side setbacks included in the landscape area shall be maximum 20% of the total landscape area provision.
		C6.	Landscaped areas located between driveways/ pathways and side boundaries have a minimum width of 1.0m at the narrowest dimensions and a minimum of 75% landscaped area must consist of planting, grass and trees, but not gravel/paving.
		C7.	A minimum of one tree in front setback and one tree in the rear open space in scale with the proposed built form shall be included in low and medium density residential developments.
		C8.	For residential accommodation on a site having an area greater than 500sqm, the rear yard must include at least one medium or large canopy tree.
		C9.	When site constraints associated with more urban contexts such as local centres and active frontages do not enable achievement of the minimum landscape area required, the development shall incorporate ecologically sustainable approaches such as extensive or

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td></td><td></td><td>intensive green roofs (with a detention layer), roof gardens, green walls. The extension and quality of the approach shall be evaluated by Council for each development.</td></tr>
<tr><td></td><td></td><td>C10.</td><td>The arrangement of buildings, secondary dwellings, pods, car parks, driveways, ancillary building and paved vehicle/other circulation spaces must consider existing trees and incorporate them into the site layout. Permeable paving surfaces to driveways, car parking bays and paved areas should be priorities over non-permeable.</td></tr>
<tr><td></td><td></td><td>C11.</td><td>Each property should have at least 1 tree (within the property boundary) where practicable. Where this cannot be achieved, compensatory planting bond / fund must be established.</td></tr>
<tr><td></td><td></td><td>C12.</td><td>The minimum amount of landscaped area within the site is as follows:

<table>
<tr><th>Development Type</th><th>Min. landscaped area (of the site area)</th></tr>
<tr><td>Low and medium density residential</td><td>25%</td></tr>
<tr><td>Residential flat buildings</td><td>15%</td></tr>
<tr><td>Mixed use (with shop top housing)</td><td>10%</td></tr>
<tr><td>Highway commercial</td><td>10%</td></tr>
<tr><td>Industrial</td><td>10%</td></tr>
<tr><td>Child care centres</td><td>20%</td></tr>
</table>
Table 7: Minimum Landscaped Area

Note: Further details about the amount of landscaped area for specific development types is provided below.</td></tr>
<tr><td></td><td></td><td>C13.</td><td>If an Arborist Report / Tree Assessment is required, it must comply with the relevant other requirements of this DCP and use an appropriate replacement ratio and appropriate species. Refer to 3.8.2 (C3) for replacement ratio.</td></tr>
<tr><td></td><td></td><td>C14.</td><td>Street trees are to be provided in accordance with Council’s Street Tree Masterplan. 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</td></tr>
</table>

Objective		Control	
			trees become established and soften the development by practical completion.
		C15.	Existing trees, including street trees, and natural formations including rock formations must be preserved where possible. The development proposal must demonstrate all efforts have been done to preserve significant features, like trees or outcrops.
		C16.	Landscaped areas to the rear of a property should adjoin the landscaped area of neighbouring properties and shall assist with provision of privacy between dwellings and provide a contiguous corridor of landscape and vegetation.
		C17.	To ensure aviation safety, the management of vegetation in areas that are close to Sydney Airport needs to be considered. This includes avoiding the planting of tree species that will either attract wildlife or grow to a height that would intrude into Sydney Airport's prescribed airspace. In particular: a. Significant landscaping and/or tree planting which includes large numbers of flowering trees should be avoided within 3 km of Sydney Airport. b. Trees that are likely to eventually grow to a height that would intrude into one or more of Sydney Airport's prescribed airspace surfaces should be avoided. c. Proposals involving large-scale tree-planting that could provide habitat for roosting species – such as the Grey-Headed Flying Fox – should be accompanied by a risk assessment, to be provided to Council and Sydney Airport Corporation, considering the risk of roosting species flying across the Sydney Airport airfield or in the vicinity of the airport's flight paths. ***Note:*** *Sydney Airport Corporation can provide a list of tree species that should be avoided on request.*

Objective		Control	
			
Figure 7: Example landscaped areas			
Amenity and Maintenance			
O4.	High quality landscaping and planting is designed to be integral to the development to provide increased amenity and not to rely on high levels of maintenance.	**C18.**	Landscape screening or buffers with canopy trees are to be included and designed to enhance privacy between properties and softening of walls and facades. Planter beds are to be provided along building façades.
O5.	Landscaping is to be used to define the transition between public and private spaces.	**C19.**	Planting design solutions are to be consistent with the Bayside Landscape Technical Specification and must: a. provide shaded areas in summer, especially to west facing windows and open car parking areas b. provide screening for visually obtrusive land uses or building elements c. provide vegetation and tree cover within large expanse of car parking areas d. provide privacy between dwellings e. not cause overshadowing of solar collectors on rooftops f. rely primarily on plants that have a low water demand and nil or low fertiliser requirements.
		C20.	Where a basement car park protrudes above ground level and is not wrapped in residential or retail uses, the walls are to be screened with appropriate treatments, such as planting.
		C21.	All fencing and wall details will be provided in the Landscape Documentation and comply with the relevant Parts of the DCP.

Objective		Control	
		C22.	A contrast of paving materials is required to break up large sections of paving and to delineate pedestrian areas, entries, car parks, special use areas or transition zones between different uses. Porous paving is to be utilised wherever possible.
Water Sensitive Urban Design			
O6.	To enhance stormwater management and water quality by incorporating Water Sensitive Urban Design (WSUD) principles into the landscape design.	**C23.**	The amount of hard surface area is to be minimised to reduce runoff by: a. directing run-off from the overland flow of rainwater to pervious surfaces such as garden beds, and b. utilising semi-pervious paving materials wherever possible c. other WSUD Such as Rainwater tank for irrigation and/or outdoor taps such as: d. bioswales, e. permeable pavements, f. raingardens.
		C24.	When proposing more than 5 car spaces at grade WSUD principles, including permeable paving, shall be included in the proposal.
Landscaped Areas – Dual Occupancy			
O7.	To ensure landscaped areas for dual occupancy developments are functional and contribute to residential amenity and local character.	**C25.**	The minimum area of landscaped area in the front setback is 25%.
		C26.	Development retains existing canopy trees. A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within the rear yard.
		C27.	A 1m deep soil landscaped setback to neighbouring properties is to be provided along driveways to basement car parks.
		C28.	Driveway walls adjacent to the entrance of a basement car park are to have a high standard of finish or are to be consistent with the external finish of the building.
		C29.	At grade car parking must not be located within the primary setback to the street.
Landscaped Areas – Medium Density Housing			
O8.	To ensure landscaped areas for medium density housing are functional and contribute to residential amenity and local character.	**C30.**	Development must retain existing canopy trees.
		C31.	The minimum area of landscaped open space in the front setback is 25%.
		C32.	A 1m deep soil landscaped setback to neighbouring properties is to be provided along driveways to basement car parks.

Objective		Control	
		C33.	Driveway walls adjacent to the entrance of a basement car park are to have a high standard of finish or are to be consistent with the external finish of the building.
		C34.	At grade car parking must not be located within the primary setback to the street.
		C35.	A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 3m of the front boundary.
		C36.	A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 2m of the rear boundary.

3.7.2 Planting Design and Species

Objective		Control	
O1.	To ensure new landscaping is site responsive, retains trees and provides adequate and appropriate plant species.	**C1.**	A minimum of 80% of a planting scheme proposed on deep soil is to consist of native or indigenous plants. Locally indigenous species, are to be incorporated where practical and suit the microclimate conditions.
O2.	To protect existing biodiversity and habitat features within and adjacent to development sites.	**C2.**	For all development other than a single dwelling all tree planting within deep soil areas is native or indigenous, unless sun access is required, and then deciduous ornamental species can be included.
		C3.	A layered landscaping approach incorporating the following is required in large, landscaped areas, setbacks, buffer zones and interface areas: a. canopy trees for upper-level screening and softening of buildings, privacy and shade (a mixture of small to large trees can be used for different purposes but the site must contain large canopy trees b. shrubs for mid-level screening and demarcation of spaces and uses (a mixture of low to tall shrubs are to be used for different purposes) c. groundcovers for low-level screening, soil stabilisation and weed reduction
		C4.	Tree species must be of a suitable scale for the development and size of buildings on a site and soften the ends and corners

Objective		Control	
			of buildings. A list of suitable trees and plants for residential sites can be found in this DCP.
		C5.	Shrubs are to be densely planted and trees spaced and located according to their mature size. Close spacing of certain species of trees may be used for screening.
		C6.	Trees must be planted within properties to maximise tree cover as specified by a qualified landscape architect.
		C7.	To minimise irrigation requirements, native planting of low water requirements is required for all planting in natural soil. Irrigation is required for planting on slab only.
		C8.	Plant species suited to the local soils will be selected to reduce the need for large quantities of soil improvement, fertilisers or pesticides.
		C9.	Landscaping adjoining Endangered Ecological Community (EEC) remnants are to: a. provide an effective buffer to these areas b. not overshadow or compete with the ecological communities c. be low water consumption plants and group plants of similar irrigation requirements (i.e. hydro zoning)
		C10.	To allow adequate lateral root space and soil volume for medium to large canopy trees, the front setback area must be on one level or at a slightly battered grade rather than terraced, stepped or containing narrow planter boxes.
		C11.	Lawns are generally not permitted (except on rear yards of detached dwellings) since they are generally not water efficient or as effective as trees and shrubs in screening, ameliorating buildings and structures and enhancing the streetscape and public domain. Native groundcovers can be used in open areas instead.

3.7.3 Communal and Private Open Space

Communal and private open space is an important part of landscaping. In particular, private open space is a critical component of quality living environments and is to be located and designed as an integral part of development. Council will strictly apply provisions for private opens space in accordance with this DCP and other relevant provisions such as the Apartment Design Guide for residential flat buildings and similar development.

Minimum area requirements for private open space are included in the relevant use part of Chapter 6. For the purposes of this DCP, to be counted as private open space the area must be useable for its intended purpose. In determining useability, council will primarily consider the area (in sqm), shape and dimensions (length and width) of the space. Other considerations will include the location relative to main indoor living areas, access to sunlight, privacy, and other amenity matters. The use of small, narrow, irregular shaped or fragmented areas will generally not be considered as private open space.

Objective		**Control**	
Communal Open Space			
O1.	Communal open space must contribute to quality amenity for residents by providing: a. adequate solar access and privacy b. passive and active recreational opportunities and reduce social isolation c. opportunities for informal social interaction d. a connection between any indoor and outdoor communal spaces.	**C1.**	Communal open space at the rate of 5m² per dwelling is to be provided for multi dwelling housing with 12 or more dwellings.
		C2.	A deep soil landscape area is required for all development within boundary setbacks, communal and private open space, and green corridors.
		C3.	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.
		C4.	Primary communal open space should be provided at ground level but may be accommodated on a podium or roof in a residential mixed-use building provided it has adequate amenity and convenient access.
		C5.	Communal open space should: a. be generally north facing and have a minimum area of 40% that has sunlight at 1pm on 21 June b. be clearly defined as communal open space c. provide for a range of recreational activities uses and contain communal facilities d. be supplemented with seating and shading e. incorporate semi-pervious paving materials for hard surface areas
		C6.	Internal communal open spaces are to: a. be located adjacent to any outdoor communal open space

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td></td><td></td><td>b. be designed to provide for a range of uses such as meetings, leisure, recreational and sporting activities. In this respect it may be appropriate to incorporate kitchenette and toilet facilities
c. Should be sited in a manner that considers impacts on adjoining future developments, as well as retaining existing significant vegetation and landscape features
d. Be located, where appropriate, adjoining the communal open space of neighbouring development to maximise the benefits of extent of deep soil and canopy cover.</td></tr>
<tr><td colspan="4">Private Open Space – General</td></tr>
<tr><td>O2.</td><td>To ensure an adequate private open space area is available for the principal and secondary dwellings.</td><td>C7.</td><td>Private open space is to:
a. be clearly defined for private use through planting, fencing or landscape features;
b. predominantly face north, east or west to maximise sunlight access;
c. sited and configured to maximise visual and acoustic privacy of its occupants and neighbours;
d. should be located adjacent to the living room, dining room or kitchen to extend the living space.</td></tr>
<tr><td></td><td></td><td>C8.</td><td>A deep soil landscape area is required for all development within boundary setbacks, communal and private open space, and green corridors.</td></tr>
<tr><td></td><td></td><td>C9.</td><td>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.</td></tr>
<tr><td colspan="4">Private Open Space – Dwelling House, Dual Occupancy, Secondary Dwellings</td></tr>
<tr><td>O3.</td><td>To ensure private open space is functional, attractive, contributes to the local character and will accommodate a range of activities.</td><td>C10.</td><td>The minimum area of private open space required for each dwelling is outlined in the table below.
<table><tr><th>Dwelling Type</th><th>Bedrooms</th><th>Min. Area</th></tr><tr><td>Dwelling House</td><td>-</td><td>50sqm</td></tr><tr><td>Secondary Dwelling</td><td>-</td><td>50sqm</td></tr><tr><td></td><td>1 bedroom</td><td>30sqm</td></tr></table></td></tr>
</table>

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td></td><td></td><td>
<table>
<tr><td rowspan="2">Multi Dwelling Housing</td><td>2 bedroom</td><td>40sqm</td></tr>
<tr><td>3+ bedrooms</td><td>50sqm</td></tr>
<tr><td>Residential Flat Buildings</td><td>-</td><td>As per the Apartment Design Guide</td></tr>
</table>
C11. The minimum width of private open space for each dwelling is outlined in the table below.
<table>
<tr><th>Dwelling Type</th><th>Min. Dimensions</th></tr>
<tr><td>Dwelling House</td><td rowspan="2">Minimum width of 5m</td></tr>
<tr><td>Secondary Dwelling</td></tr>
<tr><td>Multi Dwelling Housing</td><td>Minimum width of 3m for villas and 5.5m for townhouses.</td></tr>
<tr><td>Residential Flat Buildings</td><td>As per the Apartment Design Guide</td></tr>
</table>
C12. Private open space is not to include:
a. non-recreational structures (including garages, tool sheds and such like structures)
b. swimming pools
c. driveways, turning areas and car spaces, drying areas and pathways
C13. The minimum area requirements for private open space for secondary dwellings may be satisfied through the sharing of private open space associated to the principal dwelling.
C14. The private open space for secondary dwellings is to be directly accessible from, and adjacent to the secondary dwelling. (Note: Structures, including fencing, separating the dwelling house from the secondary dwelling is not permitted).
</td></tr>
</table>

3.7.4 Public Open Space Interface Controls

Objective		Control	
O1.	To ensure development balances casual surveillance opportunities to adjoining public open space with the visual and acoustic privacy of residents.	**C1.**	The siting, footprint, form, and design of buildings and associated private open space provides a setback to streets consistent with that prevailing in the streetscape while enabling opportunities for

Objective		Control	
			engagement with any public open space at the side or rear of the site. **Note**: Preference is given to two or more storey dwellings where adjoining public open space as it provides the best balance between property security and activating the park.
		C2.	Where possible, highly used habitable rooms such as living rooms should be located and oriented to overlook adjoining public open space and non-habitable rooms should not be located to face adjoining public open space.
		C3.	Building elevations facing adjoining parkland should locate and orient large or frequent transparent openings such as windows directly onto highly used habitable rooms and their principal private open space in the form of decks, balconies or patios to overlook the parkland.
		C4.	The layout and design of private open space, including the type and nature of structures and vegetation, does not obstruct lines of sight obtained from the dwelling to the park.
		C5.	Fencing adjoining parkland is to be of high quality, durable and low maintenance. (Note: Where possible, it is preferred that fencing be located 1 metre within the property boundary with the side facing the park planted with screening planting that is durable, low maintenance, indigenous and will achieve a height no greater than the fence at maturity.

3.7.5 Landscaping in Carparks

Objective		Control	
O1.	To ensure landscaping is provided in carparks and is to: a. provide shade for vehicles, to reduce the heat island effect of large areas of paved surfaces, to soften the impact of large areas of paving and parking, to improve amenity and to screen car parks from the public domain;	**C1.**	For at-grade car parks 1 tree will be provided for every 5 car spaces so that at least a 50% canopy coverage of the car park at maturity is provided. Car parks will be generously landscaped.
		C2.	Vehicle circulation areas, driveway access and parking will be arranged to maximise the area available for landscaping and the preservation of existing trees. Excess

Objective		Control	
	b. minimise the visual impact of car parks in the streetscape and public domain; and c. provide generous sized planter beds that sustain the growth of trees.		hardstand areas will be minimised. Planting is to be provided to edges, boundaries and internal areas of car parks to screen car parks and circulation areas from the public domain.
O2.	To ensure that land uses requiring at-grade car parking, such as industrial and business park uses, incorporate adequate landscaping and vegetation to improve canopy cover and reduce urban heat island effects.	**C3.**	Contrasting materials and finishes, including permeable paving, must be used to break up large sections of paving and to delineate pedestrian areas/crossings, entries, car parks, special use areas or at transition zones between different uses.
O3.	To ensure landscaping in car parks is consistent with Council's Landscaping Technical Specification.	**C4.**	Small planters 1 metre x 1 metre for trees are not permitted. Planter beds must be of an adequate dimension to cater for tree roots and future tree growth and to provide adequate moisture penetration and aeration of the root zone.
		C5.	The minimum pot size at installation for trees in parking areas is 100 litres.
		C6.	Adequate distances should be provided to trees from sub-surface utilities and lighting are required.
		C7.	All circulation areas must also be accessible for a person with a disability with landscaping incorporated.

3.7.6 Biodiversity

Overview

Biodiversity can be defined as the variety of living animal and plant life from all sources, and includes diversity within and between species and diversity of ecosystems. Biodiversity conservation aims to create a balanced existence between humans and the environment. Biodiversity can be maintained and enhanced by protecting threatened and endangered species, trees and vegetation, planting vegetation using a variety of indigenous species as well as native species and by retaining, enhancing, and providing new habitat and wildlife corridors.

The amount of land that sustains native plants and animals in Bayside has progressively reduced since European settlement. However, despite being heavily urbanised, Bayside has an important network of remnant bushland and wetland areas that sustain a diversity of ecological communities including endangered or vulnerable flora and fauna. Indigenous, native, and cultural vegetation within public and private lands also contributes to Bayside's biodiversity.

Our waterways, remnant bushland, trees and other vegetation in parks, streets and gardens provide habitat for a range of fauna species which are resident (e.g. frogs and possums), migrant (some shorebirds and microbats), and transitory (Grey-headed Flying-fox). Biodiversity exists in our streets, our gardens, in brownfield sites and other unexpected places.

Any development application or modification to an approved development that involves clearing of native vegetation or potential impacts to threatened species or ecological communities, will be subject to the biodiversity assessment requirements of the Biodiversity Conservation Act 2016.

This Part seeks to conserve and enhance Bayside's biodiversity by identifying and appropriately managing key environmentally biodiverse areas not managed in Part 2.1.2: Key Threatened Species Habitat and Endangered Ecological Communities. (Note that specific controls for threatened fauna species habitat and endangered ecological communities are managed in section 1.1.2). All Controls in this Part must also be implemented in accordance with Council's Technical Specifications – Landscape, which provides a list of suitable plants.

Mapping which supports this Part includes:

- Biodiversity Map (Provided in Appendix 1 of the DCP)
- Threatened Species Habitat and Endangered Ecological Communities (Provided in Appendix 2 of the DCP)

Objective		**Control**	
O1.	Protect and enhance biodiversity through the protection and conservation of native flora and fauna, their habitats and ecological functions.	**C1.**	All development to which this Part applies must also comply with **Section 3.8 - Tree Preservation and Vegetation Management** of the DCP.
O2.	Improve the diversity and abundance of locally indigenous flora and fauna species across the local government area (LGA).	**C2.**	For all new residential development, mixed use and non-residential development (including commercial and industrial) that provides landscaped open space, where any part of the lot is located within the Biodiversity Map (Provided in Appendix 1 of the DCP), a landscape plan must be prepared by a suitably qualified professional such as a landscape architect or ecologist.
O3.	Enhance biodiversity corridors to assist existing native plant and animal communities and protect from further fragmentation to ensure there is no net loss of biodiversity values within the Bayside LGA as a result of development.	**C3.**	All development identified above and where any part of the lot is located within the Biodiversity Map (Provided in Appendix 1 of the DCP) are to: a. Incorporate a minimum of 80% indigenous species in the proposed landscaping in accordance with Part 2.3 - Tree Preservation and Vegetation Management of the DCP and Bayside Councils Landscape Technical Guidelines which provides a list of suitable native and indigenous species. b. Maximise the retention of native vegetation. c. Incorporate trees, shrubs and ground covers of indigenous species. d. Consider bushland and riparian corridors that are either adjoining or in proximity of the development. e. Minimise the impacts of the completed development on any adjoining terrestrial or riparian corridors e.g. incorporating measures to minimise the impact of stormwater runoff.
O4.	Protect remnant bushland and areas containing biodiversity value to reduce impacts of the urban heat island effect, and maintain the biodiversity across the LGA.		

Objective		Control	
		C4.	In addition to the minimum landscape area and requirements for the development site, where development is to occur adjacent to areas of biodiversity value as shown on the Biodiversity Map (Appendix 1), must provide either: a. a minimum of a 5m deep continuous vegetated buffer zone of indigenous species of trees, shrubs and ground covers along the most affected adjoining boundary of the Biodiversity area. OR b. a minimum of 10% of the site with a minimum dimension of a 4m vegetated deep planting zone of indigenous species of trees, shrubs and ground covers.

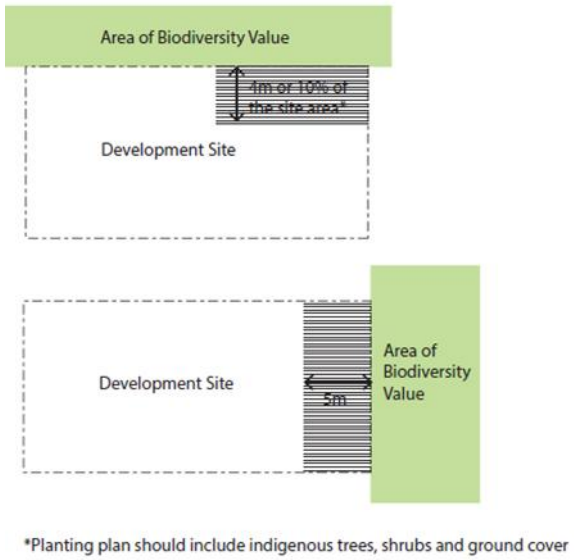


Figure 8: Area of Biodiversity Value

		C5.	For development on land identified on the Biodiversity Map (Provided in Appendix 1 of the DCP) and for which a Biodiversity Development Assessment Report (BDAR) is not required, Council requires the submission of a Flora and Fauna Assessment when: a. a total area of native vegetation greater than 100m^2 is being removed; or

Objective		Control	
			b. when more than three (3) remnant trees are being removed; or c. when a total area of native or exotic vegetation (excluding exotic grasses) greater than 200m^2 is being removed; or d. If required by Council Officers. The Flora and Fauna Assessment is to assess the impact of the development on the native flora and fauna and identify controls to be adopted to minimise any impacts.
		C6.	Development is to respond to habitat features including natural landforms, waterbodies, rock outcrops, trees and vegetation and landscaping which links biodiversity and green corridors. Where council grants consent for the removal of an existing tree on land identified on the Biodiversity Map (Provided in Appendix 1 of the DCP) and Part 3.8 – Tree Preservation and Vegetation Management of the DCP, and for which a BDAR is not required, the replacement of the tree(s) on the subject land or offsite is required at the ratios outlined in Council's Tree Offset Policy. Replacement tree species must be an indigenous species of a type suitable for the site (unless an alternative non-native species is required for solar access) and in accordance with Council's Landscape Technical Guidelines.

3.7.7 Key Threatened Species, Habitat and Endangered Ecological Communities

This Part applies to development which has the potential to impact on any threatened species, habitat or endangered ecological communities as defined in and protected by the Biodiversity Conservation Act 2016 (BC Act), NSW Fisheries Management Act 1994 (Fisheries Act) and the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Threatened fauna (animal) species are mobile and Endangered Ecological Communities (EECs) generally transition gradually from one type to another without hard boundaries. To account for this gradual transition in the Bayside Local Government Area (Bayside LGA), a buffer has been adopted around known areas of significant biodiversity or Endangered Ecological Communities. This buffer incorporates developments that have the potential to impact on these areas.

These controls are in addition to the controls outlined above. Threatened species habitat and endangered ecological communities in the Bayside LGA are identified in the Key Threatened Fauna Species Habitat and Endangered Ecological Communities Map (Provided in Appendix 2 of the DCP).

Objective		Control	
O1.	To protect and enhance Endangered Ecological Communities and threatened or vulnerable species and their habitats.	**C1.**	Any development where there is the potential for threatened species, populations or ecological communities, as defined under the following Acts, to occur must consider the requirements of the Biodiversity Conservation Act 2016 (BC Act), the NSW Fisheries Management Act 1994 (Fisheries Act), the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC) and the Environmental Planning and Assessment Act 1979 (EP&A Act).
O2.	To protect and promote the recovery of threatened species, habitat, and endangered ecological communities.	**C2.**	If a proposed development is likely to significantly affect threatened species as defined in Section 7.2 of the BC Act, the application for development consent is to be accompanied by a Biodiversity Development Assessment Report (BDAR) prepared by an accredited assessor. The BDAR is to demonstrate how impacts to biodiversity have been avoided or minimised, with the BAM used to calculate an offset obligation (in biodiversity credits) for any remaining residual impacts.
		C3.	For all new residential development, mixed use and non-residential development (including commercial and industrial) that provides landscaped open space, that is within the mapped area of the Threatened Species Fauna Habitat and Endangered Ecological Communities Map (Provided in Appendix 2 of the DCP) Assessment, must be accompanied by a Flora and Fauna Assessment. The Flora and Fauna Assessment is to assess the impact of the development on the affected native flora and fauna and identify controls to be adopted to minimise any impacts.

3.7.8 Wetlands

General

Wetlands are a critical part of our natural environment. They reduce the impacts of floods, absorb pollutants and improve water quality as well as provide habitat for animals and plants. Wetlands in Bayside, however, have a legacy of significant environmental impacts from urban runoff and spills, invasive weeds as well as being impacted by development.

If not appropriately managed, cumulative impacts from developments can have a significant detrimental short and long-term effect on wetlands such as contributing to high sediment and nutrient loads, water

pollution during and following construction, and by significantly altering the hydrology (flow) of the catchment.

This Part seeks to conserve and enhance Bayside's wetlands by identifying and appropriately managing wetland areas. This Part applies to development which has the potential to impact on any wetland areas of the Bayside LGA.

Mapping which supports this Part includes:

- Key Wetland Areas Map (Provided in Appendix 4 of the DCP)
- General Wetland Areas Map (Provided in Appendix 5 of the DCP)
- Wetlands Catchment Map (Provided in Appendix 5 of the DCP)

Objective		**Control**	
O1.	To ensure the protection of wetlands and associated endangered ecological communities and that all development minimises its impacts on wetlands.	**C1.**	Development Applications for works in areas identified as Key Wetlands within the *Key Wetland Areas* Map (Provided in Appendix 4 of the DCP) must submit the following: a. Plans of the proposed development including a site plan showing all existing and proposed stormwater infrastructure (e.g. culverts, drains, paved surfaces and stormwater control mechanisms); b. A Vegetation Management Plan, prepared by a suitably qualified professional, which identifies the measures proposed to protect and manage the potential impacts of the wetland and riparian land potentially impacted by the development, and control weed invasion; c. A Stormwater Management Plan, complying with the requirements of the Stormwater Management Technical Specifications which addresses measures to minimise impacts on wetlands including: i. The management of erosion and control of pollutants including sediments, nutrients, litter, cement waste, paint, toxins and bacteria; and ii. Details of permanent stormwater management measures at the site including on-site detention requirements, permanent treatment ponds, landscape and urban design treatments, and stormwater reuse. d. Plans and details of any proposed boardwalks, information signs and
O2.	To improve, maintain and restore the quality of water within wetlands and their waterways.		

Objective		Control	
			viewing platforms adjacent to the wetland or their waterways.
		C2.	Development Applications within areas identified as Wetlands Catchment within the Wetlands Catchment Map (provided in Appendix 5 of the DCP) that have the potential to significantly alter the hydrology of the catchment surface and groundwater flows must submit a Wetlands Management Plan. The Wetlands Management Plan must include the following: a. The nature and extent of the hydrological impacts of the proposed development; b. An assessment of the current hydrological regime including water quality testing before development occurs; and c. Commitment to processes for monitoring the actual hydrological impacts of the development such as water quality testing, pre and post development.
		C3.	All development for: a. new dwellings for single dwellings, secondary dwellings, semi-detached, attached dwellings, multi-unit and residential flat buildings; and b. mixed use and non-residential development (including commercial and industrial) that provides landscaped open space. Where any part of the lot is located within General Wetlands Area as shown in the General Wetlands Areas Map (Provided in Appendix 5 of the DCP) must include a landscape plan that has been prepared by a suitably qualified professional such as a landscape architect or ecologist. This landscape plan must: a. Incorporate a minimum of 80% indigenous species in the landscaping that is being undertaken as part of the proposed development. b. Be undertaken in accordance with Section 3.8 - Tree Preservation and Vegetation Management of the

Objective		Control	
			DCP and Bayside Council's Landscape Technical Guidelines which provides a list of suitable native and indigenous species. c. Maximise the retention of native vegetation. d. Incorporate trees, shrubs and ground covers of indigenous species. e. Consider bushland and riparian corridors that are either adjoining or in proximity of the development. f. Minimise the impacts of the completed development on any adjoining terrestrial or riparian corridors e.g. incorporating measures to minimise the impact of stormwater runoff. g. Incorporate water sensitive urban design as per Council's Stormwater Management Technical Specifications.
		C4.	For development on land identified as General Wetlands Area on the *General Wetlands Area* Map (Provided in Appendix 5 of the DCP) and for which a Biodiversity Development Assessment Report (BDAR) is not required, Council requires the submission of a Flora and Fauna Assessment when: a. a total area of native vegetation greater than 100m^2 is being removed; or b. when more than three (3) remnant trees are being removed; or c. when a total area of native or exotic vegetation (excluding exotic grasses) greater than 200m^2 is being removed; or d. If required by Council Officers.
		C5.	Planting of species listed in the Unacceptable Plant Species List contained within Council's Landscape Technical Specifications will not be permitted within any Key Wetlands, General Wetlands or Wetlands Catchment.
		C6.	Infrastructure such as roads, drainage, stormwater structures, services, etc. should be located outside land identified as Key Wetlands.

Objective		Control	
		C7.	For development on land located within the Wetland Catchment Area on the *Wetland Catchment Area* Map (Provided in Appendix 5 of the DCP), culverts, drains and paved surfaces must be designed to minimise changes to the local surface runoff and groundwater flows and ensure that appropriate water flow regimes are maintained to the wetland.
		C8.	For development on land located within the Wetland Catchment Area on the *Wetland Catchment Area* Map (Provided in Appendix 5 of the DCP): a. Development is to be designed to ensure stormwater flows and drainage will mimic natural conditions where possible. This is to ensure a dispersed pattern of flow, avoiding centralised or concentrated discharge points into the waterways and wetlands; and b. Stormwater control mechanisms must be installed where development works discharge directly into wetlands or if the development has the potential to impact on waterway hydrology. (Refer to requirements of Council's Stormwater Management Technical Guidelines).

3.8 Tree Preservation and Vegetation Management

Overview

Vegetation, particularly mature trees, contribute significantly to the established character of Bayside. Bayside Council recognises the importance of trees and their role as a key contributor to a high-quality urban environment. Council acknowledges trees as vital urban infrastructure in our policy and strategic planning documents – emphasising the economic and financial benefits of trees to the broader community.

A person must not clear, prune or remove vegetation without a permit or development consent granted by Council, except as otherwise stated in SEPP (Conservation and Biodiversity) 2021 – Chapter 2 or this Part. Council expects the retention of healthy and/or functional trees on all development sites. Developments are to be designed to incorporate existing trees into the layout and design to ensure that their health is not compromised by siting structures too close to trees, including trees on adjoining properties.

This part builds on Council's tree Management Policy and Chapter 2 of the Biodiversity SEPP, identifying whether Council's approval (i.e. tree removal consent or Development Application, or Complying Development Certificate) is required to clear, prune or remove a tree.

The term ‘clear’ vegetation is defined in the SEPP, and includes: (a) cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation; or (b) lop or otherwise remove a substantial part of the vegetation.

Where a private property owner wishes to appeal a Council decision denying consent to remove or prune a tree or vegetation on private or public land, the following procedures will take place;

- Trees or vegetation on private property: The property owner is required to engage an Independent Consulting Arborist or other specialist i.e. structural engineer or plumber to provide further detailed advice and assessment of the matter. Council will consider the independent report and re-inspect and/or review its decision if new information is provided or uphold its decision. For minor structural damage, the property owner must investigate alternative measures to rectify the damage and retain the tree. Council will only review its decision if all avenues have been exhausted and evidence provided thereof.

- Trees or vegetation on public property (including street trees): The property owner may write to Council requesting a review of the decision clearly stating the reasons and provide any new or additional information, including photographs. Council may engage a Consulting Arborist to obtain additional independent advice.

Tree works carried out on private land without Council approval or not carried out in accordance with an approval, may attract a Penalty Infringement Notice (PIN) or incur legal action in the Local Court or Land and Environment Court under Sections 125 and 126 of the Environmental Planning and Assessment Act 1979. The Court may also order the repair, remedial pruning or replacement of a damaged or removed tree and impose an order to maintain such replacement to maturity. A PIN may be issued for the injury or removal of trees and vegetation on public land under Section 629 of the Local Government Act 1993. Further penalties apply to the removal or damage to vegetation under the Threatened Species Conservation Act 1995 and the Environment Protection and Biodiversity Conservation Act 1999.

3.8.1 Tree Preservation and Management Controls

Objective		Control	
Tree Permit and DA requirements			
O1.	To provide a guide to the regulatory framework for the preservation of trees and establish a coordinated approach to tree management.	**C1.**	Trees or vegetation may be removed as part of a complying development for residential development if it is: a. within 3m of a building or structure bigger than 25m^2 b. not on Council's register of significant trees c. not higher than 8m if the development is for a new house - as long as the tree is not required to be retained as a condition of consent for the subdivision, and d. not higher than 6m for alterations and additions to a house.
O2.	To permit residents to manage trees on their land.		
O3.	To prescribe trees and other vegetation to be protected in Bayside.		
O4.	To maintain and embellish the visual and environmental amenity of Bayside through the preservation of trees and vegetation.		
O5.	To ensure trees in urban areas are managed in a way that reduces known risks to life and property.	**C2.**	Trees or vegetation may be removed as part of a complying development for new or additions to existing commercial and industrial buildings if it is: a. within 3m of the development, and b. not on Council's register of significant trees, c. or, not higher than 8m.
		C3.	To ensure DAs and CDCs have the required permits to remove street trees that are Council assets, the applicant shall apply for a tree removal permit prior to issuing of a DA or CDC. Clause 1.18(1)(h) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP) requires that in most cases an appropriate permit or development approval be obtained to remove or prune a tree or vegetation from the site prior to the issuing of a CDC.
		C4.	Development consent (development application) is required if the tree in question is in a heritage conservation area or is a heritage item or part thereof. For pruning of a minor nature that will not have any impact on heritage significance or amenity a tree permit is only required. Development Applications for proposed tree works are required to include the following as a minimum: a. A site plan showing the surveyed location of all tree/s or vegetation

Objective		Control	
			on the property and trees within 5 metres of property boundaries (trees adjoining properties and street trees); b. Details of the species and size (height, canopy spread and trunk diameter /girth at ground level) of the surveyed trees or vegetation, whether to be retained or removed; c. Arborist Report for sites with large trees, several trees or as required by Council; d. Full written details and justification for proposed tree or vegetation removal and/or pruning. It is responsibility of the applicant to substantiate applications for tree removal; and e. Owner's consent.
		C5.	Consent is not required when: a. the tree is dying or dead (as determined by a qualified arborist) b. council works c. vegetation that is a risk to human life or property d. pruning of an established hedge e. removal of dead fronds and fruit off palm trees f. exempt species list in Appendix 3. All exempt works must be documented to show due process has been followed and the pruned or removed tree was exempt.
		C6.	Tree works approved with a Development Application lapse if the consent lapses or becomes invalid, void or surrendered. A copy of the Development Consent must be presented on demand to Council's authorised officers and the Arborist engaged to undertake the approved tree works.
		C7.	Tree works approved in a DA must only be undertaken once construction has substantially commenced.
		C8.	The following matters are considered by Council in the assessment of a tree permit application or development application for trees or vegetation on all land (public and privately owned):

Objective		Control	
			a. Whether the tree or vegetation has significance or value (amenity, aesthetic, environmental); b. Whether the tree is heritage listed, located on a site with a heritage item or in a Heritage Conservation Area, on any significant tree list or listed under State or Federal legislation; c. Whether removal will impact on local biodiversity, habitats or the quality and quantity of healthy tree canopy; d. Whether the clearing of vegetation or work near it directly or indirectly impacts on a vegetation community protected by State or Federal legislation; e. The health or condition of the tree or vegetation, whether the tree or its branches are dead, dying, diseased or structurally unsound and the tree's Safe Useful Life Expectancy (SULE); f. Whether the tree is dangerous, hazardous or a public nuisance; g. Proximity to and interference (current and future) with existing or proposed buildings, structures, utilities or vehicle sightlines; h. Impact on the development potential of the land; i. Whether the tree will be adversely impacted by a development proposal (its canopy and/or root system) and whether alternatives have been considered for building or structure layout, design, or siting; and j. Whether the tree forms a valuable component of the streetscape.
		C9.	Council will not support Development Applications for tree removal in the following circumstances: a. the shedding of leaves, bark fruits, flowers, sticks or the like which are part of the normal life cycle of a tree; b. to minimise the inconvenience caused by animals and insects, including the dropping of fruit and bird droppings;

Objective		Control	
			c. to improve views, visibility of signage (unless essential road signage) or reduce shading of solar receptors; d. to reduce the height of a tree (topping) which is not in accordance with the relevant Australian Standards; e. to facilitate the construction of a driveway or structures, including swimming pools, outbuildings or fences. Alternative locations of such structure must be sought; f. lifting pavements. Tree removal is the final option when all other avenues for management have been investigated; g. Sewer chokes where an aged/faulty sewer system has not been replaced with PVC to the mains supply.
		C10.	Council requires an Arborist Report, prepared by a suitably qualified and experienced consulting Arborist within a minimum qualification of Australian Qualification Framework Level 5, for development applications that affect trees or vegetation in the following circumstances: a. heritage listed or located on a site with a heritage item or within a Heritage Conservation Area b. considered to be locally significant (as determined by Council) c. is within 5 metres of a proposed development d. potential for the tree to be impacted on by development e. Council determines additional or more detailed information is deemed necessary
		C11.	An Arborist Report, if required, must address the following: a. company details, qualifications and experience of the Arborist/s b. person or company for whom the report is prepared c. date of inspection d. aims of the report e. address of the site and site plan

Objective		Control	
			f. methods and techniques used in the inspection g. whether the tree is heritage item or on a site containing a heritage item h. the tree/s size, age, condition/health, estimate of longevity, critical and primary and structural root zones and other pertinent information relating to tree root structure or distribution, significance value/rating, amenity value, previous pruning, structural defects or damage and any other relevant considerations such as wildlife, habitats, soil, drainage etc. i. potential impacts on the tree/s as a result of the proposed development or construction work j. tree retention and protection options, including construction techniques involving footing design, excavation and scaffolding, and building or structural modifications k. recommendations for future of trees to be retained, including branch or root pruning l. recommend mitigation or compensatory measures where there is a loss of amenity with tree removal or proving m. demonstrate how the proposal complies with AS4970-2009 – protection of Trees on Development Sites for trees to be removed and retained and AS4373-2007 – Pruning of Amenity Trees n. supporting evidence such as photographs, testing, root mapping and aerial inspection findings. **Note**: arborist recommendations for tree removal must be objective and based on the arboricultural findings only. An Arborist is qualified to report on tree health and structure but not on the significance of vegetation. An ecologist is required for this. **Note**: council may also require a detailed report or root mapping for trees on the property or on adjoining properties that may be impacted by construction work.

Objective		Control	
		C12.	A Flora and Fauna Impact Assessment prepared by an ecologist may be required for development work on or near remnant vegetation forming part of a locally endangered ecological community. The flora and Fauna Impact Assessment should include an assessment of significance in accordance with section 5A of the Environmental planning and Assessment Act 1979 comprising a full description of its extent, makeup and condition and potential direct and indirect impacts expected with the proposed development. A vegetation management plan should also be submitted fulfilling the property owner's responsibilities under the Threatened Species Conservation Act 1995 and any other relevant legislation.
		C13.	Structural engineering and licensed plumbers' reports may be required for alleged damage/blockage to sewer or stormwater lines or damage to fences and other structure.
		C14.	Council will only prune or remove street trees or trees on public land for essential tree maintenance. All works will be scheduled into the works program of Council's Tree Management Team.
		C15.	Applications for moving street trees for driveways are unlikely to be successful.
		C16.	New or widened driveway crossovers are required to be located a minimum distance of 3 metres from the trunk of an existing street tree. Advice should be sought from Council for large street trees as an offset of up to 5 metres may be required.
		C17.	For trees on public land that may be impacted by a DA, council may impose conditions of consent or a tree preservation bond.
Tree Preservation Requirements			
O6.	To address the low percentage of healthy tree canopy throughout Bayside.	**C18.**	Tree pruning and removal should consider the Bayside Planning Priority 20 to increase urban tree canopy and enhance green grid connections.
O7.	To ensure the protection of trees and vegetation by ensuring new developments consider and incorporate existing trees into the site layout and design and ensure vegetation is protected during	**C19.**	A tree requiring approval is not permitted to be removed on a site in which subdivision or demolition has been granted by Council unless consent for removal has been

Objective		Control	
	construction and the ongoing operation of the site.		obtained prior to issue of the through the Development consent.
		C20.	Council may impose a Tree Preservation Bond on significant or heritage tree or trees with a high potential to be damaged or impacted upon during construction. Council will calculate the bond amount using the Thyer Tree Valuation Method. Tree Bonds are paid to Council in the form of a refundable deposit prior to issuing any Construction Certificate. Tree Preservation Bonds are refunded if there is no damage incurred to the tree (both above and below ground) and may be in force for any length of time after construction has ceased to monitor tree health or structural soundness. If the tree is damaged or dies during construction or in the monitoring period, or if conditional tree protection requirements are not adhered to during construction, the bond may be partially or fully forfeited.
		C21.	If consent is granted for the removal or pruning of a tree, suitable replacement tree/s will be required to be planted on the subject property by the property owner or applicant. Council will stipulate the minimum acceptable replacement tree/s pot size and number of trees and may recommend suitable species. Replacement trees are to be planted with consideration of the location of boundary fences, walls, pipes and buildings.

3.8.2 Tree and Vegetation Offset Controls

Objective		Control	
O1.	To ensure the retention and protection of trees and bushland vegetation that are important to the biodiversity and health of the local ecosystem and for the maintenance of the scenic quality and tree character.	**C1.**	Council will not accept tree offsetting if: a. An applicant has not demonstrated that all alternatives to a development proposal and all measures to mitigate impacts have been considered; b. The need for an offset has not been justified and the offset has not been

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td>O2.</td><td>To ensure trees in urban areas are managed in a way that reduces known risks to life and property.</td><td></td><td>shown to address and satisfy the principles of this policy;
c. A development has enough soil and space to include new canopy trees within a site as part of the development proposal;
d. The impacts of a development are considered to be minor in nature or could reasonably be avoided or mitigated.</td></tr>
<tr><td>O3.</td><td>To permit residents to manage trees on their land.</td><td></td><td></td></tr>
<tr><td>O4.</td><td>To address the low percentage of healthy tree canopy throughout Bayside.</td><td></td><td></td></tr>
<tr><td>O5.</td><td>To ensure effective bushland regeneration.</td><td></td><td></td></tr>
<tr><td></td><td></td><td>C2.</td><td>Council reserves its right to assess each offset proposal on a case-by-case basis in accordance with this Policy.</td></tr>
<tr><td></td><td></td><td>C3.</td><td>The following tree replacement ratios are to be used for tree replacements within the site bounds (on-site).

Table 8: On-site tree replacement ratio

<table>
<tr><th>Type of proposal</th><th>Ratio</th></tr>
<tr><td>Alterations and additions</td><td>2:1</td></tr>
<tr><td>New single dwelling or dual occupancy</td><td>3:1</td></tr>
<tr><td>New medium density development</td><td>5:1</td></tr>
<tr><td>New high-density development</td><td>8:1</td></tr>
<tr><td>Application to remove a tree only (no proposed development)</td><td>2:1</td></tr>
<tr><td>Application to remove a tree only (due to safety or risk to infrastructure)</td><td>1:1</td></tr>
</table></td></tr>
<tr><td></td><td></td><td>C4.</td><td>Where Council determines that on-site replacement is not appropriate there is an opportunity for off-site replacement subject to a Deed of Agreement and monetary contribution (as outlined in Council’s Fees & Changes) with the Council to facilitate replacement planting on public land. Any tree offsets occurring off-site and/or on public land must comply with the below:

Table 9: Off-site and/or Public land tree replacement ratio</td></tr>
</table>

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td></td><td></td><td>
<table>
<tr><th>Type of proposal</th><th>Ratio</th></tr>
<tr><td>Alterations and additions
(on public land by Deed of Agreement)</td><td>2:1</td></tr>
<tr><td>New single dwelling or dual occupancy</td><td>3:1</td></tr>
<tr><td>New medium density development</td><td>5:1</td></tr>
<tr><td>New high-density development</td><td>8:1</td></tr>
<tr><td>Application to remove a tree only
(no proposed development)</td><td>2:1</td></tr>
<tr><td>Application to remove a tree only
(due to safety or risk to infrastructure)</td><td>1:1</td></tr>
</table>
C5. All replacement trees must be consistent with the tree list requirements in Council’s Landscape Technical Specification.</td></tr>
</table>

3.9 Stormwater Management and Water Sensitive Urban Design

All controls are outlined within Bayside Technical Specification Stormwater Management. All development within the Bayside LGA must comply with the drainage requirements of this Technical Specification. Additional provisions related to Water Sensitive Urban Design are also contained within Section 3.7 of this DCP.

Objective		Control	
O1.	To outline the technical requirements in relation to the design of stormwater management systems within the Bayside Local Government Area (LGA).	**C1.**	All development is to be consistent with Bayside Technical Specification Stormwater Management relating to stormwater management and WSUD.
O2.	To implement and incorporate WSUD principles into the design of the stormwater drainage system.	**C2.**	Development must comply with the WSUD provisions outlined in Section 3.7 of this DCP (Landscaping and Biodiversity).
O3.	To minimise run-off volumes and allow replenishment and recharge of groundwater.	**C3.**	Certain developments are to provide stormwater systems that minimise stormwater run-off from the site as detailed in the technical specification.
O4.	To protect existing public stormwater drainage assets and provide drainage systems that integrates into Councils existing drainage network with minimal impact on existing users.	**C4.**	Any building proposed over or near Council’s stormwater assets requires approval by council.

3.10 Flood Prone Land

3.10.1 Context and Objectives

In 1984, the State Government introduced the flood-prone land policy applicable to New South Wales. The first Floodplain Development Manual (FDM) was published in 1986, providing guidelines for the implementation of the government's flood-prone land policy and the merit approach that underpins its application.

In 2005, the State Government released revised guidelines under the FDM to support the Flood Prone Land Policy, the primary objective of which is:

"To reduce the impact of flooding and flood liability on individual owners and occupiers of flood-prone property, and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible."

In response to this objective, Bayside Council has undertaken a number of floodplain risk management studies to identify mitigation measures for flood risks. These studies identify planning as a very important aspect of floodplain risk management.

3.10.2 Abbreviations

- AEP - Annual Exceedance Probability
- DA - Development Application
- DCP - Development Control Plan
- DPE - Department of Planning and Environment
- FDM - Floodplain Development Manual
- FRMP - Floodplain Risk Management Plan
- FRMS - Floodplain Risk Management Study
- LEP - Local Environmental Plan
- LGA - Local Government Area
- PMF - The largest flood that could conceivably be expected to occur at a particular location, usually estimated from probable maximum precipitation.
- SES - State Emergency Service

3.10.3 Background

The local Government is the primary authority responsible for both flood risk management and land use planning in New South Wales. Both Local Government and State Government (principally through the State Emergency Service (SES)) are responsible for managing floodplain risk.

The State Government's flood policy provides a flexible merit-based approach to be followed by local government when dealing with planning, development and building matters on flood-prone land. For Council to fully carry out its responsibilities for the management of flood-prone land, it is necessary to prepare a local flood risk management plan for all developments.

The FDM requires that Councils prepare Floodplain Risk Management Studies (FRMS) as a prelude to the formulation of a Floodplain Risk Management Plan (FRMP) that, among other things, would control development and other activity within the floodplain. The process for preparing the FRMS and FRMP is depicted below in **Figure 9**.



Figure 9: Floodplain Risk Management Process (FDM, 2005)

The FDM describes floodplain risk modification measures in three broad categories identified in **Figure 10** below.

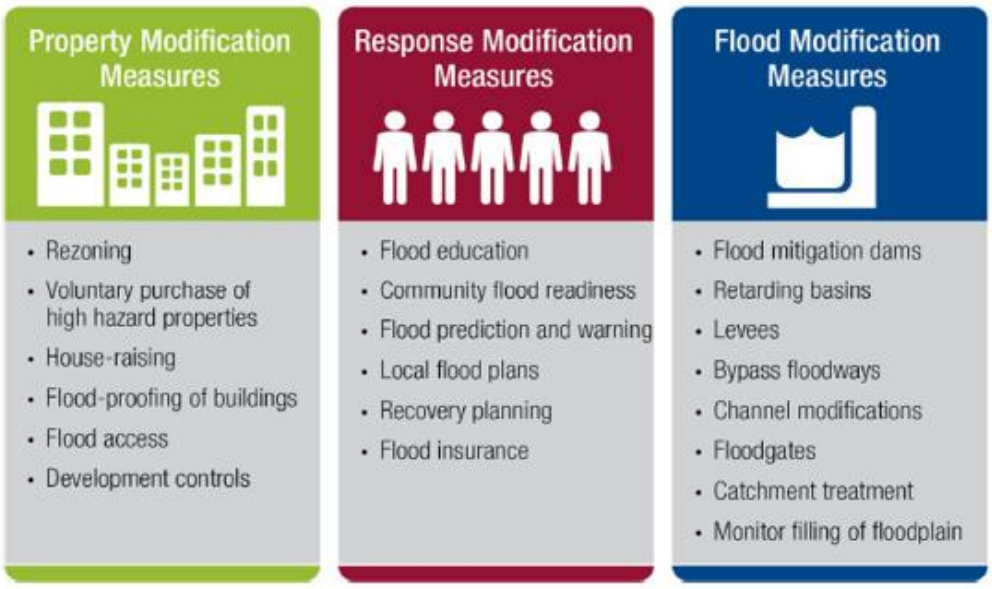


Figure 10: Typical Flood Risk Modification Measures

Prevention of flood risk, through property and response modification measures, is the option most feasible with the least impact on natural flood flows and is primarily reliant on land use planning and development controls for implementation. Flood modification measures are the least preferred option, being costly, prone to failure and most likely to adversely affect the natural environment.

The controls identified in this chapter represent an application of the State Government's "Flood Prone Land Policy" are consistent with the FDM, and reflect local circumstances identified through FRMS and FRMP.

3.10.4 Land to Which This Chapter Applies

This chapter of the DCP applies to all flood-prone land within Bayside Council, being all land potentially inundated by floods up to and including a probable maximum flood (PMF).

Flood prone land is mapped for the following:

- 1% AEP plus 0.5m freeboard affected land
- PMF affected land

  (both available at: https://maps.bayside.nsw.gov.au/Intramaps98/?module=Flood)

Council can provide a site specific flood advice letter or identify the need to obtain further information from a qualified civil engineer.

3.10.5 Objectives

- To ensure that flood risk is considered as early as possible in the planning and development process and is based on the best available flood information.
- To establish guidelines for the use and development of flood prone land that are consistent with the NSW Flood Policy and the FDM.
- To minimise the risk to human life and damage to property by controlling development on flood prone land, taking into account projected changes as a result of climate change.
- To ensure that all land uses and essential services are appropriately sited and designed in recognition of potential floods.
- To provide detailed controls for the assessment of applications lodged in accordance with the Environmental Planning and Assessment Act 1979 on flood-prone lands.
- To ensure that the development or use of floodplains does not adversely impact flood behaviour which creates a detrimental increase in flood affectation on other properties or developments.
- To ensure that the development incorporates measures to minimise the risk of life and ensure the safe occupation and efficient evacuation of people in the flood event.
- To apply a merit-based approach to development decisions that consider flood risk, social, economic and ecological considerations.
- To control development and other activity within all the stormwater catchments within the LGA having regard to the characteristics and level of information available for each of the catchments, in particular the FRMS and FRMP.

3.10.6 Relationship to Other Legislation and Regulations

This document should be read in conjunction with the relevant provisions of the NSW Government Flood Prone Lands Policy and FDM, the Environmental Planning and Assessment Act, 1979, and Regulations thereto, applicable Environmental Planning Instruments in particular Bayside Local Environmental Plan (LEP) 2020 and other relevant controls of this DCP and policies adopted by Council.

3.10.7 Development Provisions

The controls for development in the floodplain contain objectives, performance criteria and prescriptive controls, with the following purpose:

a. **The objectives** represent the outcomes that the Council wishes to achieve from each control.
b. **The performance criteria** represent a means of assessing whether the desired outcomes will be achieved.
c. **The prescriptive controls** are the preferred ways of achieving the outcome. While adherence to the prescriptive controls may be important, it is paramount that the objectives and the performance criteria are clearly satisfied.

3.10.8 Objectives and Performance Criteria

The following development issues are to be considered in the assessment of the proposed development on flood-prone land.

Table 10: Issues to be considered for a development in a flood-prone land

Development Aspect	Objective	Performance Criteria
Floor Levels	• To minimise the damage to properties from flooding. • To minimise risk to life from the inundation of properties. • To minimise the economic cost to the community resulting from flooding.	• Proposed building must be free from flooding up to and including the flood planning level (FPL) requirement. • Proposed building should not increase the likelihood of flooding on other developments, properties or infrastructure.
Car parking	• To minimise risk to life from the inundation of the basement and other car parking areas. • To minimise the damage to motor vehicles from flooding. • To ensure that vehicles do not become moving debris during floods.	• The proposed garage or car park should not increase the risk of vehicle damage by flooding. • The proposed garage or car park should not increase the likelihood of flooding on other developments, properties or infrastructure. • The proposed garage or car park must meet the Flood Planning Level Requirements. • Open car parking - The minimum surface level of open space car parking subject to flooding should be designed giving regard to vehicle stability in terms of depths and velocity during flooding.
Building components and method	• To minimise the damage to building and structures during a flood event.	• Buildings are to be designed and constructed to a standard that is compatible with the flood risk and will not result in significant structural or material damage during or after a flood event.
Fencing	• To ensure that fencing does not result in any significant	• Fencing is to be designed and constructed in such a manner that

Development Aspect	Objective	Performance Criteria
	obstruction to the free flow of floodwaters. • To ensure that fencing will remain safe during floods and not become moving debris.	it will not modify the flow of floodwaters and cause damage to surrounding properties.
Evacuation	• To ensure that there is no increase in risk to life to people in a flood event.	• To ensure that there is a plan in place for people to follow during a flood event that will not increase the risk to life of people on site or result in an increased reliance on the SES or emergency services personnel.
Earthworks and building on flood prone land	• To ensure that the natural function of floodplains and overland flow paths to convey and store floodwater is not compromised.	• Any earthworks or development proposal must be supported by a flood impact assessment report (refer to Sub-section 9.5.4) from a qualified civil engineer.
Storage of hazardous substances	• To prevent the potential spread of pollution from hazardous substances.	• The storage of products which, may be hazardous or pollute floodwaters, must be placed above the 1% AEP flood level plus 0.5m freeboard or placed within an area protected by bunds or levels such that no floodwaters can enter the bunded area.

3.10.9 Prescriptive Controls

Prescriptive controls are set out in the flood planning controls listed in **Table 11** and **Table 12** and the corresponding index of prescriptive controls can be found in **Table 13.**

3.10.10 Criteria for Determining Development Applications

The criteria for determining development applications (DA) potentially affected by flooding is structured in recognition that different controls are applicable to different land use categories and levels of potential flood inundation and hazard. Flood hazard maps are available online via Council's website and land use categories can be found in Sub-section 9.5.1.

The following steps should be taken to determine the relevant flood development controls.

a. Determine whether the site is within the 1% AEP Flood Level plus 0.5m freeboard affected Land, refer to the 1% AEP Flood Level plus 0.5m freeboard affected Land maps, available at: https://maps.bayside.nsw.gov.au/Intramaps98/?module=Flood

   Flood maps are available in Councils' online mapping system.

b. If the land use category is either a critical uses & facilities or sensitive uses & facilities (Schedules – Chapter 9.5.1), determine whether the site is impacted by the PMF, refer to the PMF flood affected land maps, available at: https://maps.bayside.nsw.gov.au/Intramaps98/?module=Flood

c. If a site is identified as flood affected land in both (a) and (b), obtain a flood advice letter from Council and follow the steps specified in (f) to (j).

d. If a site is identified as flood affected land in (b) and the proposed development or land use is categorised as a critical and sensitive facility, obtain a flood advice letter from Council and follow the steps specified in (f) to (j). If the land use is not categorised as a critical and sensitive development, a flood advice letter is not required.

e. If a site is not identified as flood affected land in both (a) and (b), a flood advice letter is not required.

f. Determine the flood hazard category that applies to the land (refer to the flood advice letter provided by Council, see (c) above).

g. Determine which of the land use categories the proposal falls under (refer Schedules – Chapter 9.5.1). Note that the land use categories refer to the development type not the zoning map identified in the LEP.

h. Based on the land use category and flood hazard category apply the prescriptive controls specified in Tables 2 to 4.

i. Where a first use/change of use DA is proposed an economic analysis of flood losses shall be prepared to identify the cost of business loss against the cost of floodproofing. A copy of the template can be provided with the flood advice letter (see (c) above) to the applicant. A suitably qualified engineer must analyse the optimum solution and provide a recommendation. The minimum floor levels shall be merit-based and shall consider flood risk and intensification of the existing use.

j. Assess and document how the development proposal will satisfy each of the applicable development controls and their objectives.

3.10.11 Land Use Categories

The criteria for proposals potentially affected by flooding are structured in recognition that different controls are applicable to different land uses and flood hazards.

The major land use categories that have been adopted are listed in Schedules – Sub-section 9.5.1. The specific uses, as defined by the applicable Environmental Planning Instruments, have been grouped within each of these categories based on a similar level of potential vulnerability to flooding hazards.

3.10.12 Flood Hazard Categories

Flood hazard refers to the potential loss of life, injury and economic loss caused by future flood events. The degree of hazard varies with the severity of flooding and is affected by flood behaviour (extent, depth, velocity, isolation, rate of rising of floodwaters, duration), topography and emergency management.

- A Flood Hazard Map has been prepared for all flood prone land based on the flood behaviour derived by flood modelling prepared by Council for each catchment. These hazard categories have been grouped into high and low hazards as follows. Details of the Flood Hazard Category is provided in Schedules – Sub-section 9.5.2.

  The Flood Hazard Map is available at:
  https://maps.bayside.nsw.gov.au/Intramaps98/?module=Flood

- **High Flood Hazard** - This is defined as the area of land affected by the 1% AEP flood that is subject to hazard category H3 to H6.

  An area identified as high flood hazard is likely to have high flood damages and high risk to life or evacuation difficulties. In this area, there would be a significant risk of flood damage without strict compliance with flood-related development controls.

- **Low Flood Hazard** - This has been defined as the area of land affected by the 1% AEP flood that is categorised as having H1 or H2 hazard category. In this area, the risk to life and flood damage to the building is low, however it is unsafe for small vehicles and can cause damage to the

building contents and services.

3.10.13 Flood Planning Prescriptive Controls

The flood planning prescriptive controls consider the land use type or development type (not land use zoning map) and the flood hazard category (illustrated in the Flood Hazard Map) from which the suitability of development and ability to intensify an existing use can be assessed. Where a property is affected by more than one Flood Hazard Category across it, the assessment must consider the controls relevant at each location on the property.

A table has been prepared for each flood hazard category

- Low Flood Hazard (Hazard category H1 & H2) **Table 11**
- High Flood Hazard (Hazard Category H3, H4, H5 & H6) **Table 12**

These tables identify which prescriptive controls are applicable for each land use category. The prescriptive controls have been established to meet the objectives and performance criteria. The references in **Table 11** and **Table 12** relate to prescriptive controls specified in **Table 13.**

Table 11: Low Flood Hazard - Prescriptive Controls for Development

Planning Consideration	**Land Use Category (Development Type)**					
	Critical & Sensitive Uses & Facilities	Subdivision	Residential	Commercial & Industrial	Recreation and non urban	Concessional Development
A. Floor level	A2, A3	G3	A1, A3	A1, A3	A4	A5
B. Building Components	B2, B3, B4		B1, B3, B4	B1, B3, B4	B1, B3, B4	B1, B3, B4
C. Structural Soundness	C2		C1	C1	C1	C1
D. Flood Effects	D1		D1	D1	D1	D1
E. Car Parking & Driveway Access	E1, E2, E4		E1, E2, E3	E1, E2, E3	E1, E2, E3	E1, E2, E3
F. Evacuation	F2		F1	F1	F1	F1
G. Management and Design	G2, G4, G5		G2, G4, G5	G2, G4, G5	G2, G4, G5	G2, G4, G5

Table 12: High Flood Hazard - Prescriptive Controls for Development

Planning Consideration	**Land Use Category (Development Type)**					
	Critical & Sensitive Uses & Facilities **(see note)**	Subdivision	Residential	Commercial & Industrial	Recreation and non urban	Concessional Development
A. Floor level	A2, A3	G1, G3	A1, A3	A1, A3	A4	A5
B. Building Components	B2, B3, B4		B2, B3, B4	B2, B3, B4	B1, B3, B4	B1, B3, B4
C. Structural Soundness	C2		C2	C2	C1	C1
D. Flood Effects	D1		D1	D1	D1	D1
E. Car Parking & Driveway Access	E1, E2, E4		E1, E2, E3	E1, E2, E3	E1, E2, E3	E1, E2, E3
F. Evacuation	F2		F1	F1	F1	F1
G. Management and Design	G1, G2, G4, G5		G1, G2, G4, G5	G1, G2, G4, G5	G1, G2, G4, G5	G1, G2, G4, G5

Note: *Developments (including any intensification of existing development) for Critical and Sensitive uses and facilities are unsuitable within a site that is categorised as a High Flood Hazard (H3 and H6).*

Table 13: Index of Prescriptive Planning Controls

Floor Level	
A1	Habitable floor levels to be no lower than the 1% AEP flood level plus 0.5m freeboard.
A2	Habitable floor level shall be at or above the PMF level or 1% AEP flood level plus 0.5m freeboard, whichever is higher.
A3	Non-habitable floor levels to be no lower than 1% AEP flood level.
A4	All floor levels to be at least 300mm above the existing ground level.
A5	All floor levels to be no lower than the existing floor level of the building or a minimum of 200mm above the existing ground level (whichever is higher).
Building Components & Method	
B1	All structures to have flood compatible building materials (Schedules – Chapter 9.5.3) below the 1% AEP flood level plus 0.5m freeboard. Any part of the building that is erected at or below the 1% AEP flood level + 0.5m freeboard shall be constructed of flood compatible material.
B2	All structures to have flood compatible building components below the PMF level.
B3	Flow-through open form fencing (louvres or pool fencing) is required for all new fencing and all new gates up to the 1% AEP flood level to allow floodwaters to flow through.
B4	All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the 1% AEP flood level plus 0.5m freeboard. All existing electrical equipment and power points located below the 1% AEP flood level plus 0.5m freeboard within the subject structure must have residual current devices installed that turn off all electricity supply to the property when floodwaters are detected.

Floor Level	
Structural Soundness	
C1	All new development must be designed and constructed to ensure structural integrity up to the 1% AEP flood level plus 0.5m freeboard, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification shall be provided confirming the above. Where shelter-in-place refuge is required, the structural integrity for the refuge is to be up to the PMF level. Structural certification shall be provided confirming the above.
C2	An engineer's report shall be provided to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to the PMF Level.
Flood Effects Caused by Development	
D1	The development must not result in increased flooding elsewhere in the floodplain. A flood assessment report (refer to Schedules – Chapter 9.5.4) shall be provided to demonstrate that the development: • does not divert floodwaters to the detriment of elsewhere on the floodplain. • does not increase flood level or velocity elsewhere on the floodplain. • does not result in a detrimental loss of flood storage. • reduces the existing flood hazard, where possible. A flood impact assessment for a site is not required where the flood storage and floodway capacity are retained. For example, a building can be elevated to retain the existing floodway and flood storage to permit the free flow of water under the building.
Car Parking and Driveway Access	
E1	The minimum finished floor level of open car parking spaces or carports shall be at or above natural ground level. A flow-through roller door (or horizontal louvers) is permitted for a carport structure. Carports must be of open design, with at least 2 sides completely open such that flow is not obstructed up to the 1% AEP flood level. Otherwise, it will be considered to be enclosed. Open car parking areas shall not be located within a floodway.
E2	For above ground level garages, the minimum surface level shall be no lower than the 1% AEP flood level.
E3	Basement garages/storage/car parking, low-level driveways must be physically protected from inundation by floods equal to or greater than the 1% AEP flood level plus 0.5m freeboard. The crest of the driveway shall be located within the property boundary. All access, ventilation, driveway crests and any other potential water entry points to any enclosed car parking shall be above the 1% AEP flood level plus 0.5m freeboard level. Council will not accept any options that rely on the electrical, mechanical or manual exclusion of the floodwaters from entering the enclosed carpark for new development. Flood barriers may be accepted for an existing development to improve flood protection.
E4	Basement garages/storage/car parking, low-level driveways must be physically protected from inundation by floods equal to or greater than the1% AEP flood level plus 0.5m freeboard or PMF flood level, whichever is higher. The crest of the driveway shall be located within the property boundary. Council will not accept any options that rely on the electrical, mechanical or manual exclusion of the floodwaters from entering the enclosed carpark for new development. Flood barriers may be accepted for an existing development to improve flood protection.
Emergency Response	
F1	A qualified civil engineer shall be engaged to prepare an onsite emergency response flood plan is required to detail whether evacuation procedures are required and if so, how they will be initiated, warning signs and preservation of flood awareness as owners and/or occupants change through time. Adequate flood warning systems (such as water level sensors, and alarm stations), signage and exits shall be available to allow safe and orderly evacuation without increased reliance upon the SES or other authorised emergency services personnel. The evacuation plan shall be easily accessible to current and future occupants.

Floor Level	
	If safe evacuation cannot be achieved within a sufficient response time then a shelter-in-place refuge is required, together with a plan for self-sufficiency for up to 12 hours. This plan must consider as a minimum: sufficient area for all the occupants, adequate clean water for all occupants; portable radio with spare batteries; torch with spare batteries; first-aid kits; emergency power; and a practical means of medical evacuation. Note that in the event of a flood, occupants would be required to evacuate if ordered by Emergency Services personnel regardless of the availability of a shelter-in-place refuge.
F2	Provide a shelter in place refuge area within the development above the PMF. On-site shelter place refuges shall be designed with a plan for self-sufficiency to cater for the maximum number of people reasonably expected on the development site. This plan must include a storage area for food, torch, batteries, first aid kit, generator, and self-directing signs. An engineer's report shall be provided to certify that an area of refuge is available and able to withstand the effects of flooding. Provide design certification by a practising structural engineer that the building is able to withstand the hydraulic loading due to the flooding event up to the PMF. Note that in the event of a flood, occupants would be required to evacuate if ordered by Emergency Services personnel regardless of the availability of a shelter-in-place refuge.
Management and Design	
G1	If a site or part of the site is affected by a Flood Hazard Category of H5 and H6, buildings and structures can be exposed to significant structural damage with a high risk to life. Intensification of existing land use in the affected area is not permitted unless it can be demonstrated to the satisfaction of the consent authority that the risk level on the property is or can be reduced.
G2	Storage of materials that may cause pollution or are potentially hazardous during any flood is not permitted below the 1% AEP plus 0.5m freeboard.
G3	Subdivision of the land must not create a parcel with unreliable access, evacuation route and increased reliance on SES. Opportunities shall be investigated to amalgamate the development site with the adjacent site to provide safe and reliable access during the flood.
G4	Where a building is elevated to retain the existing floodway, overland flow path and flood storage, the undercroft area is to remain open to permit the free flow of water under the building. A positive covenant is required.
G5	Pools located within the 1% AEP flood extent are to be in-ground, with coping flush with natural ground level. Where it is not possible to have pool coping flush with natural ground level, it must be demonstrated that the development will result in no net loss of flood storage and no impact on flood conveyance on or from the site. All electrical equipment associated with the pool (including pool pumps) is to be waterproofed and/or located at or above the 1% AEP plus 0.5m freeboard level. All chemicals associated with the pool are to be stored at or above the 1% AEP plus 0.5m freeboard level.

Note: Low level driveway refers to a garage floor where depth of ponding is equal to or above 200mm in a 1% AEP flood event.

3.10.14 Unsuitable for Intensification

Intensification of the land use in high hazard areas may result in increased risk to life and property and unsustainable social and economic costs to the community as a consequence of flooding. As such:

- Developments (including any intensification of existing development) for Critical and Sensitive uses and facilities are unsuitable within a site that is categorised as a High Flood Hazard (H3 to H6); and
- Intensification of any residential, commercial or industrial use is identified as unsuitable within the flood-affected part of the land where Flood Hazard is classified as H5 to H6.

However, Council may allow the development where flood hazard can be reduced by appropriate flood mitigation such as trunk drainage upgrade, diversion of stormwater asset etc to reduce flood risk in the development site. Consolidation with an adjoining lot may provide flood free access to the site and a safe evacuation route.

3.10.15 Concessional Development

Concessional development is any development or redevelopment that would normally not be permitted in a flood-prone land, but may be permitted as a concession provided it:

a. Is kept clear of any floodway and
b. involves an acceptably small (see below for limits) addition or alteration to an existing development that will not cause a significant increase in potential flood losses, risks or have an adverse impact on adjoining properties.

In the case of residential development:

a. a once-only addition or alteration to an existing dwelling of not more than 10% or 20m^2 (whichever is the lesser) of the habitable floor area which existed at the date of commencement of this DCP policy or plan.
b. The construction of an outbuilding with a maximum floor area of 20m^2.

In the case of other development:

a. A once-only addition to existing buildings of not more than an additional 10% or 50m^2 (whichever is the lesser) of the floor area which existed at the date of commencement of this DCP policy or plan.

3.11 Contamination

Overview

Consideration needs to be given to the possibility that a previous or current land use has led to the contamination of soil and/or groundwater at the site and the potential health and environment risks of any contamination. Sites must be evaluated to determine if the proposed development is on land affected by soil or groundwater contamination and determine the remediation and controls required to make the land suitable for the proposed development.

This Section is to be read in conjunction with the State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 – Remediation of Land, the Contaminated Land Management Act 1997 (CLM Act), the Environmental Planning and Assessment Act 1979 (EP&A Act), the Department of Urban Affairs and Planning – Managing Land Contamination: Planning Guidelines (Managing Land Contamination Guidelines), and the NSW Environment Protection Authority Consultants Reporting on Contaminated Land: Contaminated Land Guidelines 2020 or as amended. In the event of an inconsistency between the DCP, SEPP (Resilience and Hazards), and the Acts, the DCP is overridden.

Definitions of the terms used in this Part are contained within the SEPP (Resilience and Hazards), the NSW Environment Protection Authority Consultants Reporting on Contaminated Land: Contaminated Land Guidelines 2020 and the CLM Act.

3.11.1 Contamination – General

Objective		Control	
Contamination			
O1.	To ensure that the development of contaminated or potentially contaminated land does not pose a risk to human health or the environment.	**C1.**	All sites must be evaluated to determine if the proposed development is on land suspected to have been used for a potentially contaminating activity or is potentially contaminated.
		C2.	If any information suggests that contamination is, or may be, present, or there is a lack of historical knowledge of potentially contaminating uses on the site, the site must be investigated in accordance with the NSW EPA adopted Guidelines under the Contaminated Land Management Act, all Nationally relevant guidelines and current industry best practice.
		C3.	If assessment of the site is required, information about the nature, extent and degree of contamination must be provided to Council prior to determination of the application in accordance with the NSW Consultants Reporting on Contaminated Land – Contaminated Land Guidelines (2020) and the National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASC NEPM) Schedule B.
		C4.	The following stages, as outlined in the NSW Consultants Reporting on Contaminated Land – Contaminated Land Guidelines (2020) and the National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASC NEPM) Schedule B, must be followed: a. Provide a Preliminary Site Investigation (PSI) to assess whether contamination is or has the potential to exist on the site and whether further investigation is needed or if the information provided is determined by Council to be insufficient to assess the proposal. b. Provide a Sampling and Analysis Quality Plan (SAQP) when a Detailed Site Investigation (DSI) is required as the results of a Preliminary Site Investigation. c. Provide a Detailed Site Investigation (DSI) when the results of a Preliminary Site Investigation (PSI) indicate the site has been or may have been used for a potentially contaminating activity (see Table 1 of the *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land*), may be contaminated beyond appropriate guidelines for the proposed land use, or the risk of exposure to contamination may increase due to a change in land use or due to the proposed development. The detailed site

Objective		Control	
			investigation must include a statement which describes whether the site is suitable for the proposed use, or if remediation is necessary. d. Where appropriate, provide a Site Specific Risk Assessment if concentrations of contaminants exceed Tier 1 assessment criteria and indicate that further investigation or evaluation is required, if assessment criteria are not available for certain contaminants, or where further assessment is required to reduce uncertainties and consider site-specific conditions. e. Provide a Remedial Action Plan (RAP) if the Detailed Site Investigation (DSI) indicates that contamination has the potential to pose an unacceptable risk to human health or the environment (on- or off-site), under the proposed land-use or proposed development, and remediation of soil or groundwater is required. The RAP must clearly state remediation objectives and document the process to remediate the contaminated site. f. Provide a Site Remediation and Validation Report, when remediation or management of contaminated soil or groundwater is required, to detail the site work undertaken and demonstrate compliance with contaminated land guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* and all other applicable regulatory requirements. The site remedial work must be validated to ensure the objectives stated in the RAP have been achieved including whether the site is suitable for the proposed use. g. Provide an Environmental Management Plan (EMP) when required by an RAP and approved by Council when full clean-up is not feasible or when there is on-site containment of the contamination. Council must be consulted before any EMP is issued and the feasibility of implementing the plan over the long-term must be clearly shown. Reports may be presented separately or, where appropriate, combined (e.g. preliminary and detailed site investigations).
		C5.	Each Stage must be prepared in accordance with the Guidelines adopted or set out by the NSW EPA including the NSW Consultants Reporting on Contaminated Land – Contaminated Land Guidelines

Objective		Control	
			(2020), the National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASC NEPM), the SEPP (Resilience and Hazards) and Managing Land Contamination Guidelines (as amended).

3.11.2 Site Audit Statements

Objective		Control	
O2.	To ensure site conditions of land, once investigated or remediated, will be suitable for its proposed land use or development.	**C6.**	Council may require that a site audit be undertaken by a Site Auditor accredited under the NSW Site Auditor Scheme (Accredited Site Auditor) at any or all of the contamination investigation and remediation stages. A site audit is necessary when Council: a. believes on reasonable grounds that the information provided by the applicant is incorrect or incomplete; b. wishes to verify that the information provided adheres to appropriate standards, procedures and guidelines; or c. does not have the internal resources to conduct a technical review.
		C7.	If a Site Audit Statement (SAS) is requested, the applicant must provide Council with a clear and legible copy of both the Site Audit Statement and the Site Audit Report. The Accredited Site Auditor must discuss any proposed conditions with Council prior to issuing the SAS.
		C8.	Council's preference is for a Section A1 SAS, however in circumstances where this is not possible, a section A2 SAS with conditions may be submitted. Council will not accept a SAS where the site's suitability relies on conditions which Council is of the opinion are unworkable, unwieldy, un-enforceable or require constant supervision by Council.
		C9.	If Council requires a SAS in order to make its planning decision the cost will be borne by the applicant and not Council.

3.11.3 Containment or capping of contaminated material

Objective		Control	
O3.	To minimise the risk to human and environmental health on land contaminated	**C10.**	The preferred hierarchy of options for site clean-up and/or management outlined in the NEPM (Assessment of Site Contamination) is:

Objective		Control	
	by past uses through capping or containment.		a. On-site treatment of the contamination so that it is destroyed or the associated risk is reduced to an acceptable level; and b. Offsite treatment of excavated soil, so that the contamination is destroyed or the associated risk is reduced to an acceptable level, after which soil is returned to the site; or if the above are not practicable, c. Consolidation and isolation of the soil on-site by containment within a properly designed barrier; and d. Removal of contaminated material to an approved site or facility, followed, where necessary, by replacement with appropriate material; or e. Where the assessment indicates remediation would have no net environmental benefit or would have a net adverse environmental effect, implementation of an appropriate management strategy.
		C11.	For the use of C10c) - consolidation and isolation of soil on-site, or C10e) – implementation of a management strategy, Council must be satisfied the strategy: a. Maximises the long-term stability of the capping and containment system(s) and any proposed structures above it (from an engineering perspective) and, where applicable, minimises the potential for leachate formation and/or volatilisation; and b. Does not result in a risk of harm to human health or the environment; and c. Recommends a notification mechanism to ensure that the capped or contained areas are protected from any unintentional or uncontrolled disturbance that could breach the integrity of the physical barrier; and d. Does not involve containment of contaminated material on riparian land as the containment of contaminated material on riparian land may conflict with the establishment of native vegetation, and tree roots may penetrate the containment area and result in the release of contaminants to surface water and the ground water system.
		C12.	If containment or capping of contaminated material is approved a restriction is required to be placed on the Certificate of Title to advise future owners of the land of any on-going site management requirements or restrictions on future land uses. Only Council can release, vary or modify the restriction/s.

3.11.4 Landscaping within the Development – Contaminated Sites

Objective		Control	
O4.	To ensure landscaping of contaminated sites is suitable and responds to contamination mitigation measures, including the provision of deep soil areas.	**C13.**	All soil used in landscaping must meet the applicable NSW EPA Guidelines and National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 (amended 2013).
		C14.	Where sites are to be capped or contained to manage contamination, the required minimum deep soil zones are to still be provided for the development site and capping or containment shall not limit the deep soil planting and species selection.
		C15.	Deep soil zones must be remediated to provide a planting substrate suitable for the growth of plants.
		C16.	The use of mounded areas or planter boxes in sites with capping or containment in lieu of deep soil zones is prohibited.
		C17.	A landscape plan identifying deep soil zones and any proposed capping and containment areas is to be submitted when consolidation and isolation of the soil on-site by containment within a properly designed barrier, or when an appropriate management strategy is used.

3.12 Waste Minimisation and Site Facilities

This Part applies to all works requiring a development application (DA) and is to be read in conjunction with Council's relevant policies and guidelines.

This Part should also be read in conjunction with the provisions outlined in **Sub-section 3.5.7** (Waste Collection) and comply with these provisions.

Objective		Control	
General			
O1.	Waste is managed effectively to: a. maximise the reuse and recycling of construction materials and minimise demolition waste by promoting reuse of existing structures, adaptable building design and adaptable design for end-of-life deconstruction b. encourage building design, demolition and construction techniques that help to avoid waste being generated c. maximise waste avoidance, and reuse and recycling of household and commercial waste	**C1.**	Development is to be consistent with Council's Waste Management DCP Technical Specification 2022 and all development applications are required to submit a Waste Management Plan consistent with this Technical Specification.
		C2.	New development must also comply with the provisions related to Waste Collection in accordance with Sub-section 3.5.7 of this DCP.

Objective		Control	
	d. ensure there are appropriate on-site waste separation systems to assist council and private sector waste management staff to collect and recover waste materials e. ensure the amenity of the building and local area is maintained or enhanced		

3.12.1 Demolition and Construction

Objective		Control	
O1.	a. To minimise the amount of construction waste that is sent to landfill b. To minimise waste generated during demolition and construction. c. To increase efficiency of development and encourage sustainable practices. d. To maximise the re-use of clean excavated material, concrete, bricks and timber. e. To ensure the safe removal and disposal of hazardous building materials.	**C1.**	a. A construction waste storage area is to be located within the property boundary and is to be identified on the site plans as part of the Site Waste Recycling Management Plan (SWRMP). b. Separate construction waste collection bins or construction waste storage areas are to be provided giving consideration to slope, drainage, vegetation, access and handling requirements and may include: i. Landfill waste; ii. Recyclable waste; iii. Materials to be re-used on-site; and / or iv. Excavation materials. c. Records are to be retained on-site demonstrating lawful disposal of waste. d. Easy vehicular access to waste and recycling material storage areas must be provided and detailed in the SWRMP. e. Construction materials are to be stored away from waste and recycling materials to enable easy access for waste collectors. Skip bins are to be utilised and located in accordance with Council's building waste and hoardings policy. f. All materials are to be stored in way that: i. Prevents damage from the elements, and reduces odour, health risks and windborne litter; and ii. Prevents impacts to the environment under State Government Legislation (including stormwater pollution and runoff).
		C2.	All sandstone must be re-used on site or reclaimed through an appropriate contractor.

Objective		Control	
		C3.	Asbestos and other hazardous material is to be managed under the Protection of the Environment Operations Act 1997, in accordance with the provisions of Safe Work NSW, and Council's Asbestos Policy.

3.12.2 On-going management

Objective		Control	
O1.	To ensure new developments and changes to existing developments are designed to minimise waste generation and maximise resource recovery.	**C1.**	Development for the purposes of any of the following: • Dwelling houses; • Dual occupancies; • Secondary dwellings; • Semi-detached dwellings; • Attached dwellings; • Multi-dwelling housing. Must comply with Sub-section 3.5.7
O2.	To encourage waste storage facilities that are designed to enable source separation for recovery.		
O3.	To ensure waste and recycling systems are easy to use and complement Council's waste and recycling services.	**C2.**	Development for the purposes of any of the following: • All other residential accommodation not listed in C1 above; • Tourist and visitor accommodation; • Commercial development; and • Any other development not listed in C1. Must comply with Sub-section 3.5.7
O4.	To promote safe practices for storage, handling and collection of waste and recycling.		
O5.	To prevent stormwater pollution that may result from poor waste and recycling storage and management practices.		
O6.	To minimise amenity impacts during the storage, use and collection of waste and recyclables.		
O7.	To prevent impacts to the environment that may result from litter, excess waste and illegal dumping.		
O8.	To minimise interference of waste collection on pedestrian access, safety and amenity.		
O9.	To minimise interference of waste collection on local traffic.		

3.12.3 Low-density residential development

Objective		Control	
O1.	Development is to be in accordance with the Objectives outlined in Sub-section 3.5.7.	**C1.**	A waste and recycling storage area for each dwelling must be located on the relevant lot in a position convenient for both users and waste collection personnel.
		C2.	Sufficient space must be provided to accommodate the storage of waste and recycling likely to be generated on the premises between collections and any associated equipment.
		C3.	Waste and recycling receptacles must be stored at all times within the boundary of the site and screened from the public and commercial domains unless otherwise approved by Council under Section 68 of the Local Government Act 1993.
		C4.	All waste and recycling must be inside Council approved bins or skips, with lids closed to reduce littering, stormwater pollution, odour and vermin. Waste and recycling not presented in the correct manner will not be collected.
		C5.	Waste and recycling storage areas must be visually and physically integrated into the design of the development.
		C6.	Waste and recycling storage areas must be designed and located to avoid adverse impacts on the amenity of adjoining sites including noise, odour, and visual impacts.
		C7.	All waste and recycling receptacles must be put out for kerb-side collection no earlier than the previous evening.
		C8.	All waste and recycling receptacles must be removed from the kerb-side or laneway as soon as possible on the same day as the collection service.

3.12.4 All other residential development

Objective		Control	
O1.	Development is to be in accordance with the Objectives outlined in Sub-section 3.5.7.	**C1.**	Sufficient space must be provided to accommodate the storage of waste and recycling likely to be generated on the premises between collections and any associated equipment.
		C2.	Waste storage rooms or areas are to be located a maximum 10m from pick up point.

Objective		Control	
			Waste rooms are not to be used for any purpose other than the storage of waste.
		C3.	Waste and recycling receptacles must be stored at all times within the boundary of the site and concealed from the public and commercial domains unless otherwise approved by Council under Section 68 of the Local Government Act 1993.
		C4.	All waste and recycling must be inside Council approved bins or skips, with lids closed to reduce littering, stormwater pollution, odour and vermin. Waste and recycling not presented in the correct manner will not be collected.
		C5.	Waste and recycling storage rooms must be: a. Enclosed to prevent noise, odour and visual impacts; b. Designed to store the entire fleet of bins plus 0.2m between bins to allow adequate manoeuvrability room; c. Designed with a 1.8m unobstructed clearance zone between the stored bins and the entrance for access and manoeuvrability; d. Designed with suitable door and corridor access to enable bin movement; e. Constructed of concrete or other approved materials at least 75mm thick; f. Finished with a smooth even surface to be easily cleaned; g. Coved at the intersection with walls and plinths with a ramp to the doorway where necessary; h. Graded and drained to the sewerage system and approved by Sydney Water; i. Fitted with a close fitting and self-closing door that can be opened from within the room; j. Designed with adequate lighting and naturally/mechanical ventilation to meet Building Code of Australia requirements; k. Fitted with smoke detectors in accordance with the relevant Australian Standards;

Objective		Control	
			l. Equipped taps supplying hot and cold water, mixed through a centralised mixing valve with a hose cock and fitted with an aerator to increase water efficiency; m. Designed to include a clear and easy-to-read “NO STOPPING” sign and “DANGER” sign on the external face of waste storage rooms where appropriate; n. Designed to ensure waste-water from the cleaning of the waste storage area and bins, is not to drain into the stormwater system; and o. Fitted with childproof compacters or mechanical devices where used in the storage of waste.
		C6.	A room or caged area with a minimum floor space of 4m^2 must be provided for the storage of discarded bulky items and problem waste, awaiting collection. The doorway of this storage area must be at least 1.5m. The following minimum floor space requirements apply: a. Between 6 and 20 units: 4m^2 b. Between 21 and 40 units: 4m^2 +1m^2 for every 10 additional units above 20 units c. Between 41 and 100 units: 8m^2 + 1m^2 per 20 additional units above 40 units d. Over 101 units: 12m^2 +1m^2 per 50 additional units above 100 units e. Additional space is required for recycling problem waste such as textiles or electronic waste. The floor space required is 1 m^2 per 50 units to a maximum 2m^2. This space should be in or attached to the storage area.
		C7.	Developments containing more than 3 habitable storeys must: a. Provide a system for convenient transportation of waste and recyclable material to the communal waste and recycling storage area; and b. Provide a waste and recycling compartment/area on each floor with sufficient capacity to store at

Objective		Control	
			least 1 day volume of waste and recycling likely to be generated on that floor.
		C8.	Both waste and recycling bins/crates must be stored together in the allocated waste storage room.
		C9.	Waste, recycling and garden organics receptacles must be stored at all times within a building. Exceptions can be made: a. Where storage space is available at the side or back of the building, away from public accessibility, and the area can be screened from public and commercial domains; or b. Where the storage area at the front of the property is completely enclosed with no risk of public accessibility.
		C10.	If a waste storage area is visible from the public domain, the design must complement the primary building.

3.12.5 All other development

Objective		Control	
O1.	Development is to be in accordance with the Objectives outlined in Sub-section 3.5.7.	**C1.**	Sufficient space must be provided to accommodate the storage of waste and recycling likely to be generated on the premises between collections and any associated equipment.
		C2.	Waste storage rooms or areas are to be located a maximum 10m from pick up point. Waste rooms are not to be used for any purpose other than the storage of waste.
		C3.	Waste and recycling receptacles must be stored at all times within the boundary of the site and concealed from the public and commercial domains unless otherwise approved by Council under Section 68 of the Local Government Act 1993.
		C4.	All waste and recycling must be inside Council approved bins or skips, with lids closed to reduce littering, stormwater pollution, odour and vermin. Waste and recycling not presented in the correct manner will not be collected.
		C5.	Waste and recycling storage rooms must be:

Objective		Control	
			a. Enclosed to prevent noise, odour and visual impacts; b. Designed to store the entire fleet of bins plus 0.2m between bins to allow adequate manoeuvrability room; c. Designed with a 1.8m unobstructed clearance zone between the stored bins and the entrance for access and manoeuvrability; d. Designed with suitable door and corridor access to enable bin movement; e. Constructed of concrete or other approved materials at least 75mm thick; f. Finished with a smooth even surface to be easily cleaned; g. Coved at the intersection with walls and plinths with a ramp to the doorway where necessary; h. Graded and drained to the sewerage system and approved by Sydney Water; i. Fitted with a close fitting and self-closing door that can be opened from within the room; j. Designed with adequate lighting and naturally/mechanical ventilation to meet Building Code of Australia requirements; k. Fitted with smoke detectors in accordance with the relevant Australian Standards; l. Equipped taps supplying hot and cold water, mixed through a centralised mixing valve with a hose cock and fitted with an aerator to increase water efficiency; m. Designed to include a clear and easy-to-read “NO STOPPING” sign and “DANGER” sign on the external face of waste storage rooms where appropriate; n. Designed to ensure waste-water from the cleaning of the waste storage area and bins, is not to drain into the stormwater system; and o. Fitted with childproof compacters or mechanical devices where used in the storage of waste.

Objective		Control	
		C6.	All new developments are to provide adequate storage for waste to accommodate future change of use, including increased waste generation rates and grease traps.
		C7.	Kitchens, office tea rooms, and the like are to be designed with sufficient space for the interim storage of recyclable, organic and regular waste in separate receptacles.
		C8.	A waste service compartment (waste and recycling area) is to be provided on each floor of the building and have sufficient capacity to store at least 1 day's volume of waste and recycling likely to be generated on that floor.
		C9.	Sufficient space must be allocated within the building for the storage of reusable items such as crates and pallets.
		C10.	Separate space must be allocated for the storage of liquid wastes and oils etc. The liquid waste storage areas must be undercover, bunded and drained to a grease trap. The area is preferably to be within the building, however if circumstances do not permit, an area that is screened from the public and commercial domains may be negotiated with Council.
		C11.	Liquid waste from grease traps must only be removed by licensed contractors approved by Sydney Water and NSW EPA.
		C12.	For commercial premises whose waste contains 20% or more food waste, or other waste which is considered by Council to have potential amenity impacts, a daily waste collection is required, unless an alternative is agreed upon with Council.

3.13 Development in areas subject to aircraft noise and affected by Sydney Airport's prescribed airspace

Overview

This Part of the DCP provides a means of assessing the effect of aircraft noise on development proposals by utilising an appropriately endorsed Australian Noise Exposure Forecast (ANEF) chart that takes into account long-term operating procedures and air traffic forecasts at Sydney (Kingsford-Smith) Airport. This Part also provides potential applicants with an understanding of the predicted level of the potential height limits due to prescribed airspace on proposed development sites and the potential for proposed developments to cause mechanical windshear.

The aircraft noise controls apply to all development in Bayside LGA within the 20 ANEF and above contour on the ANEF chart. The ANEF chart for Sydney Airport will be the ANEF chart adopted by Council based on the most up-to-date information on operating procedures and air traffic forecasts at Sydney (Kingsford Smith) Airport. The potential height limit controls, due to prescribed airspace for Sydney (Kingsford Smith) Airport, apply to all land within the Bayside LGA.

Objective		Control	
O1.	To ensure development does not adversely affect air safety of Sydney Airport.	**C1.**	Where council considers a proposal has the potential for an adverse impact on the air safety of Sydney Airport it may not grant consent. Council will consider the following matters as part of its assessment: a. building height impact on the OLS and PANS-OPS; b. emission of light; c. reflection of sunlight (e.g. from solar panels); d. emissions from smoke, dust or any other airborne particulate; e. creation of air turbulence; and f. storage and handling of dangerous goods.
O2.	Development is located and designed: a. to prevent certain noise sensitive developments from being located near the Sydney (Kingsford-Smith) Airport and its flight paths, b. to assist in minimising the impact of aircraft noise from the airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings, and c. to ensure that development in the vicinity of that airport does not hinder or have any other adverse impact on the ongoing, safe and efficient operation of the airport.	**C2.**	Development on land within an ANEF affected area (ANEF 20+) must be designed and constructed in accordance with the relevant Australian Standard and other guidelines issued by relevant agencies and authorities.
O3.	To provide guidance to applicants of the approval process required in areas impacted by Sydney (Kingsford Smith) Airport prescribed airspace.	**C3.**	Development on land within an ANEF affected area (ANEF 20+) is to be supported by a Noise Impact Assessment demonstrating indoor design sound levels in AS 2021—2000 can be achieved.
O4.	To ensure that developments do not adversely impact on the prescribed airspace for Sydney (Kingsford Smith) Airport.	**C4.**	Aircraft noise sensitive uses, such as but not limited to, residential development, educational establishments, hospitals, nursing homes are not to be located within the 30+ ANEF contour. Child care centres are also discouraged from being located
O5.	To determine whether or not an assessment for mechanical windshear		

Objective		Control	
	impacts is needed for any proposed development.		within 30+ ANEF contours and must demonstrate appropriate noise attenuation measures.
		C5.	Where a building site is considered by Council to be located on or immediately adjacent to an ANEF contour, and could be affected by aircraft noise, the subject development will be assessed as if it was located within the relevant ANEF contour.
		C6.	For residential development located within the 25+ ANEF contour, the external environment (i.e. deck and pergola) to the dwelling must be considered for aircraft noise impacts. The Noise Impact Assessment must consider the external environment in accordance with AS 2021-2015.
		C7.	If a building is located within a specific area identified on the OLS map or seeks to exceed the height limit specified in the map, notice of the proposal must be given to Sydney Airport Corporation. **Note**: Any development over 7.62 metres from existing ground level in the area bounded by Hollingshed Street, Sutherland Street, Sparks Street, Wentworth Avenue, Myrtle Street, Lord Street and Botany Road is required to be referred to Sydney Airport Corporation for consideration on height grounds. **Note**: Development outside the area detailed in Note 1 above, which is 15.24 metres or over in height is required to be referred to Sydney Airport Corporation for consideration on height grounds.
		C8.	Development must consider the operating heights of all construction cranes or machinery (short term controlled activities) that may penetrate prescribed airspace. Consideration should be given to the timing and location for the proposed control activity on site for referral to Sydney Airport Corporation. **Note**: Refer to Clause 6.7 of Bayside LEP 2021 for provisions relating to development that may project above the OLS.

Objective		Control	
		C9.	Approval to operate construction equipment (i.e. cranes) must be obtained by the relevant authorities prior to any commencement of construction, where the prescribed airspace is affected. **Note**: Please contact Council for advice as to whether or not your Development Application is required to be referred to Sydney Airport Corporation Limited (SACL).
		C10.	An assessment for mechanical windshear is required where: a) the proposed development is located within the blue shaded area identified in the below figure; or b) as recommended by National Airports Safeguarding Framework (NASF) Guideline B 'Managing the Risk of Building Generated Windshear and Turbulence at Airports', available to view at: https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-safety/aviation-environmental-issues/national-airports-safeguarding-framework/national-airports-safeguarding-framework-principles-and-guidelines
		C11.	Where an assessment for mechanical windshear is required, the development application is to be forwarded to SACL for its assessment.
		C12.	Development in proximity to Sydney Airport is to be undertaken in accordance with the relevant NASF.

Objective	Control

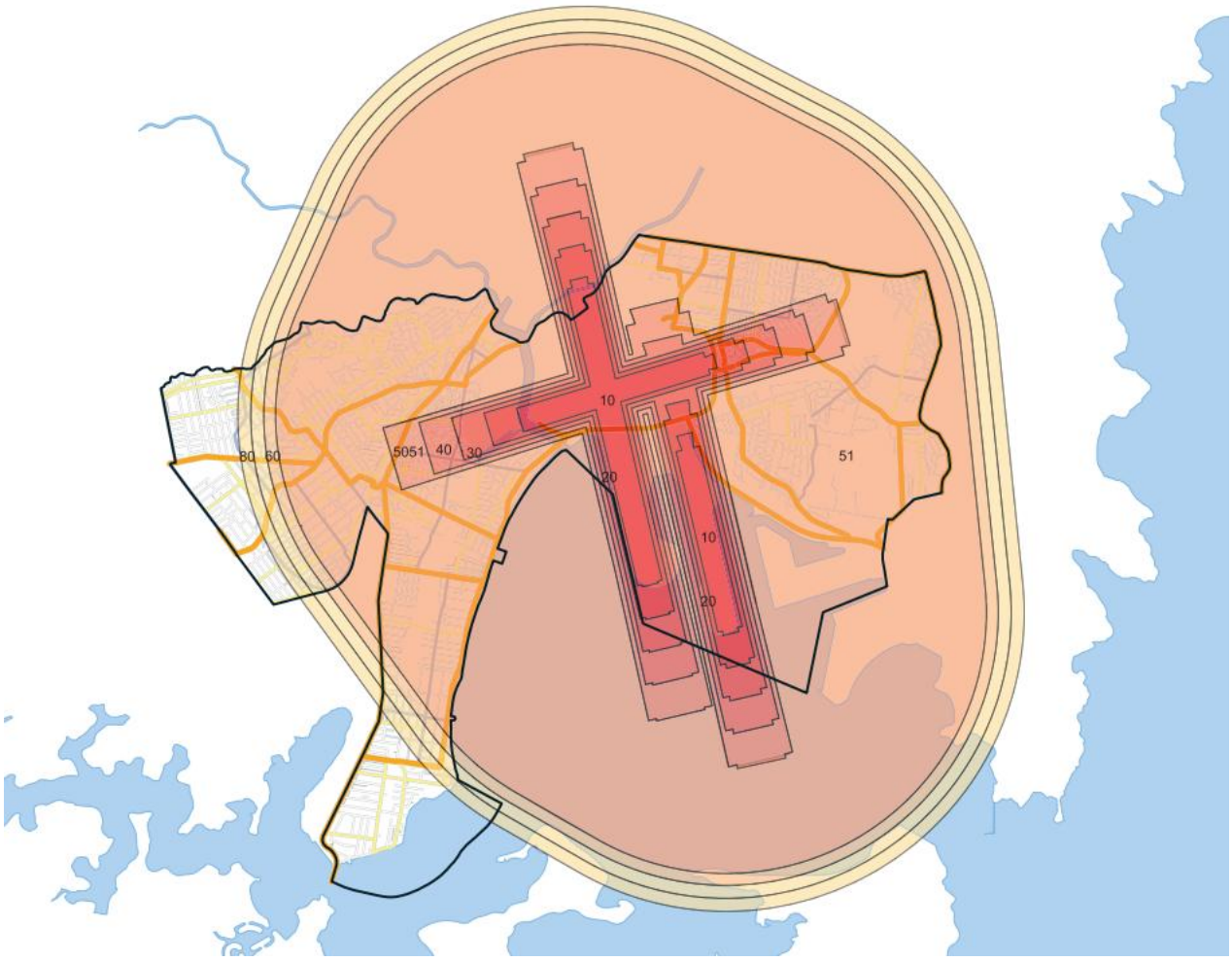


Figure 11: Obstacle Limitation Surfaces Map

Objective	Control

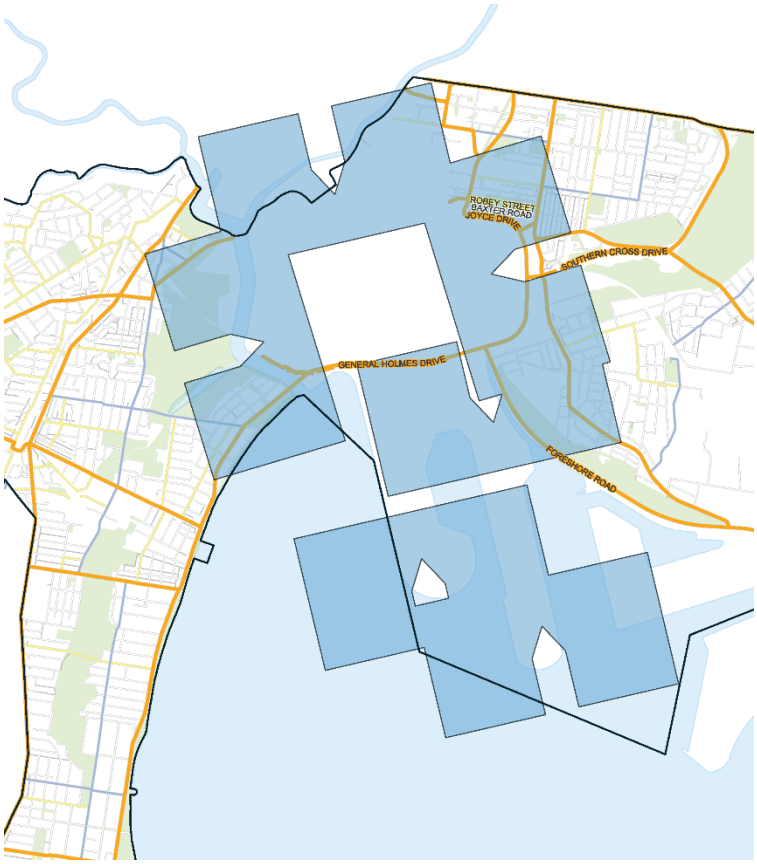


Figure 12: Map showing shaded blue area in which proposed development may require assessment for mechanical wind shear

3.14 Noise, Wind, Vibration and Air Quality

3.14.1 Noise and Vibration – General

Objective		Control	
O1.	Development: a. ensures appropriate noise and vibration attenuation measures are incorporated into building design and site layout b. ensures that any noise generated from the operation of the development is minimised and maintained at acceptable levels c. ensures that hours of operation are appropriate for the site and the interface between industrial/business park areas and residential areas d. avoids conflicts with existing and future land uses.	**C1.**	The location of driveways, open space and recreation areas and ancillary facilities external to the development must be carefully planned to ensure minimal noise impact on adjoining residential properties.
		C2.	Where development is in a location that is exposed to high levels of external noise, an acoustic report that demonstrates compliance with these objectives and controls, must be prepared by a suitably qualified and experienced professional and be submitted as part of a development application. Locations exposed to high levels of external noise include sites subject to: • aircraft noise from Sydney Airport;

Objective		Control	
	Note: Refer to Clause 6.8 of Bayside LEP 2021 for provisions relating to development in areas subject to aircraft noise.		• rail noise and road noise from main roads such as Princes Highway, Botany Road and The Grand Parade; or • adjoining land uses such as industrial, Port Botany port land and port related infrastructure (i.e. Port Botany Rail Line and Foreshore Road). **Note**: this requirement is particularly relevant to sensitive uses such as child care centres, schools and nursing homes. Refer to the following sections for particular noise controls related to residential and non-residential development.
		C3.	Sources of noise such as garbage collection, deliveries, machinery, motors, parking areas and air conditioning plants are: a. to be sited away from adjoining properties; b. Generally to be located away from proposed residential units within the development, with details of attenuation and mitigation measures to be provided in the DA otherwise; and c. to be screened by walls or other acoustical treatments.

3.14.2 Acoustic Privacy – Residential

Objective		Control	
O1.	Development: a. ensures appropriate noise and vibration attenuation measures are incorporated into building design and site layout; b. ensures that any noise generated from the operation of the development is minimised and maintained at acceptable levels; c. ensures that hours of operation are appropriate for the site and the interface between industrial/business park areas and residential areas; and d. avoids conflicts with existing and future land uses.	**C1.**	The location of driveways, open space and recreation areas and ancillary facilities external to the development must be carefully planned to ensure minimal noise impact on adjoining residential properties.
		C2.	Bedrooms in a residential dwelling may share walls with living rooms of adjacent dwellings provided appropriate acoustic measures are considered for the proposed development and submitted to Council with the application.
		C3.	Where party walls are provided, they must be carried to the underside of the roof.
		C4.	All residential development (except dwelling houses) is to be insulated and to have an Impact Isolation between floors to achieve an Acoustical Star Rating in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC) with a minimum:
O2.	To minimise the possibility of noise transmission to the occupants of adjoining or neighbouring properties.		

Objective		Control	
			a. 3 Star for tiled areas within kitchens, balconies, bathrooms and laundries. Tiled areas within corridors, living areas and bedrooms is not permitted except at lowest habitable residential level; b. 4 star for timber flooring in any area; and c. 5 star for carpet in any area.
		C5.	An Acoustic Report demonstrating compliance with relevant acoustic standards is to be submitted as part of a development application for new residential developments in locations that are exposed to high levels of external noise, including (but not limited to): a. Aircraft noise from Sydney Airport; b. Road noise from main roads such as Princes Highway, Botany Road and The Grand Parade; or c. Adjoining land uses such as industrial, Port Botany port land and port related infrastructure (i.e. Port Botany Rail Line and Foreshore Road). The Acoustic Report must be prepared by a suitably qualified acoustic consultant and also demonstrate the proposal's compliance with relevant controls and standards within state planning policies and NSW EPA guidelines (e.g. EPA Noise Policy for Industry 2017).
		C6.	Residential development in or adjacent to a rail corridor is to: a. consider the impacts of associated rail noise or vibration on the structure and users of the development b. demonstrate its consistency with Division 15, Subdivision 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021.
		C7.	Residential development in or adjacent to a road corridor of a freeway, a toll way, a transit way or any other road with an annual average daily traffic volume of more than 20,000 vehicles is to: a. consider the impacts of associated road noise or vibration on the structure and users of the development b. demonstrate its consistency with Division 17, Subdivision 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Objective		Control	
		C8.	For residential developments adjacent to classified roads, developers are to address the requirements of the Environmental Protection Authority's Criteria for Road Traffic Noise in relation to noise attenuation measures as part of an acoustic report to be submitted with the application. **Note**: refer to http://www.epa.nsw.gov.au/noise/traffic.htm
		C9.	Buildings that are exposed to high levels of external noise are designed and constructed in accordance with AS3671 – Acoustics – Road Traffic Noise Intrusion, AS2107 – Recommended Design Sound Levels and Reverberation Times for Building Interiors, and AS 2021-2000 – Acoustics- Aircraft noise intrusion – Building siting and construction.
		C10.	New residential development, within proximity to Port Botany port land and, port related infrastructure (i.e. Port Botany Rail Line and Foreshore Road) and land zoned for industrial uses (irrespective of current use of the land), is to take noise attenuation for building interiors into consideration.
		C11.	For attached dwellings and multi-unit development, the internal layout should position circulation spaces and non-habitable rooms adjacent to party walls.
		C12.	Sources of noise such as garbage collection, deliveries, machinery, motors, parking areas and air conditioning plants are: a. to be sited away from adjoining properties b. not to be located immediately adjacent to a proposed residential units within the development c. to be screened by walls or other acoustical treatment.

3.14.3 Acoustic Privacy – Non - Residential

Objective		Control	
O1.	Non-residential development is designed to ensure that the noise impact to the surrounding properties is minimised.	**C1.**	A development application for a new building or for a change of use of an existing building, for a non-residential use that is likely to generate external noise, must be accompanied by a Noise Impact Assessment.

Objective		Control	
			This report must be prepared by a suitably qualified acoustic consultant that demonstrates compliance with relevant controls and standards within state planning policies and NSW EPA guidelines (e.g. EPA Noise Policy for Industry 2017).
		C2.	Where a Noise Impact Assessment is required, it is to identify: a. relevant noise criteria based on the POEO (Noise Control) Regulations 2017 guidelines & Council's Noise Criteria; b. all sources of noise; and c. noise emission levels. It must then outline proposed measures to mitigate the impacts of noise generated by the new development on other activities in the vicinity. It should take into account Approved Methods for measurement and Analysis of Environmental Noise in NSW (EPA 2022).
		C3.	Sources of noise such as garbage collection, deliveries, ventilation systems, parking areas and air-conditioning plants are to be sited away from adjoining properties, where practicable, and be screened by walls or other acoustic treatment if necessary.
		C4.	Vibration transmitted must be within the acceptable limits based on the Protection of the Environment Operations Act 2017 and the POEO (Noise Control) Regulations 2008 guidelines.
		C5.	For noise sensitive land uses, an Acoustic Report, including recommended noise attenuation measures and any separation distances, must be prepared by a suitably qualified acoustic consultant and submitted with the development application to demonstrate that the relevant acoustic standards can be achieved. Noise sensitive non-residential land uses include, but are not limited to, child care centres, educational establishments, nursing homes and hospitals.
		C6.	Development for the purpose of a place of public worship, a hospital, an educational establishment or a child care centre in or adjacent to a rail corridors is to: a. consider the impacts of associated rail noise or vibration on the structure and users of the development b. demonstrate its consistency with Division 15, Subdivision 2 of State Environmental

Objective		Control	
			Planning Policy (Transport and Infrastructure) 2021.
		C7.	Development for the purpose of a place of public worship, a hospital, an educational establishment or a child care centre, in or adjacent to a road corridor of a freeway, a toll way, a transit way or any other road with an annual average daily traffic volume of more than 20,000 vehicles is to: a. consider the impacts of associated road noise or vibration on the structure and users of the development b. demonstrate its consistency with Division 17, Subdivision 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021.
		C8.	Buildings that are exposed to high levels of external noise are designed and constructed in accordance with AS3671 – Acoustics – Road Traffic Noise Intrusion, AS2107 – Recommended Design Sound Levels and Reverberation Times for Building Interiors, and AS 2021-2000 – Acoustics- Aircraft noise intrusion – Building siting and construction.

3.14.4 Wind Effects

Objective		Control	
O1.	Ensure that new developments satisfy nominated wind standards so as to maintain comfortable conditions for pedestrians and stationery long-exposure activities.	**C1.**	Buildings must be designed and proportioned to consider the wind generation effects.
		C2.	Buildings of 5 or more storeys in height (or over 16 m) require wind tunnel testing, irrespective of whether they are built to the street frontage or not, at the discretion of the consent authority. Any relevant development application is to be accompanied by a wind report, prepared by a suitably qualified engineer, which demonstrates the following: a. in open areas to which people have access, the annual maximum gust speed should not exceed 23 metres per second, which is the speed at which people begin to be blown over; b. in walkways, pedestrian transit areas, streets where pedestrians do not generally stop, sit, stand, window shop and the like, annual maximum gust speed should not exceed 16 metres per second;

Objective		Control	
			c. in areas where pedestrians are involved in stationary short exposure activities such as window shopping, standing or sitting (including areas such as bus stops, public open space and private open space), the annual maximum gust speed should not exceed 13 metres per second; and d. in areas for stationary long-exposure activity, such as outdoor dining, the annual maximum gust speed should not exceed 10 metres per second.
		C3	Wind amelioration measures concluded by 'wind reports' shall be detailed upon architectural plans.

3.15 Late Night Trading

This section of the DCP provides a clear set of objectives and requirements for local businesses, operators, venues, and the community, that balances the growth of a vibrant night time economy in the Bayside LGA with the need to meet community expectations regarding residential amenity and Bayside being a liveable place. This section should be read in conjunction with Sub-section 6.2.1 Outdoor Dining.

Bayside Council aims to *"foster healthy, creative, culturally rich and socially connected communities"*. A diverse night time economy is an important part of Bayside being a city for people that provides a "healthy and vibrant urban life". The night time economy includes venues and activities such as restaurants, cafes, take-away food shops, retail shops, small bars, bars, pubs, clubs, community facilities, food trucks + temporary activations, performance and exhibition venues, and spaces for cultural, social and sporting events.

Bayside Council, together with the community and local businesses support the grow of the late night economy providing for a diversity of inclusive, safe and vibrant activities, both permanent and temporary. This is achieved through the demonstration of responsible management of late night trading venues over time, both at the initial application stage and with the operation of the premise. Bayside Council encourages careful planning and management of appropriate activities, contributing to the effective functioning and enjoyment of the city, both day and night for all residents, including children and families, students, businesses, workers and visitors.

Application of this section

The provisions of this section apply to various types of development. A late-night premises is defined as any commercial premises or community facility associated with the night time economy providing entertainment, cultural and social activities that have any of the following attributes or proposed activities:

- Hours of operation between 10pm and 7am
- Outdoor trading beyond 8pm.
- Activities that may impact on the amenity and safety of a neighbourhood resulting from its operation at night.
- Refurbishments, additions or extensions that will result in an intensification of an existing use which has a Council consent for hours of operation between 10pm and 7am.
- An extension or renewal of trial hours of operation as prescribed in this DCP.

The regulation of late-night trading also applies to licensed premises under Liquor Act 2007.

Premise Categories

The following premise categories enable Council to define the requirements and potential impact from specific activities and uses, such as the nature and capacity of the individual venue, proximity to sensitive uses such as residential accommodation, the intent of the zone and local area and geographic concentration of late-night trading premises and to determine appropriate base and extended hours of operation.

The determination of the category and impact of a specific proposal is at the discretion of council in consideration of the above factors. It is strongly recommended that a potential applicant seek council's opinion on whether a proposal constitutes a high or low impact premises through pre-lodgement discussions. As a general guide, council will consider the following broad parameters when deciding on this matter.

High impact premises

- a hotel within the meaning of the Liquor Act 2007 that is not designated as a general bar licence
- a hotel within the meaning of the Liquor Act 2007 that has a capacity of more than 120 patrons and is designated as a general bar licence
- an on-premises licence within the meaning of the Liquor Act 2007 where the primary business or activity carried out on the premises is that of a nightclub with a capacity of more than 120 patrons
- a club within the meaning of the Liquor Act 2007
- a premises that has a capacity of more than 120 patrons where the primary purpose is the sale or supply of liquor for consumption on the premises
- premises that are used as an entertainment facility or venue where the owner or occupier sells or supplies liquor for consumption on the premises. This may include a performance venue, theatre, cinema, music, concert, dance venue or other spaces that are primarily uses for a performance, creative and/or cultural use with the capacity for more than 250 patrons
- premises that are used as a karaoke venue where the owner or occupier sells or supplies liquor for consumption on the premise.

Low impact premises

- a hotel within the meaning of the Liquor Act 2007 that has a capacity of 120 patrons or less and is designated as a general bar licence or a small bar licence.
- premises that have a capacity of 120 patrons or less where the primary purpose is the sale or supply of liquor for consumption on the premises
- an on-premises licence within the meaning of the Liquor Act 2007
- any premises where the owner or occupier sells or supplies liquor for consumption on the premises that is not categorised as a High Impact Premises
- a premised with a micro-brewery and small distillery licence with a capacity of 120 patrons or less.
- premises that are used as an entertainment facility or venue which may be licensed and includes a performance venue, theatre, cinema, music, concert, dance venue or other spaces that are primarily uses for a performance, creative and/or cultural use with the capacity 250 patrons or less but does not include a pub, bar, karaoke bar, small bar, nightclub, adult entertainment, or registered club.
- any other commercial premises which in the opinion of the Council may impact on the amenity and safety of a neighbourhood resulting from its operation at night. This may include, but not limited to premises such as restaurants, 'BYO' premises, cafes, theatres, karaoke venues,

entertainment facility, convenience stores, takeaway food shops, gyms in buildings with residential accommodation and the like.

Non-licensed premises

Any retail premises or business premises which does not sell, supply, or allow the consumption of liquor on or off the premises or hold any license under the Liquor Act 2007. This may include premises selling groceries, personal care products, clothing, books/stationery, music, homewares, electrical goods and the like, or businesses such as drycleaners, banks, hairdressers, standalone gyms located within commercial or industrial only buildings and the like. It does not include convenience stores, food and drink premises, takeaway food and drink premises, gyms in buildings with residential accommodation, or adult entertainment venue or sex services premises.

Note: all the above Late night trading premise categories do not include sex services premise. Refer to **Section 6.5** for controls relating to sex services premises.

3.15.1 General Provisions

Objective		Control	
General			
O1.	Encourage a diversity of late-night trading premises that contribute to vibrancy throughout different times of the night (early evening, twilight, night time and late night), including retail, performance, creative and cultural uses that are appropriate to the place context within which it is located.	**C1.**	Development Applications be accompanied by sufficient information so that proposals for late night trading premises can be appropriately assessed including a Place Context report that outlines the wider social and place context as well as identifies, maps and describes all surrounding existing and approved Late Night Trading Premises within a 400m radius.
O2.	Encourage suitable intensity and growth of late night trading premises in appropriate locations and avoid over concentration of licensed & late-night trading premises within an area.	**C2.**	Licensed & late-night trading premises shall be located in close proximity to public transport and in high pedestrian and traffic flow areas.
Well managed late night premises			
O3.	To ensure operators of premises adopt good management practices to promote a safe and welcoming night time economy for all ages and comfort of patrons at and outside the premise.	**C3.**	A development application for Late Night Trading is to be accompanied by a Plan of Management that demonstrates the design and operation of the licensed and late-night trading premises avoids and manages potential impacts. The Plan of Management should address the requirements outlined in Schedules Section 9.4.
O4.	Identify standards, responsibilities, and management approaches to avoid potential impacts to nearby residential developments or other sensitive uses from sound, noise, and patron behaviour.	**C4.**	Clear venue identification (i.e. street number and venue name) is to be provided at the front premises. ***Note:*** *Council approval may be required for signage and advertising structures.*

Objective		Control	
		C5.	Security or crowd controllers are required at entry and exit points of clubs and pubs to monitor the behaviour of patrons and number of patrons entering and exiting the premises. ***Note:*** *As a general guide, one approved security or crowd controller per 100 patrons.*
		C6.	Where possible, queuing area shall be provided within the premises. Queuing and waiting areas within the public footpath area are to be clearly identified and must not interfere with the pedestrian movement along a public footpath (e.g. the use of removable bollards or use of paving materials and colour). ***Note:*** *The queuing and waiting areas of the premises must be clearly identified on the development application and plans and must be approved by Council.*
		C8.	Signs shall be placed at the entry and exit point of the premises to communicate standards of behaviour to patrons (e.g. minimise noise whilst leaving the premises).
		C9.	Clear glazed windows shall be installed along the frontages and entry/exit points of the premises. ***Note:*** *This control does not apply to entry/exit points that provide direct access to areas of a premises that are used for gambling, betting, or poker machines.*
		C10.	For all late night trading venues, the entry and exit points as well as pedestrian routes to and from the venue (i.e., to car parking areas) should be well lit and provide clear sight lines for passive surveillance and where appropriate surveillance cameras are to be installed.
		C11.	External furniture and equipment (i.e. bollards, tables and chairs) must be removed at the end of the approved trading hours and stored inside the premises.

Objective		Control	
Acoustic Management			
O5.	To balance the growth of night time economy activities within the Bayside LGA and the reasonable expectations of amenity for other uses and sensitive uses.	**C12.**	A Noise Impact Assessment prepared by a suitably qualified acoustic consultant is required when submitting a development application for a new or modified night time venue.
O6.	To identify the types of noise sources of various late night uses and activities and approaches to appropriately manage potential impacts on the adjoining uses and public spaces.	**C13.**	The Plan of Management should detail all noise management measures to reduce adverse noise impacts on adjoining uses and public spaces. The Plan of Management will be used both in the development assessment and to monitor the operation in compliance with the conditions of consent.
		C14.	Where a new development for residential, mixed use and other sensitive uses is proposed to adjoin an existing late night trading premises, an Acoustic Report must be submitted with the sensitive use DA that considers and quantifies emissions from the venue for the purpose of assessment and incorporate appropriate noise attenuation measures in the future sensitive use to minimise future conflict and impacts on amenity.
		C15.	For mixed used development, where future night time economy uses may be included, a Noise Impact Assessment must identify noise mitigation measures to minimise future impacts on the amenity of future tenants and residents.
		C16.	All windows and doors must be kept closed during late night trading and loud speaker and noise generating devices are not permitted to be located near windows and doors.
Hours of Operation			
O7.	To support a dynamic night time economy and diverse late night trading activities within appropriate locations across Bayside LGA.	**C17.**	The hours of operation for licensed and late-night trading premises are limited to the times, as applicable, below: **For Low Impact premises:** Indoor hours of operation: a. Base hours: 8AM – 10PM b. Extended hours: 7AM – 12AM - Outdoor hours of operation:
O8.	To ensure that amenity of surrounding areas is reasonably protected and adverse impacts on nearby residents are minimised.		

Objective		Control	
O9.	Provide opportunities to licensed & late-night trading premises to extend trading hours where they have demonstrated good management during the trial periods and encourage activities that operate both day and night.		c. Base hours: 9AM – 9PM d. Extended hours: 8AM – 10PM **For High Impact premises:** Indoor hours of operation: a. Base hours: 10AM – 10PM b. Extended hours: 9AM – 11PM - Outdoor hours of operation: a. Base hours: 10AM – 8PM b. Extended hours: 10AM – 9PM
		C18.	The hours of operation for non licenced late night trading activities are limited to the times as outlined below: For indoor hours of operation: a. within strategic centres: 24 hours b. within local centres: 24hours c. all other areas: merit assessed For outdoor hours of operation: a. within strategic centres: 24 hours b. within local centres: 7AM-12AM c. all other areas: merit assessed
		C19.	Licensed & late-night trading premises which propose to operate outside the allocated time above or which are located in close proximity to residential premises must be accompanied by sufficient documentation to demonstrate the proposed hours of operation will not impact the surrounding areas with regard to, but not limited to: a. Amenity (noise and light) b. Safety and security c. Traffic d. Other social impacts ***Note:*** *High Impact Premises will have restricted operation hours to reduce the impacts on the amenity of the area.*
Extended Trading Hours Trial Periods			
O10.	To encourage good management of licensed and late-night premises and give venue operators the opportunity to demonstrate the extended hours will have unreasonable impacts on surrounding land uses and public spaces.	**C20.**	Council will only grant consent to the renewal or extension of the hours of operation following the completion of a satisfactory trial period and if the licensed and late-night trading premises demonstrates the following: a. Good management performance

Objective		Control	
O11.	To enable Council to assess the ongoing management performance of a premises and flexibility to review the conditions on development consents to respond to changes in management, night character of the surrounding area and other relevant matters.		b. Compliance with the approved Plan of Management c. A satisfactory response to unforeseeable matters that arise during the operation of the premises ***Note:*** *For development involving liquor or gaming, to demonstrate compliance with 6.1(c), an incident register is required to be prepared and maintained as per the requirements set out in the Liquor Act 2007.*
		C21.	Trial periods may be permitted up to the following durations: a. First trial - 1 year. b. Second trial - 2 years. c. Third and subsequent trial - 5 years.
		C22.	After the successful completion of the third trial period, a development application must be lodged every 5 years to renew the hours of operation.
		C23.	If the Council determines that a trial period has been unsatisfactory then trading hours will revert to the base hours of operation, or whatever hours have been approved as the maximum trading hours.
		C24.	Applications for a renewal or extension of trial trading hours should be lodged 30 days prior to the expiry period and applicants will be allowed a period of grace from the termination of the trial period until the new application has been determined. During this period, the premises many continue to trade to the existing approved trial hours. If an application is not lodge 30 days prior to the expiry of the trial period, then approved trading hours will revert to base trading hours.

3.16 Signs and Advertising

These provisions encourage signs and advertisements (signage) that contribute positively to the public domain by achieving high design quality. The provisions promote signage that is appropriately located and will protect the significant characteristics of buildings, streetscapes, vistas and also protect the amenity of residents, workers and visitors, and ensure the safety of all road users.

These provisions are to be applied in conjunction with an assessment of any proposed signage under *State Environmental Planning Policy (Industry and Employment) 2021.*

3.16.1 General

Objective		Control	
O1.	To ensure signage does not detract from a high-quality pedestrian experience of streets and other public spaces.	**C1.**	The erection of the following types of signs is not permitted: a. flashing, moving or video signs b. signs other than building identification signs above the awning in a business zone c. a sign erected on or above the parapet of a building, other than a building identification sign d. a sign attached to a building and capable of movement e. projecting wall sign (attached to a wall and projecting horizontally more than 300mm) f. any signage not permanently fixed to the premises
O2.	To promote signage that improves pedestrian amenity and provides clear and concise directions for the community.	**C2.**	Any signage proposed within an open space or infrastructure zone will be assessed on its merit.
O3.	To protect the amenity of residential uses adjoining commercial areas.	**C3.**	The front façades of the building between the first floor and the parapet of the upmost level is to remain free from signage.
O4.	To ensure that signage does not adversely impact on the safety and security of pedestrians, motorists and the general public.	**C4.**	Advertising in business zones is not permitted on walls or structures facing adjoining residential zones.
O5.	To ensure signage integrates with the building design.	**C5.**	Electrical conduits to illuminated signs are to be taken directly into the building or otherwise screened to the satisfaction of Council.
O6.	To ensure the colour scheme does not detract from its surrounds.	**C6.**	LED under-awning signs and LED signs adjacent to traffic lights are not permitted. **Note**: All signage is to comply with the relevant Australian Standards, including AS/NZS 1170.0.2002 (Structural design actions), AS/NZS 1170.2:2011 (Structural design actions), AS 4282 – 1997 (Control of the obtrusive effects of outdoor lighting).
O7.	To ensure that all signage containing corporate logos, colours and figures, address the architecture of the built form and respond in a sympathetic design that is highly compatible with the building.	**C7.**	Signage is not permitted on the roof of buildings.
O8.	To avoid impacts to the natural environment.	**C8.**	Signage should not be attached to other advertising structures or signage.
O9.	To prevent signage cluttering along the streetscape.	**C9.**	The colours used in the design of an advertising sign or structure must

Objective		Control	
			complement the colour finish of the building to which it will be attached.
		C10.	Corporate colours should be limited to the advertising sign or structure, and should not be applied to the painted surface of the building.
		C11.	Advertising should not impact upon natural features and any trimming or lopping of significant trees should be avoided, where possible.
		C12.	Creating separate lots for signage via stratum or strata subdivision is not permitted.
Size			
O10.	The size and proportion of signage: a. contributes positively to active street frontages and public domain b. complements the scale and proportion of the existing façade, as well as surrounding buildings and signs	**C13.**	The maximum advertising display area for: a. commercial zones is 0.5m² of advertising area per 1m of shopfront b. enterprise Corridor and Industrial zone is 1m² of advertising area per 3m of street frontage
		C14.	Health Consulting Rooms in a residential zone are permitted one (1) advertisement provided it: a. is located wholly within the boundary of the subject property b. has a maximum advertising display area of 0.75 m²
Design			
O11.	To promote well designed signage that: a. is thoughtfully located b. is of a high-quality design c. is sympathetic to the architectural style of the building and surrounding built form d. addresses the local streetscape e. complements the design of the building f. does not adversely impact the streetscape g. does not adversely compound the visual clutter of the surrounding buildings and streetscape h. does not adversely impact on residential amenity	**C15.**	A signage strategy is to be submitted with a development application for any building that requires advertising or signage and must include details of the location, type, construction and total number and size of signs on the building/site. **Note**: All future signs on the building or site must be consistent with the approved signage strategy.
		C16.	The design of signage should consider: a. the architectural design of the building that the sign will be erected upon b. the scale of the building c. the effect on neighbouring buildings, streets and existing signs to ensure they do not create or add to undesirable visual clutter

Objective		Control	
			d. the visual impact of the signage on the skyline and surrounding buildings
		C17.	Signage should not obscure architectural elements of the building or adjoining buildings.
		C18.	Where a building or site contains multiple tenancies or uses, a coordinated approach for all signs is required.
		C19.	All advertisements in a foreign language must contain a legible English equivalent.
		C20.	Advertising structures are to form an integrated part of the façade of buildings and must reinforce architectural elements and design.
		C21.	Signage should minimise the visibility of the supporting signage structures, and any associated cabling, conduit or aerials.
		C22.	Signage must not obscure decorative forms or mouldings and must observe a reasonable separation distance from the lines of windows, doors, parapets, piers, and the like.
		C23.	Materials used must be durable, fade and corrosion proof and of a high aesthetic quality.
Safety			
O12.	To ensure that signage does not adversely impact on the safety and security of pedestrians, motorists, and the general public.	**C24.**	Advertising signs and their supporting structures are not to be: a. hazardous to passers-by b. located so as to be hazardous for traffic safety and must not obscure a driver's or pedestrian's view of road or rail vehicles, pedestrians or features of the road, railway or footpath (e.g. junctions, bends, changes in width) c. so highly illuminated that they cause discomfort to, or inhibit vision of drivers or pedestrians d. mistaken as an official traffic sign and must not distract a driver's attention or be confused with instructions given by traffic signals **Note**: Advertisements located near traffic signals or on roads subject to high traffic volumes will be considered on the basis of

Objective		Control	
			likely effect upon road safety. The views of the Police Traffic Branch and Roads and Traffic Authority may be sought.

3.16.2 Illuminated and Animated Signage

Objective		Control	
O1.	To preserve the character of an area through high quality and appropriate illuminated signage.	**C1.**	Lighting intensity must not unreasonably impact on any residential properties adjoining the sign or that is within its locality.
O2.	To encourage the use of renewable energy sources to illuminate signage where possible.	**C2.**	Illuminated signage is to be switched off between 10pm and 6am daily, where the illuminated signage: a. has an advertising signage area larger than 1m² and/or b. is located adjacent to or in the vicinity of residential dwellings
O3.	To ensure that illuminated signage does not adversely impact on the safety and security of pedestrians, motorists and the general public.	**C3.**	Electric wiring to illuminated signage is to be concealed.
		C4.	Illumination of a sign (with the exception of floodlit signs) must not be external to the sign i.e. surrounding the sign. Illumination must be part of the sign.
		C5.	Illuminated signage is encouraged to be powered by solar power.
		C6.	Illuminated signage must minimise the spill effects or escape of light beyond the subject sign.

3.16.3 Signage Types

Objective		Control	
O1.	To provide for appropriate outcomes based on the type of sign being proposed, which minimise visual clutter, ensure signage compliments the building form, and minimises impacts on the surrounding area. See **Figure 13**.		
Under Awning Signage			
		C1.	Awning signage is to be contained entirely within the dimension of the awning and tenancy on which it is located.
		C2.	The content of awning signage must only contain the name and logo of the tenant.

Objective		Control	
		C3.	Signage that is suspended under awnings must have a high standard of design and materials.
		C4.	The maximum dimensions of an under-awning sign are to be 2.5 m in width, 0.5 m in height and 0.15 m in depth.
		C5.	Under awning signs must be separated by a minimum of 3 m.
Top Hamper Signage			
		C6.	Top hamper signs are to be attached to the transom of a doorway or display window of a building.
		C7.	A maximum of one (1) top hamper sign per premises is permitted.
		C8.	A maximum projection of 100mm from the building façade is permitted.
		C9.	Top hamper signs are to provide a minimum clearance of 2.13m above ground level.
		C10.	The dimensions of a top hamper sign are to be proportionate to the size of the top hamper fascia.
		C11.	Top hamper signs are not to exceed: a. 600mm in vertical height b. 4m in length
		C12.	Top hamper sign should not obscure the top hamper, by allowing a proportion of the wall surface area of the top hamper to be exposed.
		C13.	Top hamper signage should not extend beyond any wall/boundary or below the top of the door/window head.
		C14.	The content of top hamper signage is to be first party signage only.
Above Awning Signage			
		C15.	Above awning signage is not permitted.
Wall Signage			
		C16.	Projecting flush wall signage, including flags, banners, placards, posters, permanent or temporary are not permitted between the footpath and awning of any building.
		C17.	Non-projecting ground level flush wall signage must:

Objective		Control	
			a. be located directly above the main pedestrian entry to a shop/business b. be located above the main shopfront window next to the pedestrian entry at the street level c. be located only on frontages that have a public entrance d. be restricted to one (1) sign per shopfront or business e. not exceed a maximum advertising display area of 1m² with no more than 600mm in height f. be designed to relate to the horizontal proportions of the shopfront or business doorway or window above where it is to be located g. not protrude more than 150mm from the shopfront or business frontage to the outside edge of the sign
		C18.	Wall signs above the ground level must not project more than 300mm from the wall.
		C19.	A small wall plaque is permitted directly next to the shop or business entry, in addition to the above.
		C20.	The maximum area of a plaque is 0.1m².
		C21.	Projecting wall signs between the first floor and parapet are not permitted.
		C22.	Painted wall signs are permitted on side elevations where it can be demonstrated that it will contribute to improving the public domain.
Awning Fascia Signage			
		C23.	Awning facia signs should: a. be attached to the fascia or return of an awning b. form part of the awning c. not be illuminated d. not project above or below the awning fascia e. contain sign writing that is limited to the street number, name and general nature of the business f. not include product identification

Objective		Control	
Directory Boards			
		C24.	Directory boards should: a. be designed and constructed of high-quality material and incorporated into the architecture of the site b. be of a size proportionate to that of the site on which it is located c. not dominate landscaped areas
Pole or Pylon Signs			
		C25.	Pole or pylon signs should: a. be erected on a pole or pylon independent of any building or other structure b. have a maximum height of 6m c. be set back from the street alignment d. be limited to one pole sign erected on each street frontage of the site
Portable Signs (Including A-Frames)			
		C26.	Portable signs should: a. be a portable, freestanding sign consisting of one or two boards b. have a maximum height of 1m and length and width of 500mm Portable signs displayed on public land should be in accordance with Council's Commercial Use of Footways policy.
Retractable Blind Signs			
		C27.	A retractable blind sign must be used for business identification purposes only.
Window Sign			
		C28.	A window sign attached to, or displayed on, the shop window must not exceed 40% coverage of that window.

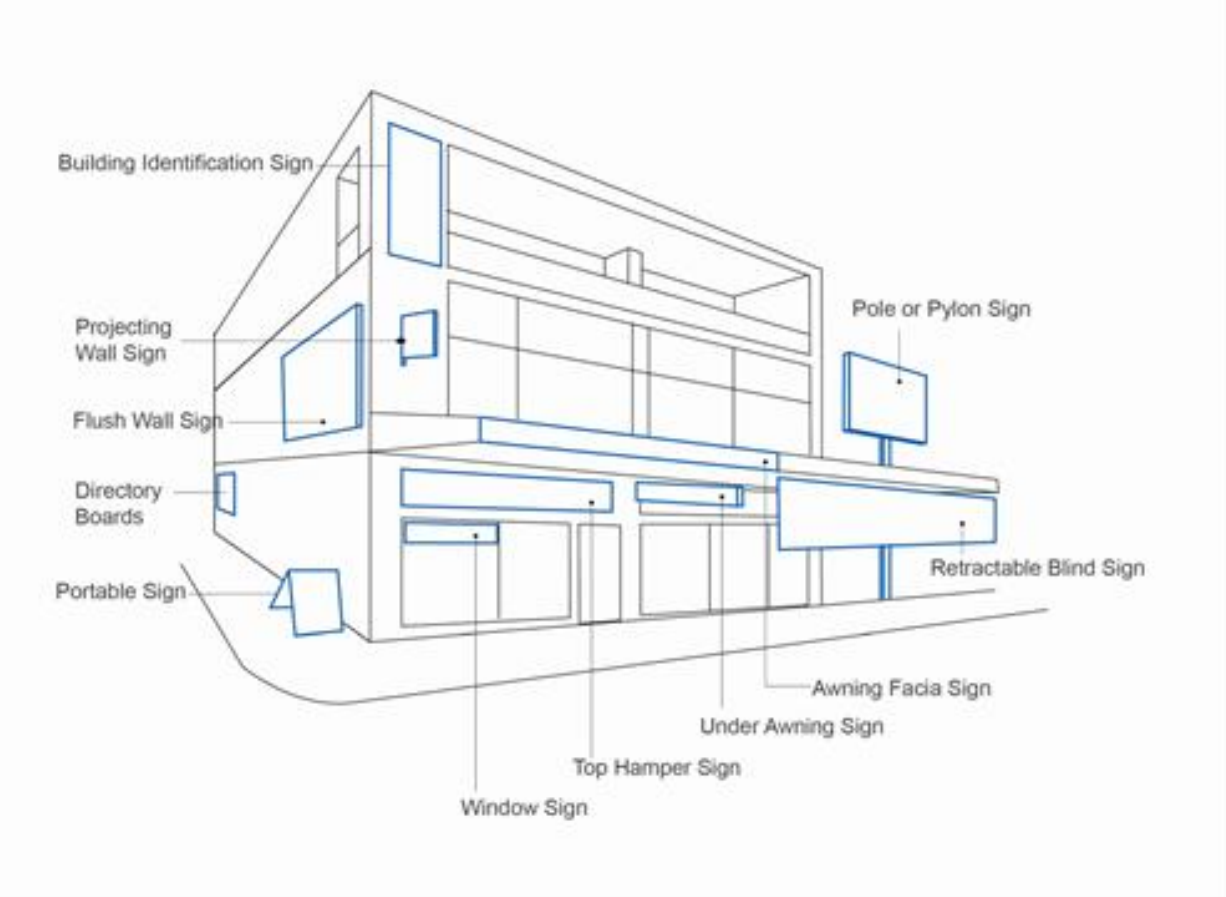


Figure 13: Types of Signage

3.16.4 Signage in Residential Zones

Objective		Control	
O1.	To ensure signage in residential zones: a. is suitable for the proposed use b. does not dominate or detract from the amenity of an area	**C1.**	Signage for non-residential uses in a residential zone: a. is to have a maximum advertising display area of 1.2m x 0.6m b. is affixed to the front ground level facade of the dwelling or to the front boundary wall or fence c. may be in the form of a pole sign having a height not greater than 2.8m, under the following circumstances: - there is no front fence, or where an existing fence does not have sufficient height to display a sign - the dwelling has a significant setback from the street front

Objective		Control	
		C2.	Signage for the purposes of shops or commercial and industrial premises in a residential zone: a. contain only one (1) sign and/or one (1) under awning sign may be displayed on the premises b. is to have a maximum advertising display area of 1m² for every 20 m of street frontage **Note**: The advertising display area of an advertising structure that contains advertising on two or more sides is to be calculated separately for each side and is not the sum of the display areas on all sides.
		C3.	Any signage within a residential zone must relate only to premises situated on the subject land, and is to specify: a. the purpose for which the land is used b. the identification and description of a person carrying on an occupation or business on the premises c. particulars of the goods or services dealt with or provided on the premises
		C4.	The illumination of signs is not permitted in residential zones.
		C5.	Signage at the top of mixed-use buildings may be allowed to advertise the name of the premises or service provided at the discretion of council where it will not detract from the character or amenity of the local area, considering relevant matters such as location, size, form, colour, level of illumination and visual impact.

3.16.5 Signage on Industrial Sites, Business Parks, and Specialised Retail Premises

Objective		Control	
O1.	To ensure signage in industrial and business zones is suitable for the proposed use and does not dominate or detract from the amenity of an area.	**C1.**	One (1) business identification sign is permitted per industrial unit.
		C2.	Development applications for new industrial complexes shall include the location and dimensions of one advertising panel for each unit.

Objective		Control	
		C3.	One (1) freestanding common tenancy sign is allowed per street frontage. A freestanding common tenancy sign is to: a. have a maximum advertising display area of 10m² per face b. be integrated into the landscape design c. be located within the property boundary with a minimum setback of 2 m from the road alignment and clear of any footpath or designated pedestrian paths d. be no higher than five (5) m above the natural ground level e. present only information related to the use of the individual units, like a tenancy directory f. be clear of any vehicular crossings and not compromise the safety of pedestrian and vehicular movement g. be illuminated where the illumination does not adversely impact upon the environment, safety or amenity of the area
		C4.	A freestanding common tenancy sign should not result in the removal of significant trees or vegetation.

3.16.6 Building Identification Signage

Objective		Control	
O1.	To ensure the location of building identification signs do not obscure significant elements of the architectural design of buildings.	**C1.**	Buildings are permitted to have signs for identification purposes in the following locations: a. on the building parapet or against the walls of the rooftop plant structure but only when the signage does not obstruct or obscure any parts of the building that are considered by the Consent Authority to be significant elements of the architectural design of the building b. above the main pedestrian entry, in a suitable part of the façade
O2.	To ensure building identification signs: a. reflect the size of the building to which it relates b. avoid visually dominating a location	**C2.**	Building identification signs are required to: a. be of adequate scale that is consistent with the size and architectural design of the building
O3.	To ensure building identification signs are not used for commercial advertising purposes.		

Objective		Control	
			b. relate to a significant tenant or owner of the building. The sign must be associated with a business which owns or leases the largest portion of building floor space compared to the other owners/tenants c. have no affect the heritage significance of a Heritage Item
		C3.	Logos which are incorporated into the fenestration of a building identification sign is encouraged. Attention should be given to the proportions, materials and the finishes and colours to ensure there is a significant degree of compatibility.
		C4.	Buildings that are primarily residential shall not be permitted to be named after commercial names or advertising products.
		C5.	Building identification signs are not permitted to have any other text or logo except for the name of the building, the major tenant, or the building owner.
		C6.	A maximum of three (3) signs associated with a building is permitted.
		C7.	One (1) sign is permitted per elevation with a total maximum of two signs plus one additional sign located at or near the main entry.
		C8.	A maximum of one (1) sign per ground floor tenancy located under the awning and on the street, frontage is permitted.
		C9.	The signs are to be located at least three (3)m apart. **Note**: If there are multiple ground floor tenancies then the number of signs will be restricted by the number of signs that can be installed at least three (3) m apart with a total maximum of one (1) sign per tenancy.
		C10.	Ground floor tenants are permitted to erect an additional sign in the form of a top hamper sign if located above the entry to the business on the street frontage only.

3.16.7 Signage in Heritage Conservation Areas and Heritage Items

Objective		Control	
Signage on Heritage Items			
O1.	To ensure that advertisements and signage does not adversely impact on the heritage significance of Heritage Items or obscure the view of Heritage Items and Heritage Conservation Areas.	**C1.**	Signage on heritage items is to: a. be designed to reflect the architectural style of the built form to which the sign is intended to be attached b. be designed and installed in a sensitive manner to any existing signs or prominent feature on the heritage item c. be sympathetically located on the building d. not obscure any significant aspects or distinctive features of the Heritage Item e. be of a high standard of materials, design and construction f. be of a sympathetic design and architectural style g. be designed with appropriate heritage colours, materials, images and lettering
O2.	To ensure signage installation avoids irreversible damage to a heritage item.	**C2.**	The location of signage between the parapet and the first floor is not permitted unless it can be demonstrated that the sign and location are both suitable given the heritage significance of the heritage item.
O3.	To ensure illumination of signage does not detract from the heritage significance of heritage items.	**C3.**	The existing or prior name of the Heritage Item and its significance is to be considered before a change to a building identification sign is permitted.
O4.	To ensure signage is compatible with the existing and 'Desired Future Character' of the area in which it is proposed to be located.	**C4.**	Where there is existing signage of heritage value on Heritage Items they are required to be retained, preferably in their original location.
		C5.	Colour schemes including corporate colours are required to be modified to complement the heritage nature of the building. Note: Refer to **Section 3.4 – Heritage**
		C6.	Signage that is internally illuminated are only permitted where they are a reconstruction or restoration of any original heritage significant sign or if it can be established that the proposed signage is a significant aspect of the Heritage Item.

Objective		Control	
		C7.	Signage that is externally illuminated is only permitted where they are designed to be sympathetic and to the Heritage Item.
		C8.	Lighting and works associated with a sign on a Heritage Item must not damage or intrude in any way to the heritage significance of the Heritage Item.
		C9.	The installation of signage on Heritage Items must be performed in such a way that it is completely reversible, without leaving damage to the building. If the signage is intended to be affixed to stone or brick walls, then they must be attached so that any insertions are placed into the mortar joints and not into the stone or brick.
		C10.	Signs on buildings of heritage significance must not by their size, design or colour detract from the character or significant qualities of individual buildings, their immediate context or the wider streetscape context of the area.
Signage in Heritage Conservation Areas			
O5.	To ensure that advertisements and signage does not adversely impact on the heritage significance of Heritage Conservation Areas.	**C11.**	Signage in a Heritage Conservation Area is to be sympathetic to the heritage significance of that Heritage Conservation Area.
		C12.	Signage in a Heritage Conservation Area should: a. be designed to reflect the architectural style of the built form to which the sign is intended to be attached b. be designed and installed in a sensitive manner to any existing signs or prominent features on the building or place c. be sympathetically located on the building or place d. not obscure any significant aspects or distinctive features of the building or place e. be of a high standard of materials, design and construction f. be of a sympathetic design and architectural style g. be designed with appropriate heritage colours, materials, images and lettering

Objective		Control	
		C13.	The existing or prior name of the building or place its significance is to be considered before permitting a change to a building identification sign.
		C14.	Where there is existing signage of heritage value in a Heritage Conservation Area they are required to be retained, preferable in their original location.
		C15.	Advertising signage for retail and commercial buildings are to be restricted to the following types: a. flush wall sign b. awning fascia sign c. under-awning sign d. top hamper sign
		C16.	The erection of roof signs, above-awning projecting wall signs, pylon or pole signs is not permitted.
		C17.	Where a building contains more than two tenants, a directory of tenants should be provided at ground-floor level in order to minimise the amount of advertising on the building.
		C18.	Where appropriate wall surfaces or other areas for advertising are not available, unobtrusive painted signs to upper-storey windows may be permitted.
Signage in Heritage Conservation Areas – Materials and finishes			
O6.	To ensure signage materials and finishes: a. are harmonious with the heritage significance of the area b. use traditional materials c. do not dominate the architectural character of the building or adjoining buildings d. responds appropriately to the physical context and historical background of the streetscape, and HCA as a whole	**C19.**	High quality materials such as brass, copper, bronze and/or stainless steel are required to be used and should not include significant amounts of plastics like clear or coloured acrylic materials.
		C20.	Materials are to be those which were traditionally used for signs, such as painted timber or board, engraved metal plaque or painted masonry and are typically characterised by their non-reflectivity.
		C21.	Colour schemes including corporate colours are required to be modified to complement the heritage nature of the building.
		C22.	Corporate colours schemes may appear as part of advertising signs but are not to be used as the principal or dominant colour scheme for buildings.
		C23.	Hamper signs, whether painted or internally illuminated, shall be flush to the external

Objective		Control	
			face of the shopfront where practicable, but in any case shall not project more than 100mm.
		C24.	Under awning illuminated or painted signs are to be limited to a maximum depth of 300mm, a maximum length of 2600mm (or two thirds width of the footpath) whichever is the lesser.
		C25.	Under awning illuminated or painted signs are erected at a uniform height to match, as far as possible, the adjoining signs and is to be no lower than 2600mm from the level of the footpath.
		C26.	The style of lettering used in signs is to be suitable for the architectural period of the building and the historic character of the area.
		C27.	Flashing, pulsing or moving signs are not permitted.
		C28.	Where a number of tenancies occupy the same building or row of properties, consistency of sign shape, background colour, size, fixing methods and lighting is required. Consistency of fonts and graphics is preferred.
		C29.	Consistency in signs between neighbouring buildings which have a common architectural style, whether traditional or contemporary, is also encouraged.
		C30.	Size and positioning of text and graphics must consider persons with disabilities, especially those with vision or mobility impairment (refer to Australian Standard 1428.2 - 1992, section 6.1.1 – Universal, Accessible and Adaptable Design).
		C31.	Painted signage on shopfront windows must not dominate or clutter the window.
Signage in Heritage Conservation Areas – Lighting			
O7.	To ensure lighting of signage: a. is harmonious with the heritage significance of the area b. does not impact on the heritage fabric or presentation of the place c. is sympathetic and complementary to the Heritage Conservation Area	**C32.**	The lighting of signage in a Heritage Conservation Area must be discreet and be from a concealed source.
		C33.	Minimal low-voltage lighting designed into the signage bracket, awning or shopfront structure may be acceptable.
		C34.	All transformers associated with low-voltage lighting must be concealed.

Objective		Control	
		C35.	Signage that is internally illuminated is only permitted where they are a reconstruction or restoration of any original heritage significant sign or if it can be established that the proposed signage is a significant aspect of the Heritage Conservation Area.
		C36.	Lighting and works associated with it must not damage or intrude in any way to the heritage significance of the Heritage Conservation Area.

3.16.8 Advertising and Advertising Structures

Advertising structure means a structure or vessel that is principally designed for, or that is used for, the display of an advertisement. This part deals with third party Advertising Structures with an advertising display area of 45m² or less.

Objective		Control	
O1.	To minimise visual clutter and improve the aesthetic appeal of the Bayside LGA by minimising the extent of additional advertising.	**C1.**	Third party advertising on public infrastructure is not permitted.
O2.	To ensure advertising structure and advertising is integrated into the built form.	**C2.**	Advertising or advertising structures: a. are to be integrated into new building forms and designed in a manner that complements the architectural quality of the building b. are to sit flush with the building façade c. are to be of a scale that complements the size of the building d. should not project above the predominant parapet line of the building
O3.	To ensure advertising structures and advertising does not dominate or detract from the host building.	**C3.**	No more than one (1) advertisement is permitted per building.
		C4.	The number of existing signs on the site and in the vicinity of proposed advertising signs is to be considered in determining the appropriateness of a location for new signage. New proposals should not cumulatively create unacceptable visual clutter.

3.16.8.1 Specific Controls for Hensley Athletic Field

Objective		Control	
O1.	To restrict new free-standing advertising structures only to Hensley Athletic Field.	**C1.**	No new free-standing advertising structures are permitted with the expectation of free-standing advertising structures at Hensley Athletic Field.
		C2.	New free-standing advertising structures at Hensley Athletic Field shall minimise unnecessary supporting structures to minimise visual clutter.
		C3.	A Master Landscape Plan shall be submitted and must consider: a. the surrounding context (land uses, sight lines, existing landscaping etc.) b. other localised signage and its landscaping c. screening opportunities and visual amelioration
		C4.	Multiple signs are to be separated and placed at appropriate intervals to allow adequate space for landscaping.
		C5.	A layered (three tiers) of landscaping treatment is required in all planted areas. Canopy trees for upper-level softening, and scale reduction, shrubs for mid-level screening, softening and colour and groundcovers for low level screening, colour, soil stabilisation and weed reduction is required.
		C6.	A minimum of 70% of the landscaping is to comprise of natives suitable to the local conditions.
		C7.	New landscaping shall provide a consistent green backdrop and frame to the advertising structure. Where opportunities for in ground landscaping is limited, landscaping structures such as green walls on existing and or new structures should be used to achieve the landscape requirements. **Note**: Achieving success with green walls must be demonstrated and a maintenance plan must be submitted.
		C8.	Canopy trees and landscaping shall be provided at the ends and behind of structure/s. Mature tree height shall be in

Objective		Control	
			scale with the height of the sign and should soften the ends and corners of structures.
		C9.	All landscaped area shall have a fully automatic irrigation system installed.

3.17 Telecommunications Facilities

3.17.1 Location

Objective		Control	
O1.	To ensure site selection for telecommunication infrastructure minimises electromagnetic radiation exposures to sensitive receptors.	**C1.**	In selecting a site for the deployment of telecommunication infrastructure, applicants are to adopt a precautionary approach, particularly in regard to minimising electromagnetic radiation exposures and avoiding community sensitive locations, consistent with Section 5.1 of the ACIF Code. Preferred areas for the siting of telecommunications facilities include: a. industrial areas b. commercial areas
O2.	To encourage the co-location of telecommunication infrastructure.	**C2.**	An Electromagnetic Radiation assessment, prepared in accordance with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) electromagnetic radiation prediction methodology and report format, as described in Appendix B of the ACIF Code, is to be submitted with the development application.
		C3.	Wherever possible, telecommunication infrastructure should be co-located with other existing telecommunications facilities or similar structures.
		C4.	Where co-location is proposed, the applicant is to provide documentation to demonstrate consideration has been given to the cumulative impacts of all co-located facilities, with respect to electromagnetic radiation exposure, visual amenity, and structural safety.
		C5.	If telecommunication infrastructure is not to be co-located with existing facilities, details of the process employed in identifying opportunities for co-location and the reasons why this was unsuitable or

Objective		Control	
			inappropriate must be included with the development application.

3.17.2 Design and construction

Objective		Control	
O1.	To minimise unnecessary or incidental electromagnetic radiation emissions and exposure.	**C1.**	Proposals must consider provision for the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental electromagnetic radiation emissions and exposures, as required under Section 5.2.3 of the ACIF Code.
O2.	To minimise or reduce the visual impact of telecommunication facilities from the public domain and adjacent areas.	**C2.**	The design and construction of a facility must include measures to restrict public access to the facility.
		C3.	Approaches to the structure must contain appropriate signs warning of electromagnetic radiation exposure and providing contact details for the facility owner/manager.
		C4.	Telecommunication facilities are to: a. be designed in consideration of the local context b. be integrated with the existing building structure c. have concealed cables where practical and appropriate d. be unobtrusive where possible e. be consistent with the character of the surrounding area
		O5.	Where a telecommunication facility is located at ground level, suitable landscaping/screening is to be provided.

3.18 Utilities and Mechanical Plant

3.18.1 Site facilities

Objective		Control	
O1.	To minimise the visual impact of site facilities and storage areas from the public domain and adjacent areas.	**C1.**	Any electrical kiosk, fire booster assembly or similar utilities will be: a. in a location that is visible from the main entrance of the development b. unable to be obstructed

Objective		Control	
O2.	To ensure site facilities are incorporated as part of the overall development.		c. readily accessible to vehicles and service staff
O3.	To avoid conflicts between pathways and utilities maintenance.	**C2.**	Fire booster assemblies are to be a minimum of 10m distance to an electrical kiosk and housed within the external face of the building structure or in a built enclosure with screen doors.
		C3.	Any built enclosure is to be integrated with the architectural design of the development and compliant with AS2419.
		C4.	New site facilities such as mail boxes and electricity sub-stations and utilities such as fire hydrant booster valves, substations, water storage tanks shall be designed and/or sited so that they enhance the development.
		C5.	New site facilities shall be situated so that there is satisfactory vehicular access by service personnel and vehicles.
		C6.	The existing above ground electricity and telecommunication cables within the road reserve and within the site is to 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.
		C7.	Any open storage areas shall be delineated in area, screened effectively, and harmonise with existing or proposed landscaping.
		C8.	Specific details of the materials to be stored external to the facility shall be lodged with the Application. The storage areas are not to be located within the landscaped area.
		C9.	New footpaths are to be appropriately located within the street with consideration for obstruction cause by electrical pillar associated with the undergrounding of mains power.



Subdivision, Consolidation and Boundary Adjustments

4 Subdivision, Consolidation and Boundary Adjustments

4.1 General

Common subdivision types include Torrens title (including boundary adjustments and consolidation), Strata title, and Community title. Subdivision and amalgamation of land allows for future development in a manner which may be different to its original state in regard to its use or intensity. It is therefore important to consider the future development potential of land and the potential impacts it may have on existing land uses and networks within the vicinity.

Such consideration may result in limitations being placed on the subdivision and amalgamation including maximum building envelopes, minimum setbacks, building heights, zoning, connectivity, and environmental management requirements to ensure future development does not adversely impact on the surrounding locality.

Objective		**Control**	
O1.	Subdivision or amalgamation: a. is consistent with the prevailing or desired lot pattern b. minimises the degree and scale of likely adverse impacts of subdivision and development on the amenity of neighbouring properties	**C1.**	Subdivision or amalgamation must not compromise any significant features of the existing or adjoining sites including streetscape character, landscape features or trees.
O2.	To ensure new allotments are capable of accommodating development that reflects and reinforces the desired future character of the area.	**C2.**	Where no minimum lot size exists for a site under *Bayside Local Environmental Plan 2021,* any proposed subdivision or amalgamation must have characteristics similar to the prevailing subdivision pattern of lots fronting the same street, in terms of area, dimensions, shape and orientation. **Note**: Council generally considers the 'prevailing subdivision pattern' to be the typical characteristic of up to ten allotments on either side of the subject site and corresponding number of allotments directly opposite the subject site. Properties located in the surrounding streets do not usually form part of the streetscape character and are therefore not taken into consideration when determining the prevailing subdivision pattern.
O3.	To prevent the fragmentation of land which would prevent the achievement of the extent of development and nature of uses envisioned for particular locations.		
O4.	To prevent the intensification of residential land uses in environmentally sensitive locations.		
O5.	To avoid increasing the community's exposure to coastal hazards.		
O6.	To ensure that lot sizes allow buildings to be sited to protect natural or cultural features including Heritage Items and retain special features such as trees, landscaping, and views.	**C3.**	Subdivision results in a density of dwellings that is consistent with that prevailing in the surrounding area.
O7.	To ensure lots have a usable site frontage within business zones.	**C4.**	Applications must demonstrate that the following has been considered: a. site topography and other natural and physical features b. existing services c. existing vegetation d. existing easements or the need for new easements
O8.	To ensure that the creation of new lots does not result in a reduction of		

Objective		Control	
	pedestrian or vehicular connectivity within the existing street network and provides safe access points and servicing areas.		e. vehicle access f. any land dedications required (e.g. road widening) g. existing vegetation h. potential flood affectation and stormwater management requirements i. contamination of the land j. existing buildings or structures k. heritage Items, Conservation Areas and adjoining Heritage Items
O9.	Development is to: a. avoid the creation of isolated sites b. encourage the development of existing isolated sites in a manner that responds to the site's context and characteristics and that maintains a satisfactory level of amenity		**Note**: Development Applications for subdivision where in the Council's opinion will create a new lot that contains significant features, such as streetscape character, landscape features or trees, the DA is to include the construction of any buildings on the new allotment and the residual allotment.
O10.	To ensure access is provided for new allotments.		
O11.	To ensure new allotments have adequate stormwater drainage.		
O12.	To ensure subdivision maintains the efficiency and safety of the road network.	**C5.**	In accordance with the planning principles established under *Parrot v Kiama [2004] NSWLEC 77*, where a proposal for subdivision or site amalgamation involves the creation of new allotments that are smaller than typical allotments, are environmentally sensitive, or where it is considered that there could be significant impacts on neighbours as a result of future development, the development application must be accompanied by a conceptual building plan, demonstrating that the relevant DCP controls can be satisfied.
		C6.	Subdivision which results in additional residential allotments of land within an Australian Noise Exposure Forecast (ANEF) contour of 30+ is not permitted.
		C7.	Subdivision and amalgamation is not permitted in areas identified to be affected by projected 2100 sea level rise by NSW State Government unless it can be demonstrated that potential impacts can be mitigated (refer to Sydney Coastal Council and CSIRO – Mapping and Responding to Coastal Inundation, February 2012).
		C8.	Subdivision must not result in the creation of a new lot that contains significant site features that would render the land unable to be developed (e.g. creation of

Objective		Control	
			allotments that are solely burdened by easements, flooding, highly contaminated land, land that contains significant trees or land of a size which could not facilitate development as per the zoning and controls applicable to the land).
		C9.	Proposed lots shall have street frontage widths not less than the prevailing subdivision pattern within the business zone and are to have a compatible shape and orientation. Note: The prevailing subdivision pattern does not include the subdivision pattern shown in zones adjoining the business centre. Properties located in the surrounding streets do not usually form part of the streetscape character and are therefore not taken into consideration when determining the prevailing subdivision pattern.
		C10.	Developers are to demonstrate to Council's satisfaction that adjoining parcels not included in their development site are capable of being economically developed.
		C11.	The development of existing isolated sites is not to detract from the character of the streetscape and is to achieve a satisfactory level of residential amenity for its occupants. **Note**: Development of existing isolated sites may not achieve the maximum potential, particularly height and floor space ratio and will be assessed on merit.
		C12.	All lots created shall have at least one (1) frontage to the street.
		C13.	Inter-allotment draining easement is to be provided if any proposed lots are not able to drain stormwater runoff from the site to a street or public drain way.
		C14.	On corner allotments, the dedication to Council for road widening purposes is a minimum 3 metres splay.

Objective	Control

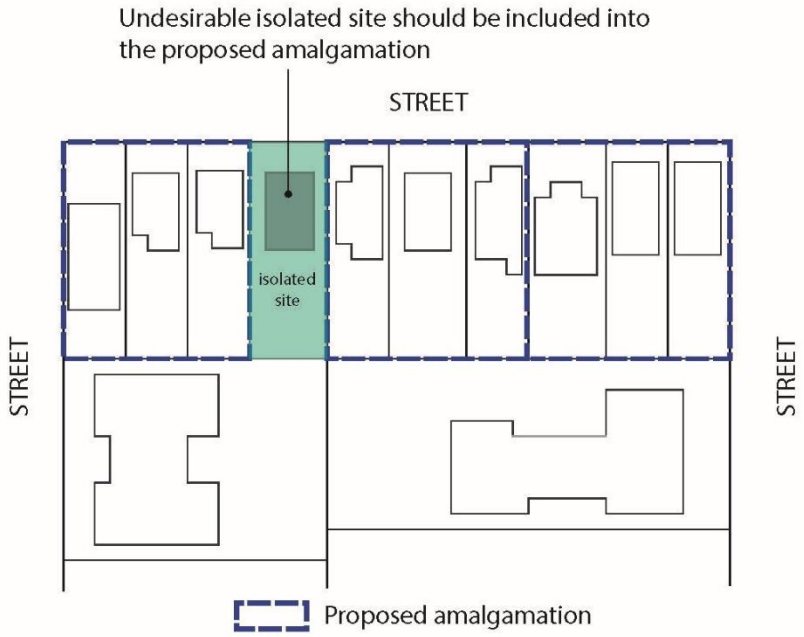


Figure 14: Example of an isolated site

4.2 Residential Subdivision

Objective		Control	
General			
O1.	To ensure adequate lot widths and depths to accommodate future development.	**C1.**	Each allotment in a proposed Torrens, Strata or Community title subdivision for dwelling houses, attached dwellings and semi-detached dwellings must have a frontage to a public road under the Local Government Act which has a width greater than 6m.
Battle-Axe Residential Subdivision			
O3.	To ensure battle-axe subdivisions: a. have sufficient size to enable development that complies with the Bayside LEP 2020 and this DCP b. respects the predominant subdivision pattern of the locality c. have sufficient access corridors	**C2.** **C3.** **C4.**	Battle-axe subdivision patterns are discouraged within residential zones unless it can be demonstrated that it is part of the prevailing subdivision pattern. Battle-axe subdivision patterns must result in one (1) or more allotments fronting the street and only one (1) allotment being serviced by a driveway access corridor. Any proposed battle-axe allotment without a frontage to the street must have a minimum site area of 450m² and width of 12m.

Objective		Control	
			Note: Battle-axe lots which are serviced via an access corridor are considered to be allotments without a frontage to the street. Where the access corridor is less than 8m wide, it shall not be included in the calculation of the minimum allotment area for either lot.
		C5.	The width of an access corridor to a battle-axe lot shall be at least 3.5m.
		C6.	Access corridors are to be located to ensure existing street trees are retained.

4.3 Non-Residential Subdivision

Objective		Control	
O1.	Subdivision in employment zones: a. facilitates opportunities for various industrial land uses within a locality b. ensures safe and efficient vehicle, pedestrian and bicycle access within and to and from a site c. prevent the excising of land that may be detrimental to the function of an existing continuing industrial use d. reduce potential adverse impact of industrial development.	**C1.**	The minimum allotment size permitted for industrial Torrens title subdivision or amalgamation of land is 1,500m² with a: a. minimum allotment width of 30 metres b. minimum allotment depth of 50 metres **Note**: All dimensions of the subdivision or amalgamation must be shown on detailed subdivision plans.
		C2.	Development Applications shall submit plans showing details of the vehicle access points, any internal road networks and/or driveways that require servicing each new allotment. The plans shall also demonstrate the following: a. there is sufficient turning area within the new allotment to accommodate the largest vehicles entering and leaving the site in a forward direction b. the vehicle crossing shall be designed so as not to interfere with the functioning of the existing road network by blocking lanes, or impacting on footpaths and kerbs or gutter.
		C3.	Any driveway/s required to service allotments must be designed to accommodate the largest vehicles assessing the site (based upon vehicle size

Objective		Control	
			identified in AS2890.2). In any case the driveway is not to have a width less than 6m at the property boundary. **Note**: Council may require new road connections to be greater than 6m in width if cycleway and/or pedestrian footpaths are required. Any additional works required to the road network will be at the expense of the applicant
		C4.	Development Applications shall demonstrate that there is sufficient area to accommodate semitrailers or delivery vehicles (and their turning circles) which that may be permitted on the land as part of a future use.
		C5.	Any driveway servicing multiple allotments must be registered as a right of way easement for the benefit of all allotments created and maintain access to any existing allotment/s which currently has access arrangements through the subject site.

4.4 Strata Subdivision

Objective		Control	
O1.	Strata subdivision: a. ensures that the subdivision relates to a development or building which has received development consent b. ensures that common areas are clearly defined, access is maintained from all proposed strata allotments and they are appropriately managed	**C1.**	Strata title development applications must provide and demonstrate compliance with a development consent for the development proposed to be subdivided.
		C2.	Any communal areas (i.e. Common driveways or footpaths) or right-of-way easements (i.e. common driveways or footpaths) must be shown within the common property of the development to be managed either by a body corporate or strata body.
		C3.	Car parking associated with the development must be allocated to each individual strata title lot to be created and shown on the plan of subdivision to be submitted with the application. Visitor parking is to be included as part of common property.
		C4.	Development Applications shall demonstrate that the proposed strata

Objective		Control	
			subdivision is compliant with the Building Code of Australia. If a development is not compliant with the BCA it must demonstrate how compliance will be achieved with the BCA. **Note**: Any non-compliance with the BCA including fire safety must be rectified prior to the issue of a Subdivision Certificate.
		C5.	Where roads are intended for public use under a Strata Title subdivision, they are required to comply with the current AUS – SPEC 1.

4.5 Community Title Schemes

Objectives		Controls	
O1.	To ensure all common areas in the community scheme area are appropriately nominated and managed.	**C1.**	Development Applications must submit a plan of the community title subdivision clearly identifying the common land to be managed by a community association.
O2.	To ensure the community title scheme are appropriate for the development of the land and surroundings.	**C2.**	Development Applications shall demonstrate that future development for the site can comply with all Parts of the DCP (i.e. setbacks, parking and private open space).
		C3.	Development Applications must submit a management plan for the common property to be maintained by the association and details of the proposed staging of any future development.
		C4.	Where roads are intended for public use under a Community Title subdivision, they are required to comply with the current AUS – SPEC 1.

4.6 Connectivity and Future Development Potential

Objective		Control	
O1.	To retain and enhance an interconnected and permeable movement network.	**C1.**	The subdivision of sites greater than 2,000m² and which have at least two (2) street frontages, must provide through site connectivity in the form of pedestrian pathways, cycle ways or new streets within the new subdivision pattern.
O2.	To ensure the layout of subdivisions including the location of streets and open		

Objective		Control	
	space creates vibrant and safe public spaces.		
O3.	To ensure the layout of subdivisions including the location of streets and open space response to a site's constraints and opportunities and the adjoining and surrounding sites.	**C2.**	New streets are to be perpendicular to the existing street pattern and may require the upgrading of the existing street network to facilitate the new connection. **Note**: Any upgrading required to the existing street network (i.e. new signalised intersections, new footpaths/pedestrian pathways and/or servicing) will be at the expense of the applicant.
		C3.	Subdivision or amalgamation must not result in the isolation of lots or reduce the development potential of adjoining land. **Note**: Applicants may be required to submit plans clearly identifying the future development potential of adjoining land to ensure its development potential will not be adversely impacted.
		C4.	The isolation of parcels of land for the purpose of environmental protection is not permitted (i.e. the retention of significant trees or vegetation or the management of contaminated lands). This land must be incorporated into any future development and maintained by the landowner/s.
		C5.	Where a rear lane is provided to adjoining land, the laneway configuration must be continued through the new lot and existing access arrangements to adjoining land maintained.
		C6.	Subdivision or amalgamation must not result in any restriction to existing parcels of land within the vicinity of the site. The proposed subdivision or amalgamation must not rely upon other land being burdened (i.e. land downstream having to accept increased overland flows or on-site detention in order for land upstream to be developed).

Residential & Mixed-Use Developments



5 Residential & Mixed-Use Developments

5.1 All residential

5.1.1 Fences and Retaining Walls – General Controls

Objective		Control	
O1.	To provide a fence height that achieves privacy and security and activates the public domain. **Note**: Matters related to fencing arrangements between neighbouring lots are regulated by the Dividing Fences Act 1991.	**C1.**	The maximum height of front fences are: a. 1.5m if at least 50% transparent b. 1.2m if less than 50% transparent *(Refer to **Figure 15**)* **NB:** Council may consider taller fences where properties adjoin significantly busy or hostile road corridors. The visual impacts of taller fencing must be offset by means of additional landscaping provision.
O2.	To provide a fence height that responds to the characteristics of the site, streetscape and the amenity of adjoining land. **Note**: Fences perform a number of functions that have the potential to conflict with each other. On this basis, decisions on fences are based on merit. It is recommended that the applicant consult with Council early in the design development stage to discuss an appropriate approach to fencing. **Note**: Matters related to dividing fencing arrangements between neighbouring lots behind the front building line are regulated by the Dividing Fences Act 1991.	**C2.**	For dwelling houses, the top 50% of a front fence is to be transparent or open style to allow for passive surveillance.
		C3.	The maximum height of a fence along a road is: a. 1.5m along a road other than a classified road, where C1 is met b. 1.5m along a classified road c. 1.8m where at least 30% transparent along a classified road
		C4.	Fencing located along side boundaries tapers down from the front building line to the street frontage.
		C5.	The height of a fence and/or wall along a sloping street shall be: a. a maximum combined height of 2.0m, regularly stepped so there is a maximum height above footpath level of 1.2m
O3.	To provide retaining walls that respond to the characteristics of the site, streetscape, and the amenity of adjoining land.	**C6.**	The maximum height of a fence along a side or rear boundary is 1.8m.
		C7.	Fences do not cause unreasonable amenity impacts on adjoining land, in particular in relation to solar and daylight access, natural ventilation, outlook or views.
		C8.	The maximum height of retaining walls along a road is 1m.
		C9.	Retaining walls along a road are located to allow site responsive tree planting within the setback.
		C10.	Retaining walls do not cause unreasonable amenity impacts on adjoining land, in particular

Objective		Control	
			in relation to solar and daylight access, natural ventilation, ponding, outlook or views.
		C11.	Fence controls for Heritage Items and in Heritage Conservation Areas must be consistent with the requirements of **Section 3.4** (Heritage) of this DCP.

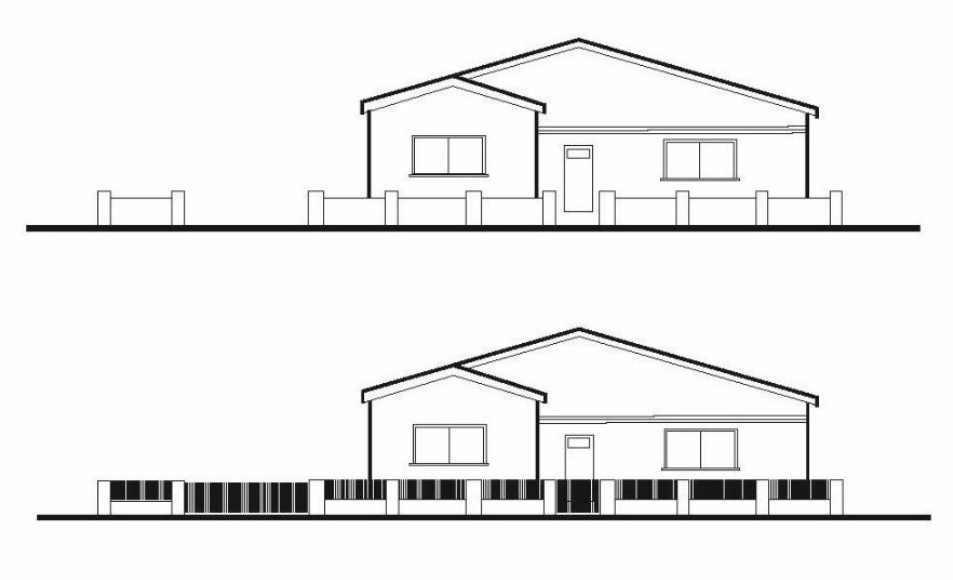


Figure 15: Front fences diagram

5.1.1.1 Fence design and materials

Objective		Control	
O1.	To ensure fence design, pattern, style, materials, and construction are compatible with the envisaged streetscape and local character.	**C1.**	Sandstone fences and walls that are significant or represent important character elements for a locality are to be retained and, if necessary, repaired.
		C2.	Modifications to existing stone fencing and walling are to utilise the same materials and construction technique.
		C3.	Fences and walls are constructed of robust and durable materials which reduce the possibility of graffiti.
		C4.	The siting, height, scale, design, materials, colours and other elements of the fences are to: a. where in a heritage conservation area, be compatible with the period or architectural style of existing development on the site be compatible

Objective		Control	
			with the predominant fencing pattern in the streetscape
		C5.	Fences along a road comprise: a. decorative timber metal slats, battens or picket masonry
		C6.	Fences along a road do not include colourbond.
		C7.	Post tops and paling tops visible from the public domain are to be shaped or tuned in a decorative manner that complements the development.
		C8.	Fences are to be designed to highlight entrances and be compatible with buildings, letterboxes and garbage storage areas.
		C9.	Provision is to be made for access to public utility installations.
		C10.	Landscaping documentation provided with any development application is to provide details of all proposed fencing, including: a. style (manufacturer, product code and name) b. materials and colour/s installation method
Fence design to manage hazards			
O2.	To minimise nuisance when locating and designing fences, such as stormwater, flooding, vehicular access, traffic, and the like.	**C11.**	Where in floodways: a. fences are not erected b. where fences are necessary, they are of open construction so as to not restrict the flow of water
		C12.	Fences do not obstruct existing overland flow paths or stop or redirect surface waters so as to cause a nuisance.
		C13.	Fences over 1m in height take into consideration sightline issues where adjoining vehicular access. **Note**: Fence design can address this control by setbacks or by using splays with minimum dimensions of 900mm x 900mm in accordance with Figure 3.3 in Section 3.2.4 of AS/NZS 2890.1.
		C14.	For low and medium density residential development where a vehicular entrance is proposed in conjunction with a fence greater than 1.2m in height, a 45 degree splay or its equivalent is to be provided either side of the

Objective		Control	
			entrance to ensure driver and pedestrian safety. **Note**: The splays are to have minimum dimensions of 900mm x 900mm in accordance with Figure 3.3 in Section 3.2.4 of AS/NZS 2890.1.
		C15.	Gates that are manually operated are to be setback a minimum of 5.5m from the kerb line to allow a vehicle to stand fully off the road.
		C16.	Gates must not encroach over the street alignment when opening or closing.

5.1.2 Ancillary residential uses - rear and side lane additions, detached garages, secondary dwellings and studios

This Section outlines controls for the non-primary building located on a site. These controls primarily relate to secondary dwellings or ‘granny flats’ and small-scale studio spaces, as well as other miscellaneous outbuildings.

5.1.2.1 General

Objective		Control	
O1.	To minimise control the size, bulk and scale of ancillary structures and their visual impact on public spaces and minimise amenity impacts on surrounding properties.	**C1.**	Buildings must have a minimum setback to a side and rear boundary of 900mm. Windows and glass doors are to face into the property. High and opaque windows may face onto a neighbouring property where lack of adverse impact can be demonstrated. **Note:** A nil setback is to be considered if implementing masonry building walls with no eaves, gutters or windows and for carports and open structures, such as pergolas, awnings and the like for narrow lots where impacts are minimal and this is the prevailing pattern in the area. Compliance with the Building Code of Australia is required.
		C2.	Outbuildings are not to result in non-compliances relating to minimum landscaped area, private open space, overshadowing, privacy and other relevant provisions which apply to the development, including those outlined in SEPP (Housing) 2021.

Objective		Control	
		C3.	Where the LEP height control enables the development of a 2 storey outbuilding, the second storey of the building must have a traditional pitched form with dormer windows and generally be contained as an attic.
		C4.	Outbuildings are to be located behind the main street face of the development.
		C5.	Where multiple ancillary structure outbuildings are proposed on one property, combining these within a single structure is encouraged. Consideration is to be given to roof form and pitch to ensure bulk and scale impacts are minimised.
		C6.	Where multiple outbuildings and/or a secondary dwelling are/is proposed on one property, the cumulative floor area is not to exceed 70m².
		C7.	Outbuildings attached to a secondary dwelling are not to provide direct access between them. Solid wall construction must be provided.
		C8.	The selection of materials and colours must be compatible with the surrounding natural environment and the dwelling.
		C9.	Where an outbuilding is proposed within a Heritage Conservation Area, the built form controls of that HCA prevail over any inconsistencies with this Section.

5.1.2.2 Development on Side and Rear Lanes

Objective		Control	
O1.	To ensure buildings to rear or side lanes are compatible with the principal dwelling and adjoining sites, maximise safety, ensure adequate vehicular access and minimise amenity impacts.	**C1.**	The prevailing setback to a rear or side lane is to be retained. **Note:** A minimum setback of 900mm is to be provided from any garage or carport to a rear lane to ensure access complies with AS2890 and adequate site lines are achieved.
		C2.	The secondary dwelling/outbuilding on a lot adjoining a rear lane is to be clearly subservient to the principal dwelling.
		C3.	For properties with rear lane access or fronting another street, the secondary

Objective		Control	
			dwelling/outbuilding must address the lane/street as if it were the primary frontage.
		C4.	Outbuildings with a frontage to a rear lane or side lane may include an attic level subject to compliance with other relevant controls (including, but not limited to, the height control and overshadowing provisions) and the following: a. the structure does not exceed a maximum street wall height (or side wall height if not presenting to a street) of 3.6m b. the structure does not exceed a maximum roof height of 6 m c. the pitch of the roof does not exceed 36 degrees d. dormer windows are permitted provided each complies with the following design criteria: i. the minimum distance between the main roof line and the dormer window structure is 300mm measured vertically ii. the dormer window does not have a total width of more than 25% of the width of the roof, or 1.2m, whichever is the lesser iii. adverse privacy impacts do not result (surveillance of laneways is encouraged)
		C5.	On lots smaller than 150m^2, a secondary dwelling is not permitted unless it can achieve a minimum consolidated area of private open space for the principal dwelling of 16sqm with a minimum dimension of 3m.
		C6.	Where a rear lane is highly intact, the pattern of original outbuildings, fences and laneway widths must be retained.
		C7.	Development is to retain the predominant scale of the lane, particularly where that scale is single storey, and any landscape features including mature trees.

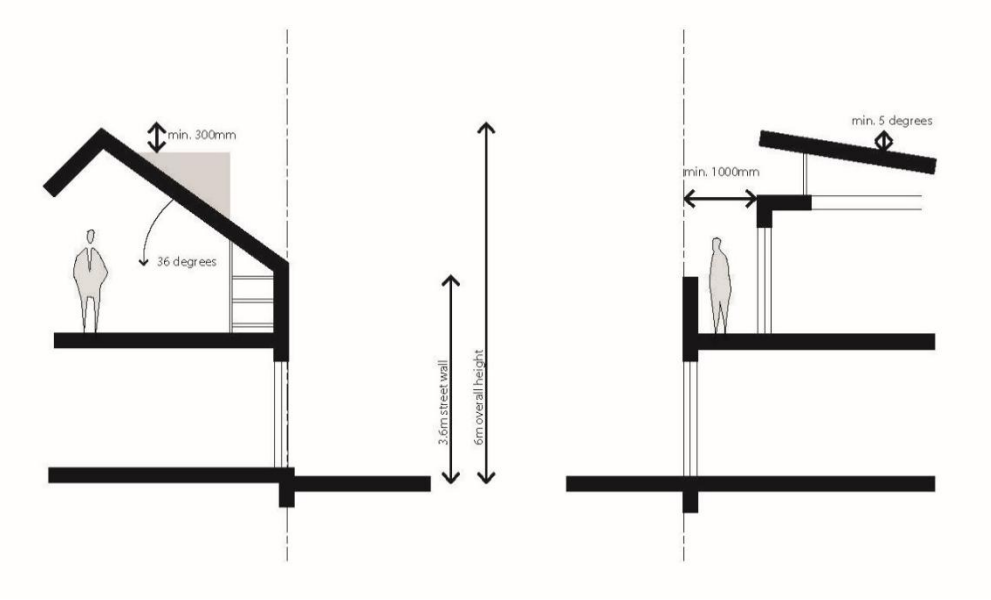


Figure 16: Outbuilding height diagram

5.1.3 Swimming Pools, Spa Pools, and Child-Resistant Barriers

This Section outlines the controls related to swimming pools, spa pools and child-resistant barriers where development consent is required.

Objective		Control	
O1.	To locate, design and operate swimming pools to respond to site features, reduce water consumption and enhance the amenity of residents on and adjoining the site.	**C1.**	Swimming pools and spa pools are sited to minimise unreasonable impact on the following: a. natural landform b. habitable rooms and the principal private open space of adjoining properties
		C2.	Swimming pools, spa pools and associated structures such as decks or coping are: a. located at ground level b. where a site slopes, have a maximum height above existing ground level of 500mm
		C3.	Swimming pools and spa pools are not located within the front setback.
		C4.	Minimum setbacks for swimming pools and spas to side and rear boundaries from the coping are: a. 1m b. where adjoining a habitable room of a neighbouring dwelling, a setback greater than 1.5m may be required in order to protect the amenity of residents

Objective		Control	
		C5.	Pumps, filters and other noise emitting devices are located away from habitable rooms and the principal private open space of adjoining dwellings and/or enclosed or screened by appropriate, visually unobtrusive noise mitigating devices. Any devices are located and designed in accordance with the offensive noise provisions of the Protection of the Environment Operations Act 1997.
		C6.	Water discharged from pools during maintenance or cleaning does not cause unreasonable nuisance or harm to adjoining properties.
		C7.	Setbacks may be required to protect existing trees including their root systems, as well as trees on adjoining properties.
		C8.	A geotechnical report is required where the site is located in a groundwater exclusion zone.
		C9.	Any structure that is elevated above ground level is suitably screened by planting. **Note**: Planting details are to be provided on the landscape plan.
		C10.	Swimming pools are to be sited to maximise solar access. **Note**: Locating pools in this manner reduces reliance on energy systems to provide water heating.
		C11.	Water tanks are installed to provide water for pools as follows: a. pool size up to 20,000 litres: 1,000 litre tank b. pool size of 20,000 to 40,000 litres: 2,000 litre tank c. pool size over 40,000 litres: complies with BASIX
		C12.	Where swimming pools are proposed on Flood Prone Land 1, swimming pools and associated structures achieve the following: a. do not obstruct a floodway b. do not exacerbate flooding into neighbouring properties c. do not drain to the properties external stormwater network d. drain into the sewer network

Objective		Control	
		C13.	The surrounds or concourse of a swimming pool shall have a minimum 1% grade towards the pool to prevent surface waters (e.g. from rainfall) overflowing into the adjoining properties. In some instances, additional surface drains may be required.

5.1.4 Quality of Design and Housing Choice and Diversity

This section provides controls outlining requirements to enable good quality housing design and supports improved housing choice and diversity by encouraging a range of apartment types and sizes and housing typologies including multi-dwelling housing and terraces.

Objective		Control	
O1.	To ensure development responds to and positively reinforces predominant streetscape qualities.	**C1.**	Development is to be consistent with design excellence provisions outlined in the Bayside LEP 2021.
O2.	To ensure building bulk and scale does not create visually overbearing development and does not have unreasonable amenity impacts on adjoining dwellings.	**C2.**	Development applications must be accompanied by a Site Analysis that demonstrates: a. the prevailing characteristics of an area within which a development site is located; b. the opportunities and constraints of a development site; c. the relationship between a development site and its surroundings; and d. How the analysis under (a)-(c) has been used to inform the design of the proposed development such that impacts on neighbouring properties and the locality are minimised.
O3.	Ensure development individually and collectively contributes to the architectural and overall urban design quality of the local government area.		
O4.	Encourage variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens Bayside Council's public realm.		
O5.	Ensure residential development encourages housing choice and diversity for all residential development types.	**C3.**	Developments are to utilise high quality materials and finishes, as well as demonstrate an architectural form and expression that positively responds to the desired future character of the area.
		C4.	Developments are to comprise a mix of apartment types, where gardens, adaptability and accessibility are more easily achievable for elderly people, families with children, or people living with disabilities. Developments that propose more than 20 dwellings are to provide a mix of dwellings

Objective		Control	
			consistent with the following percentage mix: a. Studio: 5 - 10%; b. 1 bedroom: 10 – 30% c. 2 bedroom: 40 – 75%; and d. 3+ bedroom: 10 - 100% The maximum percentage of 1-bedroom dwellings may be increased above 30% provided the number of studio dwellings and 1-bedroom dwellings combined does not exceed 40% of the total dwellings proposed is 196.
		C5.	Adaptive re-use of existing structures may propose an alternative mix where it can be demonstrated that the existing structure restricts compliance with provision C4 above.
		C6.	New development is to demonstrate that internal designs allow adaptation to different uses over time by: a. showing internal walls that can be easily removed; b. locating services where they will not impede the future conversion of the unit into a different configuration; and c. incorporating, in at least 10% of dwellings in a development, the opportunity for parts of a dwelling to be separately or independently occupied, for example, dual key apartments without reducing the total percentage of any dwelling types below the minimum percentages defined in (C4) above.
		C7.	Family friendly apartments of 3 bedrooms or more are to be located on the lower four floors of the building.
		C8.	First floor balcony depths should be designed to ensure amenity and privacy are retained to neighbouring properties. A depth of 2,500mm is generally considered a suitable outcome, although deeper balconies may be permitted where it can be shown that no unreasonable impacts will result on surrounding properties.

5.2 Residential & Mixed-Use Development

5.2.1 Low-density residential (dwellings, dual occupancy, semi-detached dwellings)

These controls should be read in conjunction with the General residential housing controls and are the primary controls relevant to low-density dwelling typologies including dwellings, dual occupancy dwellings and semi-detached dwellings. Additional particular controls relevant for semi-detached and dual-occupancy dwellings are also outlined.

5.2.1.1 Streetscape, Local Character and Quality of Design

Objective		Control	
O1.	To ensure that dwellings are compatible with the envisaged local streetscape and desired future character.	**C1.**	Development is to be designed to reflect the relevant local character in Chapter 7 and reinforce the architectural features and identity which contribute to the desired future character of the area.
O2.	To create visual interest through building articulation and a variety of compatible materials, finishes and colouring.	**C2.**	Development is oriented to be parallel with the primary road. Development sites with two or more frontages should address both frontages. **Note**: Council may vary this control where the lot has an irregular boundary to the primary road.
		C3.	Proposed materials for low density dwellings should not include extensive areas of glass sheeting and glass blocks. Painting, rendering, or bagging of any original unpainted masonry or sandstone surfaces or cladding that provides a positive contribution to the streetscape character and requires maintenance is not permitted.
		C4.	Where alterations or additions are proposed, the materials must be compatible with those of the existing building and/or desired future character of the streetscape.
		C5.	Elevations should avoid large expanses of blank walls through the following: a. a harmonious composition of varied building elements b. recesses and projections c. changes in texture, material, detail and colour **Note**: for Dwelling Houses, Semi-Detached Dwelling and Secondary Dwellings,

Objective		Control	
			completely rendered buildings with a box shape envelope will not be supported.
		C6.	Development on sites with two or more frontages should address both frontages.

5.2.1.2 Built Form Controls

Objective		Control	
O1.	To ensure building height is compatible with the existing and envisaged built form of the site's surrounds, having regard to natural landform (topography), amenity and local character. **Note:** Preferred future local character for specific localities is identified in **Chapter 7** – Location Specific Controls of this DCP.	**C1.**	Maximum building height above ground level in metres complies with clause 4.3 of the Bayside LEP 2021.
		C2.	Maximum building height above ground level (existing) in storeys excluding basements is: a. for a Dwelling House, Semi-Detached Dwelling and Dual Occupancy: 2 storeys b. for a Secondary Dwelling: 1 storey c. for any of the above uses located at the rear of a site or on a battle axe: 1 storey.
O2.	To ensure building length is broken up to reflect the low-density character of adjoining sites.		
O3.	To ensure roof form, pitch, materials, and colours are compatible with those prevailing in the surrounding area.	**C3.**	A Secondary dwelling may be located at first floor level above a garage or outbuilding which fronts a rear lane or side street subject to compliance with: a. outbuilding controls in Sub-section 5.1.2 b. relevant provisions in Chapter 3 – General c. other relevant provisions in this section
O4.	To ensure that void spaces in dwelling houses are designed to increase the amenity of a dwelling, and that the provision of such spaces does not lead to diminution in the amenity of adjacent properties.		
		C4.	Maximum building length is compatible with that of adjoining sites. Two or three storey developments are only permitted towards the front of an allotment and may only extend to a maximum of 70% of the depth of the site measured from the front property boundary. **Note:** For Secondary Dwellings the total length of both the Secondary Dwelling and Dwelling House is to be considered.

Objective		Control	
		C5.	Buildings must provide horizontal and vertical articulation of external walls to create visual interest and reduce building bulk.
		C6.	Where roof forms in a streetscape are predominantly pitched, roof pitches are to be between 22.5 degrees and 40 degrees.
		C7.	Flat or skillion roof forms may be located to the rear of a development site provided it is not a corner location and does not detract from the streetscape.
		C8.	Pitched roofs must have a minimum eave overhang of 450mm (excluding gutters).
		C9.	An attic may be used as a habitable room provided that: a. it is part of the dwelling immediately below b. it is incapable of being used as a separate dwelling c. it is contained wholly within a roof space above the ceiling line of the storey immediately below, except for minor elements such as dormer windows d. windows are limited to small dormer windows
		C10.	Voids are to connect related uses and spaces and should not compromise the useability of spaces or result in an unreasonable loss of amenity for the residents.
		C11.	Void spaces must be designed so as not to be reasonably capable of future infill. Voids in developments which exceed the permitted FSR will not be supported. Similarly, the infill of any existing void must not result in overdevelopment of the site by exceeding the maximum permitted FSR.

5.2.1.3 Setbacks

Objective		Control	
O1.	To ensure building setbacks are compatible with the envisaged	**C1.**	Minimum building setback to a primary road is either:

Objective		Control	
	streetscape and provide a reasonable level of amenity based on the adjacent road environment.		a. the average of the dwellings on adjoining lots; b. otherwise, 6m.
O2.	To ensure an appropriate level of visual and acoustic privacy between a development and its adjoining sites, as well as providing sufficient space for access, landscaping and private open space.	**C2.**	Minimum building setback to a secondary road is 1.5m
		C3.	Minimum building setback to a rear lane is: a. where habitable: 1.5m b. where non-habitable: 1m
		C4.	Minimum building setback to a road identified as a Key Freight Route may be required to have a greater setback. Key Freight Routes are identified at: https://data.datahub.freightaustralia.gov.au/ne/dataset/national-key-freight-routes-map
O3.	To positively contribute to the streetscape through building articulation and building elements that encourage engagement between the development and public domain.	**C5.**	Minimum building setback to a rear boundary is 5m.
O4.	To ensure an appropriate level of visual and acoustic privacy between a development and its adjoining sites as well as providing sufficient space for access, landscaping and private open space.	**C6.**	Minimum building setback to a side boundary is 0.9m (ground floor) and 1.5m (first storey and above).
		C7.	A dwelling house with a setback from a primary road of at least 3m may have an articulation zone that extends up to 1.2m forward of the minimum required setback from the primary road.
		C8.	The following ground-floor building elements may be located in the articulation zone: a. an entry feature or portico b. a balcony, deck, pergola, terrace or verandah c. a window box treatment d. a bay window or similar feature e. an awning or other feature over a window f. a sun shading feature g. an eave h. any other small scale building element that in the opinion of council provides visual interest to the elevation **Note:** The maximum total area of all building elements in the articulation zone, other than a building element specified in e), f) or g), does not comprise more than 25% of the area of the articulation zone.
		C9.	Minimum building setback for an awning or verandah is: a. to classified roads: 1.5m

Objective		Control	
			b. to local roads that intersect with classified roads: 1.5m for a distance of 100m from the intersection with the classified road c. to any signalised intersection: 1.5m for a distance of 100m from the signalised intersection

5.2.1.4 Landscaping and Private Open Space

Objective		Control	
O1.	To ensure new dwellings have functional and high-quality landscaping and open space.	**C1.**	New development must comply with the minimum private open space and landscaping provisions contained within **Section 3.7** (Landscaping and Biodiversity).
O2.	To ensure rooftop terraces do not result in excessive bulk and scale or adverse impacts to the visual and acoustic privacy of adjoining sites.	**C2.**	The maximum area of a rooftop terrace is 24m^2 and should not represent the principal private open space for a dwelling. The roof top terrace is to be enclosed by in-built planter boxes.
		C3.	The rooftop terrace must be oriented to minimise impacts on the visual and acoustic privacy of adjoining sites.
		C4.	Where part of a rooftop terrace is oriented to a side boundary, its perimeter must be bordered screening vegetation. The floor of the rooftop terrace area must be differentiated from the rest of the flat roof. The enclosure of the roof top terrace area with built-in planter boxes may be required.
		C5.	Roof terrace balustrades must not be transparent.
		C6.	The trafficable area of the roof top terrace and balustrade shall be setback at least 1.5m from the building edge.
		C7.	The roof top entry point should not be excessive in size and should only be used as access to the terrace area.
		C8.	Overlooking into the internal private and external open space of adjoining neighbours should be avoided.

5.2.1.5 Solar Access and Overshadowing

Objective		Control	
O1.	To ensure that sunlight access: • is provided to private open space and habitable rooms within the development; and • is not unreasonably diminished for neighbouring properties and the development site.	**C1.**	Dwellings within the development site and adjoining properties should receive a minimum of 2 hours direct sunlight in habitable living areas (family rooms, rumpus, lounge and kitchen areas) and in at least 50% of the primary private open space between 9am and 3pm in mid-winter. Council may grant consent to a development that does not comply with the 2 hours of solar access requirement. However, Council must not grant consent, unless the applicant has satisfactorily addressed the questions identified in the Land and Environment Court Sunlight Planning Principle. The Planning Principle is updated by Court decisions and is available to view on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec). For development adjoining a semi-detached dwelling, first floor additions may need to be setback in order to provide adequate solar access to the living areas within the adjoining dwellings and their primary open space areas.
		C2.	Consideration must be given to neighbouring properties' solar panels and the loss of sunlight to these panels as a result of any development proposal.

5.2.1.6 Parking and Access

Objective		Control	
O1.	To ensure that low-density residential development is consistent with Council's provisions related to parking, access, and active and sustainable transport.	**C1.**	Development must be consistent with the requirements in **Section 3.5** (Transport, Parking and Access).

5.2.1.7 Visual and Acoustic Privacy

Objective		Control	
O1.	To site and design development to ensure a reasonable level of acoustic and visual privacy for residents within a development	**C1.**	Habitable room windows above the ground floor, which face side or rear boundaries that adjoin a residential property, must provide:

Objective		Control	
	and between a development and adjoining sites.		a. offsetting of the edge of one window to the edge of the other window by a sufficient distance to limit views; or
O2.	To ensure attics do not result in excessive bulk or adverse impacts to the visual privacy of adjoining sites.		b. sill heights 1.5m above the floor level of that storey; or c. opaque glazing in any part of the window below 1.5m above floor level; or d. fixed external screens with 50% transparency or less.
		C2.	Balconies, terraces, and the like should be located to minimise overlooking of an adjoining property's open space or windows. Techniques such as recessing, screens or landscaping may be used to prevent direct views into habitable rooms or private open spaces.
		C3.	The form and placement of attic windows must respect the visual privacy of neighbouring properties and minimise overlooking.
		C4.	Access to attics must be provided by internal, not external, stairs.
		C5.	First floor rear balconies are only permitted adjacent to a bedroom and must be contained wholly above the building footprint of the ground floor.

5.2.1.8 Special Height Controls

Objective		Control	
Generals			
O1.	To encourage specific low density-built form outcomes in Special Areas.	**C1.**	Increased height and density in the form of terrace style housing is encouraged in the Special Height Areas H1 and H2 which covers parts of Botany, Mascot, Rosebery, and Eastlakes. Development in this area should include significant landscaping in the front setbacks.
		C2.	Height in the H2 Special Height Area is permitted and encouraged as 2 storeys with attic, with the maximum ridge height to be consistent with adjoining two (2) storey buildings.
		C3.	In the H3 Special Height Area, low density residential accommodation in the form of

Objective		Control	
			detached/attached dwellings is encouraged with a maximum height of 2 to 3 storeys (10 metres height limit) depending on the slope of the land with a FSR of 0.55:1 within Special Height Area H3. The bottom storey of the dwelling must only consist of garages or non-habitable rooms such as bathrooms, laundries, storage areas or the like (as defined by the BCA). **Note**: At any part of the perimeter of the building, the height is not to exceed 2 storeys unless one of the storeys being the basement or lowest level contains a non-habitable space not exceeding 40m² in area.



Figure 17: Special Area H1

Objective	Control



Figure 18: Special Area H2



Figure 19: Special Area H3

Objective	Control

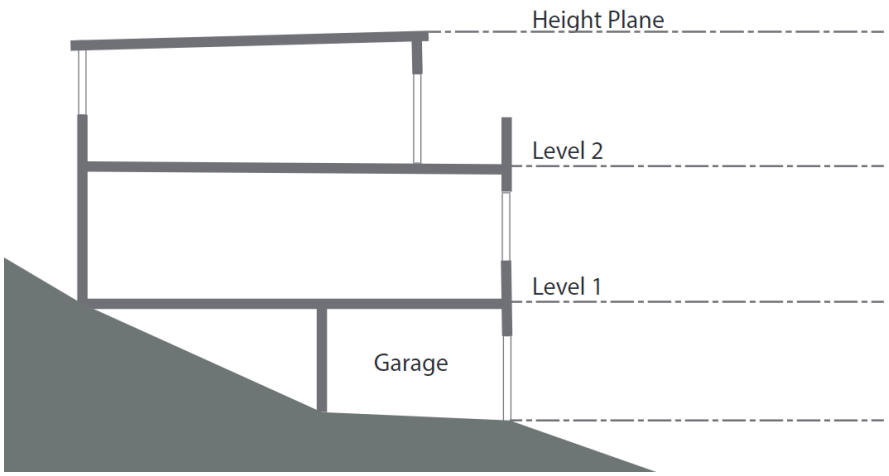


Figure 20: Height Plane

5.2.2 Additional Controls for Dual Occupancy and Semi-Detached Dwellings

Objective		Control	
O1.	To ensure new semi-detached and dual occupancy development responds to predominant streetscape qualities.	**C1.**	Alterations and additions to existing semi-detached dwellings must integrate with the existing and adjoining building and not compromise future development of the adjoining semi-detached dwelling.
O2.	To integrate new semi-detached development with the adjoining semi-detached dwellings and is viewed as a pair from the public domain.	**C2.**	The new dwellings that constitute the semi-detached dwelling are compatible with the existing in siting, scale, form, material, and colour when viewed from a road.
O3.	To ensure alterations or additions to semi-detached dwellings integrate with the other adjoining semi-detached dwelling and do not dominate the streetscape.	**C3.**	Alterations or additions above the ground storey to one of a pair of semi-detached dwellings must be set back beyond the apex or main ridge of the principal roof form of the building.
		C4.	Building setbacks to a side boundary less than the minimum are only permitted on lots with a width less than 12.5m.
O4.	To ensure dual occupancy development does not result in excessive bulk that detracts from the amenity of the streetscape.	**C5.**	Minimum lot width for dual occupancy dwellings must be 15m. **Note**: A variation to the minimum lot width may be supported where the development satisfies each of the following points: a. minimum setbacks requirements are achieved b. development complies with the maximum FSR and Height in accordance with the Bayside LEP 2021

Objective		Control	
			c. privacy is maintained between adjoining properties and overshadowing complies with the requirements set out in this DCP d. development does not contribute unreasonably to bulk and scale and is consistent within the neighbourhood and street character e. minimum landscaped area requirement is achieved
		C6.	A contemporary design of dual occupancy dwellings is encouraged and should take into consideration predominate architectural features, style and design of the neighbouring buildings, streetscape and local character.
		C7.	Two or three storey development is only permitted on the front of an allotment and may extend to a maximum of 70% of the depth of the site measured from the property boundary.



Figure 21: Minimum building setback to a primary road is the average of the dwellings on adjoining lots

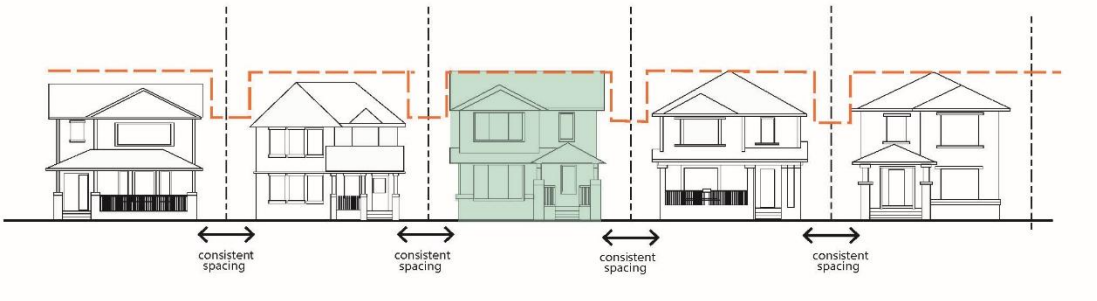


Figure 22: Building setbacks are compatible with streetscape rhythm

5.2.3 Medium density residential (attached dwellings, multi-dwelling housing)

5.2.3.1 Streetscape, Local Character, and Quality of Design

Objective		Control	
O1.	To create visual interest through building articulation and a variety of compatible materials, finishes and colouring.	**C1.**	The maximum length of building frontage along the street is 20m.
		C2.	New development is to incorporate architectural relief and modulation of facades to avoid a bulky appearance. Architectural elements will provide visual interest to the built form.
O2.	To provide legibility between the public domain, individual dwellings, and communal open space through landscaping.	**C3.**	The layout of the development must not result in a "gun-barrel" form (e.g. long perpendicular driveways flanked by dwellings).
O3.	To create visual interest through building articulation and a variety of compatible materials, finishes and colouring.	**C4.**	Where practical, each dwelling should be provided with an individual entrance from a public street or public place.
O4.	To incorporate sustainable materials and technologies into development.	**C5.**	Materials, colours, architectural details, and finishes are to be consistent with those that are identified in the relevant Precinct Character Statement. If not identified in the Precinct Character Statement natural colours and muted tones and finishes are to be used.
		C6.	Materials and design detailing will ensure long life and ease of maintenance. In particular: a. treated timber or metal hinged shutters such as plantation shutters b. glass balustrades c. sliding translucent screens to balconies d. adjustable horizontal louvers attached to pergolas e. operability and location of windows to allow ease of cleaning retractable blinds
		C7.	A Schedule of Finishes and a detailed Colour Scheme for the building facade must accompany all Development Applications involving a change to the colouring of areas visible from the public domain. The Schedule of Finishes shall consist of samples of materials and corresponding manufacturer's details and product codes. Applicants are to use illustrated elevations to document the location and composition of materials.
		C8.	Solar panels are to be integrated into the design of a building in terms of minimising visual intrusion and location on the roof.

Objective		Control	
		C9.	Face brickwork is to be used only where this is common in the immediate vicinity of the proposed development.
		C10.	No expansive use of white, light or primary colours which detract from the streetscape are permitted. Primary colours are only to be used for small design features and accents to the building.
		C11.	Buildings are to incorporate a higher proportion of masonry to glass.
		C12.	Each dwelling shall be designed to have an individual identity from the street.
		C13.	Entrances to individual dwellings are to be well-lit, provide shelter and a safe space to enter the building for residents and visitors. The front door is to be orientated to the street and have direct access to the street.
		C14.	Developments will demonstrate clear lines of transition between the public street, the shared communal open space, circulation space and the private open space of individual dwellings (i.e. landscaping, paving and fencing can used to define different areas within the development).
		C15.	Street numbering and mailboxes must be clearly visible from the primary street.

5.2.3.2 Built Form Controls

Objective		Control	
O1.	To ensure the lot size will facilitate development that can achieve the envisaged development outcomes for the local area and does not result in any adverse impacts to adjoining sites.	**C1.**	Minimum site frontage width is 18m. **Note:** site frontage width of less than 18 m is unlikely to be able to achieve the full extent of the permissible FSR under the Bayside LEP 2021.
O2.	To ensure roof form, pitch, materials, and colours are compatible with those prevailing in the surrounding area.	**C2.**	Where roof forms in a streetscape are predominantly pitched, roof pitches are to be between 22.5 degrees and 40 degrees.
O3.	To ensure attics do not result in excessive bulk or adverse impacts to the visual privacy of adjoining sites.	**C3.**	Flat or skillion roof forms may be located to the rear of a development site provided it is not a corner location and does not detract from the streetscape.
		C4.	Pitched roofs are encouraged to have a minimum eave overhang of 450mm

Objective		Control	
			(excluding gutters) in circumstances where that roof form is the predominant form for the character.
		C5.	An attic may be used as a habitable room provided that: a. it is part of the dwelling immediately below b. it is incapable of being used as a separate dwelling c. it is contained wholly within a roof space above the ceiling line of the storey immediately below, except for minor elements such as dormer windows d. windows are limited to small dormer windows
		C6.	The form and placement of attic windows must respect the visual privacy of neighbouring properties and minimise overlooking.

5.2.3.3 Setbacks

Objective		Control	
O1.	To ensure building setbacks are compatible with the envisaged streetscape character and provide a reasonable level of amenity based on the adjacent road environment.	**C1.**	Minimum building setback to a road is either: a. compatible with the predominant existing setback b. where there is no predominant existing setback: 6m
O2.	To ensure an appropriate level of visual and acoustic privacy between a development and its adjoining sites, as well as providing sufficient space for access, landscaping and private open space.	**C2.**	An articulation zone containing porches, bay windows and / or balconies may extend a maximum of 1.2m forward of the of building line for a maximum of one third of the area of the entire front elevation.
O3.	To positively contribute to the streetscape through building articulation and landscaping that encourages engagement between the development and public domain.	**C3.**	Minimum building setback to a secondary road is 1.5m.
		C4.	Minimum building setback to a side boundary is: For the front two- thirds of site: a. 0.9m (ground floor) and 1.5m first floor and above. b. For the rear third of the site: 4m
		C5.	Minimum building setbacks to a rear boundary are: a. For a ground storey: 4m

Objective		Control	
			b. For above the ground storey: 6m
		C6.	Setbacks are to be deep soil zones.
		C7.	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).
		C8.	Where land dedications are required resulting in a new boundary line, all setbacks will be provided from this new boundary line, including basement car parking setbacks.
		C9.	All garages are to be setback a minimum of 6m from the front boundary if the garage fronts the street.
		C10.	Two or three storey development is only permitted on the front of an allotment and may extend to a maximum of 70% of the depth of the site measured from the property boundary.

5.2.3.4 Landscaping and Private Open Space

Objective		Control	
O1.	To ensure new dwellings have functional and high-quality landscaping and open space.	**C1.**	New development must comply with the minimum private open space and landscaping provisions contained within **Section 3.7** (Landscaping and Biodiversity).
		C2.	The maximum area of a rooftop terrace is 24m^2.
		C3.	The rooftop terrace must be oriented to minimise impacts on the visual and acoustic privacy of adjoining sites.
		C4.	Where part of a rooftop terrace is oriented to a side boundary, its perimeter must be bordered screening vegetation.
		C5.	Roof terrace balustrades must not be transparent.
		C6.	The trafficable area of the roof top terrace and balustrade shall be setback at least 1.5m from the building edge.
		C7.	The roof top entry point should not be excessive in size and should only be used as access to the terrace area.

Objective		Control	
		C8.	Overlooking into the internal private and external open space of adjoining neighbours should be avoided.
		C9.	Landscaping is to be provided along boundaries and between driveways and boundaries.

5.2.3.5 Solar Access and Overshadowing

Objective		Control	
O1.	To ensure that sunlight access: • is provided to private open space and habitable rooms within the development; and • is not unreasonably diminished for neighbouring properties and the development site.	**C1.**	Dwellings within the development site and adjoining properties should receive a minimum of 2 hours direct sunlight in habitable living areas (family rooms, rumpus, lounge and kitchen areas) and in at least 50% of the primary private open space between 9am and 3pm in mid-winter.
		C2.	Council may grant consent to a development that does not comply with the 2 hours of solar access requirement. However, Council must not grant consent, unless the applicant has satisfactorily addressed the questions identified in the Land and Environment Court Sunlight Planning Principle. The Planning Principle is updated by Court decisions and is available to view on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec). Where existing adjoining properties currently receive less sunlight than these standards, sunlight must not be reduced by more than 20%.
		C3.	For development adjoining a semi-detached dwelling, first floor additions may need to be setback in order to provide adequate solar access to the living areas within the adjoining dwellings and their primary open space areas.

5.2.3.6 Parking and Access

Objective		Control	
O1.	To ensure that medium-density residential development is consistent with Council's provisions related to parking, access and active and sustainable transport.	**C1.**	Development must be consistent with the requirements in **Section 3.5** (Transport, Parking and Access).

5.2.3.7 Visual and Acoustic Privacy

Objective		Control	
O1.	To site and design development to ensure a reasonable level of acoustic and visual privacy for residents within a development and between a development and adjoining sites.	**C1.**	Habitable room windows above the ground floor, which face side or rear boundaries that adjoin a residential property, must provide: a. offsetting of the edge of one window to the edge of the other window by a sufficient distance to reduce overlooking; or b. sill heights 1.5m above the floor level of that storey; or c. opaque glazing in any part of the window below 1.5m above floor level; or d. fixed external screens with 50% transparency or less.
O2.	To ensure attics do not result in excessive bulk or adverse impacts to the visual privacy of adjoining sites.	**C2.**	Balconies, terraces and the like should be located to minimise overlooking of an adjoining property's open space or windows, and are not encouraged along side boundaries. Techniques such as recessing, screens or landscaping may be used to prevent direct views into habitable rooms or private open spaces.
		C3.	The form and placement of attic windows must respect the visual privacy of neighbouring properties and minimise overlooking.

5.2.4 High density residential

The controls in this section apply to high density development, including residential apartment buildings. Where the controls in this section are inconsistent with the principles in SEPP 65 and the Apartment Design Guide, the Apartment Design Guide prevails.

5.2.4.1 Streetscape, Local Character, and Quality of Design

Objective		Control	
O1.	To create high-quality and functional architecture that contributes to local character and assists with legibility.	**C1.**	Development is to be designed to reflect the relevant local character in Chapter 7 and reinforce the architectural features and identity which contribute to the desired future character of the area.
O2.	To create visual interest through building articulation and a variety of compatible materials, finishes and colouring.	**C2.**	Where involving development that is three or more storeys and has four or more dwellings, development considers the relevant objectives and design criteria of the Apartment Design Guide. **Note**: this DCP requires the preparation of a context and site analysis to support a Development Application. **Note**: Local character is articulated for specific localities in **Chapter 7 – Specific Places**
O3.	To provide for high quality high density residential development that: a. responds appropriately to its site and context b. contributes positively to local character and streetscape c. provides a high level of amenity for residents and adjoining properties	**C3.**	Important corners are expressed by giving visual prominence to parts of the façade through a change in building articulation, material, colour, roof expression or increased height.
O4.	To positively contribute to the streetscape through unobstructed alignment of built form to the public domain.	**C4.**	The building line of a street wall building must be parallel with the street boundary alignment.
O5.	To provide differentiation in built form where development occurs over a street block.	**C5.**	Buildings provide opportunities for people to engage with the public domain through well designed, legible elements such as: a. entry lobbies b. entry porches c. loggias
O6.	To conceal utilities and building bulk from residents and the public domain.	**C6.**	Elevations are to be articulated into smaller elements in both the horizontal and vertical planes that provide visual detail and interest within a cohesive overall design including through the use of: a. building entries b. balconies and other private outdoor recreation areas c. windows d. doors e. eaves, overhangs, and other sun shading devices f. blade walls and fins
		C7.	Large expanses of blank walls are avoided through the use of architectural design features.

Objective		Control	
		C8.	Where in the same street block, buildings should vary in size, height, form, and architectural expression so that the street block presents as a group of buildings rather than a singular architectural design or building.
		C9.	Design incorporates a range of measures to provide for a high level of residential amenity such as: a. sun shading devices b. noise barriers c. privacy screens d. careful location of balconies, terraces and loggias
		C10.	Plumbing services/fire boosters/substations are to be integrated and within building footprint.
		C11.	All overhead wires (including electrical and telecommunication services) fronting the site are to be relocated underground as part of the development. The redundant power poles are to be removed and replaced with underground supplied street lighting columns. All works shall be carried out at the applicant's expense.

5.2.4.2 Built Form Controls

Objective		Control	
O1.	To ensure roof form, pitch, materials, and colours are compatible with those prevailing in the surrounding area.	**C1.**	Where in the same street block, buildings vary in size, height, form, and architectural expression so that the street block presents as a group of buildings rather than a singular architectural design or building.
O2.	Dwellings provided at the ground storey have a high level of engagement with the adjoining public domain.	**C2.**	Western elevations incorporate design measures that reduce solar gain from direct summer afternoon sunlight such as: a. external, fixed devices such as balconies, eaves, or overhangs b. external movable devices such as screens c. glazing or transparent glass that reduces the amount of heat entering a building (mirrored glass is not permitted, and coloured glass is only permitted where it is transparent)
		C3.	Building utilities such as clothes drying areas and air conditioning units are screened from view from the public domain.

Objective		Control	
			Air conditioning units must not reduce the minimum private open space area of a dwelling.
		C4.	The floor level of the upper most storey must be at least 3.5m below the maximum permitted height to achieve a variety of roof forms.
		C5.	Where provided on a roof, plant rooms, lift overruns and mechanical ventilation are to be integrated into the building design and are not visible from the public domain public place. **Note:** It is Council's preference that these items be located in the basement of the building.
		C6.	Upper storeys are to be articulated through measures such as differentiated roof forms, maisonettes or mezzanine penthouses.
		C7.	Ground floor dwellings fronting a street are to have individual street entries.
		C8.	Dwellings provided at the ground storey are encouraged to be designed in a form similar to 2 storey terrace houses, including framing fin walls to delineate individual dwellings.
		C9.	The maximum difference in height between the public and private domain at the lot boundary is 1m.
		C10.	Where the difference in height between the public and private domain at the lot boundary is greater than 1m, a detailed section is to be provided to demonstrate that an appropriate relationship is provided between ground floor dwellings and the adjacent street. Casual surveillance of the street must be achieved and the privacy of the unit maintained.
		C11.	Ground floor units must not be located below the level of the adjacent street.
		C12.	Elements forward of the main building line such as private open space and fencing must be designed to facilitate opportunities for passive casual surveillance of the adjoining public domain.
		C13.	Existing residential flat buildings with no existing balcony enclosures are not permitted to enclose any balcony. Applications for balcony enclosures may only be considered when the enclosures are:

Objective		Control	
			a. integrated with a design for the entire building; and b. improve internal amenity through environmental control.
		C14.	Large expanses of blank walls are to be avoided through the use of architectural design features, modelling and fenestration.

5.2.4.3 Setbacks

Objective		Control	
O1.	To ensure building setbacks are compatible with the envisaged streetscape character and provide a reasonable level of amenity based on the adjacent road environment.	**C1.**	Building setback to a road is compatible with: a. the predominant front setback b. the setback defined in **Chapter 7** – Location Specific Controls
O2.	To ensure an appropriate level of visual and acoustic privacy between a development and its adjoining sites as well as providing sufficient space for access, landscaping, and private open space.	**C2.**	Development setbacks to the side and rear are to be consistent with the Apartment Design Guide. Where the ADG doesn't apply: a. Minimum building setback to a side boundary: i. up to four storeys (approximately 12m): 3m between habitable rooms/balconies ii. four storeys (approximately 12m) and above: 4.5m b. Minimum building setback to a rear boundary shall be, whichever is greater: i. 6m ii. 15% of the length of the site
		C3.	Minimum building setback for an awning or verandah must comply with the following: a. to classified roads: 1.5m b. to local roads that intersect with classified roads: 1.5m for a distance of 100m from the intersection with the classified road c. to any signalised intersection: 1.5m for a distance of up to 100m from the signalised intersection
		C4.	Where land dedications are required resulting in a new lot line, all setbacks are to

Objective		Control	
			be provided from this new boundary line, including basement car parking setbacks.
		C5.	Minimum building setbacks to all lot boundaries are to be clear of intrusions, including all or part of: a. buildings b. structures c. basements d. vehicle access or parking e. infiltration systems

5.2.4.4 Landscaping and Private Open Space

Objective		Control	
O1.	To ensure new dwellings have functional and high-quality landscaping and open space.	**C1.**	New development must comply with the minimum private open space and landscaping provisions contained within **Section 3.7** (Landscaping and Biodiversity).
O2.	To ensure rooftop terraces do not result in excessive bulk and scale or adverse impacts to the visual and acoustic privacy of adjoining sites.	**C2.**	New development must comply with the landscaping, private, communal open space and deep soil criteria within the Apartment Design Guide.
		C3.	Any rooftop terrace must be oriented to minimise impacts on the visual and acoustic privacy of adjoining sites.
		C4.	Perimeters of roof tops terraces bordering side or rear boundaries must be screened to minimise potential privacy issues. The use of planters within screens is encouraged. the location of screens must not contribute to the perceived bulk of the building form.
		C5.	The trafficable area of the roof top terrace and balustrade shall be setback at least 1.5m from the building edge.
		C6.	The roof top entry point and associate roof form must not contribute to the perceived bulk of the building.

5.2.4.5 Solar Access and Overshadowing

Objective		Control	
O1.	To ensure that sunlight access: a. is provided to private open space and habitable rooms within the development; and b. is not unreasonably diminished for neighbouring properties and the development site.	**C1.**	Adjoining properties that the ADG does not apply to should receive a minimum of 2 hours direct sunlight in habitable living areas (family rooms, rumpus, lounge, and kitchen areas) and at least 50% of the primary private open space between 9am and 3pm in mid-winter.
		C2.	Council may grant consent to a development that does not comply with the 2 hours of solar access requirement. However, Council must not grant consent, unless the applicant has satisfactorily addressed the questions identified in the Land and Environment Court Sunlight Planning Principle. The Planning Principle is updated by Court decisions and is available to view on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec).

5.2.4.6 Parking, Access and Circulation

Objective		Control	
O1.	To provide access and circulation areas that are comfortable, of a high amenity and accessible for all.	**C1.**	Development must be consistent with the requirements in **Section 3.5** (Transport, Parking and Access).
O2.	To ensure that medium-density residential development is consistent with Council's provisions related to parking, access and active and sustainable transport.	**C2.**	Apartment design complies with the provisions of chapter 4F Common circulation and spaces of the Apartment Design Guide.
		C3.	All common corridors have a minimum width of 2m to enable bulky goods (white goods, furniture etc) to be easily transported through the building.
		C4.	All common corridors are to be provided with natural light and ventilation.
		C5.	The minimum dimensions of lift cars are to achieve compliance with relevant Australian Standards.
		C6.	Where provided, lifts are to be accessible from all levels of the building, including all basement levels.
		C7.	Level access to the lift from all basement levels is provided.
		C8.	Each dwelling on a level above the sixth storey has access to two lifts.

Objective		Control	
		C9.	In buildings of more than four storeys served by elevators, ensure that alternative access to another elevator is available in the event that any elevator is out-of-service due to breakdown or routine servicing.
		C10.	All applications are to include a statement on how the development will comply with the provisions of the Disability Discrimination Act and comply with Part 4.10 – Universal, Accessible and Adaptable Design.

5.2.4.7 Visual and Acoustic Privacy

Objective		Control	
O1.	To site and design development to ensure a reasonable level of acoustic and visual privacy for residents within a development and between a development and adjoining sites.	**C1.**	Habitable room windows above the ground floor, which face side or rear boundaries that adjoin a residential property, must provide: a. offsetting of the edge of one window to the edge of the other window by a sufficient distance to limit views; or b. sill heights 1.5m above the floor level of that storey; or c. opaque glazing in any part of the window below 1.5m above floor level; or d. fixed external screens with 50% transparency or less.
O2.	To ensure attics do not result in excessive bulk or adverse impacts to the visual privacy of adjoining sites.	**C2.**	Balconies, terraces and the like should be located to minimise overlooking of an adjoining property's open space or windows. Techniques such as recessing, screens or landscaping may be used to prevent direct views into habitable rooms or private open spaces.
		C3.	The form and placement of attic windows must respect the visual privacy of neighbouring properties and minimise overlooking.
		C4.	Overlooking into the internal private and external open space of adjoining neighbours must be avoided.
		C5.	Rooms with snorkel windows are discouraged.

5.2.4.8 Materials and Finishes

Objective		Control	
O1.	To create visual interest through building articulation and a variety of compatible materials, finishes and colouring.	**C1.**	The building base or key elements incorporate visually heavier materials such as brick, stone, and concrete.
O2.	To incorporate sustainable materials and technologies into development.	**C2.**	Lighter materials such as glazing, cladding and lightly coloured rendered surfaces are used to reduce perceived bulk and add relief to the façade.
O3.	To ensure development is resilient to graffiti, low maintenance and durable.	**C3.**	The colour scheme for external elevations comprises a compatible selection of lighter, softer, and more visually recessive colours. **Note:** Lighter, softer, and more visually recessive colours are those such as whites, creams, greys and browns.
O4.	Materials and finishes: a. complement the overall building composition and emphasise the scale, proportion and rhythm of elevations b. are low maintenance c. are energy efficient d. maximise the life of buildings and reduce energy costs in demolition, reconstruction and recycling	**C4.**	A Schedule of Finishes and a detailed colour scheme for the building facade will accompany all Development Applications involving building works (refer to Council's Development Application Lodgement Checklist). The Schedule of Finishes will consist of: a. samples of materials with manufacturer's details and product code b. detailed colour scheme to be shown in the form of illustrated building elevations which is cross-referenced with a colour sample chart showing manufacturer's details and product code
		C5.	A 1:20 or 1:50 detailed construction section is to be provided detailing at a minimum the materials and finishes to be used, as well as shading screens or noise attenuation measures.
		C6.	Solar panels are integrated into the design of a building.
		C7.	Materials and elements on the exterior of the building are durable, low maintenance and graffiti resistant such as combinations of concrete, brick, timber, and glass.

5.2.4.9 Entries

Objective		Control	
O1.	To ensure building entries are easily identifiable, accessible, and positively contribute to the streetscape.	**C1.**	The entry is to be designed so that it is a clearly identifiable element of the building in the street.
		C2.	Entrances must provide shelter and be well-lit and safe spaces to enter the building, meet and collect mail.
		C3.	At least one main entry with convenient universal, barrier-free access must be provided in all new developments.
		C4.	Where a ramp access is provided, it is not visually dominant from the adjoining public domain.
		C5.	Provide separate entries from the street for: a. pedestrians and cars b. residential and commercial users
		C6.	Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.
		C7.	Pedestrian entries are to be located on primary road frontages.
		C8.	Building entries providing access to more than one dwelling maximise visual connections between the private and public domain through layout and materials such as large expanses of transparent glass.
		C9.	Street numbering and mailboxes must be clearly visible from the primary street.
		C10.	Devices such as open fencing may be necessary along the front boundary to ensure visibility and security of the entry. **Note:** Entrances to dwellings are to provide shelter, and well-lit safe spaces to enter the building for residents and visitors.
		C11.	Pedestrian lifts to meet accessibility requirements are not recommended.

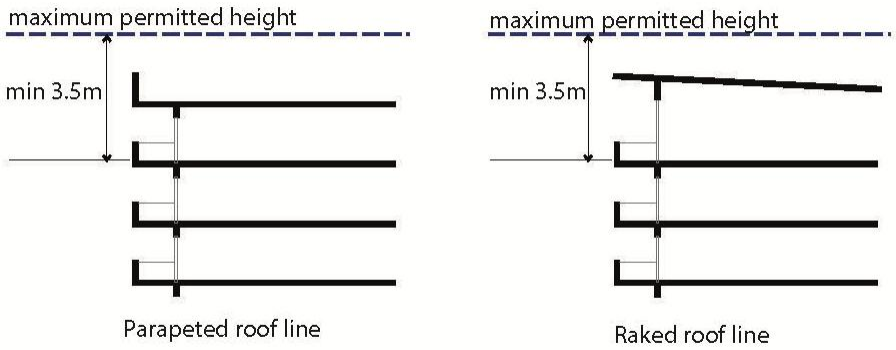


Figure 23: Example roof line types

5.2.5 Shop-top housing and mixed use

Objective		Control	
O1.	Development at ground-floor is to activate the street and provide opportunity for passive surveillance.	**C1.**	Development is to comply with Bayside LEP 2021 controls related to Active Street Frontages.
O2.	Development demonstrates that non-residential components on the ground floor will not have unacceptable impacts on the liveability, amenity, or efficiency of above-ground residential uses.		Development includes display windows with clear glazing to ground floor retail and commercial premises with a maximum window sill height of 700mm. Glazing is not to be frosted or otherwise obscured at eye level; between the heights of 0.7-2.1m.
O3.	Residential development above the ground-floor is to be of an appropriate design quality. consistent with the controls for high-density residential development in the Apartment Design Guide.	**C2.**	All ground floor lobbies are to have direct visual connection with the street, with clear sight lines.
		C3.	Development siting and design provides appropriate consideration of: a. access and parking b. pedestrian access and circulation, including any lifts or stairwells c. refuse storage and disposal d. noise and vibration e. odour, in particular from flues and other devices used to disperse emissions from food preparation facilities f. general air quality
		C4.	Residential development above the ground-floor is to comply with the controls for high-density residential development in the Apartment Design Guide and Section 5.2.4 of the DCP.
		C5.	All overhead wires (including electrical and telecommunication services) fronting the site are to be relocated underground as part

Objective		Control	
			of the development. The redundant power poles are to be removed and replaced with underground supplied street lighting columns. All works shall be carried out at the applicant's expense.
		C6.	Mixed use buildings must have appropriate floor to floor and floor to ceiling heights for ground and level 1 to maintain flexibility for future use and adaptiveness. The following floor to ceiling heights must be achieved: a. Ground floor and first floor – 3.3m b. Residential floors above 2.7m

5.2.6 Group Homes and Respite Day Care Centres

Objective		Control	
Site requirements and building setbacks			
O1.	Design of group homes is to be consistent with the proposed dwelling type characteristics (e.g. dwelling house, multi-dwelling housing) and desired future local character of the area.	**C1.**	Development for the purpose of a group home may only be carried out on a site that— a. has an area of at least 450m^2, excluding the area of the access laneway if it is a battle-axe lot, and b. has a boundary with, or lawful access to, a public road, and c. if it is not a battle-axe lot, has a boundary with a primary road of at least 12m, and d. if it is a battle-axe lot, has an access laneway of at least 3m in width, and e. has at least one area on the site that measures at least 12m by 12m, excluding the access laneway if it is a battle-axe lot.
O2.	Building setbacks and separation distances: a. are scaled to support the desired future character with appropriate massing and spaces between buildings b. assist in providing residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook c. achieve reasonable levels of external and internal visual privacy, including allowing residents within an apartment development and on adjacent properties to use their private spaces without being overlooked d. provide suitable areas for communal open spaces, deep soil zones and landscaping	**C2.**	Where the application proposes the conversion of an existing dwelling into a group home, the design of the group home must comply with the relevant provisions under **Section 5.2.1 Low-density residential (dwellings, dual occupancy, semi-detached dwellings).** This control is relevant for all different housing typologies identified in this DCP.
		C3.	Building setback to a road is compatible with: a. the predominant front setback b. the setback defined in **Chapter 7** – Specific Places

Objective		Control	
		C4.	A group home must not be erected on a lot if the size of the lot is less than the minimum lot size for the erection of a dwelling house under an environmental planning instrument applying to the lot.
		C5.	The group home and all ancillary structures must not cover more than 70% of the site area. For the purposes of calculating the site coverage in subsection (1), the area of the following is not included— a. an access ramp, b. part of an awning, blind or canopy outside the outer wall of a building, c. a balcony, deck, patio, pergola, terrace or verandah attached to the group home and not enclosed by a wall higher than 1.4m above the floor level, d. an eave, e. a driveway, f. a fence or screen, g. a pathway or paving, h. a rainwater tank attached to the group home, i. a swimming pool or spa pool.
		C6.	A group home and all ancillary structures on a site must have a setback from the side boundary of at least the following— a. in relation to a group home with a building height of up to 3.8m—0.9m, b. in relation to a group home with a building height greater than 3.8m—0.9m plus 25% of the additional building height above 3.8m.
		C7.	A group home and all ancillary structures on a site must have a setback from the rear boundary of at least the following— a. in relation to a group home or an ancillary structure with a building height of up to 3.8m—0.9m, b. in relation to a group home or an ancillary structure with a building height greater than 3.8m—3m plus an amount that is 3 times the additional building height above 3.8m, up to a maximum setback of 8m.

Objective		Control	
		C8.	The distance between buildings that are used for the purposes of group homes on a site must be at least 1.8m.
Detailed design			
O3.	Detailed design: a. positively contributes to and enhances local character and streetscape b. engages with adjoining public domain c. reduces the appearance of building bulk and scale, and provides visual interest d. provides for a high level of residential amenity e. provides for a legible built form f. improves environmental performance	**C9.**	Development is to be designed to reflect the relevant local character in Chapter 7 and reinforce the architectural features and identity which contribute to the desired future character of the area.
		C10.	A group home, other than a group home on a battle-axe lot, must have— a. a front door and a window to a habitable room in a building wall that faces, and is visible from, any primary road, and b. a window to a habitable room in a building wall that faces, and is visible from, any parallel road, and c. a window, with an area of at least 1m2, to a habitable room in a building wall that faces, and is visible from, any secondary road.
O4.	Roof design: a. is compatible with the exiting or preferred future character of the streetscape b. is incorporated as an integral part of the overall building design c. provides visual interest d. contributes to the environmental performance of the building	**C11.**	Where provided on a roof, plant rooms, lift overruns and mechanical ventilation are integrated into the building design and are not visible from the public domain public place. **Note:** It is council's policy preference that these items be located in the basement of building.
Materials and finishes			
		C12.	Solar panels are to be integrated into the design of a building.
		C13.	Materials and elements on the exterior of the building are to be durable, low maintenance and graffiti resistant such as combinations of concrete, brick, timber and glass.
		C14.	The colour scheme for external elevations is comprised of a compatible selection of lighter, softer and more visually recessive colours. **Note:** Lighter, softer and more visually recessive colours are those such as whites, creams, greys and browns.
		C15.	A Schedule of Finishes and a detailed colour scheme for the building facade will

Objective		Control	
			accompany all Development Applications involving building works (refer to Council's Development Application Guide). The Schedule of Finishes will consist of: a. samples of materials with manufacturer's details and product code b. detailed colour scheme to be shown in the form of illustrated building elevations which is cross-referenced with a colour sample chart showing manufacturer's details and product code
Building Entries			
O5.	Building entries are: a. easily legible for residents and visitors b. provide safe and secure access c. contribute positively to the streetscape and building design	**C16.**	The entry is to be designed so that it is a clearly identifiable element of the building in the street.
		C17.	At least one main entry with convenient universal, barrier-free access must be provided in all new development.
		C18.	Where a ramp access is provided, it is not visually dominant from the adjoining public domain.
		C19.	Pedestrian entries are located on primary road frontages.
		C20.	Entrances must provide shelter and be well-lit and safe spaces to enter the building, meet and collect mail.
		C21.	Street numbering and mailboxes must be clearly visible from the primary street.
		C22.	Devices such as open fencing may be necessary along the front boundary to ensure visibility and security of the entry. **Note:** Entrances to dwellings are to provide shelter, and well-lit safe spaces to enter the building for residents and visitors.
Pedestrian access and circulation			
O6.	Access and circulation provide easy, comfortable and high amenity access for all, including people with prams and people that use wheelchairs or have walking difficulties or sight, hearing or intellectual impairment.	**C23.**	All common corridors have a minimum width of 2m to enable bulky goods (white goods, furniture etc) to be easily transported through the building.
		C24.	All common corridors are to be provided with natural light and ventilation.
		C25.	The minimum dimensions of lift cars are to achieve compliance with relevant Australian Standards.

Objective		Control	
		C26.	All applications are to include a statement on how the development will comply with the provisions of the Disability Discrimination Act and comply with Part 4.10 – Universal, Accessible and Adaptable Design.
		C27.	Ramps have gradients not exceeding 1 in 14, and have an even, non-slip surface.
		C28.	In buildings of more than four storeys served by elevators, ensure that alternative access to another elevator is available in the event that any elevator is out-of-service due to breakdown or routine servicing.
Landscaped Area, Private Open Space and Car Parking			
O6.	To ensure group homes have sufficient landscaped area, private open space and car parking to meet the functional and amenity needs of the residents.	**C29.**	Minimum landscaping requirements for a group home must comply with the following: a. At least 20% of the site area on which the erection of, or alterations or additions to, a group home or an ancillary structure is carried out must be a landscaped area. b. At least 50% of the landscaped area must be located behind the building line to the primary road boundary. c. The minimum dimensions of the landscaped area must be more than 2.5m.
		C30.	A site on which a group home is erected must have more than 24m^2 of principal private open space that— a. has an area at ground level (existing) directly accessible from, and adjacent to, a habitable room, other than a bedroom, and b. is at least 4m wide, and c. has a gradient no steeper than 1:50.
		C31.	Car parking requirements for group homes: a. At least 2 off-street car parking spaces must be provided on the site on which a group home is erected. b. At least 2 off-street car parking spaces must be retained on a site on which alterations or additions to an existing off-street car parking space are carried out. c. A car parking space under this section may be an open hard stand space or a carport or garage, whether attached or detached from the group home.

Objective		Control	
			d. The design of any garage, car port or hardstand must meet the requirements of **Section 5.2.1 Parking and Access** requirements.

5.2.7 Boarding houses and co-living (including student accommodation)

Development for boarding houses and co-living are also be subject to State Environmental Planning Policy (Housing) 2021 (the Housing SEPP). Where any inconsistency occurs between the SEPP and the DCP, the SEPP provisions prevail.

Note: under the Housing SEPP, student accommodation is treated as a subset of 'co-living'.

5.2.7.1 General

Objective		Control	
O1.	To ensure boarding houses and co-living premises have convenient walking access to public transport.	**C1.**	Within the R2 Low Density Residential area, boarding houses are only located within either: a. 400m of a bus stop b. 400m of a light rail station c. 800m of a railway station or ferry terminal **Note:** Refer to the definition of "accessible area" in State Environmental Planning Policy (Housing) 2021.
O2.	Development: a. promotes the efficient use of land b. encourages the amalgamation of land parcels into larger development sites for high density developments c. ensures that lot sizes and dimensions are able to accommodate development consistent with the relevant development controls d. ensures surrounding sites can be economically developed	**C2.**	A minimum lot width of 24 metres to any street frontage is required for Class 3 boarding house developments and co-living developments.
O3.	To provide an acceptable level of internal amenity for residents.	**C3.**	Resident numbers should not exceed: a. 1 lodger per room with a GFA less than 16m² b. 2 lodgers per room with a GFA greater than 16m² **Note:** GFA for this control excludes any area used for a private bathroom, kitchen or circulation.
O4.	To ensure the intended use of a boarding house is not compromised.	**C4.**	Strata subdivision or community title subdivision is not permitted.
O5.	To ensure boarding houses are compatible with the envisaged character of the local area.	**C5.**	Development must ensure that the proposed FSR, height, setbacks, detailed design and other elements are compatible with predominant scale of development in the local area.
O6.	To site and design on-site shared areas to ensure an acceptable level of visual and acoustic privacy for residents and residents of adjoining sites.		

Objective		Control	
O7.	To ensure habitable areas provide an acceptable level of amenity and provide residents with comfortable living conditions.	**C6.**	Communal open space is located away from habitable rooms of dwellings on adjoining properties.
		C7.	Private open space and balconies incorporate screening devices to avoid direct overlooking into habitable rooms of dwellings on adjoining properties.
O8.	To mitigate impacts from development that relate to traffic, noise, organised events, use of on-site open space areas and other matters which relate to the surrounding areas existing amenity.	**C8.**	Communal areas and bedroom windows are to be located away from the main living area or bedroom windows of any adjacent buildings.
		C9.	Screen fencing, plantings, and acoustic barriers are to be incorporated in appropriate locations.
		C10.	The main entry point of the boarding house is located at the front of the site away from side boundary areas near adjoining properties.
		C11.	Sources of noise, such as kitchens, communal rooms and parking areas must be sited and designed to minimise the noise impact on adjoining properties.
		C12.	Where required Development Applications for boarding houses and co-living are to be accompanied by a noise assessment prepared by a qualified acoustic consultant, addressing the requirements of the SEPP (Transport and Infrastructure) 2021 and **Section 3.14 –** Noise and Vibration.
		C13.	Bedrooms are to be located so that they are separate from significant noise sources. Bedrooms are to incorporate adequate sound insulation to provide reasonable amenity between bedrooms and external noise sources.
		C14.	Double glazed windows are to be incorporated where noise transmission affects neighbouring buildings.
		C15.	Each bedroom must have access to natural light and ventilation, from a window or door with a minimum aggregate area of 10% of the floor area of the room. **Note**: Skylights and highlights are not to be the sole source of natural light.
		C16.	The minimum ceiling height of all habitable rooms is 2.7m.
		C17.	Triple bunks are not permitted.

Objective		Control	
		C18.	Ceiling fans are to be provided in all rooms.
		C19.	A Development Application for a boarding house or co-living is to be supported by a written Plan of Management (POM) that describes how the ongoing operation of the boarding house/co-living development will be managed to reduce its impact upon the amenity of surrounding properties.
		C20.	A Development Application for a boarding house, which has a capacity of greater than 19 residents is to be supported by a Social Impact Statement (SIS). A SIS must be undertaken by an appropriately trained and qualified person using rigorous social science methodologies with a high degree of public involvement.

5.2.7.2 Solar Access and Overshadowing

Objective		Control	
O1.	Development provides adequate solar access to: a. habitable rooms within the development and in adjoining developments b. private open space within the development c. private open space of adjoining dwellings d. solar collectors of adjoining development e. public open space.	**C1.**	Development is to be designed and sited to provide a minimum of 3 hours sunlight between the hours of 9.00am and 3.00pm on 21 June to: a. 70% of habitable rooms within the development b. all habitable rooms in adjoining residential developments c. private open space within the development d. private open space of adjoining dwellings.
		C2.	Where the level of solar access to adjoining properties is already below the requirement above, the solar access will not be further reduced.
		C3.	Developments are to be designed to enhance solar access by incorporating the following principles: a. living areas of dwellings such as kitchens and family rooms are to be located on the northern side of dwellings and service areas such as laundries and bathrooms to the south or west b. buildings will be sited to reduce overshadowing on adjoining properties by increasing setbacks, staggering of design, variations in

Objective		Control	
			roof form and/or reducing building bulk and height c. building setbacks may need to be increased to maximise solar access and to minimise overshadowing from adjoining buildings d. building heights may also need to be stepped to maximise solar access e. landscaping is to provide shade in summer without reducing solar access in winter f. all rooms are to contain an external window to provide direct light and ventilation. Exceptions may be considered for non-habitable rooms where this cannot be achieved practically, and mechanical ventilation can be provided g. building elements such as operable louvers and screens, pergolas, blinds etc are to be used to modify environmental conditions where required, such as maximising solar access in winter and provide shading in summer h. higher window heads enhance sunlight penetration into dwellings.

5.2.7.3 Management

Objective		Control	
O1.	To ensure boarding houses provide suitable facilities and accommodation for on-site management.	**C1.**	Development shall provide boarding rooms or on-site dwellings, to accommodate boarding house managers, based on the following rates of provision: a. 20 – 39 lodgers require 1 boarding room or on-site dwelling b. 40 – 79 lodgers require 2 boarding room or on-site dwelling c. 80 lodgers require 3 boarding rooms or on-site dwellings
		C2.	Boarding rooms or on-site dwellings, provided for management, shall achieve a minimum area of 16m².
		C3.	Boarding rooms or on-site dwellings, provided for management, shall include private open space which achieves a

Objective		Control	
			minimum area of 8m² and a minimum dimension of 2.5m.

5.2.7.4 Function, efficiency, and safety

Objective		Control	
O1.	To ensure development is functional, efficient, and safe.	**C1.**	Communal spaces, including laundry, bathroom, kitchen and living areas are to be located in safe and accessible locations.
O2.	To provide facilities for residents that cater for day-to-day needs.	**C2.**	Habitable living areas (such as lounge room, kitchen, dining and bedroom) are to be located to allow general observation of the street and communal open space.
		C3.	Building entry points and internal entries to living areas are to be clearly visible from common spaces.
		C4.	The communal indoor living area has a transparent internal door to enable natural surveillance for resident circulation.
		C5.	A boarding/co-living room is encouraged to have the following facilities; however, is not required to by State Environmental Planning Policy (Housing) 2021: a. ensuite (which may comprise a hand basin, toilet and shower) b. laundry (which may comprise a wash tub and washing machine) c. kitchenette (which may comprise a small fridge, cupboards and shelves and microwave)
		C6.	30% of all bedrooms are recommended to have access to private open space with a minimum area of 4m² in the form of a balcony or terrace area.
		C7.	The following communal facilities are to be provided: a. living area b. kitchen c. dining d. outdoor open space e. bathrooms f. laundry (where clothes washing facilities not provided in individual rooms) g. outdoor clothes drying area

Objective		Control	
		C8.	The communal indoor living area can include a dining area but cannot include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like.
		C9.	The communal indoor living area shall have: a. whichever is greater - a minimum area of 20m² or 1.25m² per resident; and b. a minimum width of 3m
		C10.	The communal indoor living area shall be located: a. near commonly used spaces, such as kitchen, laundry, lobby entry area or manager's office b. adjacent to communal open space c. to receive a minimum 3 hours solar access to at least 50% of the windows during 9am and 3pm in June d. on each level of a multi-storey boarding house, where appropriate e. where they will have minimal impact on bedrooms and adjoining properties
		C11.	Communal outdoor open space shall be located and designed to: a. receive a minimum 2 hours of solar access to at least 50% of the area during 9am and 3pm on 21 June b. be provided at ground level in a courtyard or terrace area c. provide weather protection d. incorporate 50% soft landscaping of the area e. be connected to communal indoor spaces, such as kitchen or living areas f. contain communal facilities such as a toilet, outdoor drying, barbecues, seating, and pergolas where appropriate g. be screened from adjoining properties and the public domain
		C12.	Communal bathroom facilities are provided and are to have: a. accessibility for all residents 24 hours per day, 7 days per week

Objective		Control	
			b. a minimum of one 1 wash basin with hot and cold water c. a minimum of 1 toilet for every 7 residents or part thereof for each occupant of a room that does not contain an ensuite
		C13.	Communal laundry facilities are provided and are to have: a. a minimum of 1 x 5kg capacity automatic washing machine and one domestic dryer for every 12 residents or part thereof b. a minimum of 1 large laundry tub with hot and cold running water **Note:** These facilities are not required if individual washers and driers are provided.
		C14.	Communal outdoor clothes drying facilities are provided and are located to: a. not be visible from the public domain b. have appropriate levels of solar access c. not comprise the usability of space for its intended function

Non-residential Development



6 Non-residential Development

6.1 All non-residential

6.1.1 General Controls

Objective		Control	
General Provisions			
O1.	To provide guidelines for non-residential development throughout the LGA.	**C1.**	A street number for the property is to be clearly identifiable from the street.
		C2.	Air conditioners must not be installed on street awnings or the front façade of buildings.
		C3.	Maintain limited advertisements and business signage to minimise visual impact.
		C4.	Restrict signage to the awning fascia, under the awning, or behind the show window at street level.
		C5.	Buildings must address the street and their entries must be readily apparent from the street.
		C6.	Awnings must be provided above the footpath continuously and at the same height to provide weather protection for pedestrians.
		C7.	No less than 10% of the development site shall be landscaped on all non-residential development sites. On sites over 2,000sqm, the front landscaped setbacks are additional to the 10% requirement. The majority of landscaping shall front the street's to which the development has a frontage and include side and rear landscaped areas. **Note:** 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) and advertising structures (including pole signs). This quantity of landscaping may be used in calculating 10% landscaped area on sites with an area below 2,000m².
		C8.	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,

Objective		Control	
			driveways and parking areas (refer to **Part 3.8 - Tree Management**).
		C9.	Canopy trees strongly influence the impacts of a development on the streetscape. They should be planted liberally throughout developments 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.

6.1.2 Fences

Objective		Control	
General Provisions			
O1.	To provide guidelines for fencing of developments.	**C1.**	Sandstone fences and walls that are determined by Council to be significant and/or to represent important character elements for a locality are to be retained and if necessary repaired. Any modifications to existing stone fencing and walling are to utilise the same materials and construction technique.
		C2.	New fences and walls are to be constructed of robust and durable materials which reduce the possibility of graffiti.
		C3.	Fences should not be constructed in floodways. Where this is unavoidable fences are to be of open construction that will not restrict the flow of floodwaters.
		C4.	Gates must not encroach over the street alignment when opening or closing.
		C5.	Sheet metal fencing is not permitted forward of the building line.
Employment Zones			
O2.	To ensure fences complement and conserve the visual character of the street and neighbourhood.	**C6.**	Fences are to be located behind the street frontage landscaped area or incorporated within the landscaped 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

Objective		Control	
			preferable. Maximum height forward of the building line is 1.8 metres on street frontages.
		C7.	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.
		C8.	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.
		C9.	Council may require that any fencing be replaced in any development if it is in a dilapidated condition.
		C10.	Masonry retaining walls along the frontage are restricted to 600mm in height.
		C11.	Solid metal panel fences of any height are not permitted along the street frontage or in front of the building alignment.
		C12.	Access gates shall be hung so that the direction of swing is inward.
		C13.	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.

6.2 Retail Premises

6.2.1 Outdoor Dining

This Part guides applicants seeking approval to utilise footpath areas outside their café or restaurant for footpath seating, as well as developments that include outdoor courtyards.

Subject to the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the use of a footway or public open space for outdoor dining associated with a lawful food and drink premises is exempt development in many cases. In other cases, a permit from Council is required for either development consent and/or Roads Act.

This section outlines the information needed to be provided to Council where an approval or permit may be required for outdoor dining.

Objective		Control	
General			
O1.	To ensure outdoor dining areas are ancillary to a food and drink premises or a shop.	**C1.**	Outdoor dining areas will only be permitted in conjunction with a new or an existing food and drink premises or shop for which consent has been granted.
		C2.	Outdoor dining areas must be located directly adjacent to the associated food and drink premises or shop.
		C3.	Outdoor dining areas do not extend in front of neighbouring properties.
Plan of Management			
O2.	To ensure the continued appropriate operation of the outdoor dining area.	**C4.**	A Plan of Management is to be submitted with a development application for an outdoor dining area that demonstrates how the provisions of this sub-topic are to be satisfied during the operation of the use.
Location			
O3.	To maintain the primary role of footpaths as providing for the convenient, comfortable, legible and safe movement of pedestrians.	**C5.**	Outdoor dining areas maintain an unobstructed pedestrian walkway having a minimum width of 2.0m width. ***Note:*** *This walkway may be provided adjacent to the building or to the kerb.*
O4.	To ensure outdoor dining areas are consistent with the existing streetscape character.	**C6.**	Outdoor dining areas are consistent with the prevailing existing layout of the street, including consideration of adjacent footpath trading activities, public utilities, landscaped areas and open spaces.
O5.	To ensure the safety and comfort of outdoor dining area patrons.	**C7.**	Outdoor dining areas are to be located as far away as practicable from arterial roads or roads with fast moving traffic in order to ensure amenity and safety.
Clearance			
O6.	To ensure outdoor dining areas do not interfere with access to infrastructure.	**O8.**	Outdoor dining areas do not interfere with access to public transport.
O7.	To ensure outdoor dining areas do not interfere with access to road functions.	**C9.**	The minimum distance from an outdoor dining area to the following infrastructure is 1.2m: a. Bicycle hoops, bus shelter, parking meter, payphone, public bin, tree or tree plot, communication pole, fire equipment store, fire exit doors, fire hydrants, hose reel cupboards, substations
		C10.	The minimum distance from an outdoor dining area to the following infrastructure is 0.5m: a. Bollards, poles and other similar objects

Objective		Control	
		C11.	The minimum distance from a kerb is as follows: a. Standard parking conditions: 0.8m b. Loading zones: 0.9m c. No stopping areas: 1.0m d. Disabled parking: 1.5m e. Bus stops: 1.5m **Note:** Council reserves the right to vary clearances depending on pedestrian and vehicular movement, the width of existing footpaths and concerns from other users.
Layout			
O8.	The number of chairs and tables, capacity and layout is appropriate to the areas and dimensions of the outdoor dining area.	**C12.**	Outdoor dining area enable patrons and staff room to move between furniture comfortably.
		C13.	All furniture and equipment must be located within the approved area at all times, as shown on the furniture layout plan submitted with the Development Application.
		C14.	The maximum diameter of a table irrespective of shape is 0.7m.
		C15.	The maximum length and width of a single table and chairs is as follows: a. 2 chairs: 1m x 2m x 1m b. 3 chairs: 1.5m x 2m c. 4 chairs: 2m x 2m
Accessibility			
O9.	To ensure the safety of patrons and other premises.	**C16.**	Outdoor dining areas must not compromise patrons and emergency personnel.
O10.	To maintain the quality of existing paving.	**C17.**	The pavement must be capable of supporting outdoor dining in terms of not being damaged.
Sightlines			
O12.	To ensure a clear connection between the outdoor dining area and the premises.	**C18.**	Clear sight lines are provided between the inside of the premises to the outdoor dining area.
O13.	To ensure the safety of pedestrians and drivers.	**C19.**	Outdoor dining areas do not obstruct sight lines of pedestrians and drivers.
Hours of Operation			
O14.	To ensure the outdoor dining area does not cause unreasonable adverse amenity impacts on the surrounding area.	**C20.**	The hours of operation for the outdoor dining area must not exceed the approved hours of the associated food and drink premises. **Note:** Trading hours for outdoor dining area may be restricted if it is located within a predominantly residential context.

Objective		Control	
Facilities			
O15.	To ensure adequate facilities for patrons.	**C21.**	Sufficient toilet facilities and car parking to cater for the number of customers and staff in accordance with this DCP are to be provided.
Durability and Maintenance			
O16.	To ensure the outdoor dining area presents as clean and tidy.	**C22.**	Outdoor dining materials are durable and low maintenance.
Outdoor Dining Signage			
O17.	Signage maintains the safety of pedestrians and other road users.	**C23.**	Any signage, fixed or temporary, is to be located outside of the unencumbered 2m pedestrian zone.
		C24.	Freestanding A-frame style advertisements or 'menu boards' are not permitted.
Noise			
O18.	To ensure the outdoor dining area does not cause unreasonable adverse amenity impacts on the surrounding area by way of noise or lighting.	**C25.**	The Plan of Management is to demonstrate appropriate measures to be taken to minimise noise to adjacent premises.
		C26.	Speakers (located within a food and drink premises) should not be located outside of the premises and must not be positioned toward the street frontage to direct the playing of music towards the outdoor dining areas.
		C27.	Sufficient lighting is to be provided to ensure the safety and comfort of the patrons and pedestrians and must not adversely impact adjoining premises.
Heating Devices			
O19.	Heating devices are to ensure the highest level of safety for patrons and other users of the footpath.	**C28.**	If heating devices are proposed, details of the type, location and design must be submitted as part of the development application.
		C29.	Heating devices are to be located wholly within the proposed outdoor dining area, must comply with relevant authority requirements, and be used in accordance with the manufacturer's instructions (i.e. clearance from other combustible objects).
		C30.	Portable gas heaters are only permitted for well ventilated outdoor dining area.
General Furniture Requirements			
O20.	Furniture is to be safe, durable and make a positive contribution to the character and amenity of the streetscape.	**C31.**	All furniture and equipment must be easily stored within the premises and must not be permanently installed in the outdoor dining area. In the event of an emergency, all furniture and equipment must be easily cleared within 1 hour.

Objective		Control	
		C32.	All furniture and equipment must be stable and properly secured to prevent falling over when knocked by a pedestrian or strong wind.
		C33.	All furniture and equipment are to be strong, durable, waterproof, and weather resistant.
		C34.	Outdoor furniture is to make a positive contribution to the existing character and streetscape and is subject to the approval of the Council.
Umbrella and Shade Structures			
O21.	Umbrellas and shade structures are safe and do not result in visual clutter.	**C35.**	Existing awnings are utilised for weather protection. **Note:** Council may consider the use of removable umbrellas and retractable blinds.
		C36.	All umbrellas and shade structures must be located wholly within the proposed outdoor dining area and must be of the same type and colour.
		C37.	Umbrellas and shade structures must be adequately secured for the locations wind conditions, including consideration of the impact of buildings funnelling wind.
Screens and Barriers			
O22.	Screens and barriers are safe and do not result in visual clutter.	**C38.**	Screens or barriers will be considered on a case by case basis, subject to suitability of location in terms of safety and character, and traffic conditions.
		C39.	Bollards are required if an outdoor dining area is on a Classified Road, or other high-traffic volume road, where no vehicular parking is available adjacent to the outdoor dining area and must comply with AS 3845.
		C40.	Complete enclosure of an outdoor dining area is not permitted.
Planter Boxes			
O23.	Planter boxes make a positive contribution to the visual quality of the streetscape.	**C41.**	Non-permanent planter boxes must be removed at end of trading hours and stored within the premises.
		C42.	Permanent planter boxes are only permitted on a kerbside location, in accordance with Council's local centre public domain plans.
		C43.	Plants are to be properly maintained by the permit holder, make a positive contribution to the character of the streetscape, and must not obscure the vision of vehicle drivers.

6.2.2 Specialised Retail Premises (Bulky Goods)

Objective		Control	
O1.	To ensure specialised retail development positively contributes towards the streetscape.	**C1.**	Cafes and fast-food restaurants are only permissible in bulky goods tenancies with a sales area accessible to the public larger than 2,000m^2.
O2.	To establish the requirements for specialised retail premises.	**C2.**	The maximum size of a café or fast-food restaurant is 150m^2.
		C3.	Bulky goods retail developments are to be designed to: a. address and activate street frontages with large display windows; b. define and enhance the public domain and introduce setbacks consistent with surrounding development; c. be in scale with surrounding buildings; d. incorporate detail and architectural interest particularly at visually prominent building locations such as lower level front facades, roof tops and at the termination of street vistas; e. avoid ambiguously designed external spaces with poor pedestrian amenity and security; f. provide a clearly identifiable and dedicated pedestrian access to the building and across the site from the primary street frontage; g. create a visually interesting place for pedestrians, and where possible, connect the site and building to pedestrian and bike networks; and h. provide active uses that address the street and can be seen from the public domain.
		C4.	Provide high ceilings and adaptable open planning for the ground and first floors to cater for different future uses of the building.
		C5.	Depending on the surrounding context, buildings are to be sited close to the street alignment, and designed so that key operational spaces are legible from the street.
		C6.	Signage is not to cover windows or detract from the architectural quality of the building.

Objective		Control	
		C7.	Pick-up areas are to be provided to avoid the necessity for customers to carry large items to vehicles.
		C8.	Development is to provide sufficient manoeuvring areas on site to accommodate large truck and bus movements, frequency of servicing, and high turnover of customer vehicles.

6.2.3 Convenience Stores

Objective		Control	
O1.	To minimise the potential for adverse amenity that may be caused by convenience stores on the streetscape and surrounding properties.	**C1.**	Prevent adverse impacts on the streetscape and local amenity from excessive advertising signage. Limit each store to: a. one under awning sign or one horizontal projecting wall sign; b. one non-illuminated awning fascia sign with a maximum length of 3m and a height of no greater than the awning fascia; and c. one window or flush mounted wall sign with a maximum area of 1sqm and designed to fit within the architectural style of the shop front.
		C2.	Signage may be further restricted where the store is on a heritage item or within a heritage conservation area.
		C3.	Convenience store design must not: a. present the exterior of the shop as an advertising panel (in terms of corporate paint schemes and logos) b. include signage, banners, or corporate paint schemes above awning level c. include decals, opaque films, and stickers attached to shopfronts and windows.
		C4.	Shopfront windows must be clear of all obstructions to enable viewing into the shop from the public domain.
		C5.	Illumination that impacts on the streetscape and local amenity and is considered excessive for the reasonable and necessary carrying out of the business will not be permitted.

6.2.4 Vehicle Sales and Hire Premises

Objective		Control	
Vehicle Sales and Hire Premises - General			
O1.	To ensure Vehicle Sales and Hire Premises: a. promote high quality design, appearance, and function in Bayside LGA b. are compatible with the desired built form and environment in Bayside LGA c. does not adversely impact the amenity of adjoining land, in particular where zoned or used for residential uses d. ensure that use of land for vehicle sales or hire premises does not impair traffic flow or road safety	**C1.**	All parking and storing of vehicles (both for customer and rental vehicles) is to be provided on site wholly and the design of the vehicle parking and storing area must comply with AS2890.1 and/or AS2890.2.
		C2.	A Traffic and Parking Impact Assessment Report is required for vehicle sales and rental premises applications and must include the following: a. full details of the proposed operation (including maximum number of vehicles to be stored on-site and frequency of movements) b. proposed vehicular access, off-street parking/vehicle storing area, pick up/drop off zone, movements, and manoeuvrability of all vehicles c. truck routes to and from the site (for the transport of vehicles) d. details of any potential impacts on traffic and the road network system (including intersection performance analysis)
		C3.	An acoustic assessment is required to accompany all applications.
		C4.	Where possible cars are to be displayed internally, allowing for built form to be developed along the perimeter building line.
		C5.	All driveways, circulation roadways, parking and vehicle storage areas are to be sealed.
		C6.	The number of cars for sale or hire must not exceed 1 for each 30m² of the site area.
		C7.	No spray painting or panel beating at a vehicle sales and vehicle hire premises is to be carried out on site.
		C8.	The first two levels of a new vehicle sales & hire premises are to have ceilings of at least 2.7m in height and adaptable open plan design.
		C9.	A Plan of Management (POM) is required to be submitted. The Plan of Management (POM) is a written report which describes how the ongoing operation of vehicle sales and hire premises will be managed to reduce its impact upon the amenity of surrounding properties.

Objective		Control	
			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: a. Title; b. Objectives; c. Operational details; d. Hours of operation; e. Staffing details; f. Guidelines for staff for using the site facilities and equipment; g. Deliveries and loading/unloading of vehicles; h. Managing customers; i. Security details; j. Trade Waste discharge; k. Complaint recording and handling process; l. The review process to continuously improve the POM.
		C10.	A landscape buffer at least 3 metres wide must be provided on the site along the common boundary.
		C11.	Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
		C12.	External lights must be directed away from any nearby residential zone or use to prevent light spill or glare.
Waste Management			
O2.	To ensure there are appropriate on-site waste management procedures to collect and recover waste materials.	**C13.**	Vehicle Sales and Hire Premises are to comply with Bayside Council's Waste Management DCP Technical Specification 2019.

6.2.5 Showrooms

Objective		Control	
O1.	To ensure that showroom design contributes positively to streetscape and public domain outcomes for the Bayside LGA.	**C1.**	Design and locate showrooms to: a. be close to the street alignment; b. relate appropriately to the street and surrounding buildings;

Objective		Control	
			c. have continuous uniform setbacks with surrounding development; d. incorporate detail and architectural interest; e. avoid ambiguous external spaces with poor pedestrian amenity and security; and f. enhance public open space and public streets.
		C2.	The storage of any vehicles on site must be behind the front building line for car showrooms.
		C3.	Showrooms are to have a minimum floor to ceiling height of 4.0m and preferably higher. Along the Princes Highway, the minimum floor-to-ceiling height is to be 7m.
		C4.	Buildings are to be designed with a strong relationship to the street through glazing. Extensive blank walls are to be avoided.
		C5.	Roof space is not to be used for car parking or external retail space.
		C6.	Signage must be integrated into the overall façade design and not detract from the overall integrity of the development.
		C7.	Sun shading is to be provided appropriate to orientation for glazed portions of the facade.
		C8.	Car parking should preferably be located: • At the rear of the building away from the street frontage. • Behind the front building line. • Within a basement car parking structure.
		C9.	Any parking located within the front setback area must be suitably landscaped to add positively to the streetscape and not detract from the building's relationship with the street.
		C10.	Where a building is set back, a landscaped strip (min width 1.2m) is to be provided along front property boundary. The landscaped strip must not obscure buildings or obstruct the opportunities for passive surveillance of the buildings from the street and vice versa. The preferred planting will be ground covers and low bushes with

Objective		Control	
			larger canopy trees which allow clear sight lines at eye level.

6.2.6 Uses Involving the Preparation and Storage of Food

Objective		Control	
O1.	To ensure that uses involving the preparation and storage of food comply with the relevant standards.	**C1.**	The construction, use and operation of the premises shall comply with the provisions of the Standard 3.2.3 of the Australian New Zealand Food Standards Code, Food Act 2003 and Food Regulation 2010.
		C2.	An application shall be made to Council for registration of the food premises prior to the issuing of the occupation certificate. These forms are available from Council.
		C3.	Design of mechanical exhaust ventilation systems shall comply with the requirements of AS1668 and details are to be submitted at the Construction Certificate stage.
		C4.	A Trade Waste Agreement shall be obtained from Sydney Water in relation to the process of waste water. A copy of the Agreement is to be provided to Council prior to the issue of the Construction Certificate.
		C5.	An employee within the organisation must have completed the Food Safety Supervisor course.
		C6.	Uses 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.
		C7.	The use of shipping containers for the purposes of food storage is prohibited, unless it can be clearly demonstrated that the relevant Food Safety Guidelines are adhered to for appropriate and safe food storage and handling as required by the NSW Food Authority Guidelines and Standards.

6.3 Business and Office Premises

6.3.1 General Premises

Objective		Control	
O1.	To ensure development: a. has a layout, scale and design that is appropriate to the preferred character of the area b. provides a high quality of design c. minimises the impact of standalone office & business buildings on the surrounding area d. provides visual relief and shade to the large amounts of ground and building surfacing e. creates a pleasant "human" environment within and external to the site.	**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.
		C2.	There is to be a balance between the solid walls and openings and between horizontal and vertical planes.
		C3.	A Schedule of Finishes is required for new buildings and any additions to existing buildings, such as additional floors.
		C4.	Buildings are to have a clearly delineated entranceway to address the main frontage.
		C5.	Buildings on corner allotments shall include an accentuated form to the corner.
		C6.	Minor modulation in the height of buildings is required to reduce visual bulk and scale.
		C7.	New buildings must consider and respond to the predominant and characteristic height of buildings within the Centre; and consider the topography and shape of the site.
		C8.	The maximum number of storeys must not exceed the maximum number of storeys identified for specific centres in **Chapter 7 Specific Places**, if applicable.
		C9.	Buildings must have a consistent street wall height and provide a continuous street frontage and awning height along the street frontage where appropriate.
		C10.	Blank walls are to be avoided adjoining principal streets and the public domain. If they are unavoidable amelioration measures such as artwork or landscaping is required to enhance the visual amenity and reduce vandalism.

6.3.2 Building Setbacks

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td>O1.</td><td>To ensure development:
a. minimises the impact on the surrounding area
b. creates a pleasant environment within and external to the site
c. achieves suitable setbacks to Alexandra Canal and the Mill Pond</td><td>C1.

C2.</td><td>Not less than 10% of the development site shall be landscaped. On sites over 2,000m² the front landscaped setbacks are additional to the 10% requirement. The majority of landscaping shall front the street/s to which the development fronts and include side and rear landscaped areas.

Street setbacks are to be in accordance with the following table, unless precinct-specific controls are outlined in Chapter 7 Specific Places or otherwise where a consistent and desirable streetscape for commercial development already exists:

<table>
<tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr>
<tr><td>Front - Primary and Secondary Streets</td><td>3 metres</td><td>4 metres</td></tr>
<tr><td>Front (secondary street) – to a non-classified road</td><td>4 metres</td><td>9 metres</td></tr>
<tr><td>Side and Rear – To Podium</td><td>3 metres</td><td>4 metres</td></tr>
<tr><td>Side and Rear – To Tower above Podium</td><td>-</td><td>6 metres</td></tr>
</table>
Table 14: Street Setbacks

Note: 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). This quantity of landscaping may be used in calculating 10% landscaped area on site with an area below 2,000m².

Note: Awnings and verandas along classified roads should be set back a minimum of 1.5m from the kerb. Awnings and verandas along</td></tr>
</table>

Objective		Control	
			local roads that intersect with classified roads should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the intersection with the classified road. At any signalised intersections (on local roads or classified roads), awnings and verandas should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the signalised intersection.
		C3.	The following setbacks apply to commercial development along the Princes Highway specifically ("Highway Commercial"): • On primary frontages to the Princes Highway continuous uniform street setbacks are to be followed where evident. • Buildings must be at least 4.5m from the side boundary where adjoining any residential development. If adjoining business development, zero side setbacks are permissible. • Buildings must be at least 6m from the rear boundary where adjoining any residential zoned land.
		C4.	Where a site adjoins residential development appropriate rear or side setbacks must be provided to ensure that potential impacts on adjoining or surrounding residential properties are minimised in terms of loss of privacy, sunlight and daylight access and visual amenity. The appropriate setback will be determined at development application stage, subject to a detailed Site Analysis.
		C5.	Setbacks on corner blocks must enable sufficient sightlines for traffic in accordance with the relevant Australian Standard (AS2890.1).
		C6.	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).

6.3.3 Public Domain

Objective		Control	
O1.	To ensure the public domain is upgraded as part of redevelopment and contributes positively to the streetscape.	**C1.**	All overhead wires (including electrical and telecommunication services) fronting the site are to be relocated underground as part of the development. The redundant power poles are to be removed and replaced with underground supplied street lighting columns. All works shall be carried out at the applicant's expense.

6.4 Industrial premises

Objective		Control	
General			
O1.	To encourage efficient design, operation, and function of industrial land uses and need for a compatible and workable relationship between industrial/ business and non-industrial/ business uses.	**C1.**	Industrial development is to comply with the following: a. site operations and equipment associated with a development are to be contained wholly within the site b. building design and site layout shall allow for an efficient and safe system for manoeuvring, loading and unloading, and parking of vehicles within the site
O2.	To improve the built form and public domain amenity for workers, and customers responding to the increasing diversity of businesses located in the industrial and business areas of Bayside.	**C2.**	Where an industrial unit complex consists of more than 10 units, 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.
		C3.	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.
		C4.	Local road networks within the LGA are not to be adversely affected as a result of the operations of an industrial or business use.
		C5.	Buildings are to provide basic amenities for workers and visitors including a designated staff room or area that is: a. adequately furnished for staff b. provided with attached kitchen/kitchenette with a fridge, microwave, sink and tea/coffee making facilities

Objective		Control	
		C6.	For sites in excess of 1,000m², an outdoor staff recreation area is to be provided with the following configurations: a. a minimum of 16m², with a minimum dimension of 3 metres; b. ideally located in either: i. the front building setback ii. in an upper floor balcony iii. in an enclosed courtyard iv. in any other landscaped setting on the site c. designed to include a table and chairs d. designed to allow at least 6m², to receive direct sunlight for the four hours between 10AM and 2PM during mid-winter; and e. provide shading in summer.
		C7.	If an outdoor staff recreation area is provided within the landscaped area at the front of the site, then the landscaped setback required in Part 4.3.5 of this DCP should be increased by an additional 1m.
		C8.	Lighting is to be provided at all building entry and exit points to ensure safe access. External lighting to an industrial development must consider the impact of glare on the amenity of adjoining residents.
Site Planning and Setbacks			
O3.	To ensure the site layout and setbacks minimise adverse impacts, including noise, air quality and odour impacts, on surrounding area and land uses and contribute to a pleasant environment and streetscape.	**C9.**	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.
		C10.	The street setback of an industrial building must respond to the desired street setback and the future character statement of the street. Where the setback of adjoining buildings is inconsistent, the building should be consistent with the dominant setback found along the street.
O4.	Provide legible wayfinding within the site.	**C11.**	For sites with a road frontage to residential areas: a. buildings are to address the street, with restricted access points; and b. warehouse/factory functions as well as car parking, manoeuvring areas, loading and unloading facilities are to be located away from the residential areas.

Objective

Control

C12. Industrial development is to avoid locating loading and unloading facilities and the majority of car parking along the main frontage.

C13. Not less than 10% of the development site shall be landscaped. On sites over 2,000m² the front landscaped setbacks are additional to the 10% requirement. The majority of landscaping shall front the street/s to which the development fronts and include side and rear landscaped areas.

C14. Setbacks are to be in accordance with the following table:

Boundary	Landscape Setback	Building Setback
Front – to a non-classified road (Refer to Notes)	3 metres	9 metres (Refer to Notes)
Front – to a classified road (Refer to Notes)	4 metres	9 metres (Refer to Notes)
Side – adjoining a non-residential use/zone including lanes	2 metres	2 metres (Refer to Notes)
Side – adjoining a residential use/zone or in the Council's opinion the building impacts on the streetscape	3 metres	3 metres (Refer to Notes)
Rear – (Refer to Notes)	Nil to 3 metres	Nil to 3 metres

Table 15: Boundary Setbacks

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

***Note**: Building setback relates to new building works. Underground parking is to be situated*

Objective		Control	
			underneath the building footprint. The building setback is inclusive of the landscape setback required within the above Table. ***Note**: 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). This quantity of landscaping may be used in calculating 10% landscaped area on site with an area below 2,000m².* ***Note**: Awnings and verandas along classified roads should be set back a minimum of 1.5m from the kerb. Awnings and verandas along local roads that intersect with classified roads should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the intersection with the classified road. At any signalised intersections (on local roads or classified roads), awnings and verandas should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the signalised intersection.*
		C15.	Development on a corner-lot site is to provide: a. a minimum 9m building setback to the main street/road b. a minimum 3m building setback to the secondary road/street c. enable sufficient sightlines from traffic in accordance with the relevant Australian Standard (AS2890.1)
		C16.	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.
		C17.	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 complement the front building line setback of the adjoining residence.
		C18.	No buildings, structures, car parking, storage or vehicle manoeuvring areas are permitted within a minimum 10m wide area adjoining

Objective		Control	
			Alexandra Canal and 6m along the tributaries of the Canal. ***Note**: 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 can be used as a general requirement for landscapes*.
		C19.	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).
		C20.	No part of the main building and other structures (including basement car parks, driveways, or OSD/infiltration system) are to encroach into the setback area.
		C21.	Visitor car parking for industrial development (excluding multi-unit industrial development) may be provided at the front of buildings behind the setback required under the relevant sections of this DCP.
		C22.	For multi-unit industrial development, car parking and loading/unloading facilities are not to be located within the front setback to the street.
		C23.	Building entrances are to be clearly defined and located so that visitors can readily distinguish the public entrance to each building.
		C24.	Access to each entrance is to be provided by a safe direct route, avoiding potential conflict with vehicles manoeuvring on site.
		C25.	Development on sites south of Wentworth Avenue are required to access the site via the use of Foreshore Drive.
Building Design			
O5.	To ensure an integrated overall building appearance and achieve a high standard of contemporary design that contributes to the streetscape and surrounding area.	**C26.**	Building form is to provide visual interest through an articulated façade, such as projecting wall elements, shading devices, legible building entrances, and a variation in texture / finishes / materials.
		C27.	Building frontages should be articulated with the use of brick, stone, concrete, glass (non-reflective), and like materials, but not concrete render.

Objective		Control	
		C28.	Building design is to: a. address the street frontage b. highlight any non-industrial aspects (such as the office section) of the development c. locate administration office or showroom to the front of the building d. provide regular modulation to the façade or division of massing e. locate the front entrance to address the street frontage f. clearly define and articulate building entrances through form, materials and colour g. provide level or ramped access h. locate waiting areas and entries to lifts and stairwells to be near areas of active use and visible from building entrances i. position windows on the upper floors of a building to overlook the street j. apply variation in unit design and layouts k. introduce solid surfaces, preferably masonry, and incorporate horizontal and vertical modulation including windows in appropriate proportions and configurations l. avoid bulky roof forms or extensive blank facades in a single material or colour, particularly when visible from the public domain m. ensure above ground rainwater tanks shall not be visible from the public domain n. ensure open storage areas shall not be visible from any public place and clearly defined on plan application.
		C29.	Where blank walls on street frontages are unavoidable in new construction, they must be screened by landscaping. External finishes must be robust and to a high standard to minimise the potential for graffiti or other vandalism. An anti-graffiti coating may be required where buildings adjoin a public place or accessible from an open area that is not secured by fences.
		C30.	Building facades fronting West Botany Street or Princes Highway are to create a strong street and commercial presentation through: a. greater levels of façade articulation

Objective		Control	
			b. locating commercial uses along the street frontage.
		C31.	Rooftop or exposed structures including lift motor rooms and plant rooms, are to be integrated within the building or suitably screened. For industrial development that is adjacent to a residential area, rooftop or exposed structures are to be located away from the residential boundary.
Landscaping			
O6.	To ensure industrial developments contribute to the public domain quality and improve the appearance of buildings through high quality landscaping in order to improve Bayside's canopy cover and reduce urban heat island effect.	**C32.**	A minimum of 10% of the development site is to 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 fronts and include side and rear landscaped areas.
O7.	To retain existing trees both inside and outside the site and provide suitably proportioned areas of well-designed landscaping on each development site.	**C33.**	Landscaping is to be designed to: a. ameliorate the bulk and scale of industrial and business park buildings b. shade and ameliorate large expanses of pavement and surfacing c. create a comfortably scaled environment for pedestrians in the public domain or from within the site d. screen utility areas and the like
		C34.	The majority of landscaping is to front the street/s to which the development fronts and include side and rear landscaped areas. The landscape strip at the street frontage must not obstruct opportunities for passive surveillance of the street. The preferred planting are ground covers and low shrubs with larger canopied trees which allow clear sightlines at eye level.
		C35.	The kerb and gutter, concrete footpath (or paved footpath) and any associated works along all street(s) frontages of a site shall be constructed and/or reconstructed at the full cost of the developer.
		C36.	Boundaries adjoining open space or a railway corridor, must be planted to improve visual amenity. The preferred planting is shrubs that grow to a minimum height of 2m.
		C37.	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

Objective		Control	
			residence. Details of the proposed planting are to be provided on a landscape plan to be submitted with the Development Application.
		C38.	Internal green spaces are to be provided in the form of internal courtyards, signature planting, green walls or other forms where accepted by Council.
		C39.	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.
		C40.	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 are not to reduce the storage capacity of the basin. Species are not to have invasive root systems.
		C41.	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.
		C42.	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.
Amenity and Operation			
O8.	To ameliorate any potential adverse amenity, noise, privacy, air quality, odour, or overshadowing impacts upon any adjoining or neighbouring residential development from any proposed non-residential development.	**C43.**	Noise, air and odour emissions generated from the functions and operations of a development including associated vehicles are not to have any adverse impact on non-industrial/business uses and residential areas in the vicinity of the site.
		C44.	An Acoustic Report undertaken by a suitably qualified acoustic consultant is required for centres in/adjacent to residential zones. The report must demonstrate how the site planning and building design minimise noise impacts, and that noise levels (measured at

Objective		Control	
			any point on the boundary of the site between the centre and adjoining property over a 15-miniute period) will not exceed 5dBA above the background level. The report should include recommended noise attenuation measures.
		C45.	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.
		C46.	Noise emissions are to comply with the following noise criteria: a. 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); b. 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 30 dB(A) night time and should not be audible at a neighbouring residence; and c. 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. ***Note**: 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.*
		C47.	Loading and unloading must not detract from the amenity of nearby residential areas or residential zoned land, including by noise impacts. Where loading and unloading movements are likely to affect residential areas or residential zoned land, schedules of

Objective		Control	
			vehicle movements and their routes must be provided in the Plan of Management (POM) and may be regulated through conditions of consent. ***Note**: A traffic management plan may be required to support a POM where Council identify a need for this e.g. need to resolve unsafe movements, significant amount of trips generated by development or significant manoeuvres are required on-site.*
		C48.	A Plan of Management (POM) will be provided to ensure all relevant operations of the premises are understood and their impacts appropriately managed having regard to the context of the premises and its surrounds. The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included: a. Title b. Objectives c. Operational details d. Hours of operation, including hours of deliveries e. After hours or emergency contact f. Staffing details g. Guidelines for staff for using the site facilities and equipment h. Deliveries and loading/unloading i. Waste management j. Traffic movements k. Use of parking areas l. Managing customers or patrons m. Security details n. Noise Impact Assessment o. Complaint recording and handling process p. The review process to continuously improve the POM ***Note**: 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.*
		C49.	Waste management and recycling processes of commercial and industrial facilities should

Objective		Control	
			be guided by the Waste Management and Recycling in Commercial and Industrial Facilities (EPA, 2012).
Change of Use			
O9. **O10.**	To enable the conversion of existing industrial and warehouse buildings to office premises where the development location is suitable and will not negatively impact on Council's ability to retain and manage industrial lands. To provide for development that is compatible with the existing streetscape and respects residential amenity.	**C50.**

Objective		Control	
		C54.	Storage areas are not permitted adjacent or adjoining residential dwellings or zones (including the B4 Mixed Use Zone).
		C55.	Open storage areas shall not compromise truck or vehicle manoeuvring and car park areas.
		C56.	Ancillary buildings and storage sheds are to be located behind setbacks and the front building line and must be consistent with the design of the primary building to provide cohesion to the appearance of the development.
		C57.	Details of proposed ancillary buildings, open storage, service areas, solid liquid waste storage and collection areas are to be provided with any development application.
		C58.	All businesses are encouraged to include in their waste contracts provision for the collection and recycling of high grade and low grade office paper, batteries, equipment containing painted circuit boards, computers, florescent tubes, and other recyclable resources. If more than 10m³ of uncompacted waste and recycling is likely to be generated per day, the central waste and recycling room is to be separated from the good receiving dock, and waste is to be collected in a compaction unit. The following information must be provided at Development Application stage for outdoor storage areas: a. size of the outdoor storage area b. maximum storage height c. types of goods, materials and equipment being stored outdoors d. details of landscaping and screening structures

6.4.1 Light industrial premises and premises within Business Parks

The controls within this Section are to be used in addition to the controls outlined in **Section 6.4** – Industrial premises.

Objective		Control	
Building Design and Site Layout			
O1.	To ensure that light industrial & business park unit development has a consistent character and built form within the estate.	**C1.**	Units are to be of a size to accommodate uses permissible within the zoning. These can be adapted over time.
		C2.	The applicant is to demonstrate that all operations, including the storage of raw materials, finished products, trade wastes and recycling bins are contained wholly within the industrial unit.
		C3.	Each building within the business park, whether it is positioned on its own site or within a multi-unit development shall have a clearly delineated entryway to increase wayfinding.
		C4.	Each building within the business park shall be designed to address the public or private road to which it presents, with the following architectural features: a. variation in horizontal plane every 10m through the use of recesses, columns or blades b. variation in parapet design or roof height every 10m c. building composition includes colour schemes with at least three different colours or three different material types d. windows and building openings have canopies or awnings with a projection of at least 0.5m
		C5.	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 business park.
		C6.	Large expansive buildings and 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 and 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.

Objective		Control	
		C7.	The site layout is to be arranged to facilitate natural surveillance of properties within the business park from the public domain.
		C8.	Development is to avoid locating loading and unloading facilities and the majority of car parking along the main frontage and be visible from the occupants of adjacent buildings.
Setbacks and Public Domain			
O2.	To ensure that optimal utilisation of landscaping areas occurs within the estate to provide an area of high amenity.	**C9.**	Notwithstanding setback requirements in Sub-section 6.3.2 *Building Setbacks*, an alternate solution to the minimum building setback to side and rear boundaries may be considered where it can be demonstrated that the proposed setbacks: a. respond to the positioning of buildings on their rear and side boundaries b. optimise manoeuvring and landscaping areas within the estate
		C10.	A contrast of paving materials is required to be provided throughout the development i.e. unit pavers and concrete. Large expanses of bland concrete paving and use of asphalt is not permitted.
		C11.	The majority of car spaces are to be paved with interlocking unit pavers.
		C12.	Entries to Business Parks and individual buildings shall be clearly visible and well signposted for pedestrians and motorists.
		C13.	All business park entrance treatments, such as directory boards must be located on private property, with appropriate positive covenants and restriction on the title to ensure the ongoing management and maintenance of such treatments.

6.4.2 Storage premises

Objective		Control	
General			
O1.	To ensure Storage Premises are suitably designed to accommodate the requirements and safety of users of the premises and not be used for a purpose other than storage.	**C1.**	A central administration office is identifiable and directly accessible from the public domain and a range of sizes of storage units are provided on-site to accommodate user requirements.

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td></td><td>C2.</td><td>A Plan of Management must provide details about the operation of the premises, including consideration of:
a. Safety and security
b. Loading and unloading
c. Movement of items
d. Any other matters that in the opinion of council has the potential to cause amenity or safety risks</td></tr>
<tr><td></td><td></td><td>C3.</td><td>Lighting is to be provided at all building entry and exit points to ensure safe access.</td></tr>
<tr><td></td><td></td><td>C4.</td><td>On-site surveillance, such as CCTV is required to provide coverage of all areas which provide access to storage units.</td></tr>
<tr><td></td><td></td><td>C5.</td><td>Storage units are secured by perimeter fencing and provide access from the public domain via entries which require security clearance.</td></tr>
<tr><td colspan="4">Setbacks and Design</td></tr>
<tr><td>O2.</td><td>To achieve developments that enhance the amenity and streetscape of the locality.</td><td>C6.</td><td>Not less than 10% of the development site shall be landscaped. On sites over 2,000m² the front landscaped setbacks are additional to the 10% requirement. The majority of landscaping shall front the street/s to which the development fronts and include side and rear landscaped areas.</td></tr>
<tr><td></td><td></td><td>C7.</td><td>Setbacks are to be in accordance with the following table.
<table>
<tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr>
<tr><td>Front – to a non-classified road (Refer to Notes)</td><td>3 metres</td><td>9 metres (Refer to Notes)</td></tr>
<tr><td>Front – to a classified road (Refer to Notes)</td><td>4 metres</td><td>9 metres (Refer to Notes)</td></tr>
<tr><td>Side – adjoining a non-residential use/zone including lanes</td><td>2 metres</td><td>3-4 metres (Refer to Notes)</td></tr>
<tr><td>Side – adjoining a residential use/zone or in the Council’s</td><td>3 metres</td><td>3-4 metres (Refer to Notes)</td></tr>
</table></td></tr>
</table>

Objective		Control	
			<table><tr><td>opinion the building impacts on the streetscape</td><td></td><td></td></tr><tr><td>Rear – (Refer to Note)</td><td>Nil to 3 metres</td><td>Nil to 3 metres</td></tr></table> **Table 16: Building Setbacks** ***Note**: Building setback relates to new building works. The building setback is inclusive of the landscape setback required within the above Table.* ***Note**: Landscaping setbacks are to be free from overhangs, hard elements such as paths, ramps, substations, fire hydrant boosters, signs, parking, and advertising structures (including pole signs). This quantity of landscaping may be used in calculation 10% landscaped area on site with an area below 2,000m².* ***Note:** Awnings and verandas along classified roads should be set back a minimum of 1.5m from the kerb. Awnings and verandas along local roads that intersect with classified roads should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the intersection with the classified road. At any signalised intersections (on local roads or classified roads), awnings and verandas should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the signalised intersection.* ***Note**: setbacks and landscaping may be varied, including being reduced, in the B4 zone where such an outcome will promote the creation of a vibrant street environment.*
		C7.	Blank walls visible from the public domain are to be avoided. Where blank walls on street frontages are unavoidable in new construction, they must be screened by landscaping. They must be finished to a high standard and minimise the potential for graffiti or other vandalism.
		C8.	Each building which exceeds one storey, shall be designed to address the public or private road to which it presents, with the following architectural features:

Objective		Control	
			a. variation in horizontal plane every 10m through the use of recesses, columns or blades b. variation in parapet design or roof height every 10m c. building composition includes colour schemes with at least three different colours or three different material types d. windows and building openings have canopies or awnings which a projection of at least 0.5m e. access to natural light with inclusion of windows to corridors or general floor plate
		C9.	Rooftop or exposed structures including lift motor rooms and plant rooms, are to be integrated within the building or suitably screened.
Movement and Access			
O3.	To ensure development provides legible wayfinding within the site, can accommodate heavy vehicles, and contribute to a positive building appearance.	**C10.**	Development is to avoid locating the majority of car parking within the front setback of the main frontage.
		C11.	Car parking and loading/unloading facilities are not to be located within the front setback to the street.
		C12.	On-site manoeuvring areas can accommodate a heavy rigid vehicle moving through all areas of the site in a forward gear. This control only applies to single storey premises.
		C13.	Car parking rate for self storage premises should be determined through a survey of other self storage premises in the vicinity to determine the generation of car parking and traffic movements. This survey should be submitted with any development application for a self storage premises.

6.4.3 Waste Facilities

Objective		Control	
O1.	To ensure waste facilities are not located in an area that would increase the risk of collisions between wildlife and aircraft flying to or from Sydney Airport.	**C1.**	A proponent for a new or expanded waste facility should refer to and comply with the National Airports Safeguarding Framework Guideline C – Managing Wildlife Strike Risk.

6.5 Restricted premises and sex service premises

6.5.1 General Provisions

Objective		Control	
O1.	To ensure the location and design of the premises is suitable, fits within the character and does not adversely impact on the amenity of the surrounding area or other premises.	**C1.**	All sex services premises must be clearly identifiable through the street name and numbers placed on the front of the premises and must be clearly visible at street level to prevent inadvertent visitors to private homes or businesses in the area.
		C2.	The external design and colour of the premises must be in keeping with the character and appearance of the streetscape and not be a prominent feature in the street.
		C3.	Restricted premises and sex services premises should be located away from shopfronts and arcades or throughfares of high pedestrian use.
		C4.	All entrances and exits of restricted premises and sex service premises must be designed to facilitate privacy of staff and visitors without compromising personal safety.
		C5.	Any flashing, intermittent lighting etc used in conjunction with a restricted premises and sex services premises must not be visible from a public place.

6.5.2 Safe Operation of Sex Services Premises

Objective		Control	
O1.	To provide a high level of personal safety and security for staff, visitors, and the premises.	**C1.**	All DAs for sex services premises must comply with the requirements of the Public Health Act and the requirements of NSW Health.
O2.	To ensure the Sex Service Premises is well managed to provide a safe working environment and protects the health and welfare of staff.	**C2.**	To ensure staff are of legal age to work at a restricted premises, all staff must be over the age of 18.
		C3.	A Plan of Management must be submitted and include detail on, but not limited to: a. Staff numbers b. Security and access control c. Booking and visitor management arrangements d. Emergency evacuation procedures e. Cleaning and laundering facilities and produces f. Safe sex education protocol g. Work Health and Safety policy h. Any other associated legislative requirements
		C4.	Design internal spaces to minimise alcoves and entrapment spaces.
		C5.	Provide suitable safety and security systems, including appropriate lighting to ensure the safety of all staff and visitors as they arrive and leave the premises. At minimum, the main entrance should have an intercom and lockable gate and entrance security may also include video monitoring.
		C6.	The design of off street car parking for a sex services premises and restricted premises must ensure the safety and security of workers, clients and the general public. The design of the premises must consider the installation of security cameras in the car parking area.
		C7.	Sex services premises are to provide the following security personnel: a. a minimum of two security personnel must be on the premises at all times b. where sex services premises have more than 4 sex workers, an additional security person per 3 additional workers, or any part thereof, is required on site at all times.

6.5.3 Signage

Objective		Control	
O1.	To ensure that signage identifying the restricted premises and sex services premises is discreet.	**C1.**	There is to be only one sign, not exceeding 1.5m² in area per premises.
		C2.	In instances where the primary pedestrian access is from the rear of the site (and subject to Council's assessment as to the safety aspects) a second sign may be provided at the rear of the site, indicating only the business name and the street number or address.
		C3.	The content, illumination and shape of the sign must not interfere with the amenity of the locality. In this regard, signs are not to include suggestive or offensive material, or include colours or designs that may distract passing motorists. Signs may only be illuminated if they will not cause nuisance to any adjoining premises or interfere with the amenity of the area.
		C4.	No advertising for the premises is to be on the exterior or the surrounding area of restricted and sex services premises including spruikers, illumination, services available, contact details, and display of restricted materials.

6.6 Artisan food and drink premises

Artisan food and drink premises offer craft food and drink experiences, usually in a space attached to a larger industrial space used for production. Craft and locally produced goods support industries such as tourism and hospitality and provide local employment and are increasingly popular places for residents and visitors. Artisan Food and Drink activities range from microbreweries and distilleries to cheese makers, bakeries and charcuterie workshops, which include an expansion of services to include an 'industrial door' experience for the public to view and understand how the products are made by hosting tastings, tours, and workshops.

Objective		Control	
O1.	To support the establishment of artisan food and drink premises in appropriate locations.	**C1.**	Artisan food and drink development should look to reuse and repurpose an existing development whilst ensuring it does not compromise a developments ability to accommodate future industrial uses. Details are also required to be submitted in relation to the use and its context with any site in relation to the GFA and new areas
O2.	To ensure the design of the publicly accessible areas of the artisan food and drink premises provides a pleasant and safe environment.		

Objective		Control	
			provided, such as but not limited to loading and parking areas.
		C2.	Where new buildings or structures are proposed they must be of an industrial nature and be readily able to accommodate the industrial uses envisaged for the zoning of the premises.
		C3.	If an artisan food and drink development is proposed within the proximity of residential or other sensitive land uses, a Plan of Management and Acoustic Report will be required as part of the DA. For alcohol-related industries a Plan of Management should address the responsible serving of alcohol and how customers will not be allowed to just "drive home" afterwards.
		C4.	The retail component of the artisan food and drink premise must be ancillary to the primary activity of production or manufacturing.
		C5.	The construction, use and operation of the premises shall comply with the provisions of the Standard 3.2.3 of the Australian New Zealand Food Standards Code, Food Act 2003 and Food Regulation 2010. Details are to be provided on the plans submitted with the Development Application.
		C6.	The use of shipping containers for food storage is generally prohibited under this section, unless applicants can clearly demonstrate (in writing) that the relevant State Food Safety Guidelines are adhered to for appropriate and safe food storage and handling as required by the NSW Food Authority guidelines and standards.
		C7.	Design of mechanical exhaust ventilation systems shall comply with the requirements of AS1668 and details are to be submitted at the Construction Certificate stage.
		C8.	A Trade Waste Agreement shall be obtained from Sydney Water in relation to the process of waste water. A copy of the Agreement is to be provided to Council prior to the issue of the Construction Certificate.
		C9.	Uses likely to emit air pollutants (including odour) shall demonstrate that best

Objective		Control	
			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**: Council may require the submission of an Odour Report to demonstrate compliance with this control.

6.7 Visitor and tourist accommodation

6.7.1 Backpackers Accommodation

Objective		Control	
Location			
O1.	To ensure backpacker accommodation is within close proximity to public transport, services and facilities.	**C1.**	Backpacker accommodation is located within proximity of a rail station or land included in a centre zone.
Design			
O2.	To ensure that the residential amenity of the surrounding properties and the locality is not impacted upon by Backpackers' Accommodation.	**C2.**	Development, including additions and alterations to existing dwellings for the purpose of backpackers' accommodation, must reflect the built form and design of the surrounding area.
		C3.	The main access point is to be located at the main street frontage of the property. Access points should be avoided at the boundaries of the property where an impact on noise or privacy could result for adjoining residences.
		C4.	Outdoor recreational areas e.g. courtyards and gardens are to be located away from bedrooms and habitable rooms of adjoining residences.
		C5.	Landscaping is to be used to soften and minimise noise impacts from courtyards, recreational areas and driveways on the surrounding area.
Operation and Management			
O3.	To ensure backpacker accommodation is used for the purposes of short-term accommodation.	**C6.**	The maximum stay permitted is three months. An Emergency Management and Evacuation Plan must be prepared.
O4.	To ensure:		

Objective		Control	
	a. the adaptive reuse/conversion of existing buildings and sites to office premises b. the adaptive reuse of existing non-residential to office premises c. the impact of the adaptive reuse good management practices are in place for shared accommodation premises to operate in a manner that does not disturb adjoining residents and landowners d. that shared accommodation adheres with the requirements for fire protection, capacity, safety and security e. that shared accommodation premises are operated and maintained in a manner that is acceptable to Council	**C7.** **C8.** **C9.**	Operators should ensure that their premises complies with the Smoke-free Environment Act 2000 which regulates smoking in enclosed public places. A Plan of Management (POM) is required to be submitted. The Plan of Management (POM) is a written report which describes how the ongoing operation of backpackers' accommodation will meet the provisions of this sub-topic. **Note:** 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.
O5.	To ensure the ongoing operation of backpackers' accommodation is managed to reduce its impact on the amenity of surrounding properties.		
Sleeping Room Requirements			
O6.	To ensure backpacker accommodation provides sufficient sleeping arrangements for guests.	**C10.** **C11.** **C12.** **C13.** **C14.**	All visitor accommodation applications must show a furniture plan. Sleeping rooms providing shared or dormitory-style accommodation must not accommodate more than 8 guests. Each sleeping room must contain an operable window opening to an outdoor area for natural light and ventilation. Storage facilities must be provided within each sleeping room, to ensure the secure storage of clothing and travelling articles. The storage facilities are to be a minimum of 0.6 m cubed for each person. Premises providing for more than thirty (30) beds must provide both dormitory rooms and sole occupancy rooms, some with a double bed, others with two single beds.
Facilities			
O7.	To provide a functional and healthy development that will provide adequate	**C15.**	An internal self-catering kitchen with a separate dining room must be provided on

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td>sleeping, storage, bathroom and kitchen facilities for visitors and residents.</td><td></td><td>site. The Development Application must demonstrate that the kitchen allows for 15% of the maximum number of guests to prepare and consume meals at any one time.</td></tr>
<tr><td></td><td></td><td>C16.</td><td>An adequate cooking stove, refrigerator, bench, sink and waste storage facilities in the communal kitchen must be provided.</td></tr>
<tr><td></td><td></td><td>C17.</td><td>Cooking facilities or kitchenettes are not permitted in sleeping room.</td></tr>
<tr><td></td><td></td><td>C18.</td><td>All communal areas must include access for persons with a disability.</td></tr>
<tr><td></td><td></td><td>C19.</td><td>Communal recreation areas must be provided within the premises at the rate of 0.75m² per person (including guests and staff), or with a minimum total area of 20sqm, whichever is greater.</td></tr>
<tr><td></td><td></td><td>C20.</td><td>Internal communal recreation areas shall be internal to the building and must have a minimum total floor area of 20m² and a minimum width of 3 m, where there are less than 30 occupants.</td></tr>
<tr><td></td><td></td><td>C21.</td><td>Toilet and shower facilities are required to be provided in accordance with Table 17.
<table><tr><th></th><th>Wash Basin</th><th>Toilet</th><th>Bath/Shower</th></tr><tr><td>For Guest Use</td><td>1 per 7 guests</td><td>1 per 7 guests</td><td>1 per 7 guests</td></tr></table>Table 17: Toilet and Shower Facilities</td></tr>
<tr><td></td><td></td><td>C22.</td><td>A separate communal laundry area must be provided within the building. It must provide one (1) washing machine, one (1) wash tub, and one (1) dryer or 20 m of external clothes line for every 30 beds.</td></tr>
<tr><td></td><td></td><td>C23.</td><td>One sharps container is to be located within one toilet cubicle for each gender for every level with toilet facilities. Sharp containers must be locked and constructed of stainless steel. Toilets with syringe disposal facilities must be identified. Arrangement for the collection and transport of sharps materials must be made with a licensed waste contractor. Final disposal of sharps containers must be conducted by Office of Environment</td></tr>
</table>

Objective		Control	
			and Heritage licensed contaminated waste contractors.
Noise, Privacy and Amenity			
O8.	To provide suitable acoustic amenity and privacy for guests.	**C24.**	Sources of noise, such as kitchen, communal recreational areas and parking areas, must be sited and designed to minimise the noise impact on adjoining properties.
		C25.	The use of outdoor open space areas are restricted to 10:00pm.
		C26.	The use of indoor recreation areas for backpackers accommodation is restricted to: a. 5am to 11:30 pm if there is no adjoining residential uses b. 7am to 10pm if there are adjoining residential uses
		C27.	Rooms and features that generate noise (e.g. laundry) must be located away from or sound proofed from sleeping rooms.
		C28.	Communal toilet facilities are to be provided in a separate room to the shower/ bath facilities and be entered external to the dormitory sleeping rooms.
		C29.	For new development, alterations and additions, and development which proposes to increase guest numbers, a noise assessment report prepared by an appropriately qualified acoustics consultant is to be provided. The report must: a. establish the existing background noise levels b. identify all potential noise sources from the operation of the premises and any mechanical plant and equipment c. estimate the level of potential noise emission d. establish desirable acoustics performance criteria e. recommend any mitigation measures required to achieve relevant noise criteria

6.7.2 Bed and Breakfast

Objective		Control	
General			
O1.	To ensure Bed and Breakfast Accommodation is of a scale and intensity	**C1.**	A maximum of six (6) visitors are permitted to stay at a bed and breakfast

Objective		Control	
	that is consistent with domestic residential uses.		accommodation at any one time. The total occupants staying in the house is not to exceed 12 people, which includes guests, residents, family, and friends.
O2.	To ensure Bed and Breakfast Accommodation is used for the purposes of short-term accommodation.	**C2.**	A maximum of three (3) bedrooms may be used for the purpose of the bed and breakfast accommodation.
		C3.	The maximum stay permitted is 3 months.
Design			
O3.	To ensure the Bed and Breakfast Accommodation is compatible with the character of the surrounding area.	**C4.**	Development, including additions and alterations to existing dwellings for the purpose of bed and breakfast accommodation, must reflect the built form and design of surrounding area.
O4.	To ensure legibility for the main access to the Bed and Breakfast Accommodation.	**C5.**	The main access point is to be located at the main street frontage of the property.
O5.	To ensure the Bed and Breakfast Accommodation does not have unreasonable adverse amenity impacts on surrounding uses, in particular residential uses.	**C6.**	Access points should be avoided at the boundaries of the property where an impact on noise or privacy could result for adjoining residences.
		C7.	Outdoor recreational areas e.g. courtyards and gardens are to be located away from bedrooms and habitable rooms of adjoining residences.
		C8.	Landscaping is to be used to soften and minimise noise impacts from courtyards, recreational areas and driveways on the surrounding area.
		C9.	High usage communal areas are not to be located near main living areas and bedrooms of adjoining residences.
		C10.	The design and operation of bed and breakfast accommodation must take into account possible noise impacts on adjacent properties and the surrounding area.
		C11.	Noise minimisation is to be carried out for visitor movements. Arrivals/ departures and the use of outdoor open space areas outside are restricted to the hours of 8:00am to 6:00pm.
Operation and Management			
O6.	To ensure the Bed and Breakfast Accommodation is ancillary to the main use of the premises as a Dwelling House.	**C12.**	Bed and breakfast accommodation must be permanently occupied by a resident or residents, and the accommodation must be operated by the permanent residents of the dwelling. The use is not to hire employees not permanently residing on the site.
O7.	To ensure the ongoing operation of bed and breakfast accommodation is managed		

Objective		Control	
	to reduce its impact upon the amenity of surrounding properties.	**C13.**	A Plan of Management (POM) is required to be submitted. The Plan of Management (POM) is a written report which describes how the ongoing operation of bed and breakfast accommodation will meet the provisions of this sub-topic. **Note:** 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.
Sleeping Room Occupancy Requirements			
O8. **O9.**	To ensure overcrowding of bedrooms does not occur. To ensure bedrooms are of an adequate size to provide for high levels of internal residential amenity.	**C14.** **C15.**	No more than two (2) persons per guest bedroom is permitted. **Note:** Children under 5 do not need to be included in determining room size. The minimum size for a visitor's room must be suitably proportioned to accommodate the number of visitors. This will be demonstrated through a furniture plan.

6.7.3 Hotel and Motel

Objective		Control	
General			
O1. **O2.**	To ensure the Hotel or Motel Accommodation is used for genuine short-term accommodation. To ensure the ongoing operation of hotel or motel accommodation is managed to reduce its impact on the amenity of surrounding properties.	**C1.** **C2.**	The maximum stay permitted is 3 months. A Plan of Management (POM) is required to be submitted. The Plan of Management (POM) is a written report which describes how the ongoing operation of hotel or motel accommodation will meet the provisions of this sub-topic. **Note:** 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.
Design			
O3.	To ensure the Hotel or Motel Accommodation does not have	**C3.**	The main access point is to be located at the main street frontage of the property. Access

Objective		Control	
	unreasonable adverse amenity impacts on surrounding uses, in particular residential uses.		points should be avoided at the boundaries of the property where an impact on noise or privacy could result for adjoining residences.
O4.	To provide adequate facilities that cater for safe, comfortable, and convenient all-weather transfers between the accommodation and means of arrival.	**C4.**	Landscaping is to be used to soften and minimise noise impacts from courtyards, recreational areas and driveways on the surrounding area.
		C5.	The design of hotel/motel accommodation is to include a Porte cochere at the front of the building to accommodate buses, taxis, and cars for drop off/pick up.
Sleeping Room Occupancy Requirements			
O5.	To ensure adequate facilities are provided within bedrooms to cater for reasonable guest requirements.	**C6.**	Individual, secure, lockable storage facilities of a minimum capacity of 0.6 cubic m per person is to be provided to allow guests to individually store baggage and travel items within the sleeping room.
Kitchen Areas			
O6.	To provide adequate storage space for cooking and related utensils.	**C7.**	Where rooms include a small kitchenette, provide adequate cupboards and shelves.

6.7.4 Serviced Apartments

Objective		Control	
General			
O1.	To ensure Serviced Apartments are used for genuine short-term accommodation.	**C1.**	The maximum period for occupation of a serviced apartment is 3 months.
O2.	To ensure an appropriate mix of serviced apartment types and sizes to provide for a broad range of persons and groups.	**C2.**	Developments of more than 20 serviced apartments must provide the following mix of apartments: **a.** studio and 1 bed apartments: 60% **maximum** **b.** 2 or more bedroom apartments: 40% **minimum** **c.** 3 bedroom apartments: 5% **minimum**
O3.	To ensure the ongoing operation of serviced apartment accommodation is managed to reduce its impact on the amenity of surrounding properties.	**C3.**	A Plan of Management (POM) is required to be submitted. The Plan of Management (POM) is a written report which describes how the ongoing operation of serviced apartment accommodation will meet the provisions of this sub-topic. **Note**: 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

Objective		Control	
			accordance with the POM. A condition of consent may require that a POM be regularly revised and submitted to Council.
Design			
O4.	To ensure a high level of residential amenity is provided consistent with a permanent residential use.	**C4.**	Where a development proposes serviced apartments in conjunction with a residential flat building the entire development must address the requirements of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.
O5.	To ensure the Serviced Apartments do not have unreasonable adverse amenity impacts on surrounding uses, in particular residential uses.	**C5.**	Developments are to be designed to minimise visual and acoustic privacy impacts to residential land uses within the immediate vicinity. (The immediate vicinity includes residential buildings directly adjoining the boundary of the site and buildings on the opposite side of a roadway or pedestrian/cycle link).
		C6.	The main access point is to be located at the main street frontage of the property.
		C7.	Where a development proposes serviced apartments in conjunction with residential apartments, the units to be provided as serviced apartments must not be located on the same floor as permanent residential apartments. Note: Access points apart from emergency exits should be avoided at the boundaries of the property where an amenity impact could be created to adjoining developments.

6.8 Early education and childcare facilities

State wide planning controls for early education and childcare facilities are established under Chapter 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021, and the accompanying Child Care Planning Guideline.

Objective		Control	
O1.	To facilitate new childcare centres which do not unreasonably impact on the amenity of surrounding residences and provide for a safe environment for children and staff.	**C1.**	All development is to be assessed against the provisions of Chapter 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Child Care Planning Guideline.
		C2.	Parking is to be provided in accordance with the parking rates outlined in Chapter 3.5 of this DCP.
		C3.	Traffic calming devices in heavily trafficked routes or places where there is potential of traffic hazards are to be provided at the cost of the applicant.
		C4.	20% of the site area must be landscaped area.
		C5.	No area within an Early Childhood Education and Care Service may contain plant species that are characteristic of the following: a. plants known to be poisonous or that produce toxins b. plants with high allergen properties c. plants with thorns, spiky or prickly foliage d. any plant species that Council considers may place the health, safety or welfare of the Early Childhood Education and Care Service users at risk
		C6.	If a residential component is included: a. the residence must be occupied by either the owner/operator or a member of staff. b. private open space with a minimum 30 sqm and a minimum width of 6 m is required to be designed to provide privacy for the exclusive use of the residents of the dwelling. This area can be provided as a ground level courtyard. Ideally, this private open space should be designed so that it receives 3 hours of sunlight between the hours of 9 am and 3 p.m. in midwinter. c. The provision of one off-street parking space must be provided for exclusive use of the residents. This space may not be ‘stacked’.

Objective		Control	
			d. Separate access to the dwelling must be provided.
		C7.	On-site vehicular movements must be separated from pedestrian access by safety fencing, gates, or other means.
		C8.	Details are to be provided of all advertising structures that are proposed to be located on the site.

6.9 Places of Public Worship

6.9.1 General provisions

Objective		Control	
O1.	To ensure the design of places of public worship complements the character of the surrounding area and enhances the visual amenity of the streetscape.	**C1.**	The design of a spire, tower or similar structure is to be considered on the basis of the form / bulk, scale and height of the structure and its relationship with the surrounding character of the locality.
O2.	To ensure the development assessment process for a proposed place of public workshop is consistent and fair for all religious groups.	**C2.**	The design of places of public worship in a residential zone should not detract from the character of the residential area. Note: Refer to Section 5.2.1.1 Streetscape, Local Character and Quality of Design.
O3.	To encourage passive surveillance over publicly accessible areas.	**C3.**	Minimum building setbacks to the front, side and rear boundaries are to be landscaped, providing a dense visual buffer to adjoining developments in accordance with Section 3.7.1– Landscaping.

6.9.2 Design

Objective		Control	
O1.	To design Places of public worship to enhance the quality and visual amenity and to ensure the scale and intensity is compatible with surrounding uses and future development of the area.	**C1.**	Where a place of public worship has a dual street frontage, development must address both streets through a range of design measures, including, but not limited to: a. position of windows b. architectural features
		C2.	The entrance of a place of public worship is to be located at the front of the building.

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td>O2.</td><td>To minimise noise levels of places of public workshop that may impact nearby properties and neighbours.</td><td>C3.</td><td>Car parking areas are to be screened from adjoining properties and the street by landscaping.</td></tr>
<tr><td></td><td></td><td>C4.</td><td>Where possible, public areas within the place of public worship should overlook the car parking area and other public areas surrounding the building.</td></tr>
<tr><td></td><td></td><td>C5.</td><td>Rear boundary walls are to be treated in a way that adds to the visual amenity and streetscape quality of the area.</td></tr>
<tr><td></td><td></td><td>C6.</td><td>Buildings are to be setback from the front, side and rear boundaries in accordance with the table below:
<table>
<tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr>
<tr><td>Front – to a non-classified road</td><td>3 m</td><td>9 m
(Refer to Note b for corner sites)</td></tr>
<tr><td>Front – to a classified road</td><td>4 m</td><td>9 m
(Refer to Note b for corner sites)</td></tr>
<tr><td>Side – adjoining a non-residential use/zone including lane</td><td>2 m</td><td>2 m
(Refer to Note b for corner sites)</td></tr>
<tr><td>Side – adjoining a residential use/zone or in the Council’s opinions the building impacts on the streetscape</td><td>3 m</td><td>3 m</td></tr>
<tr><td>Rear (refer to Note below)</td><td>Nil to 3 m</td><td>Nil to 3 m</td></tr>
</table>
Table 18: Boundary Setbacks</td></tr>
<tr><td></td><td></td><td>C7.</td><td>Where possible, development should be consistent with the setback of existing development on adjacent sites.
Note:
a. The setback will depend on the character of the site and its surrounds.</td></tr>
</table>

Objective		Control	
			b. New development on sites that have a corner frontage is to provide a 9m minimum setback to the main street/road and a minimum 3m setback to the secondary road/street.
		C8.	Where council is of the opinion that a proposal may have an impact to solar access on adjoining residential buildings and communal open space, the applicant is to provide shadow diagrams.
		C9.	Adjoining principal areas of private open space for residential development is to receive three hours of sunlight into at least 50% of the required open space between 9:00am and 3:00pm on 21 June overshadowing at hourly intervals between 9:00am and 3:00pm for 21 June.
		C10.	Development is to avoid overshadowing upon an existing solar collector of an adjoining residential dwelling. This includes solar hot water systems, photovoltaic panels or similar structures.

6.10 Creative industries

Encouraging creative industries supports the implementation of Bayside LSPS Planning Priority 5 – "Foster healthy, creative culturally rich and socially connected communities" and facilitates opportunities for creative and artistic expression.

Creative industries are the making, production, distribution, and participation in creative and cultural activities by artists, craftspeople, residents, and visitors. Activities typically include visual and performing arts, Indigenous arts and culture, music, museums, and galleries, making and craft, food, design, film, literature, and publishing, digital and media, television, radio, and interactive software. It also includes architecture, industrial design, fashion design, graphic design, advertising, and the like.

These activities contribute to the expression of creativity, culture, customs, traditions, heritage and stories of our places and communities. They also reflect the social character and contribute to a diverse and prosperous local Bayside economy.

This section should be read with **Section 3.15 Late Night Trading** and **Section 0** for light industrial premises.

Objective		Control	
General			
O1.	To support creative industries within the Bayside LGA.	**C1.**	Buildings must be retained and reused wherever possible and practical. This may

Objective		Control	
			result in flexible spaces to accommodate varying uses.
O2.	To encourage a diversity of creative and cultural activities that provide ground floor employment generating uses, and activate streetscapes and public domain areas.	**C2.**	Development must respond to the character of the area with a bulk, scale and height that responds to the desired future character of the area and minimises impacts on residents and in industrial areas the operation of other uses.
		C3.	Development must improve pedestrian amenity by incorporating awnings, street furniture or public art in any design concept. Blending of the private and public domain at the street interface is encouraged to create a vibrant and accessible place, especially on sites where they adjoin residential areas.
		C4.	The display of creative industry products along the street frontage is encouraged.
		C5.	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.
		C6.	The design of work spaces must provide for an on-site common delivery/loading or service vehicle area.
		C7.	To maintain active street frontages, vehicle access points must be either: a. provided from rear lanes b. designed as narrow as possible on street frontages subject to compliance with AS2890.1 and AS2890.2

6.11 Vehicle body repair workshops and vehicle repair stations

Objective		Control	
O1.	To ensure adequate provision for employee or customer car parking and vehicle storage requirements.	**C1.**	A Traffic and Parking Impact Assessment Report is required for the use and is to include the following: a. full details of the proposed operation (including maximum number of vehicles to be stored on-site and frequency of movements); b. proposed vehicular access, off-street parking/vehicle storing area,
O2.	To minimise any environmental issues from the emission of odours, noise, material storage, overspray, and liquid spillage.		

Objective		Control	
O3.	To ensure the design and operation of vehicle repair workshops & stations does not unreasonably impact on the amenity of surrounding sites/neighbours.		pick up/drop off zone, movements and manoeuvrability of all vehicles; c. truck routes to and from the site (for the transport of vehicles); and d. details of any potential impacts on traffic and the road network system (including intersection performance analysis).
O4.	To ensure there are appropriate on-site waste management procedures to collect and recover waste materials.	**C2.**	A Plan of Management (POM) is to be submitted detailing how the ongoing operation of the premises will be managed to reduce its impact upon the amenity of surrounding properties. 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 of vehicles including tow trucks; (viii)Parking (ix) Managing customers; (x) Security details; (xi) Trade Waste discharge; (xii) Complaint recording and handling process; and (xiii) The review process to continuously improve the POM.
		C3.	All vehicle body repair workshop and/or vehicle repair station work must be confined to within the building in dedicated work bays. No work is to be carried out on cars in the car parking spaces or in the street.
		C4.	All driveways, circulation roadways, parking and vehicle storage areas are to be sealed.
		C5.	When tow vehicles operate outside normal business hours, adequate on-site facilities must be provided for the storage of any damaged vehicles. Details are to be provided with the development application.

Objective		Control	
		C6.	Vehicles, including tow trucks, must enter and leave the site in a forward direction so as not to disrupt the flow of on-street traffic.
		C7.	No vehicles waiting to be serviced, repaired, or collected can stand, or otherwise be stored, on any adjoining road.
		C8.	Details demonstrating the proposed vehicle body repair workshop or vehicle repair station has been designed to accommodate the relevant environmental management controls are required as part of a development application. The design details should reference the current Environment Protection Authority requirements and/or guidelines. **Note**: The Department of Environment and Climate Change (2008) Environmental Action for Automotive Servicing and Repairs and Department of Environment and Climate Change (2008) Environmental Action for Smash Repairers provide an overview of relevant design requirements.
		C9.	Appropriate oil spill equipment must be kept on the premises and maintained at all times.
		C10.	If mechanical servicing is to be carried out on site, the servicing is to be carried out within work bays that are bunded and graded and drained in accordance with Sydney Water Requirements.
		C11.	Any refuelling on site is to comply with WorkCover requirements and the Australian Institute of Petroleum Codes.
Storage			
		C12.	Full compliance with AS1940 - Storage and Handling of Flammable and Combustible Liquids is required.
		C13.	Storage bins for scrap body panels and motor parts must be provided and must be fully screened from public view. Documentation must demonstrate that the bins will be regularly emptied.
		C14.	Dangerous goods storage for paints and other items must be provided on site in accordance with the relevant Australian Standards.
		C15.	The storage of tyres within the premises shall be in accordance with the NSW Fire

Objective		Control	
			Brigades Guidelines for the Bulk Storage of Rubber Tyres (April 2009).
Spray Painting			
		C16.	Where spray painting is proposed at vehicle body repair workshop and/or vehicle repair station premises, spray painting booths must be provided in accordance with the relevant Australian Standards.
		C17.	Spray painting must be exhaust-ventilated with a filter system to avoid odour in any adjoining residential area. **Note**: A development application is required for any spray booth. Australian Standards AS 4114 Spray painting booths, designated spray-painting areas and paint mixing rooms provides relevant standards and controls for spray painting. Prior to the construction and installation of a spray booth, the approval of the WorkCover Authority must be obtained.
		C18.	All spray-painting booths must be designed with appropriate exhaust fan and filtration system.

6.12 Caretaker Dwellings

This section applies to caretakers dwellings, which for the purposes of this DCP are considered as a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.

Objective		Control	
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.	**C1.**	The caretakers dwelling is to be ancillary to the approved industrial or business use on the site, and will only be approved where it can be demonstrated that the existing or proposed industrial/business requires a person to reside at the site full time.
O2.	To ensure caretaker dwellings are appropriately designed to provide reasonable amenity for occupants.		**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.

Objective		Control	
		C4.	The caretakers dwelling is to 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.
		C5.	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.
		C6.	A caretakers dwelling is to have a maximum floor area of 60m² and is to contain a maximum of one bedroom, kitchen, bathroom, toilet, laundry, and living/dining area.
		C7.	The caretakers dwelling is to 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.
		C8.	The caretakers dwelling is to 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.
		C9.	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.
		C10.	Access to a caretakers dwelling must be from within the premises rather than from a public area.

Specific Places



7 Specific Places

Introduction

Many places in the Bayside LGA have a unique built form and natural environment or have been the subject of more detailed master planning and urban design studies to determine the most appropriate development outcomes. In such cases, more specific controls and considerations need to be applied to ensure that development is respectful towards an established existing character or contributes positively towards a future desired character.

This chapter provides controls for areas within the Bayside LGA where more specific controls exist. This ranges from wider precincts, which may be at a suburb scale, as well as a series of town and local centres, business parks, industrial areas, and individual sites.

How To Use This Chapter

This chapter applies to areas listed within the subsequent chapters and shown in **Figure 24** below. The provisions in the chapter prevail over any similar provisions in other sections of the DCP.

This chapter structures Place-specific controls in a tiered fashion. For example, some wider precincts contain smaller localities (like a centre or a business park) or key sites. In those cases, development applications are to respond to both the wider objectives and controls, as well as the more specific objectives and controls. In the event of any inconsistency, the more specific objectives and controls are to apply.

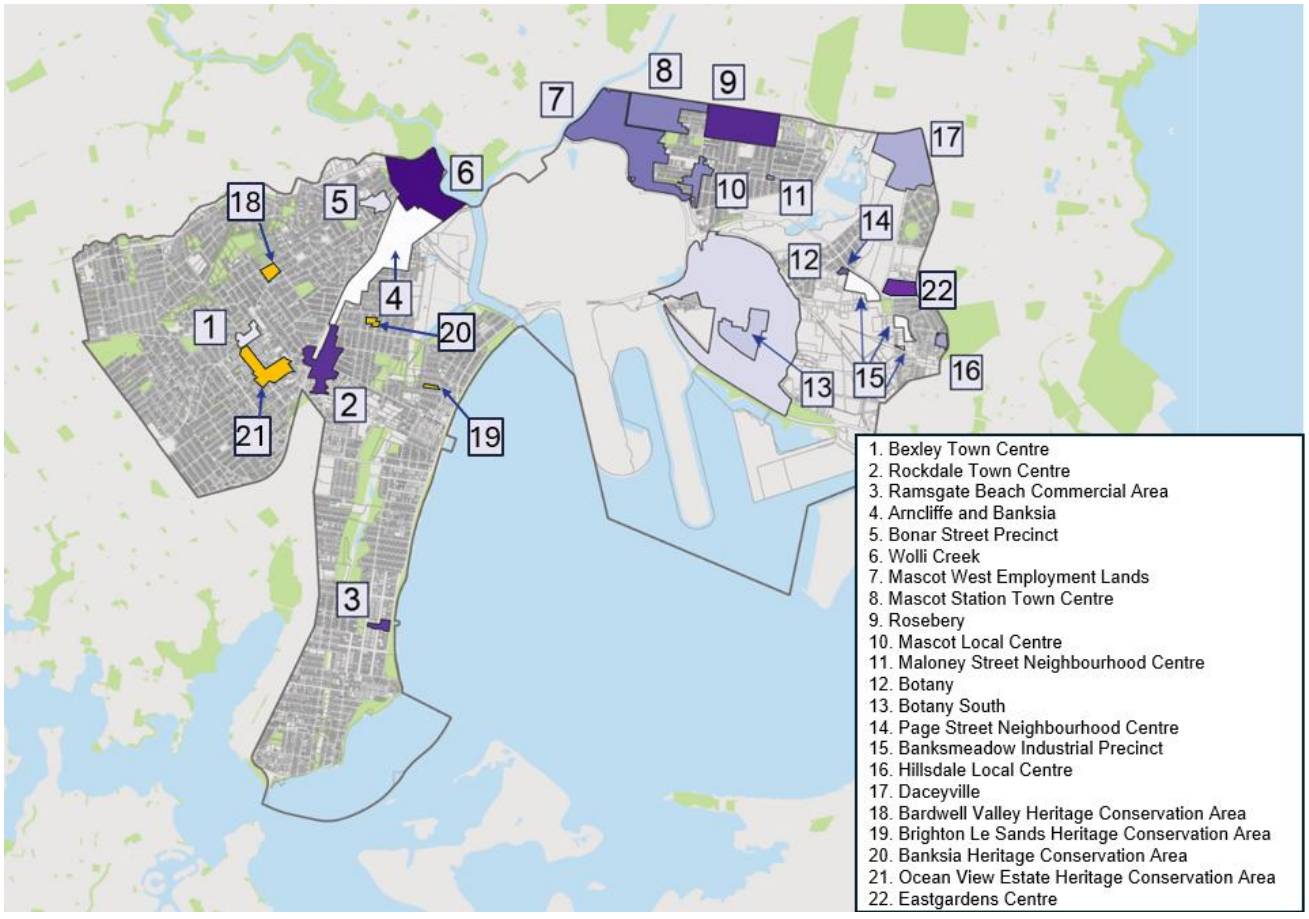


Figure 24: Specific Places Applying to this Part

7.1 Bexley Town Centre

7.1.1 Description

Bexley Town Centre is an important centre in Bayside, situated on a major roadway and surrounded by a large residential population within its walking catchment.

The centre is currently dominated by the busy Forest Road which impacts upon the amenity of pedestrians and adjoining shopfronts and residences. However, the centre has convenient vehicle access and parking.

Bexley Town Centre has an opportunity through redevelopment to gain greater pedestrian permeability and amenity, as well as improved character and function.

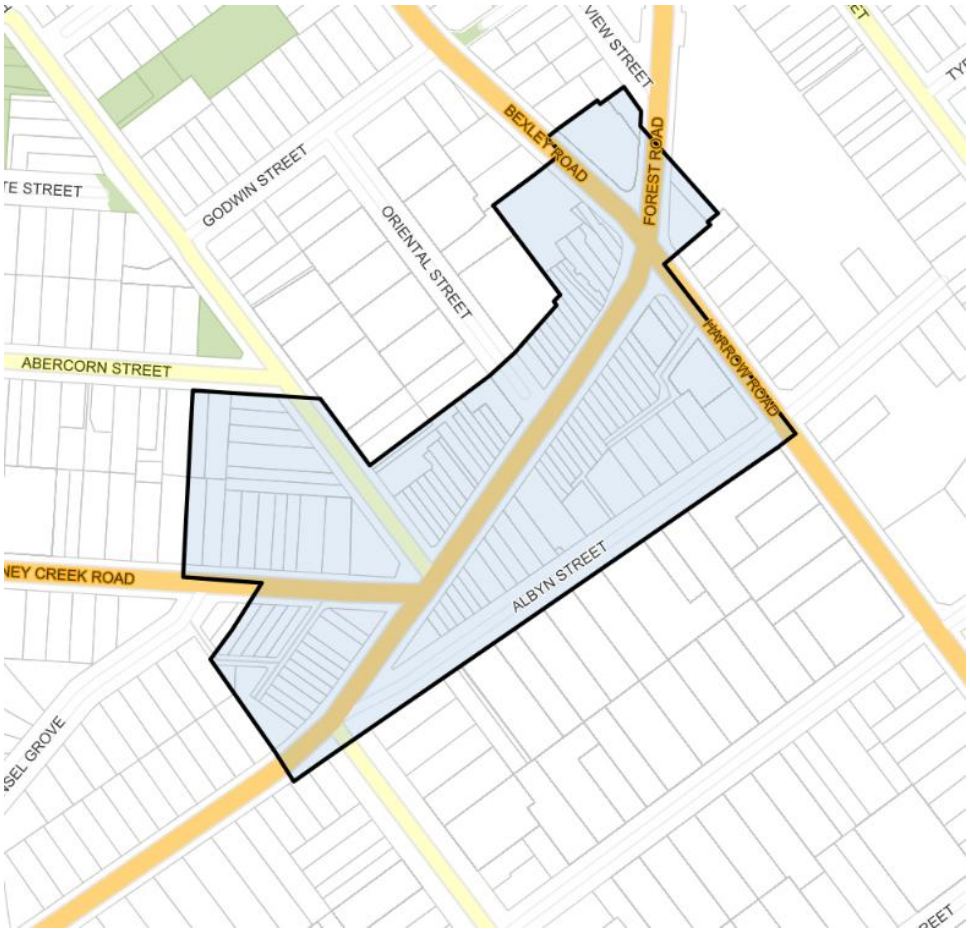


Figure 25: Bexley Town Centre Application Map

7.1.2 Desired Future Character

The pedestrian permeability of the centre would be improved by the provision of a pedestrian connection between Forest Road and the Albyn Street car park, which will expand the pedestrian network. This will contribute to a vibrant pedestrian shopping environment.

The existing open space area at the intersection of Oriental Street and Forest Road will be improved to provide greater opportunities for gathering and outdoor dining, with protection from the noise of Forest Road.

A new public open space will be established as part of any redevelopment of Albyn Street public carpark to contribute to the creation of a heart to the centre, that is connected to the proposed pedestrian arcade between Forest Road and Albyn Street.

To provide a high quality pedestrian retail environment, Albyn Road and Albyn Lane will take on a retail character with active frontages and outdoor dining on a pleasant tree lined street.

Convenient rear lane access will be maintained and enhanced to properties along Forest Road to improve amenity and encourage redevelopment. The improvement of Albyn Lane will also integrate with the pedestrian network increasing the permeability of the centre.

7.1.3 Controls

Objective		Control	
O1.	To facilitate the transformation of Albyn Street and Albyn Lane into active and vibrant retail areas, and provide an alternative pedestrian experience to Forest Road.		<u>Pedestrian Connection</u>
		C1.	A through site pedestrian arcade is encouraged within the area indicated on the Bexley Town Centre Structure Plan.
O2.	To improve the pedestrian permeability of the centre, particularly between Albyn Street and Forest Road.	**C2.**	A through site pedestrian arcade is to: a. have active frontages on both sides, with retail units having a minimum depth of 8m; b. be a clear and direct throughway for pedestrians; c. have a minimum width of 4m non-leasable space clear of all obstructions (including columns, stairs and escalators); d. where practicable, have access to natural light; and e. where air conditioned, have clear glazed entry doors comprising at least 50% of the entrance.
O3.	To provide usable and lively public space at the heart of the centre that enhances the character of the town centre and provide places of gathering.		<u>Public Domain</u>
		C3.	Development of Albyn Street Public Carpark is to provide an area of public open space which will: a) connect with the pedestrian arcade between Forest Road and Albyn Lane; b) facilitate the extension of Albyn Lane to connect with Albyn Street; c) be fronted by active retail uses; d) be open to the sky; and e) have a minimum area of 100m².
			<u>Retail Activity</u>
		C4.	Albyn Street and Albyn Lane are the preferred street frontages for vehicle and service access. Notwithstanding, active retail frontages are to be provided along Albyn Street and Albyn Lane where possible, as indicated on the Bexley Town Centre Structure Plan in **Figure 26**.

Objective		Control	
		C5.	Developments fronting Albyn Street and Albyn Lane are to: a) have separate and clearly articulated vehicle access points and building entrances to avoid pedestrian and vehicular conflicts; and b) have service areas that are unobtrusive and have minimal street presence. Preferably orientate service areas perpendicular to lane frontage. <u>Access</u> **C6.** Developments on properties from 394 to 408 Forest Road are to provide a rear setback of 6m to allow the extension of Albyn Lane to connect with Albyn Street, as indicated on the Structure Plan. The setback area is to be dedicated to Council at no cost.



Figure 26: Bexley Town Centre Structure Plan

7.2 Rockdale Town Centre

An update to this Chapter is being prepared separately to the preparation of this Plan. Upon adoption, the Chapter will be inserted into the Plan.

7.2.1 Introduction

Bayside is undergoing change. The Bayside Local Strategic Planning Statement (LSPS) sets out Council's vision to create opportunities for growth and improvements, while protecting and enhancing the natural areas, landscapes and waterways of Bayside including the former Rockdale local government area (LGA).

The Rockdale Town Centre Masterplan and Public Domain Plan (2012) were developed based on the community's aspirations and vision for Rockdale to guide the transformation of the town centre through redevelopment and placemaking. To realise Council's commitment to provide economic and jobs stimulus and deliver a legacy of safe, quality public and open space, Council has led various urban design investigations for the Rockdale Town Centre to establish appropriate built form and public domain outcomes.

The studies considered the Masterplan, the character of redevelopment that has occurred since its adoption, the Centre's high levels of public transport service, the need to accommodate population growth and the constraints placed on redevelopment by the topography, airport restrictions, parking and servicing requirements. The controls in this section of the DCP are based on the outcomes of these studies to unlock urban renewal on sites yet to be redeveloped by providing more certainty and making the centre a more attractive place for investment and residents by improving the quality of built form and public domain outcomes.

The Rockdale Town Centre Masterplan and Public Domain plan apply to all land within the town centre as identified in **Figure 27**.

This section applies to the area of land zoned B2 Local Centre and B4 Mixed Use within the Rockdale Town Centre area, including any roads and open space. Where there are any discrepancies with similar provisions in other sections of the DCP, the provisions in this section prevail. Development must otherwise be consistent with all other relevant provisions of the DCP.

This DCP works in conjunction with the Bayside LEP Height of Buildings Map and the Design Excellence clause to establish building heights and further building envelope controls within the Rockdale Town Centre. The requirements of this DCP must be considered for any development within the Application area to achieve Design Excellence.

This DCP also works in conjunction with the Rockdale Town Centre Masterplan and Public Domain Plan to establish controls for public domain interfaces and the intended public domain outcomes within the town centre. The Bayside LEP specifies that any development within the Application area is to improve the quality and amenity of the public domain to achieve Design Excellence.

7.2.2 Application of this Section

General Provisions

The provisions in Section 7.2.5 apply to all development within the Application area.

The provisions include a height hierarchy strategy and a public domain framework to strengthen the identity and improve amenity of the Town Centre as a whole.

The General Provisions provide an amalgamation pattern and built form controls that establish where and how the maximum heights specified in the Bayside LEP Height of Buildings Map can be achieved. It should not be expected that the maximum Height of Buildings control can be achieved on all sites or across the full extent of a site.

Special Character Areas

The provisions in Section 7.2.6 apply to all development where the General Provisions apply within the applicable Special Character Area boundary identified in **Figure 27**.

The provisions state the desired future character of each area and provide design guidance, built form and public domain controls detailing how development is to achieve the future character.

Where there are inconsistencies between the General Provisions and specific built form and public domain controls for a character area, the area-specific controls prevail. All other objectives and controls in the General Provisions still apply. For example, building articulation requirements are to be considered in addition to (and within) the building envelopes illustrated in the character area provisions.

The detailed built form illustrated within the character area is not a prescriptive design resolution. It is intended to outline a cohesive built from strategy that allows all sites to achieve more equitable amenity and development outcomes. It also shows critical dimensions where a bespoke response is required to adjoining existing/future development.

Development adjoining sites identified in the 'Detailed Built Form' diagrams must demonstrate how the design is integrates with future development on those sites and that those sites can be developed with outcomes equivalent or better to those intended in this DCP.

'Reference Context'

Since the Rockdale Town Centre Masterplan was first prepared, sites have been amalgamated, proposals for redevelopment of several sites have been approved and developments on various sites are complete, under construction or have current approvals – providing an established built form context for future development identified as 'Reference Context' in **Figure 27**.

Development adjoining sites identified as 'Reference Context' must demonstrate that those sites can still be developed as intended.

Further Investigation

Areas marked as 'Further Investigation' indicate where detailed urban design and built form studies are in progress and/or must be undertaken to inform an amendment to this DCP before development applications can be fully considered for those sites.

These areas include significant or highly constrained sites, sites adjoining heritage buildings or adjoining Council-owned land that would require an integrated urban design study and concept design to be developed in consultation with Council.

7.2.3 Important – 'Non-conforming' development

The controls in this DCP intend to achieve an orderly, equitable and cohesive pattern of development that benefits all sites as well as the Rockdale Town Centre as a whole.
If a development is proposed that:

- does not conform with the amalgamation pattern or built form controls (including the 'Detailed Built Form Controls') specified in this DCP, or
- modifies amalgamation patterns or building envelopes established as 'Reference Context',

the Development Application must:

1. Include a detailed urban design study illustrating how the development relates to the intended height hierarchy, building massing distribution and public domain outcomes across the whole Town Centre.
2. Demonstrate that the development achieves the desired future character of the Special Character Area where it is located. Where relevant, it must also demonstrate that the proposed development appropriately relates to the desired future character of adjoining area(s).
3. Include a concept design illustrating, as a minimum, existing and future development on the subject block and on any sites that could have development potential or amenity affected by the proposal.
4. Demonstrate that all sites, including the neighbouring sites can achieve their development potential, amenity and public domain outcomes as intended in the DCP and Public Domain Plan, or better.
5. Demonstrate that an orderly and cohesive pattern of development can be maintained for the entire precinct, equal to or better than depicted in the 'Detailed Built Form Controls'.
6. Demonstrate that development on the whole block can comply with the objectives of the ADG as well as accommodate the required built form, public domain outcomes, vehicular access, basement parking, servicing facilities, loading, storage and waste management areas as detailed in this DCP.

Note: the maximum Height of Buildings controls specified in the Bayside LEP should not be expected to be achieved where development does not comply with the amalgamation pattern or where there are significant departures from the built form and public domain controls.

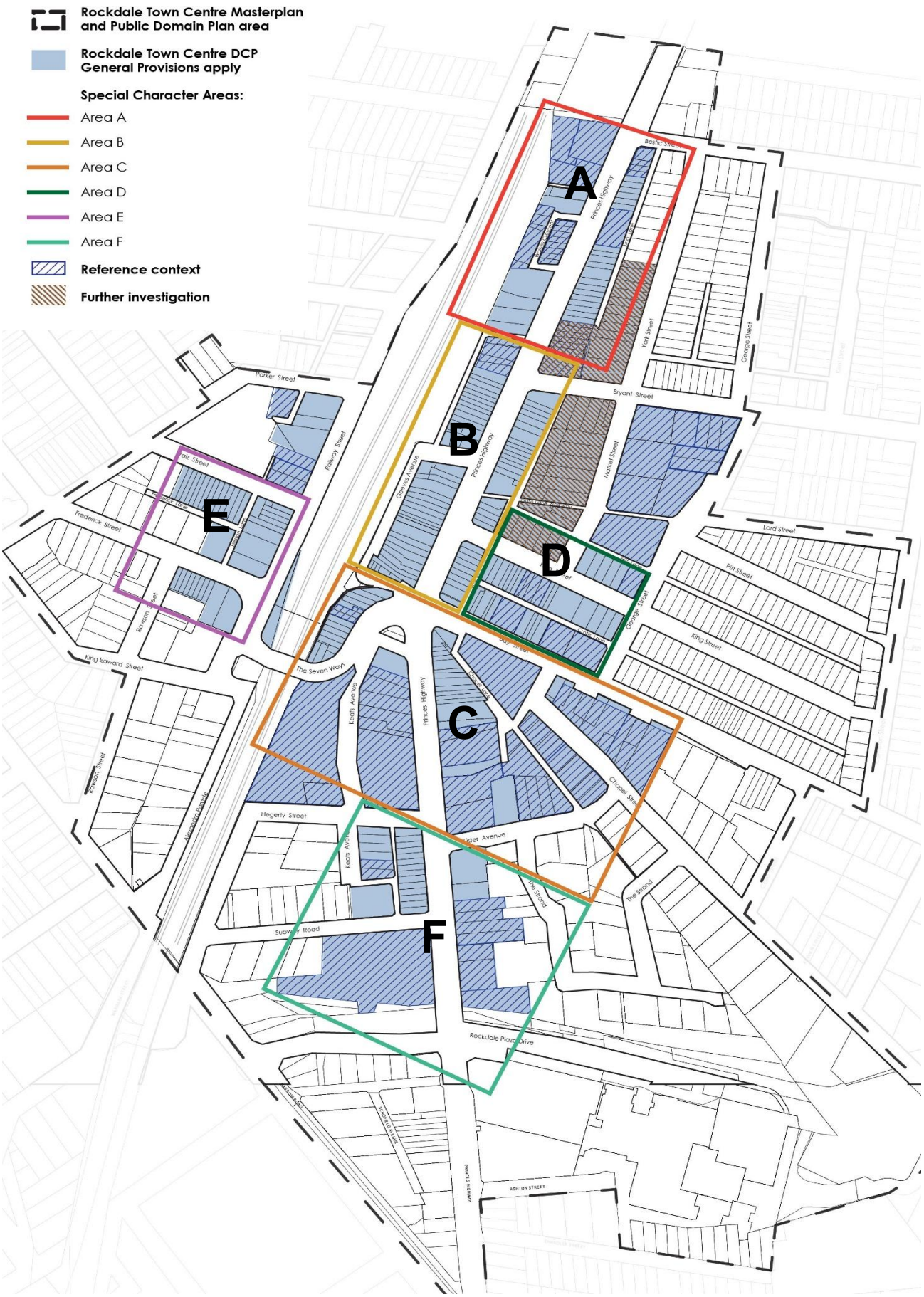


Figure 27: Application of this DCP

7.2.4 Vision

The controls in this DCP support the vision established in the Rockdale Town Centre Masterplan 2012 to create a "vibrant and liveable inner- city town", which is "a great place to shop, work, visit and live".

The Masterplan was developed based on the community's aspirations and vision for Rockdale, and established a series of design strategies and initiatives for transforming the town centre through redevelopment and placemaking. The vision and the key initiatives and strategies to help revitalise the town centre are reflected in **Figure 28** and in the objectives of this DCP.

Objective	
O1.	To deliver new housing and retail/commercial offerings that complement the overall activation and revitalisation of Rockdale Town Centre.
O2.	To provide for appropriate employment opportunities in accessible locations within mixed use development.
O3.	To facilitate the redevelopment of the area through the amalgamation of existing lots to achieve a high quality urban form and architectural quality.
O4.	To ensure development responds to the characteristics of the site and individual areas to foster a sense of place and enhance a positive image of the Town Centre.
O5.	To ensure new development creates a legible landscape, contributes to the street and reinforces the "human scale" built form.
O6.	To encourage Ecologically Sustainable Design principles to reduce energy, materials and water consumption.
O7.	To ensure that an orderly and cohesive pattern of development is maintained as sites are redeveloped, allowing all sites to retain amenity and achieve quality built form outcomes

1. Establish a unique **identity** for Rockdale
2. Grow the town **heart** and civic role
3. Increase the **vitality** and lifestyle
4. Improve the **pedestrian** experience
5. Strengthen the Centre's **economic** hubs
6. Provide convenient and legible **access** for visitors

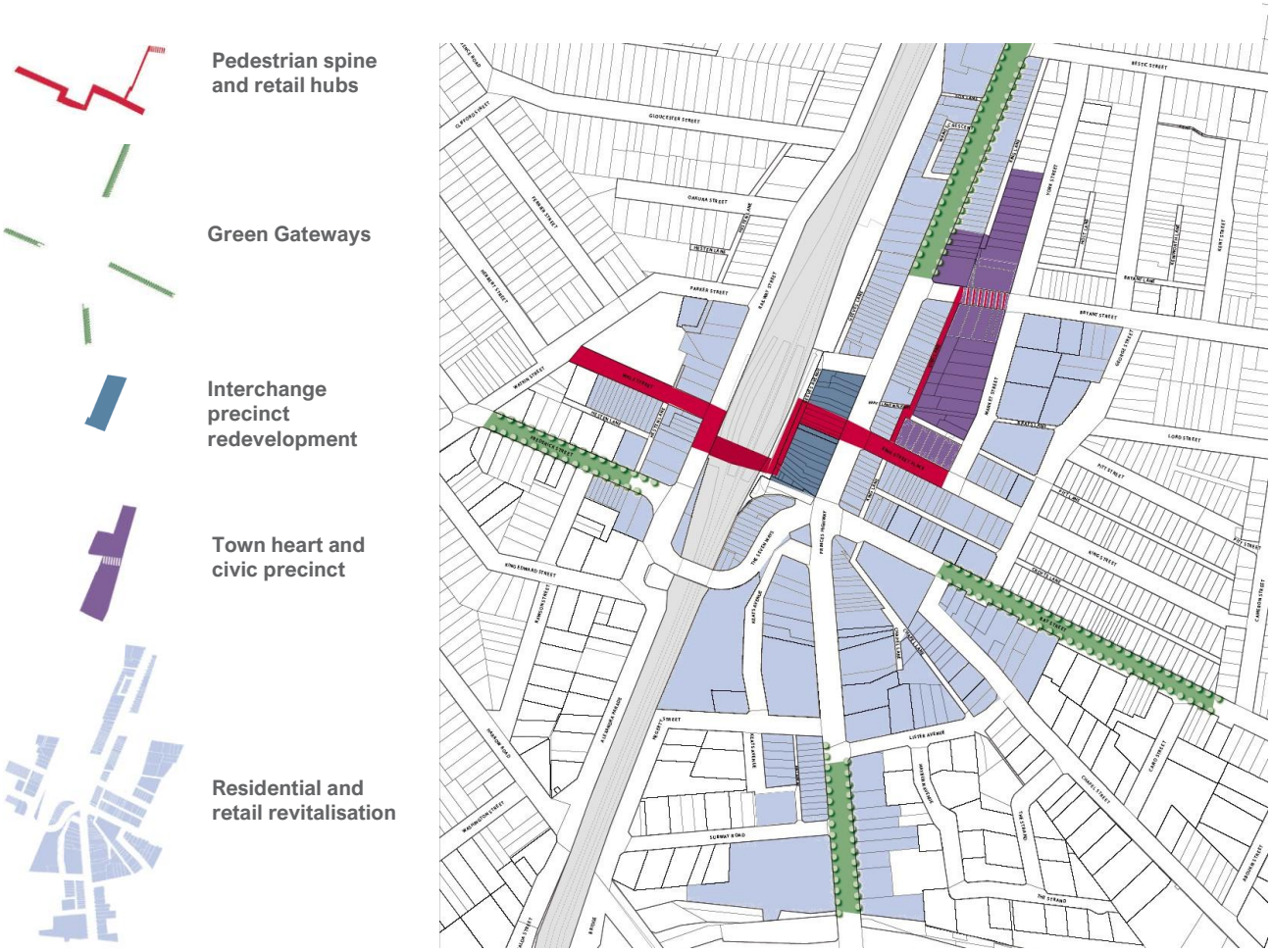


Figure 28: Rockdale Town Centre – Broader initiatives and strategies

7.2.5 General Provisions

The provisions in this section apply broadly to all development within the Rockdale Town Centre. Where more specific provisions apply under **Sections 7.2.6**, those provisions are to apply in the case of any inconsistency.

7.2.5.1 Site Amalgamation

Amalgamation of sites can achieve appropriate densities and improved amenity quality of an area. Site amalgamation is an attempt to balance planning requirements and intensification to revitalise the area, as well as achieving the desired character.

Objective		Control	
O1.	To facilitate appropriate dwelling yields, generation of employment, and a built form that will provide a positive contribution to the spatial definition of the street.	**C1.**	Development is to comply with the relevant amalgamation patterns outlined in **Figure 29**.
O2.	To encourage site consolidation of allotments for development to promote the desired urban design outcomes and efficient use of land.	**C2.**	If development is proposed on a site that does not conform to Council's amalgamation pattern, the development application must: a. Demonstrate that negotiations were undertaken with neighbouring owners to seek amalgamation and enable coordinated redevelopment. b. Provide evidence that reasonable offers have been made to the owner(s) of each of the affected sites to purchase, including written valuations for each site undertaken by two independent Valuers registered with the Australian Institute of Valuers. c. Demonstrate that the site has sufficient width to accommodate the proposal whilst still maintaining quality design outcomes. Site amalgamation must not compromise the significant features of existing sites or adjoining sites, including streetscape and landscape features (e.g. trees, rocky outcrops). d. Demonstrate that development on the alternative amalgamation pattern can achieve equal or better outcomes than specified in this DCP – Refer to Section 7.2.1 'Introduction' for details. e. Demonstrate that an alternative amalgamation pattern can be achieved by neighbouring sites and that an orderly and cohesive pattern of development can be maintained for the entire character area/ precinct achieving equal or better outcomes than specified in this DCP - Refer to
O3.	To ensure that redevelopment does not isolate lots, or prevent land parcels from reaching their redevelopment potential including meeting the NSW Apartment Design Guidelines (ADG).		
O4.	To ensure efficient and safe vehicle and pedestrian entry points can be achieved.		
O5.	To create and maintain amenity for existing and future occupants.		

Objective		Control	
			Section 7.2.1
		C3.	On sites identified as Reference Context, any intensification of development or change to building forms may require further amalgamation in addition to any requirements specified in Section 7.2.1. ***Note:*** *the maximum Height of Buildings as identified in the Bayside LEP should not be expected to be achieved where development does not comply with the intended amalgamation pattern or where there are significant departures from the built form and public domain controls.*

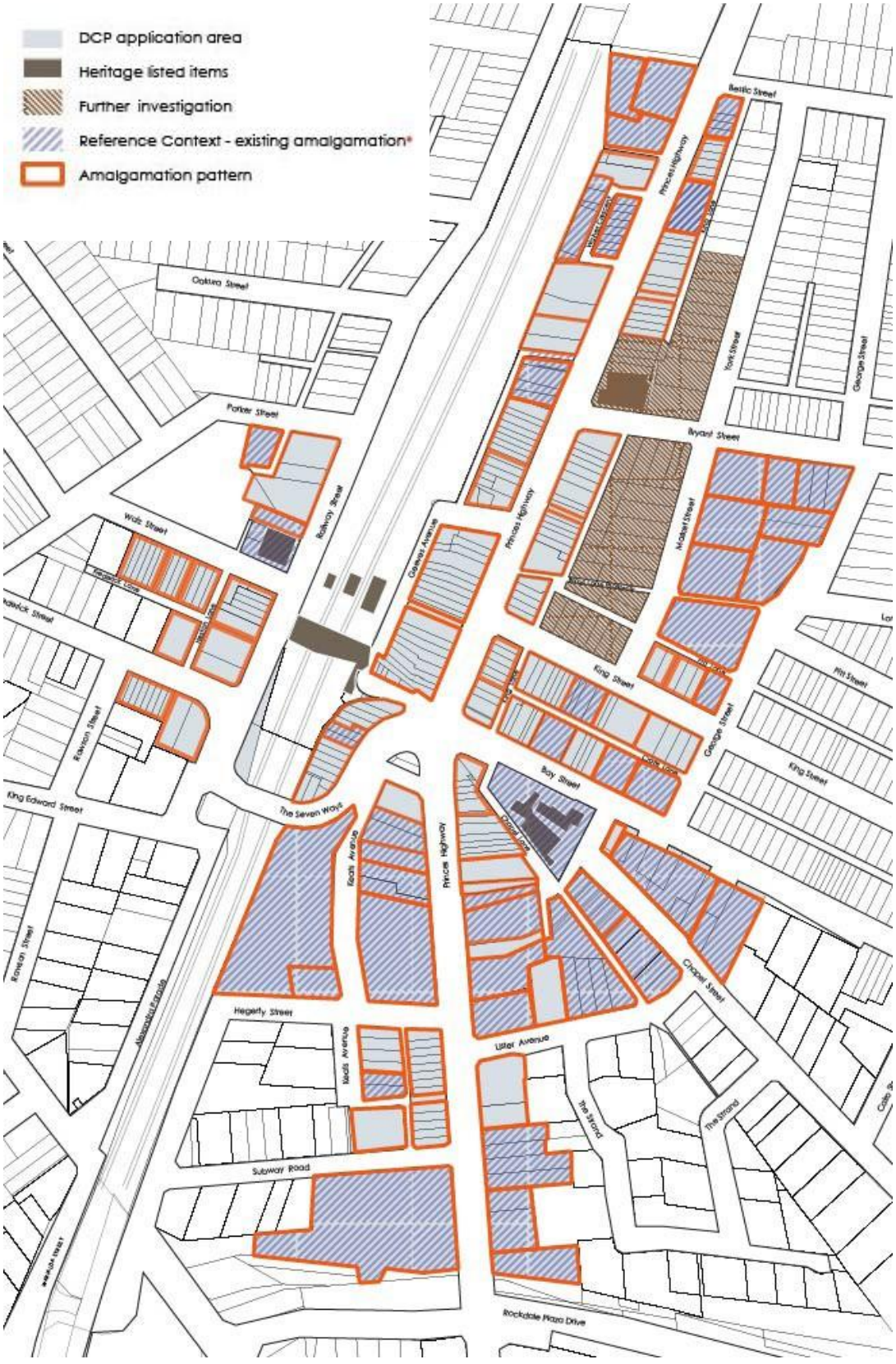


Figure 29: Amalgamation pattern

* *For Reference Context sites, the figure reflects the amalgamation of lots as per the latest approved development. Any intensification of development or change to building forms on those sites may require further amalgamation in addition to any requirements specified in Section 7.2.1.*

7.2.5.2 Built Form

Building Massing, Height and Articulation

Built form massing and articulation is fundamental to enhance the identity and character of streetscapes and neighbourhoods. Façade treatments create variety and interest while contributing to the continuity of the streetscape.

A building should define and support adjacent streets, parks, and open spaces at an appropriate scale, fit harmoniously within the surrounding context and skyline and assist in achieving transition to lower-scale buildings.

Long unarticulated façades provide less interest and variation at the pedestrian level. At upper storeys, long, continuous façades prevent sunlight access and sky views to the street. Building façades should be broken up both physically and visually. Breaks in long building façades provide mid-block connections for pedestrians and create additional public spaces.

Objective		Control	
O1.	To minimise visual impact, provide relief to the high-density built form and create variety and interest while contributing to the streetscape.	**C1.**	Building massing and articulation including street wall heights and setbacks are to be provided in accordance with the relevant sections of this DCP.
O2.	To improve access to sky views, permit vistas between buildings and through sites, and contribute to a more attractive skyline.	**C2.**	Building heights in storeys and the siting of towers/ taller portions of buildings are to be provided as indicated in **Figure 30**.
O3.	To ensure that building massing distribution reinforces and improves the urban character of the locality and provide visual connections between the Town Centre and the features that shape its identity.	**C3.**	Towers/ taller portions of buildings (above 9 storeys) are to be slender and orientated to avoid presenting its longest face to the public domain particularly along Princes Highway, Railway Street and King Street.
O4.	To ensure future built form reflects and considers the traditional fine-grained subdivision pattern of the area through architectural expression and built form principles.	**C4.**	Lower-scale buildings/ tower forms (9 storeys or less) when orientated towards Princes Highway are to be read as a strong podium upon which sits a lighter, modulated building allowing vistas between buildings to the skyline beyond.
O5.	To ensure building heights, massing and articulation respond to topography and other unique site features and constraints.	**C5.**	Floor to ceiling heights and spacing of built forms are to be consistent with the objectives of the ADG.
O6.	To ensure building massing distribution optimises design quality outcomes and does not prevent other sites from achieving quality redevelopment.	**C6.**	Development must maintain at least 3 hours of sunlight between 9am and 3pm on 22 June (winter solstice) to King Street Place.
O7.	To ensure building massing distribution retains and/ or enhances solar access to	**C7.**	Along narrow laneways, provide strong street edge definition on lower levels creating a human scale to the laneway with upper level units providing passive surveillance of the space.

Objective		Control	
	open spaces, canopy cover and delivers improved public domain outcomes.	**C8.**	The maximum building length should not exceed 45m above the street wall or 60m below the street wall.
O8.	To ensure new development is appropriate to the scale of nearby streets, public spaces, and buildings.	**C9.**	Surface effects with limited depth are not to be relied on to provide articulation and modulation.
O9.	To minimise overshadowing on surrounding development and public domain and minimise privacy issues between residential buildings.	**C10.**	Within each development, towers, podiums and private open space are to be sited so that adjoining sites retain development potential and amenity.
O10.	To enhance energy efficiency and increase daylight within buildings.	**C11.**	On sites that share a boundary with a residential zone, the height of the podiums is to respond to the height of buildings in that residential zone, and the built form above the podium set back as to minimise amenity impacts.
O11.	To avoid a continuous wall of towers facing Princes Highway and to limit and clearly define the scale of the street wall.	**C12.**	Design of buildings in proximity to a heritage item should respond to alignment and street wall height, setbacks above street wall height, and façade articulation elements with bulk and scale that are sympathetic to the heritage item.
O12.	To maintain solar access to King Street Place and achieve a consistent high pedestrian amenity character along King Street.		

Street Wall Heights

The role of the street wall is to frame the public realm, articulate entrances, and assist in the creation of an attractive and animated public realm which provides a safe, and interesting, pedestrian experience.

The street wall should define and support adjacent streets and open space at an appropriate scale. It should also integrate with adjacent street wall buildings, assist in achieving transition down to lower-scale buildings, and minimise the impact of parking and servicing on the public realm.

Within each character area, consistent street wall heights and podium-tower relationships help establish an identity for each area and a legible urban hierarchy across the Town Centre.

Objective		Control	
O1.	To provide street edges that reinforce and reflect the various uses and the unique identity of each character area while defining a legible urban hierarchy across the town centre.	**C1.**	Street wall heights are to be in accordance with **Figure 30**.
O2.	To ensure building heights at street level are responsive to the human scale.		
O3.	To provide prominence to the street level, establish a clear presence for retail and increase the visibility, marketability and utility of ground floor space.		
O4.	To promote views to the sky from the street or laneway.		
O6.	To provide an appropriate transition to adjoining heritage places when viewed from the street		
O7.	To provide appropriate transitions and be integrated with adjoining development, including planned future development.		

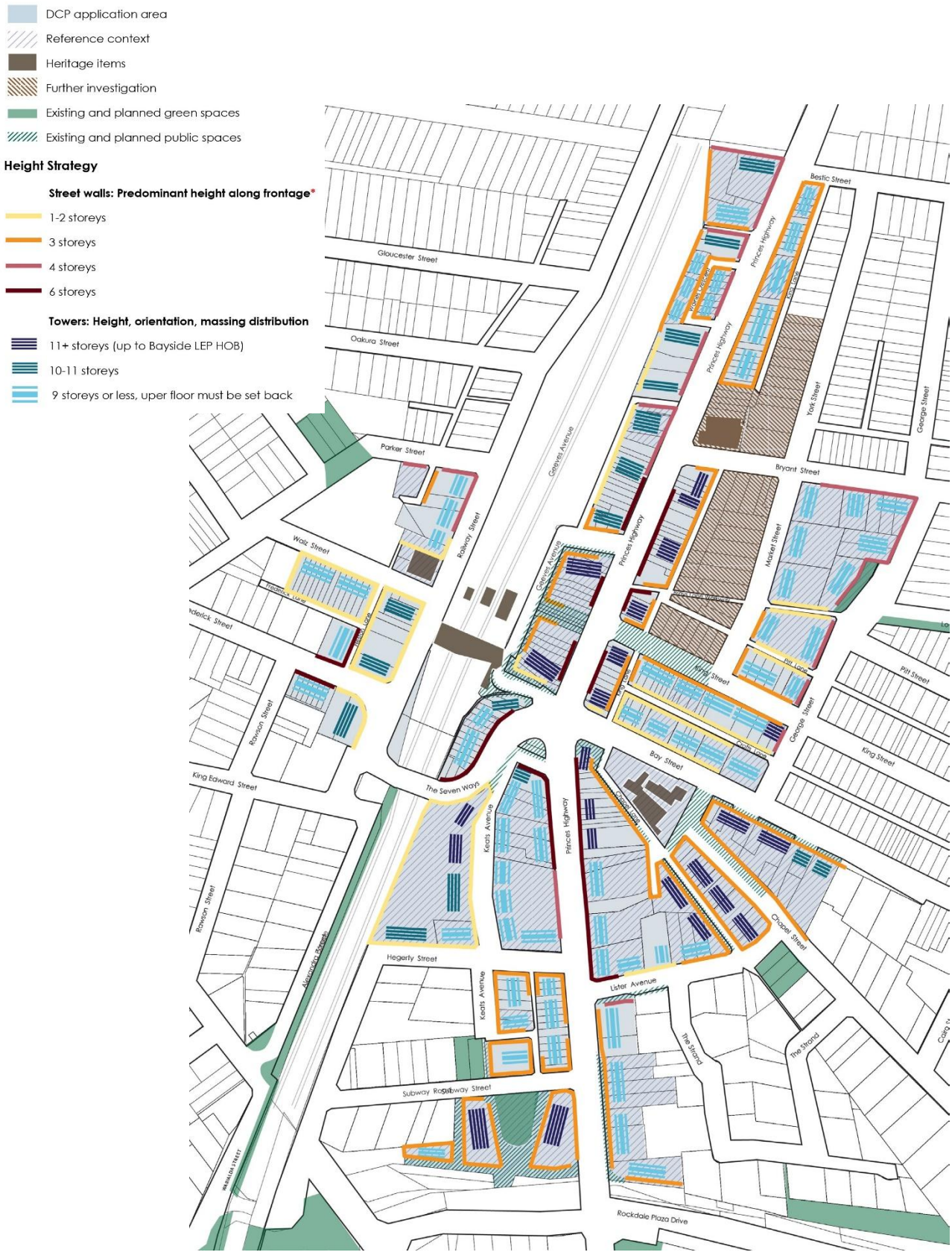


Figure 30: Height hierarchy and building massing distribution

* *Indicates the predominant street wall height required along each public domain frontage. Buildings and facades are to be designed to provide transitions between podiums of adjoining developments. Podiums are to wrap around corners at consistent heights unless the street walls are recessed to expose tower facades.*

Setbacks

Street setback controls define the building line and determine the location of buildings relative to the street boundary allowing an existing or desired future street character to be reinforced.

Side and rear setbacks help provide sufficient space for trees and landscaped areas, protect privacy of habitable rooms and outdoor living areas of existing development and reduce building bulk. In certain areas, such as the town centre core, having buildings built to the side boundary help define a more urban character.

Placing buildings above the street wall away from streets, open space, and neighbouring properties will reduce visual and physical impacts of the tall buildings and allow the base (street wall section of a building) to be the primary defining element for the site and adjacent public realm. Appropriate upper level setbacks are required for taller buildings to fit harmoniously within an existing context, including sites that contain or are adjacent to heritage properties.

Objective		Control	
O1.	To enhance the existing character of streets.	**C1.**	Setbacks are to be provided in accordance with **31** and the relevant sections of this DCP.
O2.	To define the street edge and contribute towards a consistent street enclosure.	**C2.**	**31** indicates the overarching setbacks from the property boundary and additional requirements such as setbacks at street level and locations where the street wall is to be 'peeled back' to provide additional public domain.
O3.	To frame and enhance views and vistas to natural and constructed character defining features of the town centre.		
O4.	To increase pedestrian amenity and provide pedestrian sight lines to the train station.	**C3.**	Additional setbacks and building articulation are to be provided to retain and enhance important view corridors and to improve visual connections to the train station, the Town Hall and Library buildings illustrated in **31**.
O5.	To increase amenity, minimising road noise propagation, wind tunnels and urban heat islands.		
O6.	To minimise perceived building bulk and scale from the street.	**C4.**	Lower-scale buildings/ tower forms indicated in Figure 30 (9 storeys or less) are to provide a minimum 3m setback to the top floor.
O7.	To allow for sunlight and sky views.	**C5.**	Towers are to be set back a minimum 3m from the street wall and as so that buildings are read as distinctive podium-tower forms even from a distance. None of the building elements including building articulation or façade treatments should encroach on to the setback.
O8.	To minimise adverse wind impacts on the pedestrian environment, noise propagation and urban heat islands.		
O9.	To contribute towards the distinctive character of Rockdale Town Centre.	**C6.**	On sites that share a boundary with a residential zone, the built form above the podium is to be set back as needed to minimise amenity impacts.
		C7.	A minimum 9m rear setback is to be provided

Objective		Control	
			where development shares a rear boundary with a residential property.

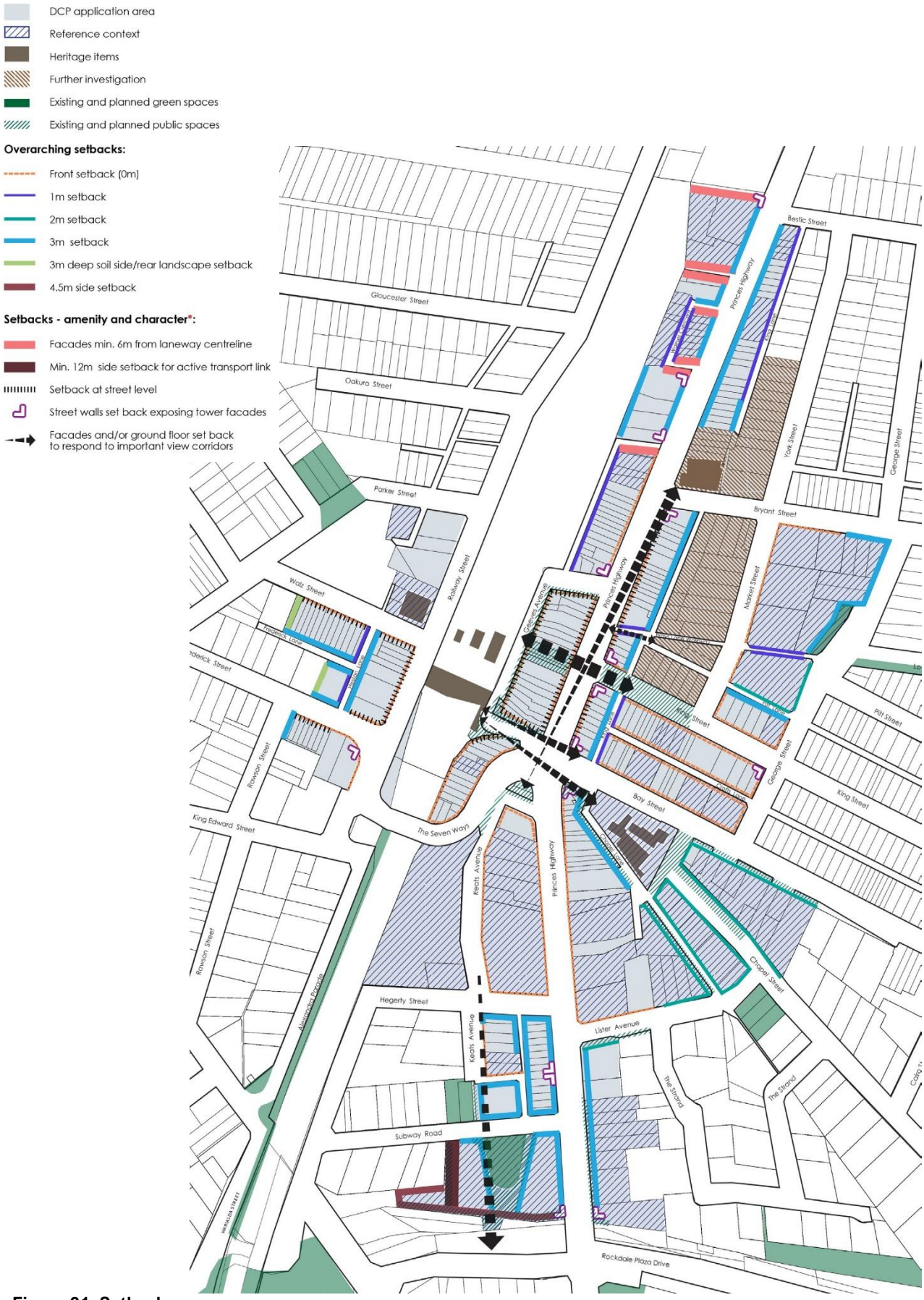


Figure 31: Setbacks

* *Refer to Section 7.2.6 Special Character Areas and to the Rockdale Town Centre Public Domain Plan for details*

Building and Façade Design

The facades of a building visible from the street play an important role in contributing to the amenity, aesthetic quality and attractiveness of an area. Facades should therefore be designed to have a contextually responsive scale and aesthetic, proportion and rhythm, solid-to-void relationships and materiality. Care and attention should be given to their design to ensure the building stands up to critical observation from near and afar. It is essential that all building elevations are considered and designed as an integral part of the overall development.

Control	
C1.	Ensure building façades are well resolved, and proportioned with an emphasis on the human scale by: a. Reflecting and responding to the orientation of the site using elements such as sun shading and other passive environmental controls where appropriate. b. Providing building articulation such as expressed vertical circulation, well designed roof form, shading devices and balconies. c. Integrating car parking entry doors within the overall design of the façade. d. Containing roof forms, building services and screening elements within the overall height controls and fully integrating those elements with the architectural concept. e. For mixed use buildings and all buildings facing Princes Highway, using 'podium-tower' forms with emphasised detail at the ground floor to highlight the human scale of development. f. Incorporating consolidated upper setbacks to avoid a tiered 'wedding cake' form, particularly where staggered setbacks are required to address matters like overshadowing. g. Developing materials, textures and colours that respond to local characteristics. h. Ensuring building façades are articulated to mitigate the appearance of building bulk and to express the elements of the building's architecture.
C2.	Facades should respond to the location and hierarchical role of the building within the context of the town centre by: a. Expressing street corner locations by giving visual prominence to parts of the façade such as varied building materials and colours, articulation, or well-designed roof form. b. As identified in **31** and where possible, articulating podium facades at key street corners to deliver additional public domain and improved view corridors by 'peeling back' the podium façade and exposing the tower façade. c. All exposed tower façades are to be well integrated within the architecture and present high-quality finishes as perceived from the street and from afar, creating new urban markers in highly visible locations. d. The exposed facades are to be designed to ensure a high- quality experience of the public domain below, achieving weather protection and street activation. e. Responding sympathetically to the existing natural and constructed character defining features of the Town Centre (historic and emerging urban markers) including the Town Hall and Library buildings, the Guild Theatre, the train station, rock outcrops, significant trees and vegetation clusters. f. Ensuring highly visible facades are unique and create interest while presenting a consistent rhythm of elements/articulation to reduce visual bulk.
C3.	Building and façade design should improve amenity by: a. Providing articulated facades and edges which are modelled to maximise solar access and privacy to existing and future residents.

Control	
	b. Providing appropriate space for outdoor dining and include articulation/façade treatment to retain amenity of residential above, facilitating the development of a night-time economy. c. Where in proximity to a heritage item, using appropriate materials, finishes and façade design and providing a bulk and scale which is sympathetic to the heritage item. d. Minimising extensive expanses of blank, glass or solid walls. e. Where development presents blank walls or incorporates a party wall that will be visible from the public domain (irrespectively of whether that could be hidden by any future adjoining development), using high quality materials, textures and variations in alignment consistent with the street façade. Reliance upon surface effects with no depth is not acceptable. f. Along laneways, the whole podium will have a direct relationship with the lane and be composed to create interest and engage with laneway users. g. Providing a definite edge to open spaces with an internal layout and façade design with encourages interaction between occupants of the building and the street. Building activity visible from the open space is to add sense of vibrancy and create further visual interest. h. Integrating entries to basements and servicing such as substations, mailboxes, booster valves into the building design.

7.2.5.3 Public Domain

Street Role and Hierarchy

This section complements the permissible land uses set out in Bayside LEP 2021. It controls how these uses are arranged and located within developments to ensure buildings interact with the street to achieve their desired role.

Active uses at ground level are encouraged within Rockdale Town Centre to ensure vibrant streetscapes and community meeting places.

Objective		Control	
O1.	To ensure new development increases the level of activity and vibrancy of the Centre and positively addresses and engages with the public domain.	**C1.**	Development is to comply with the standards for ground floor building uses and access locations set out in the following table for all street frontage types, which are shown in **Table 19** and **Figure 32**.
O2.	To ensure new development is sustainable by minimising environmental impact and being able to accommodate future changes to land use demands and social demographics.	**C2.**	Along Activated Frontages and/or where predominantly retail/ commercial uses are provided: a. All developments are to face the street and/or public open spaces. Main building entries to be located along the streets. b. Entries to active frontage tenancies are to be accessible and at the same level as the adjacent footpath. c. Conserve the existing fine grain character of the precinct through built
O3.	To ensure that the non-residential character of Princes Highway, Bay Street, The Seven Ways and Walz St is maintained.		
O4.	To maintain the existing fine grain character and human scale of the existing		

Objective		Control	
	retail strips around the station and the King Street pedestrian mall.		form elements and architectural expression. d. Awnings are to be provided to the full extent of the frontages. e. The design of active street frontages must not incorporate security roller doors and window bars. f. The use of frosted screens or opaque glass is discouraged. g. On sloping sites, the maximum level change between ground floor tenancies and the adjacent footpath is to be 600 mm at any point. For flood prone land, advice should be sought from Council's engineers. h. Integrate artworks into the design of private developments, in publicly accessible locations such as main entrances, lobbies, street frontages, gardens, walls and rooftops. i. Design is to facilitate outdoor dining particularly along open spaces, King Street, Walz Street, surrounding the station, and punctuated along Princes Highway where further protected from the Highway e.g. within setbacks at street level and wide corners. j. Design to facilitate night-time activation by providing features that help protect residential amenity (noise and light impacts) e.g. treatment and recesses to balconies on lower floors.
O5.	To ensure shopfronts and business premises complement the streetscape character.		
O6.	To create a vibrant local activity centre.		
O7.	To respond to the desired future character of the streets and avoid providing a back-of house interface to areas where there is opportunity for future activation such as the Civic Precinct, King Lane, Geeves Lane, Chapel Lane.		
O8.	To provide a controlled visual connection between public and private domains. To enhance pedestrian safety, security and amenity around and within commercial premises.		
O9.	To ensure efficient carparking and vehicle access which maximises the Centre's existing service lane network and public parking, and does not detract from the quality and extent of retail services or street activity.	**C3.**	Where uses are not predominantly retail/commercial: a. Achieve a balance between active uses and services to ensure no frontage is completely dominated by servicing or carparking. b. Achieve a diversity of fine-grained frontages. c. Ensure ground floor building services including waste, loading and parking occupy less than 40% of the ground floor area. d. Provide awnings/ canopies over footpaths where retail uses are proposed. ***Note:*** *Within this DCP, Activated Frontages is defined as any streets identified as Primary Retail, Centre Edge Mixed Use, Centre Edge*

Objective		Control	
			Commercial, and Active Laneway. ***Note:*** *Refer to the Rockdale Town Centre Public Domain Plan for details about street trees and further character defining features of the street hierarchy.*

Table 19: Street role and hierarchy

Street Role	Description	Standard
Primary Retail	High activity with continuous ground floor retailing	• Minimum 80% of the ground floor frontage to be activated by retail and business premises • Residential lobbies can occupy no more than 20% of the total ground floor frontage • No ground floor residential permitted • No vehicle access permitted • No service access permitted
Centre Edge Commercial	Provides additional retail and commercial opportunities at the edge of the Centre	• Ground floor frontage to be activated by retail and business premises • Access to residential lobbies permitted and encouraged • No ground floor residential (Except for properties under Schedule 1 in the BLEP 2021.) • Vehicle access permitted where the development does not front a Service Laneway or Centre Edge Mixed Use street • Service access permitted where the development does not front a Service Laneway or Centre Edge Mixed Use street
Centre Edge Mixed Use	High density residential at the edge of the Centre with opportunities for retail or commercial uses	• Active retail uses on the ground floor frontage, preferably along Princes Highway and open space • Mixed use (commercial/residential) on the ground in other street frontages • Access to residential lobbies should be from this frontage • Ground floor residential with direct street access • Vehicle access permitted where the development does not front a Service Laneway • Service access permitted where the development does not front a Service Laneway
Active Laneway	Vibrant space activated by the co-location of pedestrian activity and service functions	• Ground floor frontage to be activated by retail and business premises • Residential lobbies can be accessed off active laneways • No ground floor residential permitted • Vehicle access permitted • Service access permitted
Service Laneway	Primarily serves service function and provides vehicle access	• No ground floor residential permitted • Vehicle access is to be provided from service lane • Service access is to be provided from service lane

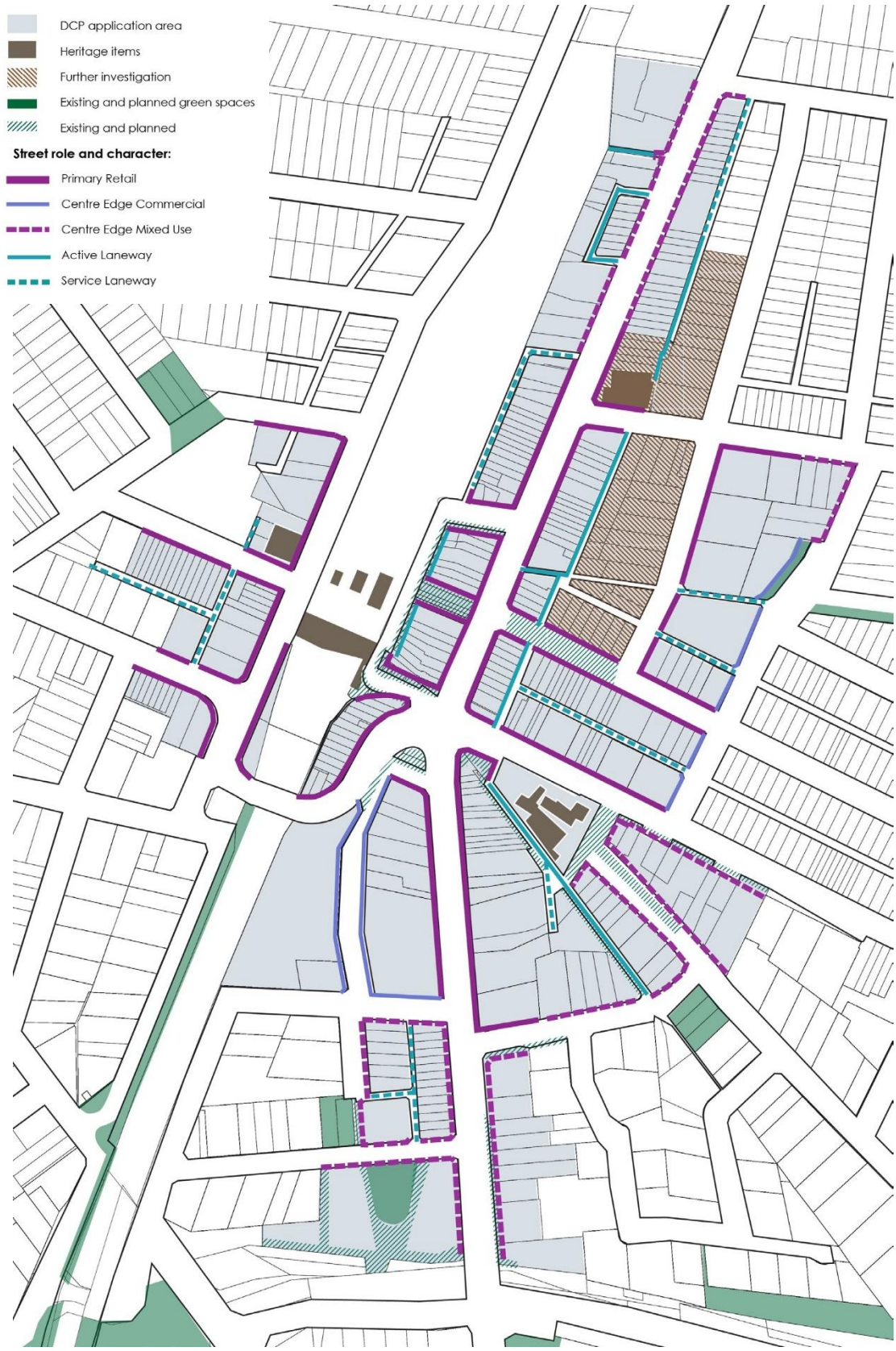


Figure 32: Street role and hierarchy

Movement and Pedestrian Connections

Objective		Control	
O1.	To enhance connectivity through the Town Centre for pedestrians and cyclists as sites redevelop.	**C1.**	Applicants are to deliver through site links in accordance with **Figure 33** and engage with Council in investigating potential future links.
O2.	To ensure the safety of pedestrians and cyclists.	**C2.**	Existing connections are to be retained unless it can be demonstrated that an alternative connection point can deliver an improved public domain outcome and achieve a better pedestrian permeability outcome overall.
O3.	To improve connectivity to the train station.		
O4.	To provide activated spaces with high pedestrian amenity offering protection from the surrounding busy road and railway	**C3.**	Relocation of existing connections are not acceptable in lieu of any requirement for providing additional pedestrian connection.
		C4.	Through-site links are to be privately owned and maintained, but must be subject to a positive covenant on title ensuring unlimited, unimpeded access by the general public at all times. In addition to any other requirements in this DCP, through-site- links are to be designed to: a. be a clear and direct throughway for pedestrians and provide a clear line of sight between public places; b. be easily identified by users and include signage; c. provide active frontages on both sides; d. have a minimum width of 4.5 metres non leasable space clear of all obstructions (including columns, stairs and escalators); e. include materials and finishes such as paving materials, tree planting and furniture consistent with adjoining streets and public spaces and be graffiti and vandalism resistant; f. demonstrate compliance with Crime Prevention Through Environmental Design (CPTED) principles; g. where practicable, have access to natural light and include landscaping. ***Note:*** *Refer to the Rockdale Town Centre Public Domain Plan for details about movement and connectivity.*

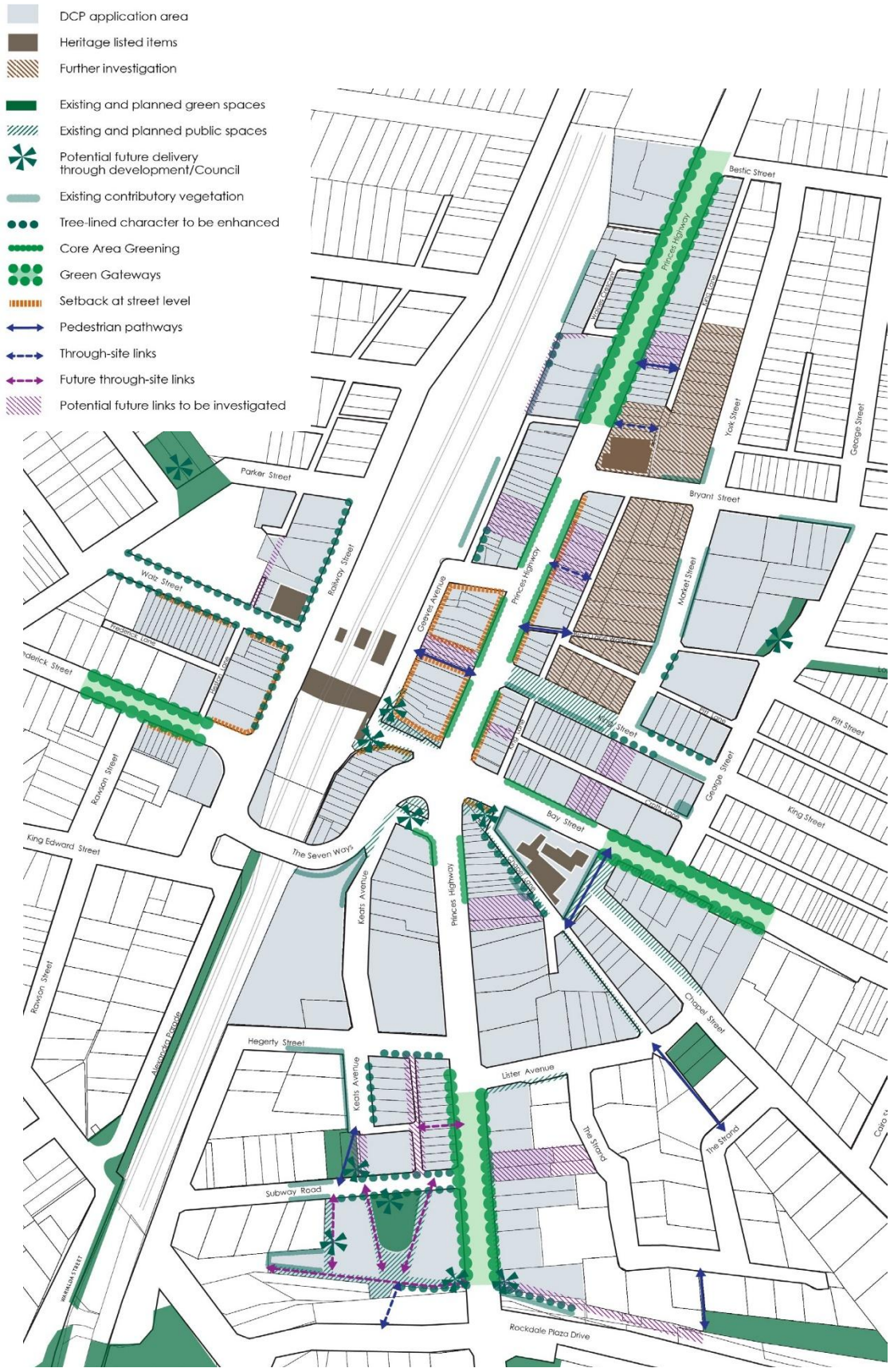


Figure 33: Intended public domain outcomes

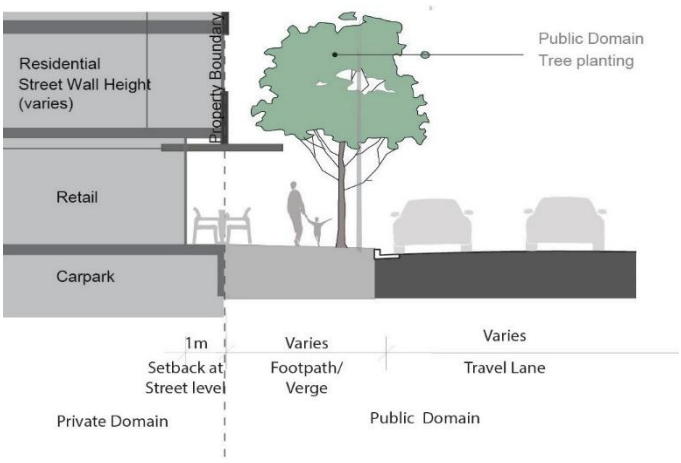
Public Domain Character and Interfaces

Objective		Control	
O1.	To increase outdoor dining opportunities, landscaping and space for pedestrians on the footpath by providing a balance between undercrofts, awnings and street tree planting.	**C1.**	Development is to deliver public domain interfaces and respond to the intended public domain character as described in **Figure 33**.
O2.	Provide appropriate weather protection along public domain interfaces to increase pedestrian amenity as well as visually unify character areas and rows of retail premises.	**C2.**	Awnings are to be provided as follows: a. Awnings shall be a minimum 2m deep and the underside of the awning is to be a minimum 3.2m above the footpath. b. Alternative awning dimensions and setbacks will only be accepted unless where it can be demonstrated that: i. a better public domain outcome is achieved through additional setbacks at street level, above ground planting and/or additional street tree planting. ii. sufficient weather protection is achieved including protection from wind, sun and rain. c. Steps in awnings are only permissible to accommodate sloping streets and if required over vehicle entrances. In such cases, proposals are to demonstrate that the design has sought to minimise the height and visual appearance of each step. No steps over 600mm will be allowed. d. Awnings should be setback minimum 1m from the face of the kerb to accommodate traffic/parking and utility poles where those are not required to be removed. e. Where street trees are proposed, the awning should be setback from the kerb along its entire length by a minimum 1.5m to accommodate the trees. f. Where a specific design response and/ or alternative awning dimensions are identified for a Special Character Area (**Section 7.2.6**) or in the Public Domain Plan applicable the site, those will have precedence if conflicting with awning setbacks and dimensions above. g. The majority of the awning ceiling and underside of the fascia along the primary and secondary active street frontages is to be integrated with
O3.	To enhance and/or respond to existing character defining features of the Town Centre as presented to the public domain.		
O4.	Provide Green Gateways that define the arrival experience into the Centre and enhance a positive image of Rockdale while mitigating negative amenity impacts from busy roads.		
O5.	Increase canopy cover across the Town Centre and enhance existing vegetation to strengthen the character of tree-lined streets.		
O6.	Provide appropriate conditions including deep soil, siting and species selection for landscaping to mature and allow for the continuation of the green canopy of the surrounding areas		
O7.	Provide a greener outlook and improve the public domain even on constrained sites and/or areas where a distinctively urban character is intended through a combination of features such as greening of facades, coordinating awning design with setbacks at street levels.		

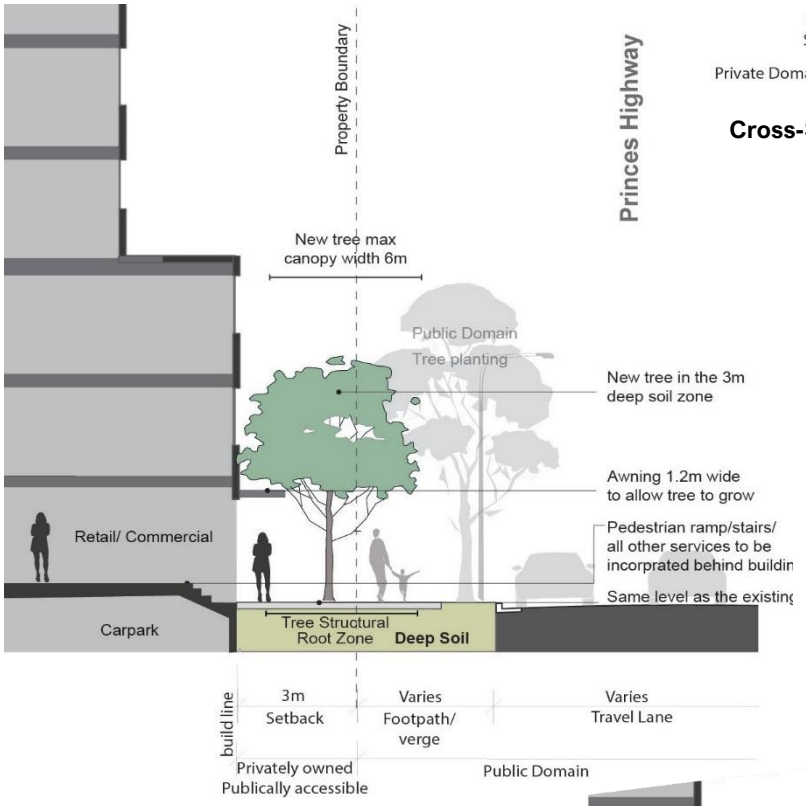
Objective		Control	
			adjoining existing and approved developments. h. Awnings, lighting and signage are to be made of good quality materials and well integrated within the architecture particularly around corners and along other highly visible locations. i. Planting above awnings along the area identified as 'Core Area Greening' in **Figure 33** is to be integrated as possible. Refer to Public Domain Plan. j. Spaces under awnings are to be well lit at all times through artificial and natural lighting. Consider incorporating glazing/ transparent material in the awning to allow solar access where planting on awnings is not provided. k. Awnings are not to slope towards the street. Gutters and downpipes are not allowed at the street edge.
		C3.	Setbacks at street level are to be provided where indicated in **31** (Built Form - Setbacks) as follows: a. In addition to any other applicable setbacks from the property boundary, a further minimum 1m of setback at street level is required along the whole frontage generally as indicated in Cross-Section (A) below. b. The setback at street level is to be measured as an average across the frontage width to allow for variations and indentations that: • reflect a fine-grained, human-scale retail character, • integrate with adjoining development and read cohesively along the same footpath, and • provide transitions to avoid 'dead-ends' and ensure pedestrian safety. c. Deeper and/or taller (two-storey) spaces are required where specified in **Section 7.2.6** or in the Public Domain Plan, and encouraged along larger-scale retail or to retain/ enhance view corridors and vistas.

Objective		Control	
			d. Recessed spaces at the street level are to be attractive and well proportioned (depth and height) as experienced from the footpath and from a distance. e. The recessed spaces are to be designed in conjunction with landscaping, footpaths, lighting and awnings to improve retail attractiveness and opportunities for outdoor dining, increase green canopy cover, discourage antisocial behaviour and improve pedestrian safety and amenity. f. Any pavement should use the same materials as the new footpath to promote public access to commercial premises. g. The setback areas are to remain in private ownership and are not intended to be dedicated to, or maintained by Council. h. Minimise the need for, and the impact of columns. Colonnades will only be permitted where it: • allows improved proportions and usability of recessed spaces, • does not obscure views of retail frontages or separates street frontage activity from the street, • can be made continuous for an entire street block, • is designed with narrow vertical elements, well integrated within the architecture of the building, responds to surrounding buildings and context.
		C4.	Along Green Gateway frontages, unless otherwise specified in **Section 7.2.6** or in the Rockdale Town Centre Public Domain Plan: a. A 3m deep soil zone and setback is to be provided generally as indicated in Cross-Sections (B) and (C) below. b. Basement and sub basement carpark design should be consolidated beneath building footprints. c. Any level changes including requirements to meet flood constraints should be incorporated within the footprint of the building.

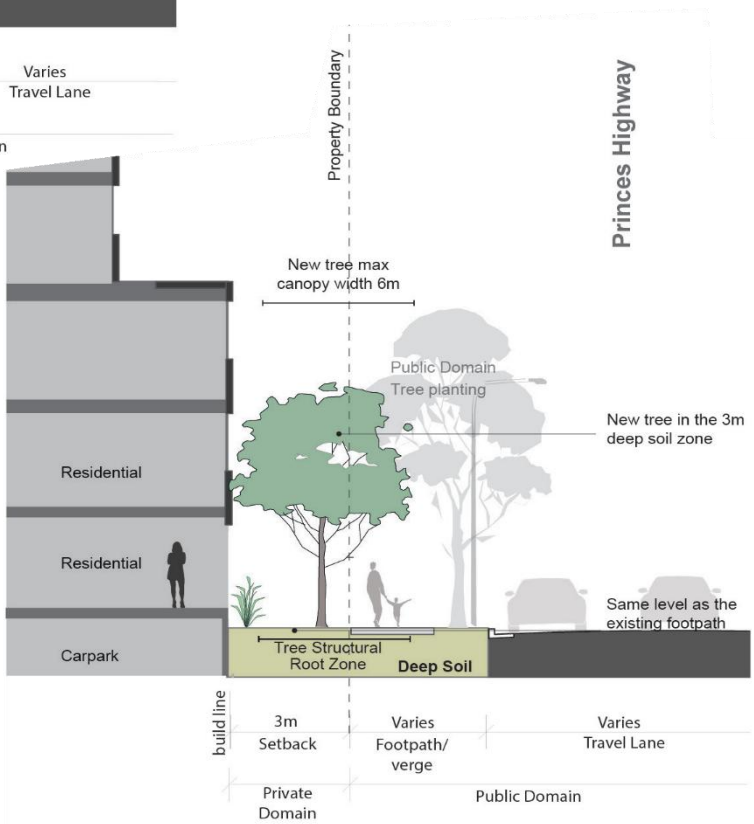
Objective		Control	
			Any ramps/ stairs are not allowed in the 3m zone. d. Awning depth up to 1.5m to provide weather protection as well as allow space for trees to grow. e. The 3m landscape setback is to remain in private ownership and not intended to be dedicated to or maintained by Council. f. Any pavement should use the same materials as the new footpath to promote public access to commercial premises.



Cross-Section (A): Typical setback at street level



Cross-section (B):
Green Gateway typical retail/commercial interface along Princes Highway



Cross-section (C): Green Gateway typical residential interface along Princes Highway

The Green Gateways have different treatments depending on the ground floor uses and location (Bay Street, Frederick Street, Princes Highway). Any proposed landscape design plans along the Green Gateway areas are to be referred to Council for comments earlier in the application process.

7.2.5.4 Building Typologies

A variety of uses and new development is anticipated in Rockdale Town Centre. The general requirements for specific land uses are provided below.

Commercial

1. Provide legible entry/ lobby areas accessed from a public street.

2. Commercial uses should address streets to provide surveillance to increase safety and activation of streets.

3. Ground floor tenancies and building entry lobbies are to have entries and ground floor levels at the same level as the adjacent footpath or public domain.

4. Basement parking must not protrude above the level of the adjacent street or public domain.

5. All parking provided within an above ground structure must be fully sleeved by either active uses or uses that provide surveillance of the street along all facades visible from the public domain, including facades that would be made visible when adjoining sites redevelop.

Mixed Use

1. Provide a range of appropriately sized and configured tenancies that meet commercial, or market needs to avoid large (>100m2) floorplates that may remain vacant.

2. Incorporate non-retail uses such as gymnasiums, childcare centres, community facilities and medical suites that service the local residential and worker population.

3. Ensure that the location of ground floor uses either activates or provides surveillance to the public domain.

4. Provide awnings to active street edges.

5. Create clear legible entries for each use.

6. Innovative solutions to provide the flexibility to meet future commercial space demand are encouraged. This includes but is not limited to:

    - A series of large studio apartments on the same floor which could be fitted out for commercial use.
    - Two storey units designed so that one floor could operate as a home office separate from the private living spaces.
    - Utilising space within podiums to provide commercial tenancies where the building footprint is deeper than permissible for residential units.
    - Wrapping above ground carparking in commercial space or residential uses that could be fully/partly converted into employment generating uses.
    - Splitting lobbies to provide both residential and commercial use on the same flood providing the commercial space adjoining any railway or busy road and the residential space where the outlook is more amenable.

7. For those areas in the B2 Local Area where ground floor residential apartments are permitted, the design of commercial/retail spaces should not be compromised. They should have enough space for sufficient internal circulation movement and able to accommodate a greater range of retail/commercial uses. This includes but is not limited to:

- Commercial/retail uses must have a street frontage.
- Each commercial/retail unit should be at least 6m in width and 13m in depth.

Residential Design

Given the Centre's access to high frequency public transport and the available range of retailing, greater population density is encouraged. Increased population within the Centre's walking catchment will also add to the Centre's activity and vibrancy. Rockdale Town Centre is the ideal location to provide dense inner city style apartment living for a variety of household demographics.

A diversity of housing choice is to be offered by mixed use developments by providing a variety of apartment types and sizes. Innovative solutions to meeting current and future housing demands and changing household structures is encouraged. This includes but is not limited to:

1. A diversity of housing choice is to be offered by mixed use developments by providing a variety of apartment types and sizes. Innovative solutions to meeting current and future housing demands and changing household structures is encouraged. This includes but is not limited to:

    a. 3 bedroom units which can be divided into a 2 bedroom unit
    b. and studio unit, sharing a common entry,
    c. 2 or 3 bedroom units with all bedrooms having ensuites,
    d. Units with large home office spaces which are separable from
    e. private living areas,
    f. Operable internal walls to allow multiple rooms or larger single
    g. rooms to be created as needed.

2. Where permitted, ground level residential units which are directly accessible from the street should include spaces suitable for use as a home office.

7.2.5.5 Site Access and Servicing

Site design, open space and streetscaping are imperative to enhance the public realm and the character and quality of Rockdale Town Centre. The following objectives and controls address specific elements of site design, open space and streetscaping such as parking and servicing. These elements should be well-designed and located to minimise their impact on the aesthetic quality and function of the site and the Town Centre as a whole.

Site Access

Objective		Control	
O1.	To enhance pedestrian activity.	**C1.**	Access to parking, servicing and loading should be provided at the rear of the building, or via laneways. On corner sites, access should be provided from secondary streets provided the entrance facilities are well integrated into the rest of the frontage.
O2.	To improve the aesthetics of the Town Centre.		
O3.	To enhance pedestrian and cyclist safety	**C2.**	Consolidated/ shared vehicular access between developments within a block is encouraged to improve pedestrian safety and the amenity of the public domain, particularly where: a. the proposed development does not comply with the amalgamation

Objective		Control	
			pattern/ built form controls specified in this DCP; or b. the site is the first or the largest site to be developed within a block.
		C3.	Where future shared access is proposed, knock out panels are to be provided at basement level(s) to allow safe and convenient access to all neighbouring sites.
		C4.	Servicing and loading must be accommodated internally within the building.
		C5.	Pedestrian access should always be prioritised for the safety and enjoyment of residents and visitors.
		C6.	The number and width of vehicle access points should be minimised to avoid conflicts between pedestrians and vehicle traffic.
		C7.	No on site loading bay is required for developments with less than 1000 m² of retail space.
		C8.	Where no loading bay is provided on site, all retail tenancies are to have access to a street or lane with a marked loading bay, either directly or via a common retail servicing space separate from the residential basement parking area.
		C9.	Where garbage trucks are required to enter the site for the collection of residential / commercial waste, developments should be designed to accommodate on-site truck movement.
		C10.	Splay corners are to be dedicated in road reserves at intersections to improve pedestrian access as follows: a. Residential / Mixed use Subdivision 3m x 3m. b. Commercial subdivision 4m x 4m.

Parking

Objective		Control	
O1.	To minimise the visual impact of car parking from the street and adjoining sites.	**C1.**	Underground parking structures should not encroach into the required landscape buffers above ground to ensure the long-term viability of mature trees and vegetation.
O2.	To ensure pedestrian safety.		
O3.	To provide resident and visitor car parking rates in accordance with the car parking rates required by the ADG.	**C2.**	Where underground parking structures must unavoidably encroach beyond the building footprint or into a landscape buffer, a minimum depth of 1m of uncompacted soil should be provided below grade to support opportunities for tree planting and other landscaping along the streetscape.
		C3.	All parking provided within an above ground structure must be fully sleeved by either active uses or uses that provide surveillance of the street along all facades visible from the public domain, including facades that would be made visible when adjoining sites redevelop.
		C4.	Surface parking is discouraged and must be should be limited to visitor and retail / commercial parking and located at the rear of the building to be hidden from public view.
		C5.	Surface parking is discouraged and must be limited to visitor and retail / commercial parking and located at the rear of the building to be hidden from public view.
		C6.	Visitor carparking provided on site must be provided behind a security gate or shutter accessed via intercom.
		C7.	Despite the requirements of the Parking and Loading Technical Specification, developments including residential accommodation are only required to provide on-site loading for removalists for a small rigid vehicle.

Waste Storage and Recycling Facilities

Objective		Control	
O1.	To encourage waste minimisation (source separation, reuse and recycling) and ensure efficient storage and collection of waste and the quality design of facilities.	**C1.**	Ensure that residential flat buildings and mixed use buildings have a communal Garbage and Recycling Room located in the basement of the building. This area should: a. be capable of accommodating Council's required number of standard waste containers and should be designed in accordance with Council's Technical Specification – Waste Minimisation and Management b. provide additional space for the storage of bulky waste, such as clean-up materials awaiting placement at the kerb, or recycling.
O2.	To ensure that where Council garbage trucks are required to enter the site for the collection of residential waste, developments can accommodate on-site truck movement.	**C2.**	In buildings more than three storeys in height, provide a system for the transportation of garbage from each floor level to the Garbage and Recycling Room(s) such as a garbage chute system. Where such facilities are proposed, provide space on each floor for storage of recyclables, preferably adjacent to the lift well. Details of the garbage chute system should be provided with the Development Application.
		C3.	Nominate on the site of residential flat buildings and mixed use buildings an area for communal composting. Although the operation of such a facility will depend upon the attitudes of unit holders and their management, the potential should exist. It is appropriate for this area to be incorporated in the landscaping plans for the development. Design communal composting with the following features: a. locate with consideration of proximity to units, odour and location of the drainage system b. purpose-build the facility. There are a variety of techniques available and advice on this and public health considerations should be obtained from Council c. the composting facility should be signposted, and should be made the responsibility of the body corporate.

Service Lines / Cables

Control	
C1.	Developments are required to have all overhead cables on all frontages of the development site relocated underground (this includes all electricity cables, telecommunication cables etc.).
C2.	Redundant poles should be removed, and underground street lighting columns should be installed.
C3.	The under grounding and installation of street lighting is to be at no cost to Bayside Council.

7.2.5.6 Urban Greening

Objective		Control	
O1.	To provide high quality landscaping that softens built forms and positively contributes to urban amenity.	**C1.**	Ensure that developments incorporate landscaping elements to soften the built form and introduce natural greenery. This can be delivered in several ways, outlined below. <u>Vertical gardens</u> • Green vertical gardens like green walls and facades are a space efficient way to incorporate vegetation into a development, providing shade, insulation and improving the urban environment. These can be implemented internally and externally in various ways including green façades, hanging gardens, living walls, vertical gardens and bio-façades. • If green walls are proposed: i. Design and locate green walls to suit the orientation and microclimate conditions (including width of the street and solar exposure) and enable access for maintenance. ii. Provide details of the support system, which should not affect the structural integrity or waterproofing of the building. iii. Ensure green walls have an integrated irrigation system using non-potable water. <u>Ground floor gardens</u> • In major developments, ground floor garden areas should be incorporated to contribute to visual amenity and soften building interfaces through deep soil planting and large trees. Ground floor
O2.	To provide sustainable and biodiverse landscapes with appropriate species selection and maintenance systems.		

Objective		Control	
			garden areas should be considered in spaces with public realm access. <u>Raised gardens</u> • Raised gardens contribute positively to the amenity and visual interest of a development and can facilitate community interaction. Raised gardens can be implemented on structures such as podiums, (integrated with) awnings, rooftop terraces, private and common outdoor areas and balconies. <u>Green Roofs</u> Any proposal for green roofs shall: • Undertake a detailed site analysis to assess the site suitability, including consideration of the climate conditions (e.g., solar orientation and wind loads), surrounding environment and the structural capacity of the roof, etc. • Suitably identify roof access, growing medium (substrate) type and depth required for various types of vegetation, function and type of green roof and plant schedule in accordance with the roof structural capacity. • Select native and drought/heat tolerant plant species. • Be designed with high standard components, including waterproofing membrane, growing medium, vegetation layer, root barrier, insulation and drainage system, etc. • Maximise retention and reuse of stormwater. • Consider integration of solar panels on the green roof.
		C2.	Landscaping should be considered holistically in the early design stages of a development to inform the building design. Retrofitting landscaping elements should be avoided to completed building designs as this can result in poor outcomes that may not be viable.
		C3.	All landscaping should be regularly maintained and should not impact on the safety of public and private areas. Hardy and

Objective		Control	
			resilient species should be selected in an urban environment to ensure that all landscaping and vegetation is viable.

Communal open space and landscape design

The density and intensity of develop envisaged in the Centre means that opportunities should be sought to utilise space within developments for communal use with soft landscaping to improve the amenity for residents and the character of the Centre.

Control	
C1.	Minimum communal open space is to be provided as required by the Apartment Design Guide.
C2.	At least 50% of the communal open space should be soft landscaping.
C3.	Refer to Sub-section 3.7.3 Communal Open Space for design specifications.
C4.	All soft landscaping areas in a development must have access to Greywater or Rainwater to meet their watering needs.

7.2.5.7 Development on busy Roads

The New South Wales Development near Rail Corridors and Busy Roads– Interim Guideline aims to protect the health and wellbeing of residents from the impacts of road traffic pollutants. Council recognises that air quality and noise along and in proximity to the Princes Highway needs to be considered.

Objective		Control	
O1.	To protect the health and wellbeing of residents through good design	**C1.**	Development along Princes Highway and other busy roads within the Rockdale Town Centre must address SEPP (Transport and Infrastructure) 2021 requirements.
		C2.	Different design solutions may be required to mitigate the effects of development along Princes Highway and other busy roads. Developments could incorporate recommendations on building design, internal layout, and architectural principles to achieve an acceptable internal acoustic environment in accordance with the Development in Rail Corridors and Busy Roads – Interim Guideline (2008) prepared by NSW Department of Planning to support the Transport and Infrastructure SEPP.

7.2.6 Special Character Areas

In addition to the building design and built form controls which apply across the Centre, there are also a number of Key Precincts which have more detailed, site-specific requirements.

For sites yet to be developed in the Town Centre, the 'Key Precincts' section of this DCP provides detailed built form controls and outlines a 'reference built form context' established through consideration of existing development, sites with approved development applications and sites with site specific DCP controls.

Detailed built form controls have not been provided for sites with an established reference built form context. Should changes to these sites be proposed, applicants are required to undertake detailed urban design analysis to establish appropriate outcomes for their sites. The following controls are required in addition to any controls in **Parts** Error! Reference source not found. **- 7.2.5**.

The Rockdale Town Centre Masterplan envisages significant improvement and expansion to the public domain network through the re development of these precincts. Particular regard should be given to the relevant section of the Rockdale Town Centre Masterplan's Structure Plan and the Public Domain Plan for these precincts.

7.2.6.1 Princes Highway North

Desired Future Character

This area is located towards the northern edge of Rockdale Town Centre and provides an entry point to the centre on Princes Highway.

The Library building and the Town Hall are character defining features of this area and are crucial to the identity and sense of place of the whole Town Centre. The future built form should positively respond to, but not compete with or detract from their character. Design of adjoining buildings is to demonstrate careful consideration of all different façade features, while views and vistas that frame the arrival experience into the Centre should be considered for all future surrounding buildings.

The area is identified as a "Green Gateway" and hence an integral part of the future character of the precinct will comprise significant street tree planting.



The street edge along Princes Highway will be defined by modulated built form transitioning from the taller forms and strong urban character in the core area to the more spacious and open character of the surrounding residential area. The built form will have regard to the high speeds of observers and to retaining a human-scale experience from the public domain, and be clearly read as a strong podium upon which sits a lighter, modulated building allowing vistas between buildings to the skyline beyond.



The design of retail spaces in this area is to increase diversity of offerings providing opportunities for business that can complement the Centre but do not need to be situated in the core such as alternative types of retail, hotels or entertainment uses like function centres, pubs.

The constrained land surrounded by Waines Crescent offers an opportunity for new development to deliver a more fine-grained human-scale response to the street as in important contrast to the

surrounding forms that relates to the Town Hall character and creates balance on both sites of Princes Highway.

Facades and public domain interfaces at King Lane, Geeves Lane and Waines Crescent require a well developed response that does not present a “back-of-house” outlook but reflect the future potential of the adjoining areas including the future of Geeves Lane carpark and the Town Centre Heart and Civic Precinct.









Controls

Princes Highway North
Quality Built Form
1. Development to present a podium-tower nature. 2. Overall massing to be lower in scale in relation to the core, with taller portions of buildings only allowed where massing can present as slender towers facing E-W (perpendicular to Princes Highway), with western facades slanted/articulated to minimize solar access and amenity impacts on developments to the south. 3. On the eastern side of Princes Highway N-S facing buildings are to be lower in scale and spaced a minimum of 4.5m from the side boundary to provide amenity and avoid a wall of tall massing facing Princes Highway. 4. Along Princes Highway, street walls are to be set back a minimum of 3m to deliver a Green Gateway as indicated in the General Provisions and detailed the Rockdale Town Centre Public Domain Plan. 5. Along Princes Highway, towers are to be set back min 3m from the street wall except on corners where the street wall is ‘peeled back’ to deliver additional public domain. 6. With exception of the corner of Fox Lane, where a new urban marker could create further interest, façade design and building articulation should respond to and not compete with the Library and Town hall buildings which are to remain the dominant character features of the streetscape.
Quality Public Domain
7. Residential uses along King Lane are discouraged on the ground floor, particularly along the

Princes Highway North
area marked Active Laneway in **Figure 32** (facing the B2 zone - the future Civic Precinct). 8. Where residential uses are provided on the ground floor or if only service-related uses are provided on the ground-floor facing King Lane, increased setbacks are required to ensure amenity of residents and the laneway. *Note: Applicants are to refer to the Rockdale Town Centre Public Domain Plan and work in consultation with Council during the early stages of the public domain design, including pedestrian links and private-public domain interfaces (setbacks at street level/ corners, Core Area Greening, Green Gateways) identified in* **Figure 33***.*



Figure 34: Area A - Built Form Controls

7.2.6.2 Princes Highway Core

Desired Future Character

Development will enhance the identity and amenity of the core area by providing a legible built form hierarchy, visual and physical connections between the railway station, King Street and Bay Street, and improving the public domain to create a positive, recognisable image of Rockdale.

Strong bold buildings are presented generally built to the boundary with facades designed with regard to the speed of the observer, containing large scale elements and features that will read as a single composition from afar and will become recognisable landmarks at key corners.

The built form response will become more subdued closer to the Town Hall and Library buildings are to the dominant character features within their surroundings and as perceived from Princes Highway (from north and south). View corridors between the Princes Highway station core area and the Town Hall are essential to the Town Centre's sense of place and identity and must be retained.



From the public domain, the experience of a fine-grained human scale retail along Princes Highway is retained while additional setbacks are to be provided strategically to respond to different needs such as enhancing view corridors/visual connections, providing sufficient space for landscaping, outdoor dining and/or providing respite from major railway and road corridors.



The look and feel of the Princes Highway strip and the arrival experience from the train station will be improved by public domain upgrades and improvement to shop fronts delivered through the redevelopment of amalgamated sites. That will foster economic development by encouraging people to stay and experience the Town Centre instead of just passing by.

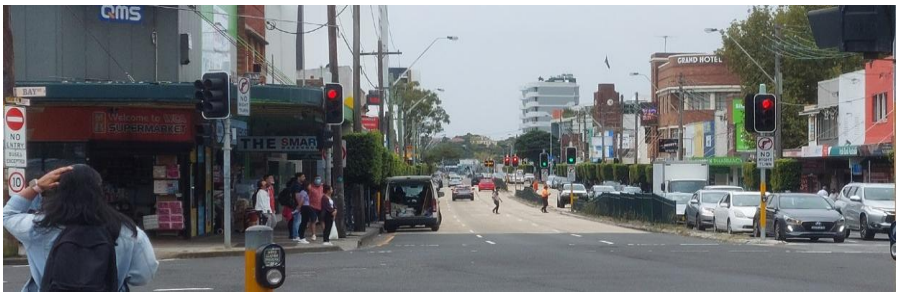


A stronger direct visual and physical link between King Street and Geeves Avenue will deliver the continuation of the "Retail Spine" as described in the Masterplan.

Facades and public domain interfaces along King Lane, Geeves Lane and Geeves Avenue should not reflect a "back of house" outlook.

The street interfaces should be activated reflecting the opportunities for future revitalisation of the Town Heart and Civic Precinct and the Geeves Street carpark. Building design should acknowledge that those facades will define how Rockdale is perceived by thousands of people travelling daily by train and arriving from Bryant, King and Bay Streets.







Controls

Princes Highway Core

Quality Built Form

1. Development to be generally of a podium-tower nature towards the centre of the blocks exposing a strong, continuous landmark-quality tower facade at key corners and highly visible locations.
2. The tallest building forms are located in this area, providing a differentiation from the rest of the Town Centre seen from different viewpoints (skyline and public domain) delivered through a strongly defined 6-storey street wall punctuated by slender tall towers.
3. Taller portions of buildings are only allowed where massing can present as slender forms facing Princes Highway and King Lane, sufficiently separated as to emphasise their vertically.
4. Western facades of buildings orientated E-W are to be modelled/ further articulated to minimise solar access and amenity impacts on developments to the south.
5. At the north-western edge of the precinct, building massing and facade design should deliver a new urban marker/ landmark building as perceived both from Princes Highway and Bryant Street.
6. In the north-eastern portion of the precinct (towards the Town Hall and library buildings), building massing and facade design should respond to, and not compete with the Town Hall by providing additional setbacks and/or modelling/ articulating facades to retain view corridors as well as using more subdued materials and finer-grained facades.
7. Any development at the “Interchange Site” must first be subject to a detailed urban design/masterplanning study to establish additional built form and public domain controls that align with this DCP and the intended future character for the area.
8. Building configuration within the Interchange site should provide a direct visual and physical connection between the King Street Mall and the train station.
9. Development on sites along Tramway Arcade and Bay Street (including the southern portion of the Interchange site) must also respond to the intended future character, built form and public domain outcomes described in Area C (Princes Highway and Bay Street Junction).

Quality Public Domain

10. Along the eastern side of Princes Highway, where identified in **31**, the additional set back at street level is to be of a minimum 1.5m in depth along the frontage (allowing for indentations and transitions) with sufficient height to facilitate small-scale retail yet retaining the historical fine-grained, human-scale character.
11. On the Interchange site (western side of Princes Highway fronting the station), the additional set back at street level is to be of a minimum depth of 3m along all frontages to the public domain and proportionate height commensurate with the importance of the site as the gateway to the Town Centre and to facilitate a larger-scale retail and higher pedestrian flow.
12. On the Interchange site, a dedication for local road widening of (2.5m wide) it to be provided along Tramway Arcade and Geeves Avenue as per the Bayside LEP 2021.



Figure 35: Area B - Detailed Built Form

7.2.6.3 Princes Highway and Bay Street Junction

Desired Future Character

The Junction core area itself presents a unique urban structure that marks the arrival point into the heart of the Town Centre. The existing built form has traditionally provided unique, interesting site-specific designs that yet establish a cohesive dialogue between Town Centre landmarks including the Rockdale Hotel, the Station Corner, the Prince's Corner and the heritage listed site.



The Junction core also enjoys an important direct visual connection to the Town Hall and has historical civic importance to the community as the site of an Anzac Memorial, although the existing space would need upgrading.



Restricted vehicular access and the irregular shape of lots along the Junction core limit built form outcomes yet offer opportunity to deliver unique landmark buildings that contribute to the identity of the Town Centre.



Development in the 'Chapel Street Precinct' has progressed and the emerging new character of high-pedestrian amenity, landscaped/ tree-lined places is to continue to be enhanced by future development. The large group of trees fronting the heritage listed site to the north of the precinct provides a rare 'green landmark' in the heart of the Town Centre to which future development is to relate.



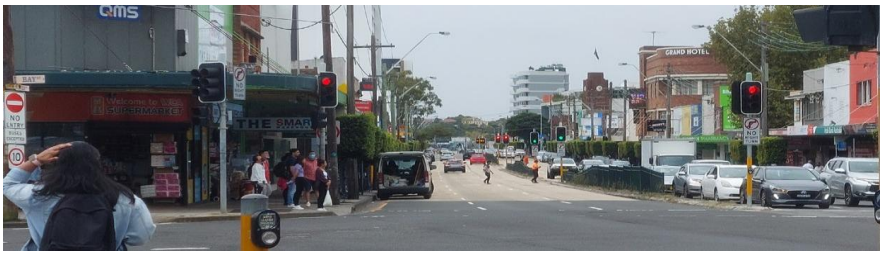
Chapel Lane will have an important role connecting a rapidly increasing number of residents to the railway station, to the local park and playground and beyond to regional facilities. Future development in
the northern end of Chapel Lane is to provide a clearly identifiable and highly accessible gateway between the station area and the laneway.



The public domain, view corridors and vistas between the station (Tramway Arcade) and Bay Street (**31**) are to be enhanced by any development along that corridor. Reconnecting the Town Centre with the train station is a key objective of the masterplan. Improving activation and public domain on the station surroundings is essential for the centre to fulfill its potential as an economic hub.



Development along Tramway Arcade and on the corner of Bay Street and Chapel Lane is to be set back and articulated to improve (besides retaining the existing) public domain and view corridors and vistas to and from the station.





Controls

Princes Highway and Bay Street Junction

Quality Built Form

1. The tallest building forms (10-12 storeys depending on topography) are to be located in distinct slender towers directly facing the corners of Bay Street and Tramway Arcade.
2. A generously proportioned setback (minimum 2-storeys at street level) is to be provided along the southern portion of Tramway Arcade and the south western corner of Bay Street to enhance view corridors and provide additional public domain.
3. Building forms and facades flanking the core Junction area are to be of high-quality design and materials, respond to the unique urban structure and use historical cues (see above) to deliver new Town Centre landmarks.
4. Building forms and facades flanking the heritage listed site (EW) along Bay St are to be of high-quality design/ materials and articulated to frame and enhance vistas from the station area to the significant vegetation and beyond.
5. Except at designated corners (**31**), towers are to be set back a minimum 3m from the street wall.

Quality Public Domain

6. Residential At the corners of Bay Street and Tramway Arcade, the street wall is to be set back exposing the tower facades and providing additional pedestrian space.
7. Development along Tramway Arcade adjoining the station is to provide additional high quality public spaces through setbacks and public domain upgrades.
8. A high-quality pedestrian space establishing a direct connection between Chapel Lane and the train station is to be delivered at the south western corner of Bay Street (Princes Highway).
9. Along Bay Street, development is to reinforce a distinct ‘boulevard’ character, facilitate an active transport corridor and deliver a ‘Green Gateway’ as specified.
10. At the corners of Bay Street and Tramway Arcade, the street wall is to be set back to expose the tower facades and provide additional, high-quality pedestrian space.
11. Development along Tramway Arcade adjoining the station is to provide additional high quality public spaces through setbacks and public domain upgrades.
12. Development fronting the War Memorial is to engage with Council to coordinate upgrades to the public space and improve active transport access to Keats Avenue.

*Note: Applicants are to refer to the Rockdale Town Centre Public Domain Plan and work in consultation with Council during the early stages of the public domain design, including pedestrian links and private-public domain interfaces (setbacks at street level/ corners, Core Area Greening, Green Gateways) identified in **Figure 33**.*

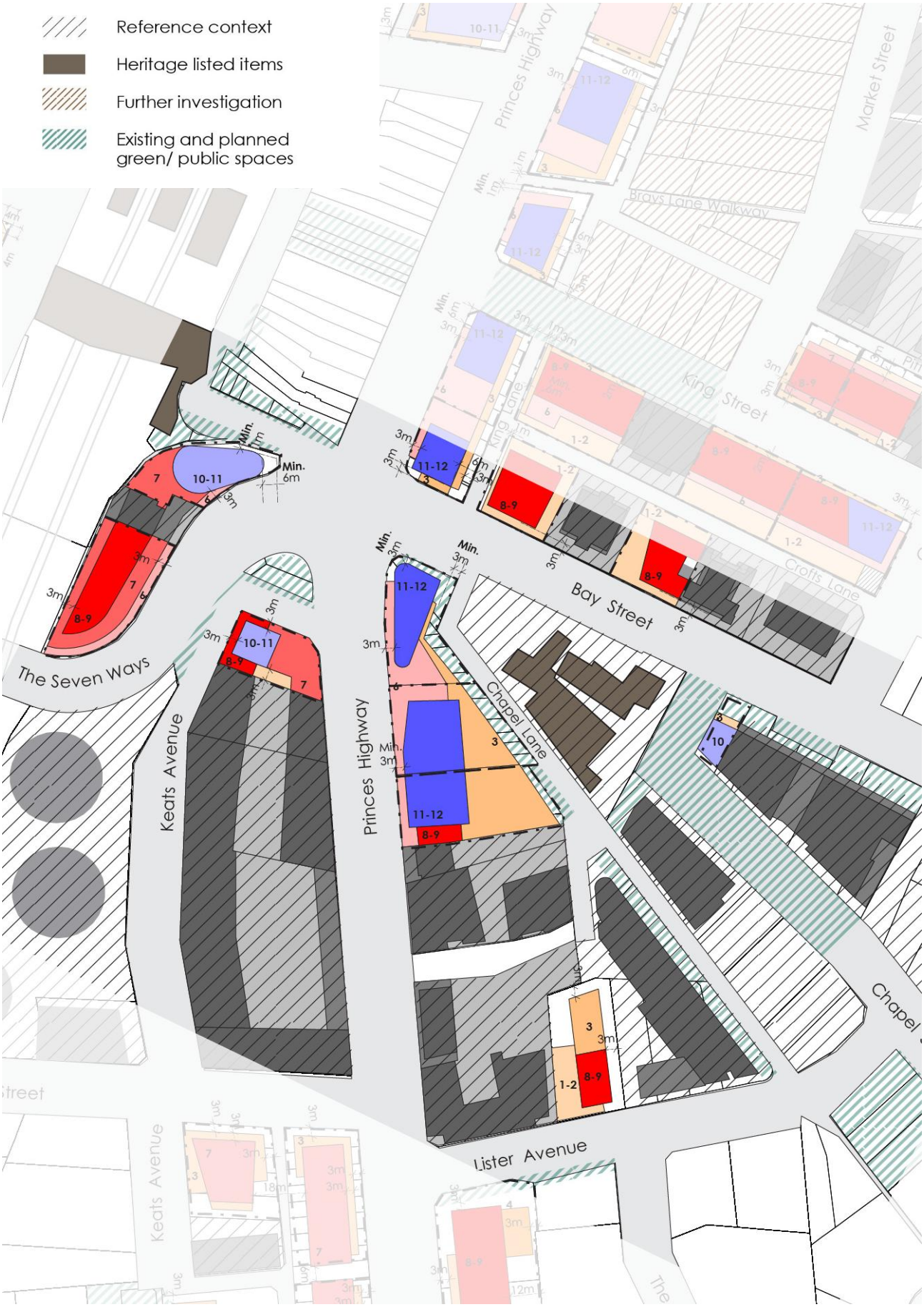


Figure 36: Area C - Detailed Built Form

7.2.6.4 King Street

Desired Future Character

King Street Place, the pedestrianised area of King Street has evolved as a new focus for the community activity providing a place for people to gather in the town centre. It will continue to function as a key retail hub, complemented by new redevelopments, with an improved night and weekend life.

The character is defined by a built form with active retail frontages providing a unique mix of existing, traditional retail and emerging contemporary facades, and by a tree-lined pedestrian friendly public domain.



Development in this area will frame the King Street pedestrian mall and the King Street edge defined by modulated built form extending the unique active frontages and tree-lined character towards George Street while transitioning from the strong urban character in the Centre core to the more open, greener character of the surrounding residential area.



The uniquely urban and active yet open, sunny and human-scale character of the built form is to be retained along the whole of King Street with relatively lower highly modulated building forms flanking the street and taller slender forms restricted to the edges of the street to mark the entry points and retain amenity.





Controls

King Street
Quality Built Form
1. Generous setbacks are to be provided to building forms on the southern side of King Street, to allow existing and future residential buildings on Bay Street to maintain ADG compliant solar access.
Quality Public Domain
2. Development must maintain at least 3 hours of sunlight between 9am and 3pm on 22 June (winter solstice) to King Street Place. 3. Development is to encourage outdoor dining and night-time activation. Building design should take into consideration providing protection from noise and light from outdoor dining spaces (e.g. articulation/treatment to balconies) as to not hinder night-time activation. 4. Development is to protect and enhance significant vegetation, including the large tree at the corner of George Street and Crofts lane and deliver a tree-lined street along the full extent of King Street.

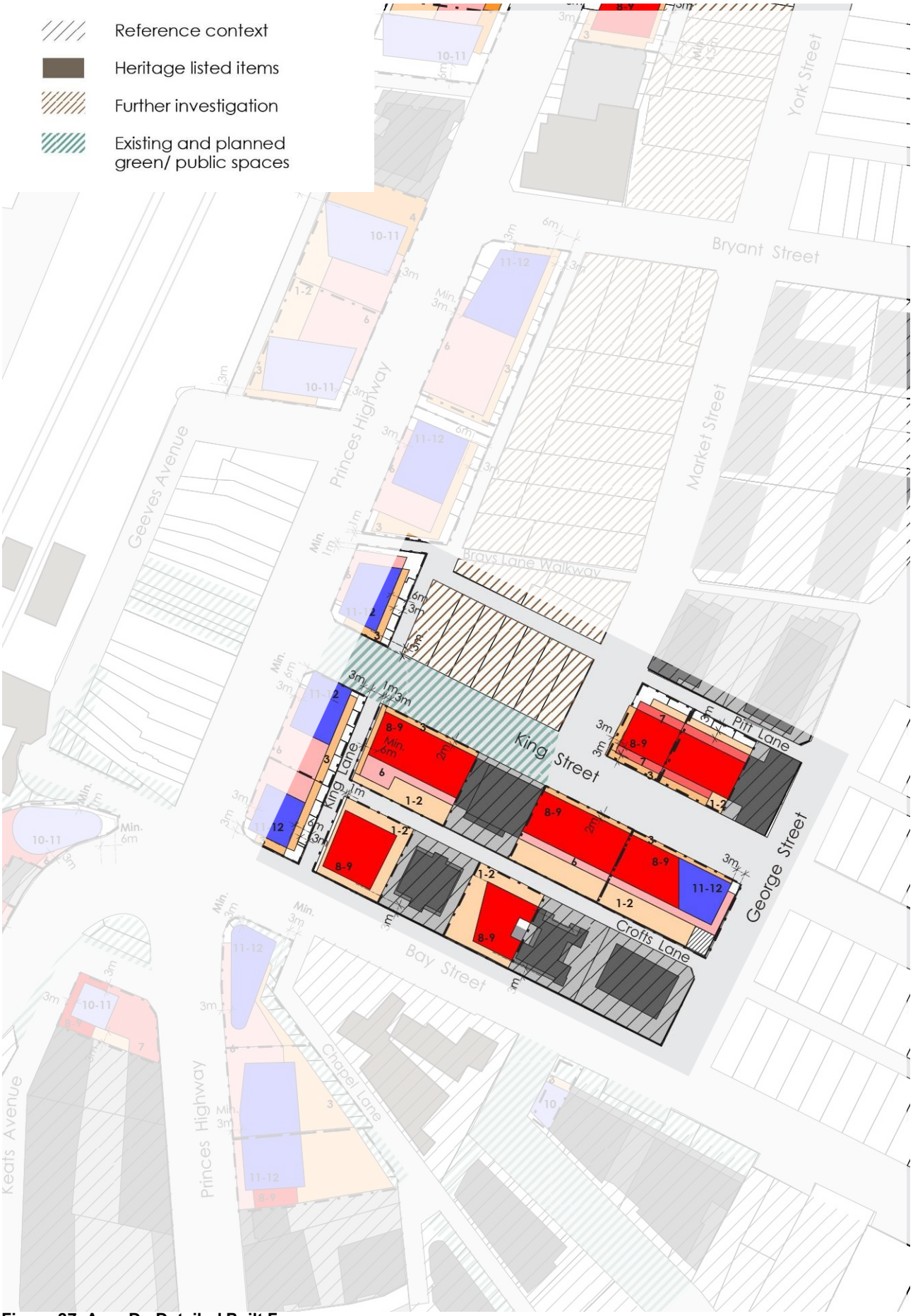


Figure 37: Area D - Detailed Built Form

7.2.6.5 Walz Street

Desired Future Character

The desirable character of the precinct is as articulated in the Rockdale Town Centre Masterplan 2012 and will be further enhanced:

> *"The Walz Street Precinct is a vibrant retail hub with a predominance of ethnic food outlets and fresh food supplies. It has a village feel despite its fringe location at the western edge of the Centre. Whilst the precinct trades well, there are a number of traffic and parking issues. The steep topography of Walz Street, particularly at the street and footpath interface, can also constrain the pedestrian experience."*

The vitality and character of the precinct will be enhanced by improving the public domain.

The existing character and scale as experienced from the public domain will be retained by providing a two-storey street wall height along Walz Street and Railway Street that will maintain a cohesive street character as the emerging precinct develops.

The tallest building forms have been located along Railway Street, Creating a defined edge to the precinct more consistent with the scale of the building forms on the eastern side of the railway.

Walz Street
Quality Built Form
1. A two-storey street wall height along Walz Street and Railway Street maintains the character of the existing precinct and contributes to a cohesive street character as the emerging precinct develops. 2. Architectural detailing and materiality is to provide a rich visual texture and a symbolic reference to the history of the place, the building's use or occupant. 3. The average maximum height of building form is 7 storeys. Increase the height of building form to 8 storeys along the edge of Railway Street to define the corners. A stepping down height of building to 4 storeys to response the residential character on Frederick Street. Refer to Figure 7.5.12 which indicates the maximum number of permissible storeys. 4. For the flood affected lots, the maximum number of storeys may vary depending on the recommended freeboard allowance above the 1% Annual Exceedance Probability (AEP) level for floor levels. 5. Zero front setback for most of the development sites to provide an active and urban frontage for the town centre. 6. 3m front setback 23-25 Frederick Street to align with the neighbouring residential character. 7. The average setback above the podium should be a minimum of 4m, it should be developed in accordance with **Figure 38**. 8. Zero setback for the first 6 storeys (14-26 Frederick Street) of the new development. 9. The minimum rear setback should be 3m to provide separation to the thoroughfares. Refer to **Figure 38** for details. 10. The minimum side setback should be 3m with landscaping to provide separation r to any adjoining residential buildings. 11. In all circumstances residential components of the development must comply with the minimum building separation objectives of the ADG.

Walz Street

Quality Public Domain

12. The pedestrian-scale streetscape will include generous footpaths and landscaping.
13. At ground level, awnings, canopies, sun shading and screening elements can project forward of the street setback line.
14. A 1m wide street level set back (reference section) is to be provided in locations shown on **31** allowing extra space for outdoor dining and retail experience.
15. Buildings are built to the street boundary and aligned with the street frontage.
16. For any new development, engagement with Council planners and engineers should be sought during earlier design stages to ensure the ground floor level access will be appropriately connected to the public domain.
17. Along Walz Street, the footpath must have a maximum 1:40 cross fall to the kerb. The east-west slope must be kept as close as possible to 1:25 for the length of the footpath to ensure a consistent slope along the building line.
18. Continuous awnings provided for shops, cafes and other commercial uses, with a minimum of 2m in depth to allow sufficient space for street trees to grow.
19. Landscaping provided along Walz Street, Frederick Street and Railway Street to improve amenity for pedestrians and outdoor diners.
20. Refer to general provisions for active frontages, movement and access.

Note: Applicants are to refer to the Rockdale Town Centre Public Domain Plan and work in consultation with Council during the early stages of the public domain design, including pedestrian links and private-public domain interfaces (setbacks at street level/ corners, Core Area Greening, Green Gateways) identified in ***Figure 33****.*

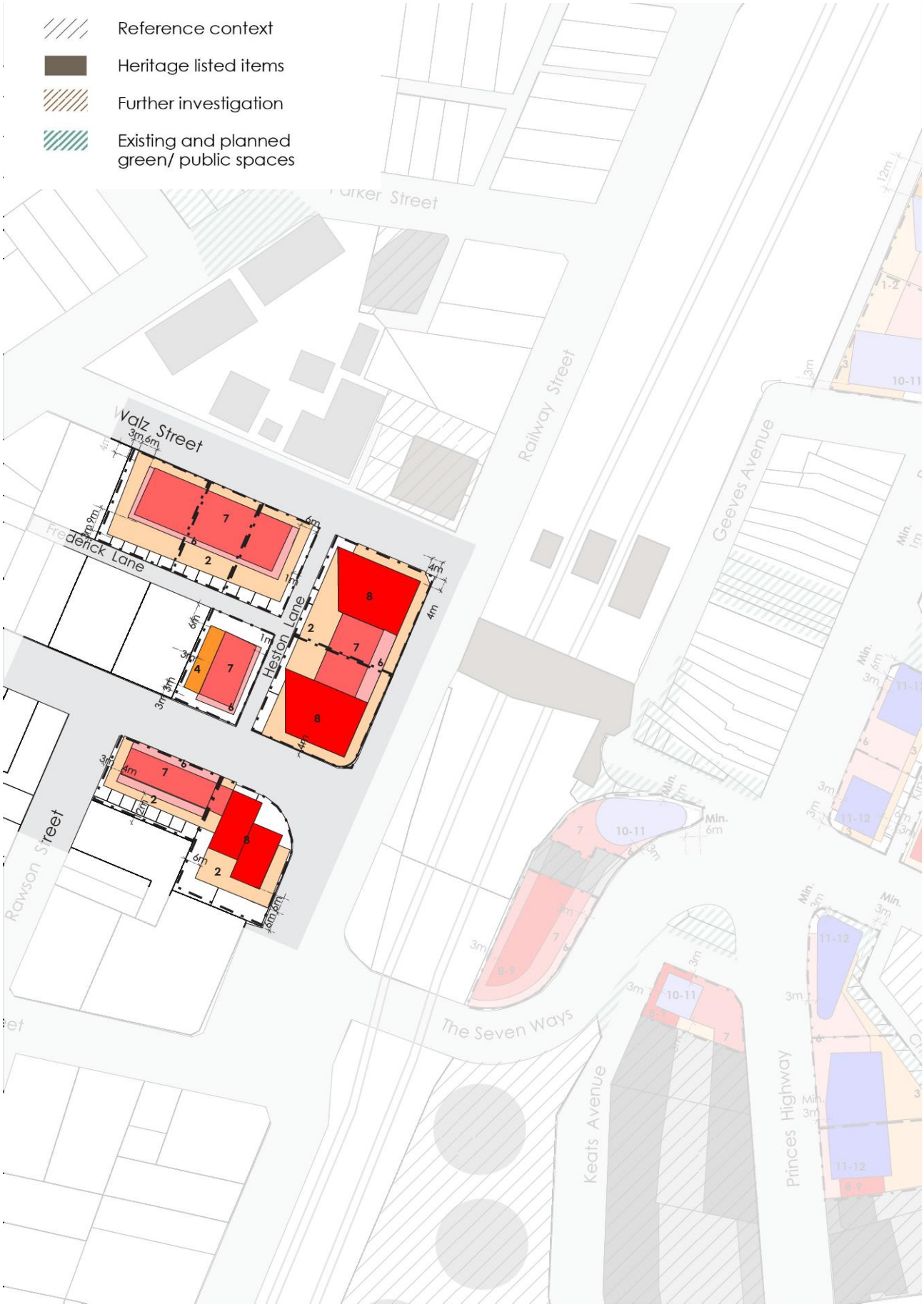


Figure 38: Area E - Detailed Built Form

Flooding

Walz Street Precinct slopes down from Watkin Street at 26m AHD to Railway Street at 19m AHD. The western edge of Railway Street and the lots south of Frederick Street are prone to the 1% AEP flood event (Refer to **Figure 38**).

Walz Street
Flooding
1. Any new development should take the overland flooding into consideration in the design and should ensure that new development does not exacerbate flooding on adjoining properties and elsewhere in the area. 2. All new development applications should be supported by a flood study to assess the potential hydraulic impacts of the development.

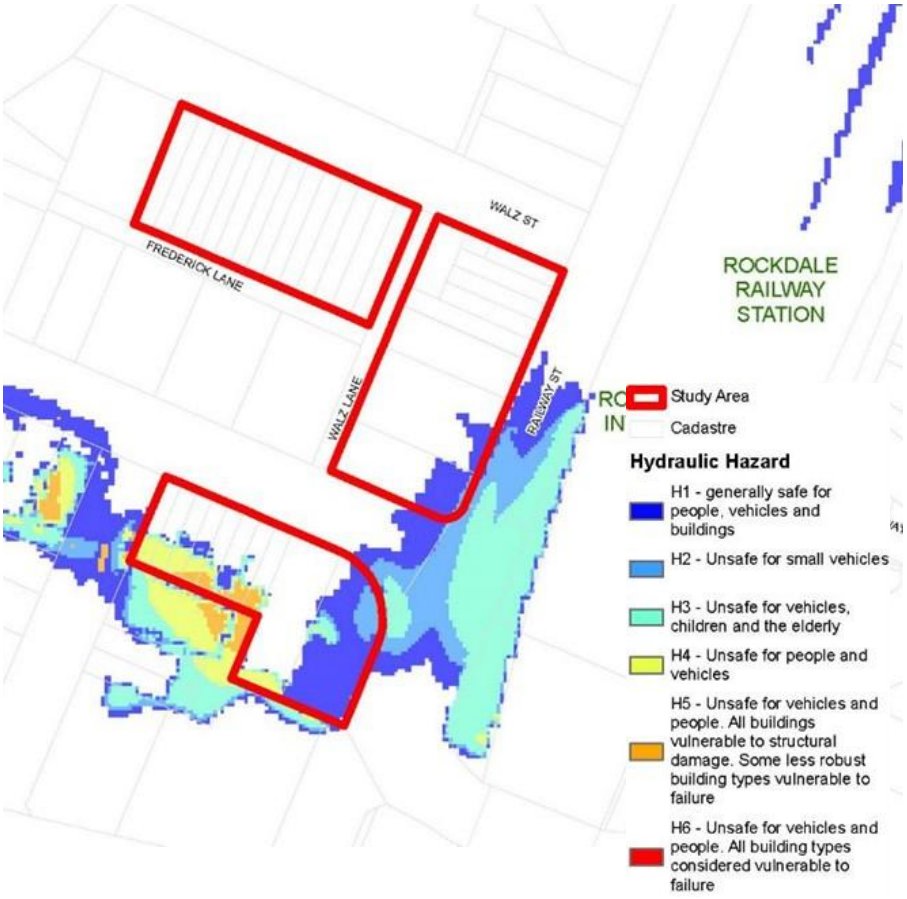


Figure 39: Walz Street Precinct 1% AEP Flooding

7.2.6.6 Princes Highway Southern Gateway

Desired Future Character

As the Town Centre grows, it will expand along the Princes Highway into the stretch south of the centre which contains more traditional highway business uses and older building stock, and presents a pedestrian unfriendly environment due to traffic noise and lack of environmental protection (awnings, street trees).

The existing uses along the highway and the Muddy Creek corridors have created a barrier to the rapidly growing number of residents in Kogarah and Rockdale to access services and retail across the two suburbs, dampening the economic opportunities of the area.

Permeability along and around the highway and Muddy Creek corridors will be key to allowing a supporting residential population within convenient walking distance to patronise the Town Centre.

The high-density residential area along Hayburn Avenue and The Strand (adjoining the emerging Chapel Street developments) offers greener, quieter streets. Yet, the lack of connectivity to the west and the south currently results in an underutilised/ less safe pedestrian environment. Development on the eastern side of the highway should consider further integration with this area to improve overall connectivity and amenity outcomes.

The area to the west of the highway benefits from Keats Avenue as an emerging local spine that provides a more direct connection to the station protected from the railway and highway noise. The existing built form between Keats Avenue, Subway Road and Princes Highway creates visual and physical barriers to connectivity and amenity; the configuration of the existing 'Pathway' does not mitigate those issues.

Development along and to the south of Keats Avenue is to strengthen this corridor as an active transport spine from the station to the Muddy Creek corridor and across the creek to Rockdale Plaza Drive.

Revitalisation of the Muddy Creek has progressed along the corridor towards Rockdale and Kogarah including an active transport link. Development along Muddy Creek is to facilitate (and not preclude) that outcome and developers are to work with Council to deliver a coordinated approach to the corridor that also considers flood risk mitigation.

It is also important that the Town Centre be differentiated from other centres and businesses along the highway to visitors travelling by motor vehicle to encourage people to stop and visit. Providing landscaped front setbacks to Princes Highway, retaining/ enhancing a greener outlook to the Muddy Creek corridor and providing landmark buildings at strategic corners will create a gateway and signify to passers-by that the Town Centre is a point of difference.

Controls

Princes Highway Southern Gateway
Quality Built Form
1. Building massing is to read distinctively as a 3-storey podium-tower form at street frontages and as seen from the public domain, and provide transitions towards adjoining residential areas. 2. Buildings are to be set back a minimum 3m from the frontages facing the public domain and a minimum 4.5m from the boundaries adjoining land zoned for Special Purposes along the Muddy Creek corridor. 3. Spacing of built forms are to be consistent with the objectives of the ADG. 4. Further setbacks and articulation (e.g. setbacks at street level, exposed tower facades) are to be provided to protect and enhance view corridors and vistas (**31**). 5. Building massing distribution is to enhance visual and physical connectivity along Keats Avenue from the station to, and beyond the Muddy Creek.

Princes Highway Southern Gateway

6. Towers are to be set back 3m from the street wall and a minimum 6m from the property boundary. At strategic corners and where indicated in **Figure 33**, the street wall is to be 'peeled back' to expose the tower façade and provide additional high-quality public domain.
7. Provide landmark buildings at the corners of Rockdale Plaza Drive.
8. A continuous façade along the Muddy Creek frontage is to be avoided and not to exceed the maximum building lengths specified in **Section 7.2.5**.

Quality Public Domain

9. Development along Princes Highway is to deliver a Green Gateway as specified.
10. Retain and enhance vegetation at the corners of Rockdale Plaza Drive and along the Muddy Creek frontages
11. Provide new connections and engage with Council to investigate potential integrated outcomes where identified in **Figure 33**.
12. Development is to facilitate an active transport corridor along Keats Avenue towards and across Muddy Creek.
13. Development along Muddy Creek is to facilitate (and not preclude) the revitalisation of the Muddy Creek Corridor and provision of an active transport corridor. Developers are to work with Council in the early design stages to achieve an integrated approach that includes flood mitigation.

For the site at 591-597 Princes Highway, Rockdale:

1. A new public domain with an area of at least 1,950m2 is to be provided centrally on the site and fronting Subway Road. The public domain is to be privately owned and maintained but must be subject to an easement in favour of Council for its use by the general public.
2. Pedestrian links are to be provided through the site as generally depicted in **Figure 33** and the Rockdale Town Centre Public Domain Plan.
3. Ground floor uses are to address and activate the public domain as well as road frontages where possible.
4. Unless stated otherwise, building setbacks are to be in accordance with **Figure 41**.
5. Establish a 3-storey street wall to Princes Highway and Subway Road and setbacks from the property boundary as follows:
    i. A minimum 3m setback to level 3
    ii. A minimum 6m setback above level 3
6. Not limiting the requirements of Control C8 **Sub-section 7.2.5.2** 'Building Massing, Height and Articulation', the length of the façade along the Princes Highway frontage may exceed the maximum 45m if it is demonstrated that the street wall achieved is complementary to the proportion/scale of the neighbouring street wall buildings. To facilitate this:
    a. The levels above level 3 may project up to 3m into the required setback for a maximum of 30% of the length of the building.
    b. The building must comply with the Green Gateways as specified in the Public Domain Plan.
7. A continuous façade along the Muddy Creek frontage should be avoided where possible. Where the façade length exceeds 50m, a high degree of articulation is required to reduce the impact of the building. A combination of design solutions such as breaks in the building, varying heights,

Princes Highway Southern Gateway
blades and alternative finishes and treatments can be used to achieve a suitable outcome. *Note: Applicants are to refer to the Rockdale Town Centre Public Domain Plan and work in consultation with Council during the early stages of the public domain design, including pedestrian links and private-public domain interfaces (setbacks at street level/ corners, Core Area Greening, Green Gateways) identified in* ***Figure 33****.*

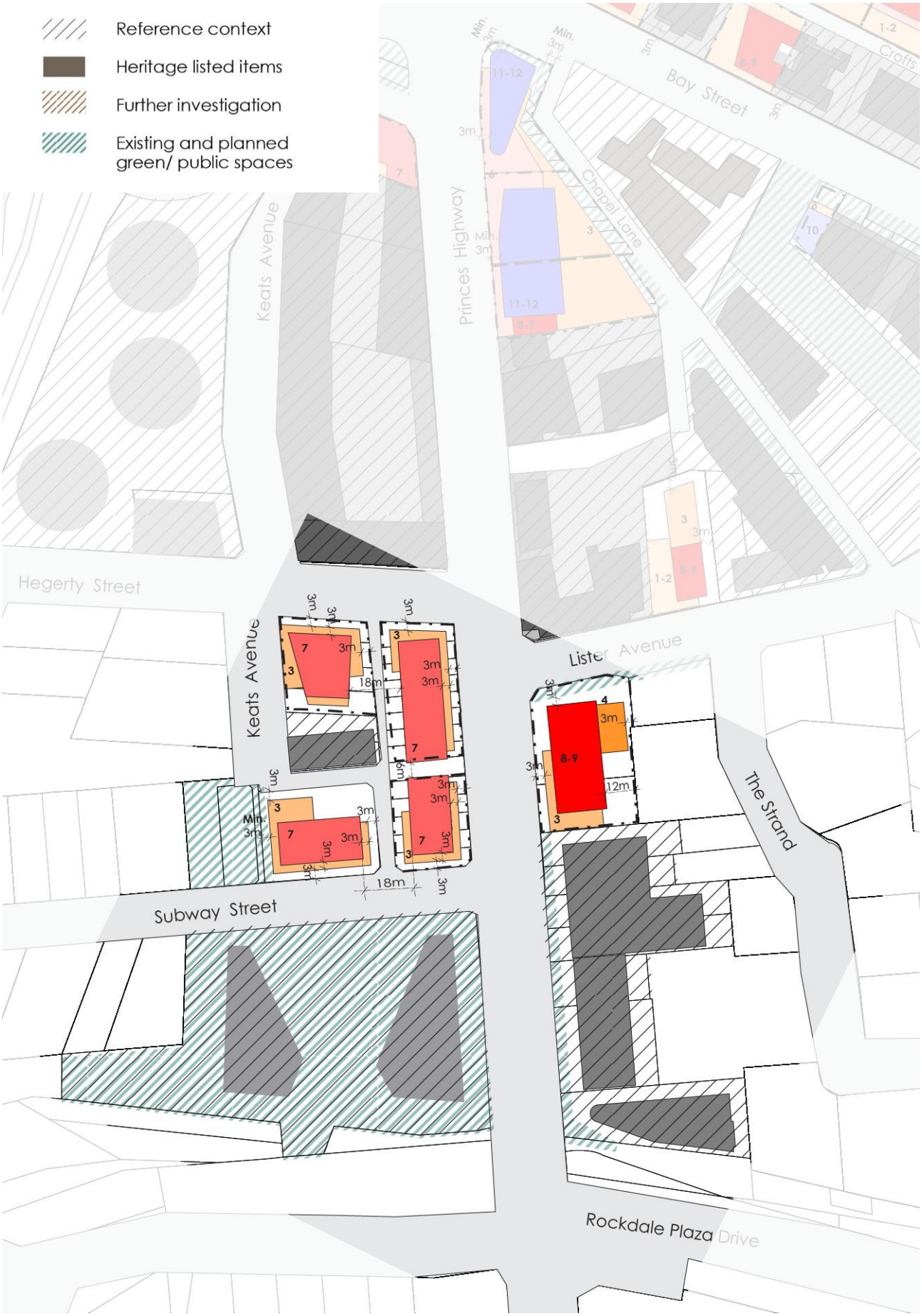


Figure 40: Area F - Detailed Built Form

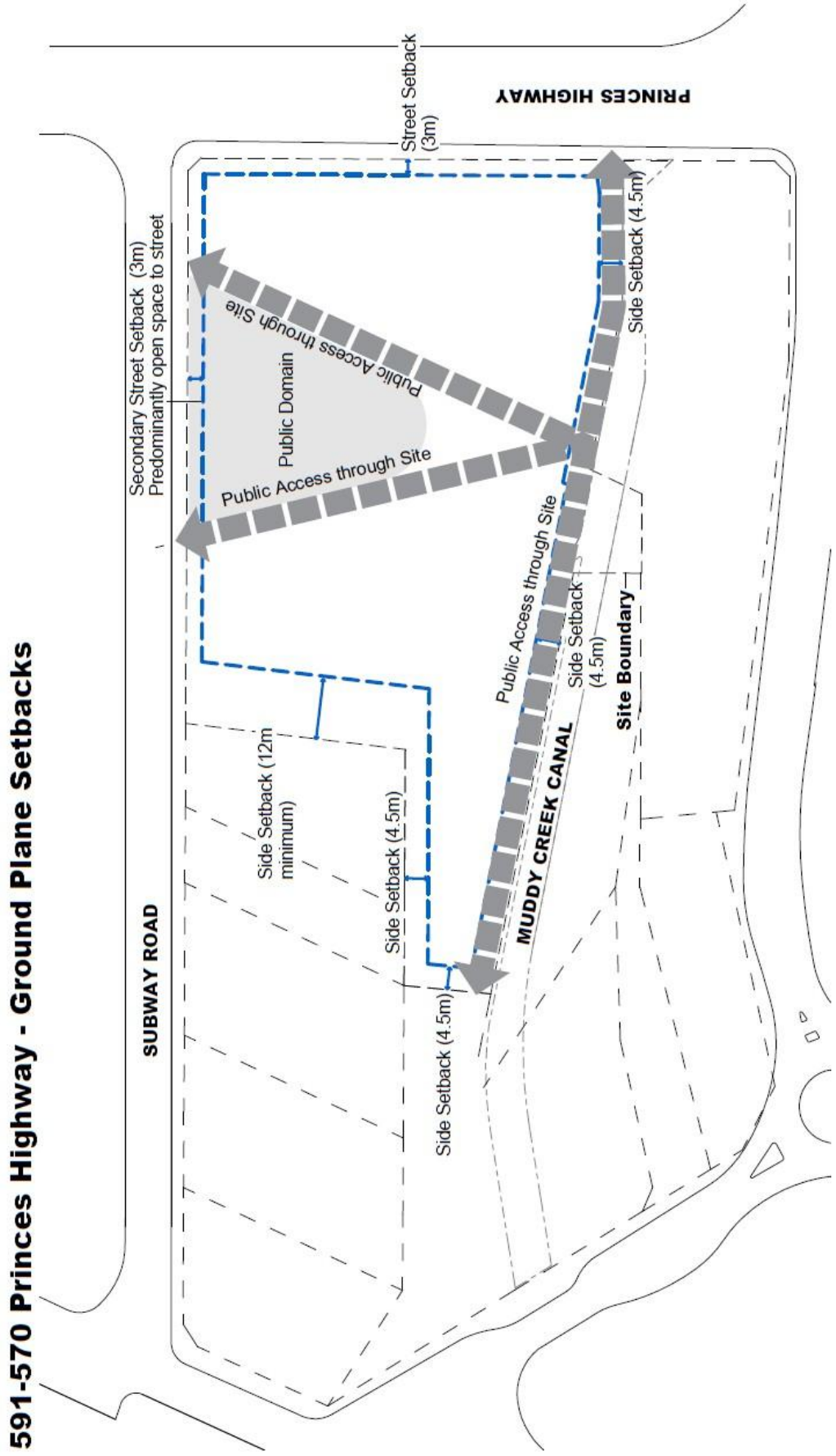


Figure 41: Area F - 591-570 Princes Highway - Ground Plane Setbacks

7.2.7 Rockdale Transport Interchange Precinct (Geeves Avenue Precinct)

The Rockdale Transport Interchange Precinct (Geeves Avenue Precinct) is defined as 471 - 517 Princes Highway, 6 and 14 Geeves Avenue and 2-14 Tramway Arcade, Rockdale and as illustrated in **Figure 42** below - Street Role Diagram.

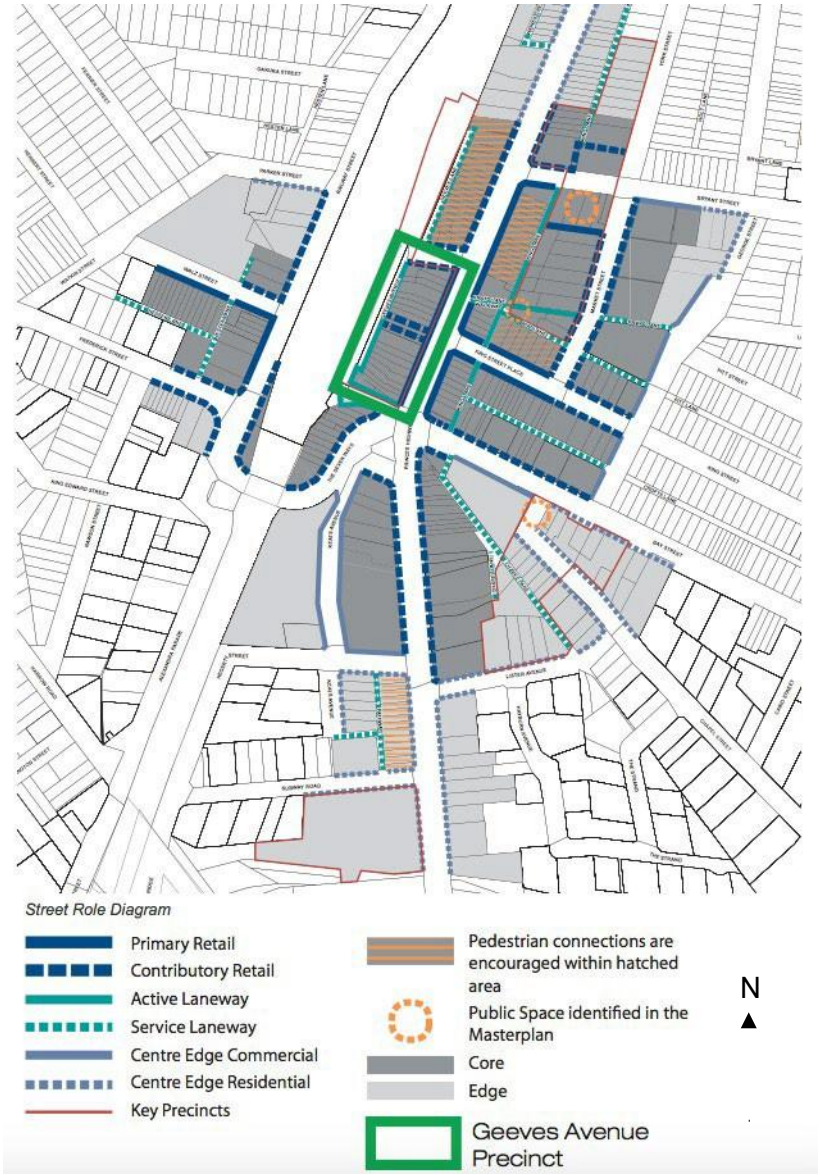


Figure 42: Street Role Diagram

7.2.7.1 Public Domain

Desired Future Character

The Interchange Precinct is situated within the Rockdale Town Centre and forms a critical part of the Town Centre due to its proximity to the Rockdale Train Station and bus interchange, as well as the commercial properties along Princes Highway. The Interchange Precinct is in a highly accessible location adjacent to the Seven Ways intersection and experiences high levels of pedestrian traffic. Given its prominent location, the Interchange Precinct has the potential to transform into a landmark mixed use precinct with active street frontages and high density residential towers.

A pedestrian through site link and upgraded pedestrian footpaths with street level active uses will be incorporated to improve the pedestrian experience and positively contribute to the public domain. The Interchange Precinct will create a pedestrian-friendly focal point providing connectivity between the transport interchange and the Rockdale Town Centre.

At street level, a six-storey street wall defines the west side of Princes Highway, with a three-storey frontage to Geeves Avenue to present the human scale of the development. A tower will be provided at each end of the Precinct, presenting a distinctive element from both directions of Princes Highway.

Objective	
O1.	Provide streets and footpaths that prioritise pedestrians, cycling and public transport use.
O2.	Provide a well-connected pedestrian network that facilitates permeability of movement to and from the site.
O3.	Ensure the pedestrian footpaths and through site links are safe, highly accessible, well lit and promotes public use.
O4.	Provide suitable weather protection for pedestrian links through the provision of undercrofts, awnings or other design features.
O5.	Present appropriate frontages to the surrounding streets and public domain in terms of scale, finishes and architectural character.
O6.	Ensure active uses are provided on street level to contribute to active street frontages and enhance pedestrian amenity.

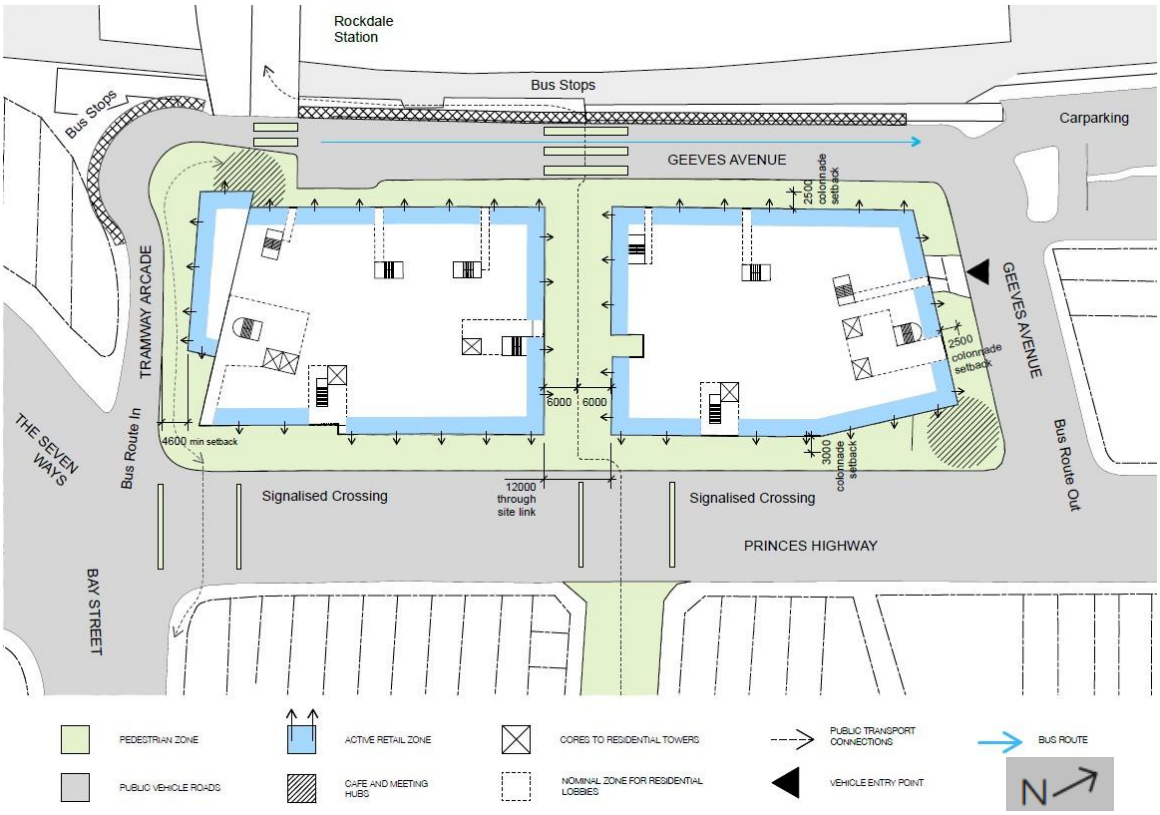
7.2.7.2 Landscape Design and Green Architecture

Objective	
O1.	High quality and long lasting landscaping is to be provided throughout the site.
O2.	Landscaping is to be incorporated to foster environmental benefits such as mitigating the urban heat island effect, reducing flood impacts and improving air quality.
O3.	Ensure plant species are appropriately selected to suit the soil and micro-climatic conditions.
O4.	Encourage landscaping that is designed to integrate with the architectural design of the building and provide visual relief.

Objective	
O5.	Encourage well designed and maintained green roofs and green walls in suitable buildings and locations, including the podium setback areas along all street frontages.
O6.	Provide street tree planting to enhance the amenity of the public domain.

7.2.7.3 Controls

Controls	
Pedestrian Site Link	
C1.	An open air pedestrianised through site link is to be provided at ground floor to the centre of the precinct which is 12m wide, with 6m of the links width accommodated within Stage 1 and the remaining 6m accommodated in Stage 2. The pedestrianised through site link will connect the Rockdale bus interchange and Princes Highway, as illustrated in Figure 7.5.17 below - Indicative Design.
Active Retail Zones	
C2.	Active retail zones are to be provided along the street frontages and through site link, as illustrated in Figure 43 – Indicative Design.
Indicative pedestrian access points	
C3.	The indicative pedestrian access points are illustrated in **Figure 43** below – Indicative Design.
Setbacks	

Controls	
C4.	The following setbacks are to be incorporated (refer to **Figure 43** below for further detail): a. A 2.5m setback is to be provided along Geeves Avenue as measured from the pedestrian footpath; b. A 3m setback is to be provided along Princes Highway as measured from the pedestrian footpath; and c. A minimum setback of 4.5m is to be provided along Tramway Arcade.  **Figure 43: Indicative Design for the Rockdale Transport Interchange Precinct**
Precinct Amalgamation Pattern	
C5.	The required amalgamation pattern for the precinct is outlined below and illustrated in **Figure 44** below: a. **Stage 1** (southern portion of the precinct): includes the sites 493 (part of), 495, 501, 507, 509, 513-517 Princes Highway and 2, 4, 6, 8-12, 14 Tramway Arcade and incorporates one of the landmark buildings. Stage 1 also incorporates 50% of the through-site link to be located on sites 495 and part of 493 Princes Highway. b. **Stage 2** (northern portion of precinct): includes the sites 471, 475 – 477, 483, 485, 487, 489, 491 and 493 (part of) Princes Highway and 6 and 14 Geeves Avenue. Stage 2 also incorporates 50% of the through-site link to be located on sites 495 and part of 493 Princes Highway.

Controls

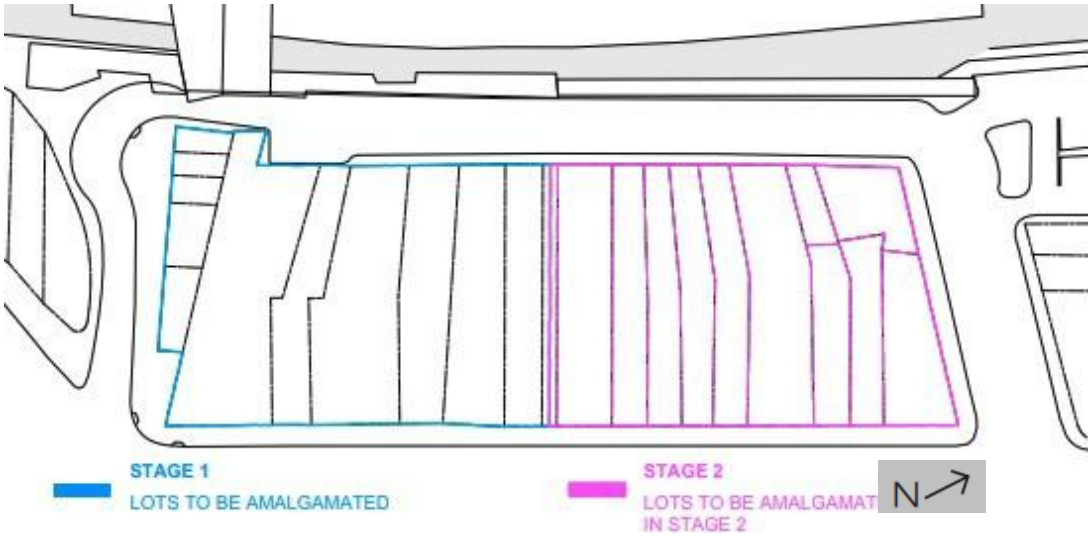


Figure 44: Required Stages for Redevelopment

Precinct Massing

C6. The massing for the precinct is to be consistent with **Figure 45–Figure** 49 below and incorporates the following:

a. A 6 storey podium along Princes Highway and 3 storey podium along Geeves Avenue (north and west) with higher elements setback above these primary street frontage heights;
b. Two 12-storey landmark buildings, with one to the northern end of the precinct and the other to southern end of the precinct;
c. The built form to 2-14 Tramway Arcade is to be 3 storeys; and
d. The built form to the centre of the precinct is to be between 5 and 6 storeys.



Figure 45: Indicative Massing for the Precinct

Controls

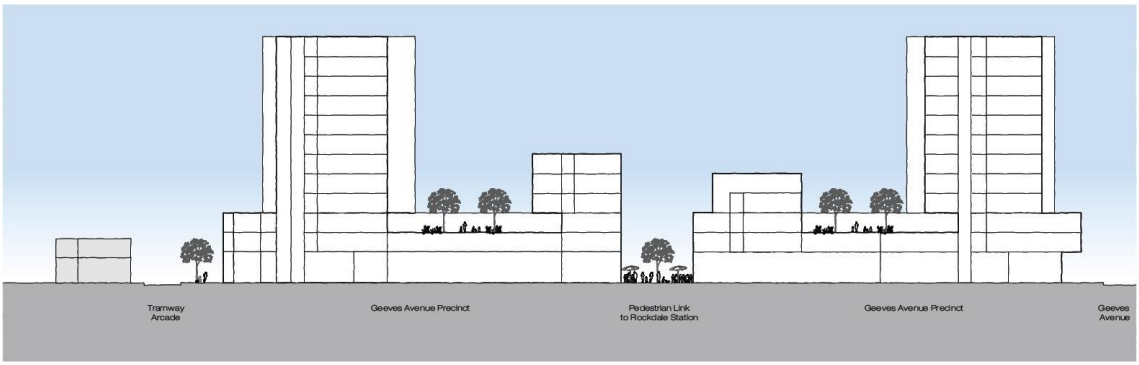


Figure 46: Indicative north-south section, looking west

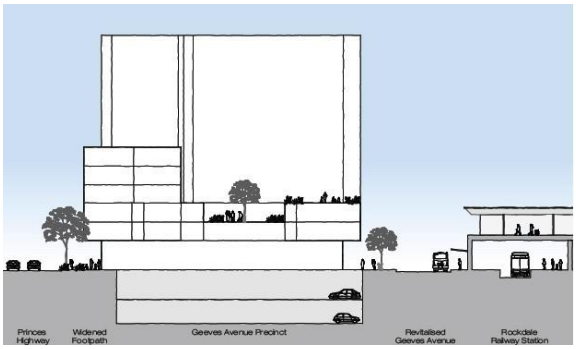


Figure 48: East-west section, looking south near the railway station

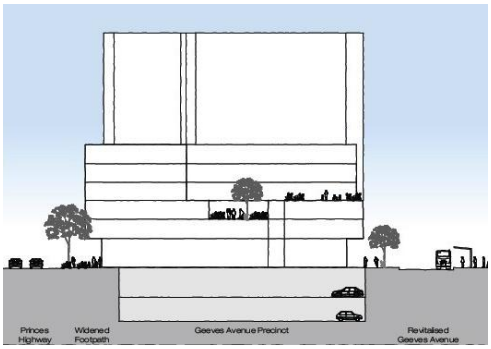


Figure 47: East-west section, looking south near the bus stops on Geeves Avenue

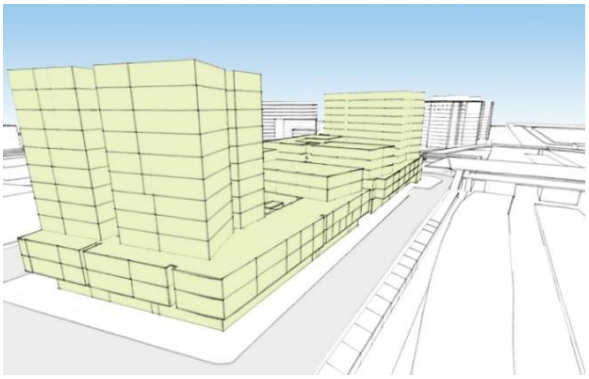


Figure 50: Indicative 3D massing looking southeast from Geeves Avenue adjacent to the railway station



Figure 49: Indicative 3D massing looking northwest from the intersection of The Seven Ways and Princes Highway

Vehicle Access Points

C7. The indicative temporary and final vehicle access points are detailed in **Figure 51-Figure** 52 below.

There is to be only one temporary access point along the western edge of Geeves Avenue for Stages 1 and 2, whilst a basement connection will connect the stages (refer to **Figure 51** and **Figure** 52).

Controls	
	Once the entire precinct is redeveloped, there is to be only one vehicle access point along the northern edge of Geeves Avenue (refer to **Figure 52**).

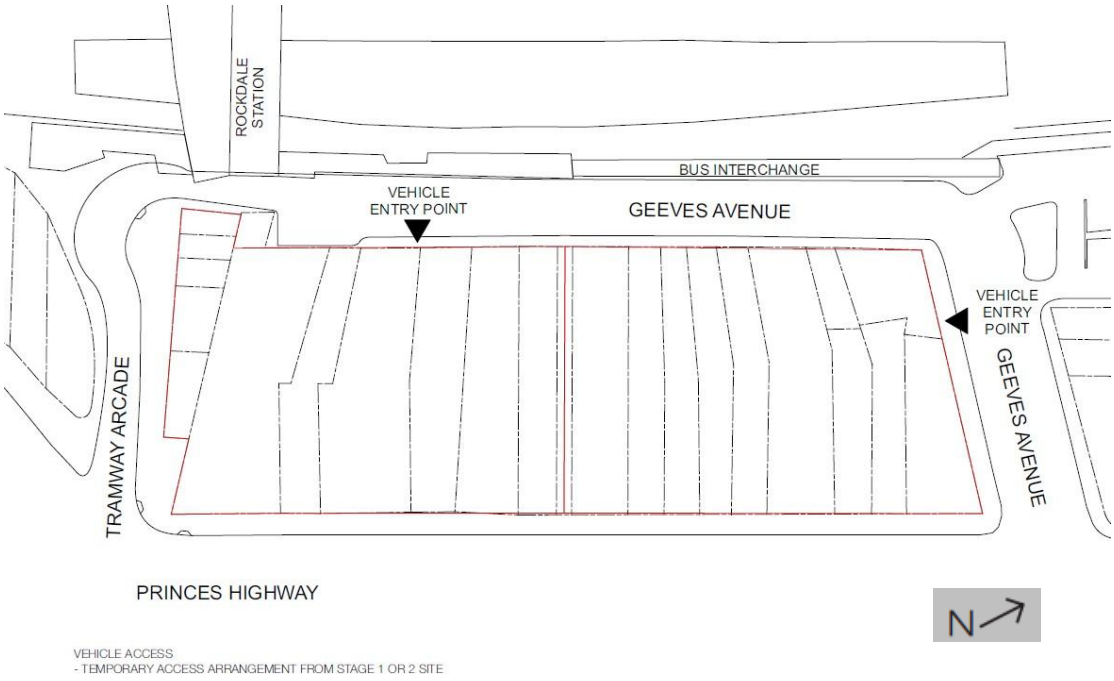
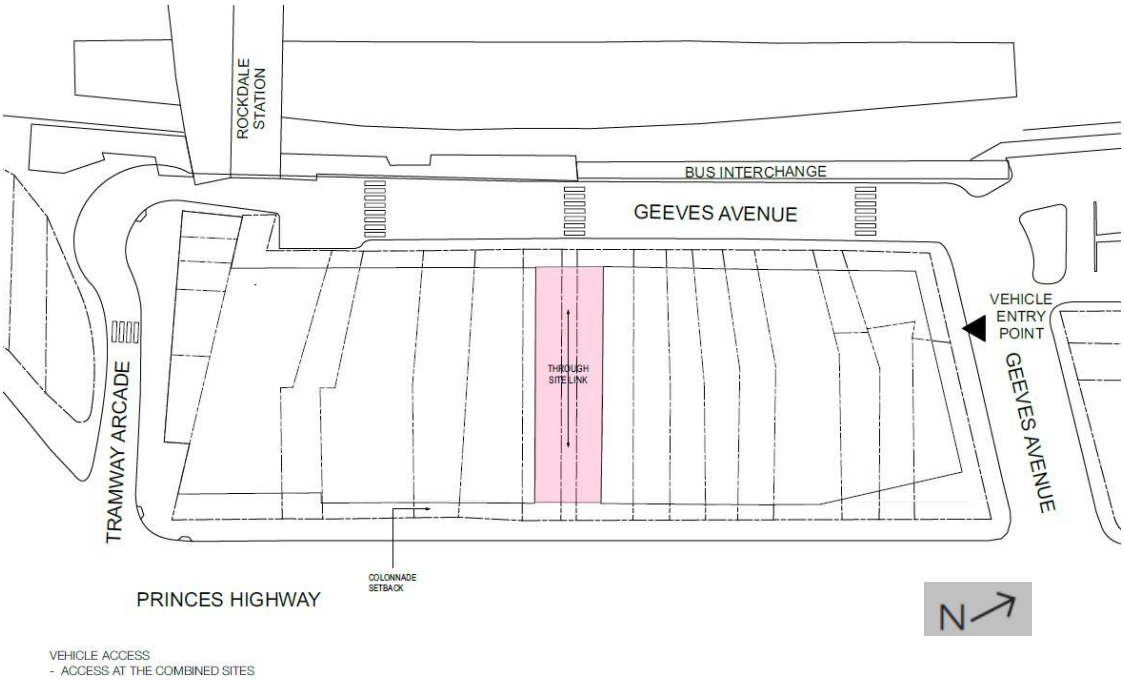


Figure 51: Temporary access solution for Stages 1 and 2

Controls	
	 **Figure 52: Final Access Solution once entire Precinct is Redeveloped**
Parking Arrangement	
C8.	The parking arrangements for the site will be consistent for the following: a. 1 space per 40sqm for commercial uses. b. 1 space per 140sqm for retail uses. c. Residential car parking shall be provided at a maximum rate consistent with the RMS Metropolitan Sub-regional Centres Parking Rates. d. Bicycle parking at a minimum rate of: i. 0.5 secure bicycle parking spaces per apartment ii. 0.5 secure bicycle parking spaces per 100sqm GFA of commercial/retail floor space

7.3 Ramsgate Beach Commercial Area

7.3.1 Description

This section applies to all development on land zoned B4 Mixed Use in the Ramsgate Beach commercial area, shown in Figure 53.

Ramsgate Beach commercial area is a vibrant local centre situated adjacent to the Botany Bay foreshore. It is situated in the southern area of the City, and serves the regular shopping needs of residents living on the peninsula. The current lot subdivision, prime beach side location, and generous public domain at Ramsgate Road offer the potential for the Centre to grow as a local centre, providing a greater range of retail services to residents, as well as becoming a lively beach side destination.



Figure 53: Ramsgate Beach Commercial Area Application Map

7.3.2 Background

Ramsgate Beach commercial area is relatively young, built during the emergence of the private motor vehicle. This means that the commercial area is spread over a large area. It also contains an eclectic mix of buildings with differing characters and there is no consistent street edge or building height typical of other local centres in Bayside.

This also means that Ramsgate Beach commercial area has a relatively large lot subdivision pattern compared to other older centres, which typically grew more densely around public transport nodes. As such, Ramsgate Beach commercial area has a much greater potential for site consolidation necessary for redevelopment to be achieved.

The Centre is predominantly car based, although it is served by a number of bus routes. There is a significant supply of at-grade carparking off Ramsgate Road, as well as on-street parking in adjoining side streets. Despite this car centricity, pedestrian movement around the Centre is convenient due to wide footpaths and pedestrian crossings. This results in the Centre also being well patronised by residents within the Centre's walking catchment.

Commercial activity in the Centre is focused on Ramsgate Road, which is a major connection between Rocky Point Road and the foreshore. The commercial area benefits from a landscaped median, and wide verges with significant street tree planting. This particularly wide street arrangement, combined with the adjoining at-grade parking, creates a very generously scaled public domain that is not typical for the Bayside LGA.

7.3.3 Vision

Ramsgate Beach commercial area will grow and be revitalised in a way that takes advantage of its unique character, and become a vibrant, lively and attractive beach side centre. Redevelopment on both sides of Ramsgate Road which complements the generous and well landscaped public domain will provide a boulevard feel. As well as the redevelopment of older building stock on the southern side of Ramsgate Road, new development on the north side will expand the Centre to create additional commercial opportunities and a 'loop' for pedestrian with improved connection to the foreshore.

The Centre will be characterised by diverse buildings with a sense of openness and lightness, typical of successful beach side centres. New buildings will create a generous scale to Ramsgate Road with breaks between them to ensure sunlight penetrates to the street, and overshadowing is minimised which will improve the Centre's ambience.

The Centre will continue to be convenient to visit for pedestrians and private motor vehicle users. New developments will include sufficient carparking to meet demand, some of which will be provided at-grade to respond to the high water table which limits excavation for basement parking. Parking will be located so that it does not detract from commercial activity within the Centre.

7.3.4 Controls

Objective		Control	
O1.	To facilitate growth and revitalisation of Ramsgate Beach commercial area which enhances the Centre's commercial functions.	**C1.**	Where the water table restricts excavation for basement carparking necessary to meet the carparking requirements in Section 3.5, at-grade parking is permitted at the rear of the site.
O2.	To provide high quality buildings which create a varied and interesting streetscape which reflects to the Centre's beach side location.	**C2.**	At-grade parking is not to be visible from the street frontage, except for a single access driveway, and it is to be located behind active retail uses which are at least 12m deep and address the street frontage.
O3.	To ensure new development allows significant solar access to Ramsgate Road, and creates a sense of openness in the Centre, allowing distant skyline views from the public domain.	**C3.**	A landscape screen is to be provided between any open at-grade parking and adjoining residential properties.
O4.	To protect the amenity of the low and medium residential areas which adjoin the Centre.	**C4.**	All developments are to express a 3 storey podium along Ramsgate Road which is to be built to the front property boundary.
		C5.	To create variation and articulation in street frontage facades, the levels of buildings above the podium should be setback at least 2m from the front property boundary.
		C6.	The podium of all developments is to be built to the side boundary at the street frontage, except where vehicle or pedestrian access to the development is provided along the side boundary. Where this is required, the podium may be setback from the side boundary up to

Objective		Control	
			4.5m.
		C7.	The levels of all buildings above the podium are to have a side setback of 4.5m on sites with a street frontage width greater than 30m, and 3m on sites with a street frontage width less than 30m.
		C8.	For development situated on the southern side of Ramsgate Road, any part of a building above the 4th floor must provide a minimum rear setback of 24m.
		C9.	The Ramsgate Road facade of any development is to be heavily articulated with variations to the building edge, and is to include a high proportion of balconies and avoid large expanses of blank walls.
		C10.	Developments should respond to the Centre's beachside location by using a variety of environmental protection elements such as screens and louvres and a palette of materials which create a sense of lightness and openness and evoke a beachside feel.
		C11.	For buildings with a width at the street frontage greater than 30m, the facade of the levels of building above the podium is to be broken with significant recesses. These are to be at intervals no greater than 24m and are to give the impression of breaks between buildings. They should be at least 4.5m wide and 3m deep.

7.4 Arncliffe and Banksia

7.4.1 Description

The Bayside West Precincts 2036 was prepared to guide the renewal of the Arncliffe and Banksia Precincts, after they were identified as Planned Precincts by the Department of Planning and Environment. The Strategy outlines the vision for growth in these areas and plans for the infrastructure needs to support this population increase. Detailed planning has been undertaken for areas within the Arncliffe and Banksia Precincts as part of the DP&E Planned Precincts program including detailed urban design analysis, economic testing and infrastructure planning. Together with the Rockdale Town Centre Master Plan, Wolli Creek and Bonar Street Precincts, the Arncliffe and Banksia Precincts propose to deliver a vibrant highway corridor with exceptional access to public transport, employment, accommodation and housing.

The purpose of this section of the DCP is to guide the future development of the precinct by:

a. Identifying the vision, development principles, key elements and indicative structure for the future development of the Precinct;

b. Communicating the planning, design and environmental objectives and controls against which the consent authority will assess future development applications;

c. Ensuring the orderly, efficient and environmentally sensitive development of the Precinct; and

d. Promoting a high quality urban design outcome.

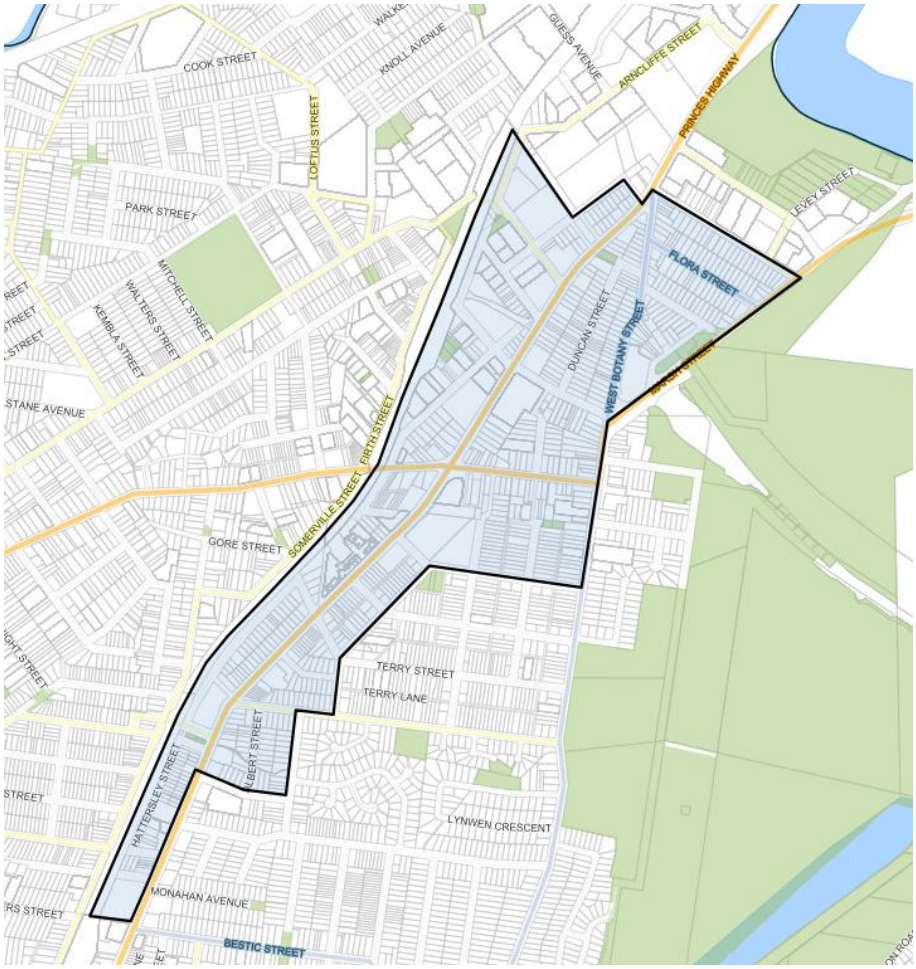


Figure 54: Arncliffe and Banksia Land Application Map

7.4.2 Vision

The vision for the Arncliffe and Banksia Precincts is to create “vibrant, attractive and connected communities, where people live and work, with great access to public transport, community facilities, new open spaces, shops and local services.”

The Objectives of this DCP are to support the Vision, and are outlined below.

- To create vibrant Town Centres that provide for the daily needs of the local and wider community.
- To provide a wide range of opportunities for different types of employment generating activities to meet local and regional needs.
- To provide high quality and a wide range housing choice.
- To promote the Princes Highway as a key regional employment and economic corridor.
- To ensure that new residential development provides a high level of amenity by adequately responding to the local and environmental context.

- To ensure a safe, connected, permeable and legible public domain that caters for the accessibility of pedestrians and cyclists.
- To promote the development of new buildings that display design excellence through a design review panel for buildings over 3 storeys and a competitive design process for buildings over 12 storeys.
- To provide access to a range of new and improved existing open space for all age groups.
- To maximise public safety and provide adequate protection of property against flood events.
- To ensure existing floodplain users do not experience any increase in flood levels.
- Represent “Placemaking” through the activation of space, creation of destination, and identifiable landmarks including mixed use and community facilities.
- Deliver exceptional environmental performance in new buildings, public and private realm and infrastructure.
- Foster innovation in sustainable design and construction of new apartment developments.
- Advocate for increased minimum environmental performance targets in new buildings.
- Promote upgrades through incentives and support to overcome the challenges for implementation in strata buildings.
- Empower communities to engage in sustainable choices and positive resident behaviour change.

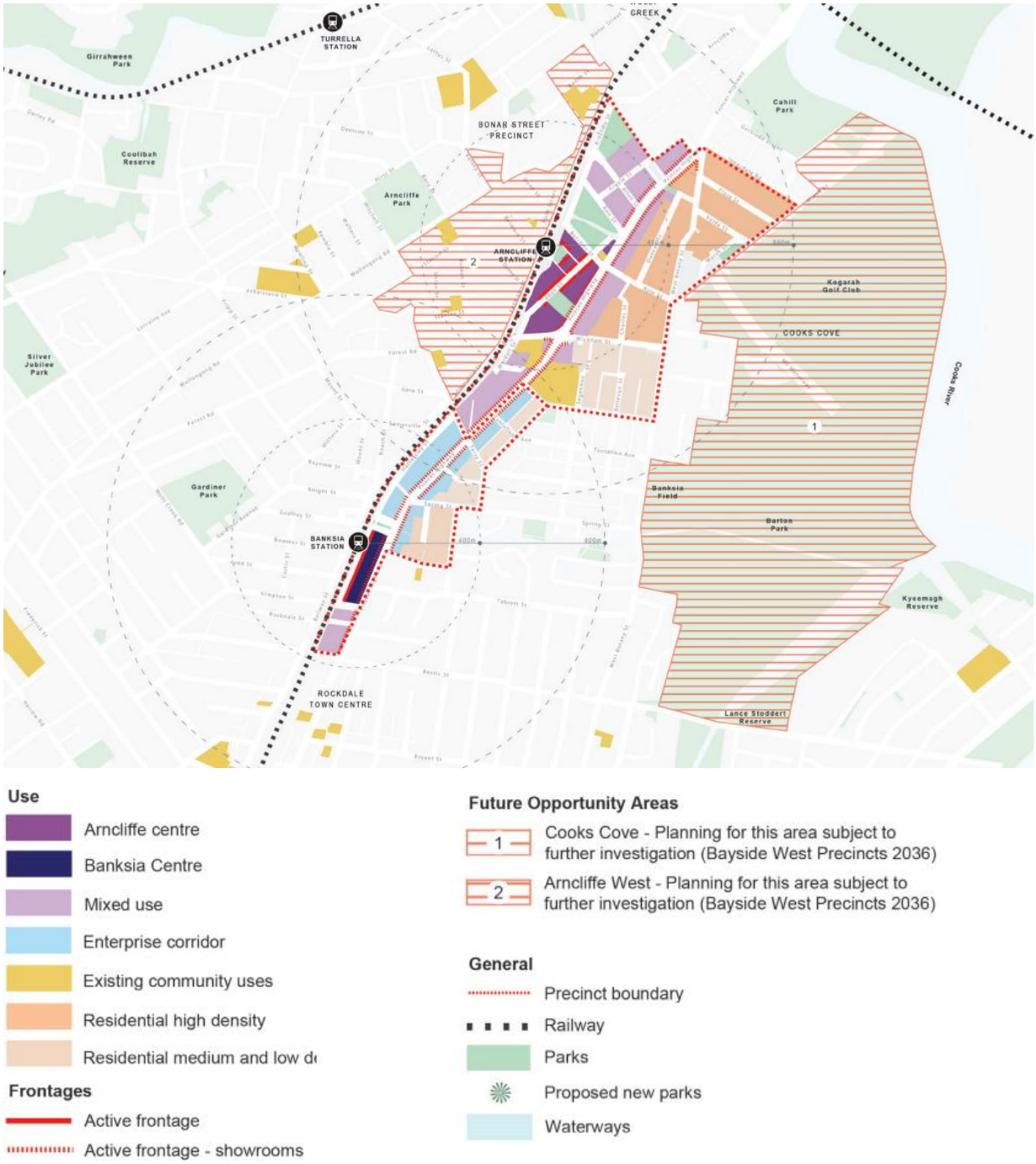


Figure 55: Arncliffe and Banksia Structure Plan

7.4.3 Controls

7.4.3.1 Special Character Areas

The Arncliffe and Banksia Precincts have been divided into sub-precincts, each with a future desired characters and key points to consider as outlined on the following pages.

Control	
C1.	All development taking place in the wider Arncliffe and Banksia Precinct must be considered against the special character area provisions provided in this section.

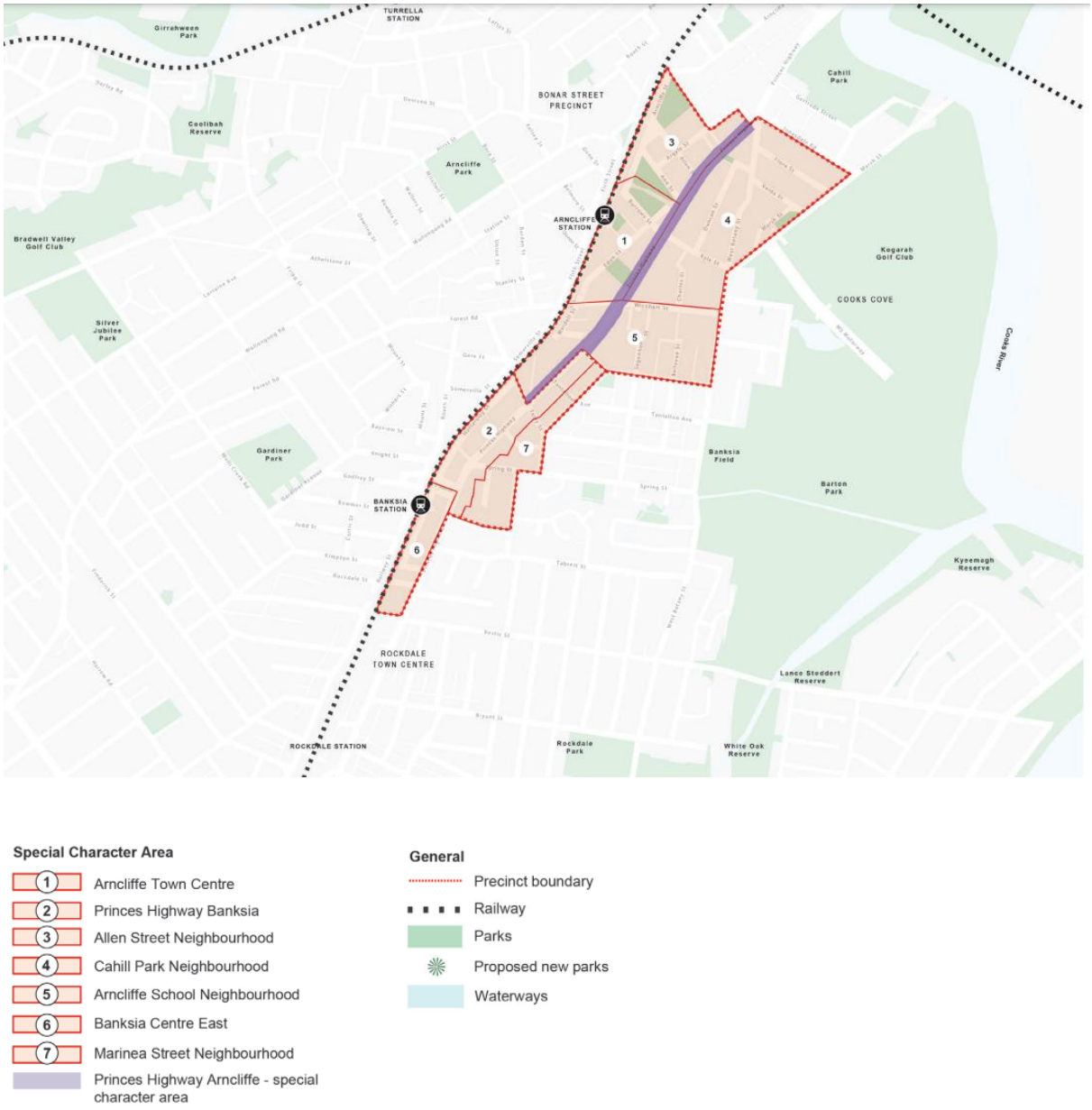


Figure 56: Precincts Map – Arncliffe and Banksia

Arncliffe Town Centre Sub-precinct

Arncliffe Town Centre is characterised by its historic built form, landscape core, steep streets and in some locations, exposed sandstone escarpment. To the western edge of the Town Centre is the Railway station, and to the east large sites that present opportunities for renewal.

Key points include:

1. Remnant large tree planting along the rail line and cliffs contribute to the visual quality of the centre.
2. Areas to the east of the railway offer some larger sites that may present opportunities for renewal. This part of the neighbourhood lacks clearly legible links, both west to the railway station and east to access and cross the Princes Highway.

3. Wooroona Reserve, located directly adjacent to the railway station, provides valuable open space. The perimeter interface with blank fences and vehicular access/servicing areas detracts from the overall quality of the space.

Arncliffe Town Centre

Desired Future Neighbourhood Character

1. Provide a vibrant mixed use Town Centre, extending along the east side of the rail line, with activity during the day and night.
2. Eden Street and Burrows Street become retail streets, complementing Firth Street and extending the Town Centre uses and activity to the east of the rail line. Streetscape improvements delivered alongside development will further enhance the character and amenity of these streets.
3. Retain active uses and street edge alignment to the corner of Eden Street to mark entry into the Town Centre.
4. Wooroona Reserve is transformed into the Town Square adjacent the rail station with outdoor dining terraces along the north and south-east edge.
5. Existing and new pedestrian links improve access to the railway station and create a more walkable centre.
6. Eden Street Park is a new local park catering to new residents with a centrally located lawn, gardens and significant tree planting.
7. Taller buildings near the station visually reinforce the area as a centre and assist in highlighting the location of key connections and open spaces.

Land Use

8. Ensure retail and business uses are provided at the ground level of existing and planned retail streets particularly on Eden Street and Burrows Street and sites adjoining Wooroona Reserve to the east.
9. Development adjoining Princes Highway and parts of Eden Street should provide showroom and other commercial uses at lower levels.
10. High-quality residential development is encouraged above retail and commercial uses within the town centre, and as a standalone use on sites outside of the centre.

Built Form

11. Tall towers on larger sites should be slender and well proportioned.
12. Side setbacks are to include deep soil zones and appropriate landscaped treatment.
13. Building height controls should allow for generous 7 metre floor to ceiling heights for ground level showroom uses along the Princes Highway. This additional height would allow for small mezzanine levels to be incorporated.
14. Retain street edge alignment and active frontages at the corner of Eden Street at Forest Road.
15. A front setback of 3 metre is required, unless a specific setback is recommended elsewhere in this chapter.

Public Domain

Arncliffe Town Centre
16. 6 metre setback and provision of a positive covenant applying to this setback, for the purposes of permitting unrestricted access for public thoroughfare, landscape and public domain maintenance on sites adjoining the Princes Highway. Where a site has more than one frontage, this requirement shall apply to each street frontage. Proposed landscape improvements include significant 'boulevard' tree planting and the creation of a dual footpath that allows for the staged delivery of the setback and continued pedestrian access during transition. 17. 5 metre landscape zone within Wickham Street and Forest Road shall include large and medium size tree planting. 18. A new plan for Wooroona Reserve and redevelopment of sites adjoining the park for active uses and outdoor terraces will increase usage and enjoyment. 19. A new park to be delivered through the redevelopment of the Housing NSW site on Eden Street. 20. Arncliffe Station Park on the M5 portal site will provide valuable open space for active and passive recreation. 21. New through site links between Princes Highway and Eden Street.

The Princes Highway Arncliffe Sub-precinct

The Princes Highway is a major north-south arterial road serving the southern Sydney region and is a desirable location for vehicle-oriented light industrial, commercial and retail uses. The desired future character for this precinct is outlined below.

The Princes Highway Arncliffe Sub-Precinct
Desired Future Neighbourhood Character
1. Integrate boulevard tree planting along the Highway that reinforces the location of the Arncliffe Town Centre. 2. Allow provision for destination commercial spaces and showrooms that are highly visible from passing vehicles. 3. A key visual identity within the precinct is the Masjid Darul Imaan Mosque. It is vital that this remains a local landmark and signals an important street entry into the Town Centre. 4. Improved pedestrian and cycle environment, and amenity for businesses and residents. 5. Endorse and promote high-quality mixed use development.
Land Use
6. Large format commercial uses at lower levels. 7. Residential levels located above lower commercial levels with visual and acoustic separation from busy road frontage.
Road network and vehicular access
8. Create a permeable road network that facilitates efficient vehicular access to and circulation within the area which can be conveniently used by all modes of transport.
Built Form

The Princes Highway Arncliffe Sub-Precinct
9. Building height controls should allow for generous 7m floor to ceiling heights for ground level showroom uses along the Princes Highway. These spaces might comprise a small mezzanine. 10. Communal open spaces are preferred on podiums or roof tops with high levels of amenity and less conflicts with large format commercial uses and associated service requirements. 11. Where possible, vehicle entry to sites facing the Highway should be from a secondary street. Amalgamation is encouraged to minimise vehicle cross-overs. 12. Winter gardens, shutters and glazing will further improve residential amenity above the busy road. 13. A front setback of 3 metre is required, unless a specific setback is recommended elsewhere in this chapter.
Public Domain
14. 6 metre setback and dedication on sites adjoining Princes Highway. Proposed landscape improvements include significant boulevard tree planting and the creation of a dual footpath that allows for the staged delivery of the setback and continued pedestrian access during transition.

The Princes Highway Banksia Sub-precinct

The desired future character for the Princes Highway Banksia precinct is provided below.

The Princes Highway Banksia Sub-Precinct
Desired Future Neighbourhood Character
1. To promote businesses along main roads and to encourage a mix of compatible uses. 2. To provide a range of employment uses (including business, office, retail and light industrial uses).
Land Use
3. The Banksia section of the Princes Highway will continue to encourage employment uses. 4. Controls will allow the flexibility of a range of commercial uses which may not be in this location currently, such as offices.
Built Form
5. Building heights are expected to remain typically around 2 storeys in the medium term however heights are permitted to encourage the development of other commercial building types (e.g. offices) where this is viable. 6. Setbacks must be consistent with the “Highway Commercial” setbacks outlined in 6.3.2. 7. Where possible, vehicle entry to sites facing the Highway should be from a secondary street. Amalgamation is encouraged to minimise vehicle crossovers. 8. Retain vistas to Botany Bay. No building or structure is to detrimentally impact any view corridor.
Public Domain

The Princes Highway Banksia Sub-Precinct
9. 6 metre setback for sites to contribute to intermittent deep soil zones (minimum 6 metre x 6 metre) along the Highway frontage allowing for the planting of large trees and contribute to a boulevard character.

Allen Street Neighbourhood Sub-precinct

This small neighbourhood is located between Arncliffe Town Centre and Wolli Creek and contained by the strongly defined edges of the M5 to the south, the rail line to west, Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) to the north, and Princes Highway to the east. It includes a mix of buildings types including industrial warehouses, small walk-up apartments, car dealerships and a furniture showroom. The large consolidated industrial site may provide the opportunity to deliver new public domain for future residents and to better manage stormwater in the area.

Allen Street Neighbourhood Sub-Precinct
Desired Future Neighbourhood Character
1. An emerging residential neighbourhood adjacent to the Town Centre located around a new local park at Allen Street with a small cafe or shop serving local residents. 2. Adaptive re-use of the SWSOOS as an east-west pedestrian corridor connecting the neighbourhood to the regional parkland to the east, to the Bonar Street neighbourhood and school via the proposed rail underpass to the west. 3. Perimeter block apartment buildings with discrete towers are sited to reinforce the street grid, mark the new park and transition between the Town Centre and Wolli Creek. 4. Generally mid-rise development. Taller development adjacent the Allen Street Park to mark the park within the broader context.
Land Use
5. Primarily residential development. 6. Large format commercial development at the lower levels of sites adjoining Princes Highway. 7. Cafe or retail uses at the lower levels of residential buildings where they adjoin an open space, to assist in activating the space. 8. Rezone the isolated industrial site on the corner of Allen Street and Arncliffe Street to allow for mixed use development and the development of a new open space.
Built Form
9. Development (including double height, 7 metre floor to ceiling height commercial ground floor) is proposed on sites fronting the Princes Highway, to provide a transition to Wolli Creek to the north. 10. Taller buildings are proposed on the remaining industrial lot to allow for an equitable floor space on the site and the delivery of a new open space (refer to Allen Street Development Site). 11. Street wall height of 6 storeys, with a 3 metre setback to upper levels. 12. A front setback of 3 metre is required, unless a specific setback is recommended elsewhere in this chapter.

Allen Street Neighbourhood Sub-Precinct
13. Side setbacks are to include deep soil zones and appropriate landscaped treatment.
Public Domain
10. Proposed park on the corner of Allen and Arncliffe Streets will provide valuable open space with a northerly aspect, a new through-block connection and will help to detain storm water in a flood event. 11. 6m landscape setback on sites adjoining Princes Highway. 12. Arncliffe Station Park on the M5 portal site will provide valuable open space for active and passive recreation.

Cahill Park Neighbourhood Sub-precinct

This neighbourhood is part of the broader neighbourhood that extends north to Cahill Park. Pedestrian access to centres and open spaces requires crossing busy roads such as the Princes Highway, Marsh Street, Wickham Street and West Botany Street. The neighbourhood includes predominantly houses and car-oriented commercial uses along the Princes Highway. There is an existing unresolved scale transition between recent large apartment buildings to the north and the predominantly low scale residential neighbourhood to the south.

Cahill Park Neighbourhood Sub-Precinct
Desired Future Neighbourhood Character
1. An extension of the existing Cahill Park residential neighbourhood to the south. 2. Leafy residential streets sheltered from the north-south busy arterial roads that traverse the neighbourhood. 3. Generous landscape setbacks along Wickham Street, West Botany Road and Marsh Street enhance street character and provide improved amenity for adjacent residential uses. 4. Buildings that step up the hill at the northern part of Duncan Street. 5. Improved east-west pedestrian routes along Duncan Street and Valda Avenue connecting to nearby open spaces and along Kyle Street connecting to the Town Centre and rail station. 6. Through site links through long urban blocks improve walkability within the neighbourhood and to surrounding open spaces and schools. 7. A landmark building marks the corner at the junction of Princes Highway and West Botany Street. 8. Rear gardens with tree planting reinforce existing mid-block and provide landscape transition between new developments and existing Princes Highway uses.
Land Use
9. Primarily residential development. 10. Large format commercial development at the lower levels of development adjoining Princes Highway.
Built Form

Cahill Park Neighbourhood Sub-Precinct

11. Development (including double height, 7 metre floor to ceiling height commercial ground floor) is proposed on sites fronting the Princes Highway. These spaces might comprise a small mezzanine.
12. Provide street edge aligned built form with active frontage to mark the corner at junction of the Princes Highway and West Botany Street.
13. A front setback of 3 metre is required, unless a specific setback is recommended elsewhere in this chapter.
14. Deep soil zones along rear boundary to facilitate mid-block tree planting and visual privacy between properties.
15. Side setbacks are to include deep soil zones and appropriate landscaped treatment.
16. Retain vistas to Botany Bay. No building or structure is to detrimentally impact any view corridor as identified.

Public Domain

17. A 6 metre landscape setback on sites adjoining Princes Highway.
18. A 5 metre landscape setback is required to Marsh Street, West Botany Street and Wickham Street comprising a 3 metre landscape zone with private courtyards behind to assist in ameliorating the impacts of busy roads on residential development. The landscape zone should include large and medium size tree planting.
19. New through site connections (6 metre wide) between Innesdale Road and Valda Avenue will break up the proposed continuous building form and encourage pedestrian links away from busy roads. Links should be provided on the side boundary of an amalgamated development site. Through site links should generally align with Robert Lane.
20. New through site connections (6 metre wide) between West Botany Road and Princes Highway will break up the proposed continuous building form and encourage pedestrian connection from the east to west. Links should be provided on the side boundary of an amalgamated development site.

Arncliffe School Neighbourhood Sub-precinct

At the heart of this small neighbourhood identified is the Arncliffe Public School and St Francis Xavier's linked by a pedestrian bridge across the sandstone cutting of the highway. To the east this neighbourhood is primarily residential and to the south commercial. Forest Road/Wickham Street and the Princes Highway isolate the neighbourhood from the Arncliffe Town Centre while Marinea Street Reserve, just outside the neighbourhood boundary, and the school grounds provide some open space amenity.

Arncliffe School Neighbourhood

Desired Future Neighbourhood Character

1. The residential neighbourhood surrounds the two schools: Arncliffe Public School and St Francis Xavier Catholic Primary School.
2. The enhanced pedestrian bridge spans the sandstone cutting at the Princess Highway connecting the two parts of the neighbourhood and the schools.

Arncliffe School Neighbourhood

3. A proposed cycleway connects the Town Centre, neighbourhood and schools to Banksia Field and Barton Park in the east.
4. Marinea Park to the immediate south is to provide local amenity and play space.
5. A new through site link extends from Wardells Street to Hattersley Street in the south and provides easy access to Banksia rail station and centre.
6. Generous landscape setbacks along Wickham Street and Forest Road enhance street character and provide improved amenity for adjacent residential uses.
7. St Francis Xavier's Catholic Church remains a local landmark along Forest Road.
8. The strong building form with active frontage marks the corner at the intersection of Princes Highway and Forest Road and signals entry to the Town Centre.

Land Use

9. Retain schools and improve connections.
10. Primarily residential development.
11. Large format commercial development at the lower levels of development adjoining Princes Highway, with residential uses above.

Built Form

12. Smaller lots east of the Arncliffe Public School and south of Wickham Street can be developed for new 3 storey buildings, where there is a street frontage greater than 24 metre.
13. A 5 metre landscape setback is required to Wickham Street and Forest Road comprising a 3 metre landscape zone with private courtyards behind to assist in ameliorating the impacts of busy roads on residential development. The landscape zone should include large and medium size tree planting.
14. Provide street edge alignment and active use to south-western corner at Princes Highway and Forest Road to reinforce this important corner marking the Town Centre entry from the Highway.
15. A front setback of 3 metre is required unless a specific setback is recommended elsewhere in this chapter.
16. Side setbacks are to include deep soil zones and appropriate landscaped treatment.
17. Solar access to the school grounds - the configuration of buildings and structures must ensure that the school grounds receive a minimum of 2 hours daylight during the hours of 12pm - 2pm on 21 June (mid winter).
18. Retain vistas to Botany Bay, no building or structure is to build into or on a view corridor as identified.

Public Domain

19. 6 metre setback and provision of a positive covenant applying to this setback, for the purposes of permitting unrestricted access for public thoroughfare, landscape and public domain maintenance on sites adjoining the Princes Highway. Proposed landscape improvements include significant boulevard tree planting and the creation of a dual footpath that allows for the staged delivery of the setback and continued pedestrian access during transition. At the sandstone cutting south of the Forest Road intersection, a setback shall be provided for tree planting and a footpath at the top of the cutting.

Arncliffe School Neighbourhood
20. A new through site connection (6m wide) is proposed, which will connect Wardell Street to Hattersley Street and provide the missing link in the pedestrian and cycle route on the eastern side of the rail line. Links should be provided on the side boundary of an amalgamated development site. 21. A new through site connection (6m wide) connecting Segenhoe Avenue to West Botany (aligning with Brennans Road) through to the Eve Street Wetlands active transport network. Links should be provided on the side boundary of an amalgamated development site.

Banksia Centre East Sub-precinct

East of the railway this neighbourhood includes an area between Hattersley Street and the Princes Highway which is a mix of residential and commercial.

Banksia Centre East Sub-Precinct
Public Domain
1. New through site connections (6m wide) is proposed, which will connect Banksia Avenue to Hattersley Street and connect Tabrett Street to Hattersley Street to provide pedestrian linkages to Banksia Station. Links should be provided on the side boundary of an amalgamated development site. 2. A new through site connection (consistent with prevailing Hattersley street width) between Kimpton Street and Rockdale Street connecting Hattersley street on both sides.

Marinea Street Neighbourhood Sub-precinct

This is part of a wider neighbourhood which extends east from the Princes Highway to Barton Park and Banksia Field. The majority of this wider neighbourhood is affected by aircraft noise issues such that providing more homes here is not considered appropriate.

Key points include:

1. The landmark figs and tree planting along the railway corridor are key existing features which will also contribute to the future character of this centre.
2. Gardiner Park to the west is a focal point for this neighbourhood, providing a large field, play area and other spaces.
3. There is a regularity to the lot pattern and many of the existing buildings running north-south.
4. Pedestrian links to Banksia Railway Station and centres often rely on unattractive routes along the Princes Highway.
5. This neighbourhood has some attractive and established trees within the streetscape.
6. The Marinea Street Reserve (outside the precinct to the east) provides a key focal point for this locality.

7.4.3.2 Public Domain

The Public Domain and Open Space Network Diagram identifies the areas that will see improvements to the public domain through streetscape treatment, upgrades to existing open space, provision of new open space and active frontages in key commercial areas.

It is required that proponents liaise with Council during the design phase of the planning process to understand Council's requirements, as in many cases, public domain improvements will be delivered as part of the redevelopment of the site.

Objective		Control	
Street network and design			
O1.	To strengthen the landscape character and quality of the precincts through street tree planting.	**C1.**	The street network is to be generally consistent with the Public Domain and Open Space Network Diagram.
O2.	To encourage improvements to the amenity of the Princes Highway corridor through better landscaping and improved facilities for pedestrians and cyclists.	**C2.**	New streets are to be generally consistent with the Landscape Setbacks diagram. Significant individual trees in streets or on sites are to be retained and protected where possible and appropriate.
O3.	To provide for improved and safer street crossings for pedestrians throughout the precincts.	**C3.**	Streets and public spaces are to be defined with trees of appropriate scale and species and designed with reference to relevant Council guidelines.
O4.	To enhance the precincts permeability including new and improved through site links and connections to adjacent areas outside the Precinct.	**C4.**	Intersection and crossing design is to favour pedestrian convenience and safety.
O5.	To create an attractive and comfortable streetscape for pedestrians and cyclists that comprises of consistent and high-quality paving, street furniture, street tree planting, bike stands and bike racks.	**C5.**	Any proposed cycle links are to be delivered in accordance with best practice standards.
		C6.	Liaison with Council's Transport Planner is required during the design phase of the planning process.
		C7.	Provision for 'end of trip' facilities are encouraged in developments close to Arncliffe and Banksia Stations.
		C8.	Footpaths are to be provided as per the sections in the Landscape Setbacks diagram. Pavement width is to allow for comfortable walking, unimpeded by obstacles. The placement of trees, street furniture and signage is to provide for amenity without causing clutter.
		C9.	New streets are to have shared services pits to reduce maintenance costs and reduce conflict with street planting.

Objective		Control	
		C10.	Street furniture and lighting is to be provided with reference to the relevant Council guidelines.
Public Domain and Open Space Network			
O6.	To provide a range of quality public spaces including parks and plazas, for recreation and community gatherings, to support residents, workers, and visitors.	**C11.**	Provision of new open space is to be in accordance with the Public Domain and Open Space Network Diagram.
O7.	To improve the amenity, facilities and usage of existing parks and public spaces.	**C12.**	New cycle links identified in the Public Domain and Open Space Network are to be delivered in accordance with best practice standards. Provision of end of trip facilities are to be encouraged in developments close to Arncliffe and Banksia Stations. Liaison with Council's Transport Planner is required during the design phase of the planning process.
O8.	To improve connections between open space and the broader network.	**C13.**	The configuration of buildings and structures must ensure that a minimum of 50% of the area of parks and green spaces receive a minimum of 3 hours during lunch hours (12pm - 2pm) on 21 June (mid-winter).

Objective	Control

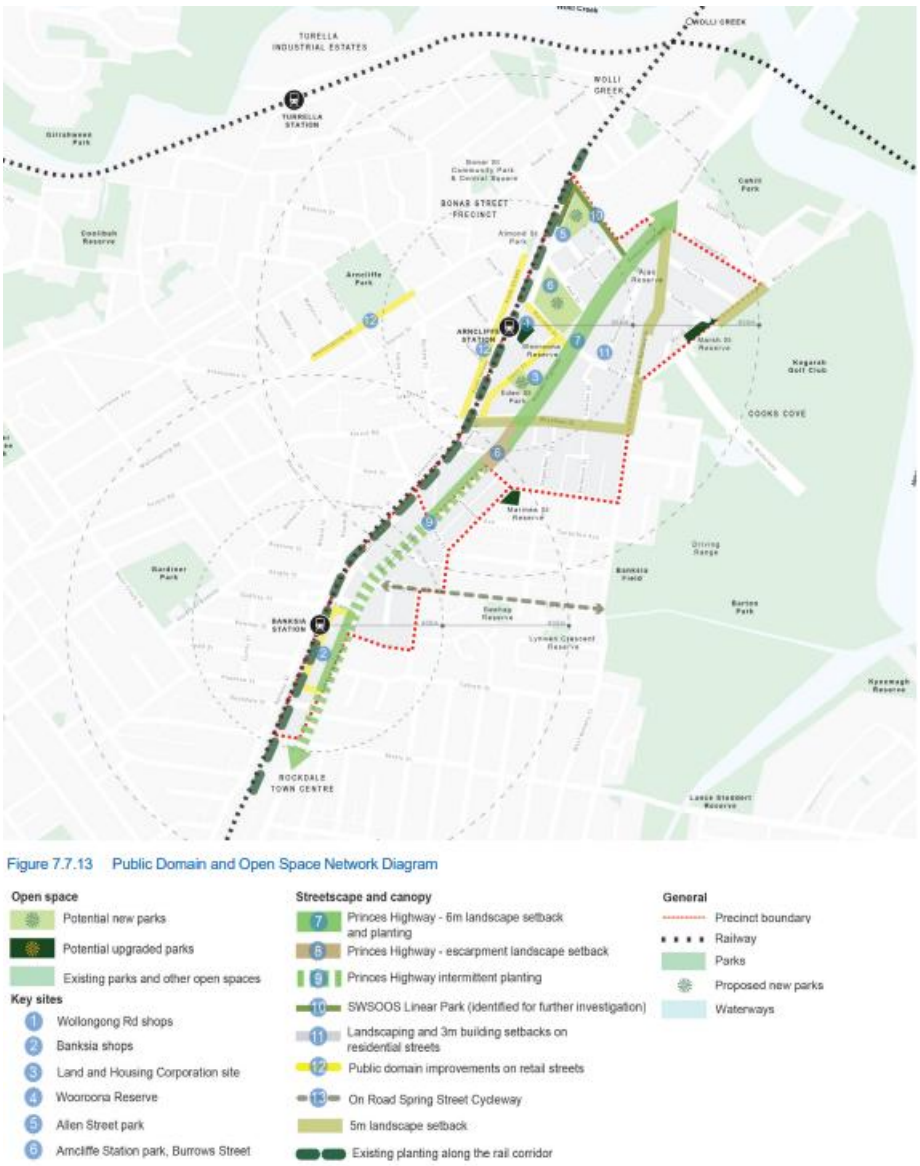


Figure 57: Public Domain and Open Space Network Map

Wooroona Reserve Upgrade			
O1.	This park is to provide a necessary and valuable open space and high-quality public domain with adjoining forecourts for the neighbourhood, accommodating areas for gathering, seating, children's play, and relaxation.	**C1.**	New developments around Wooroona Reserve shall: a. Ensure that they consider and address requirements for solar access and amenity to public open space; b. Incorporate active ground floor frontages through the designation of a forecourt or plaza space to address the park; c. Provide passive surveillance over the park by incorporating CPTED principles when designing new buildings; d. Provide a 3m setback from The Arcade to allow for new tree planting, new seating, and lighting;
O2.	Expansion and upgrading of the existing park will occur as the surrounding area is developed.		

Objective		Control	
			e. Maintain Butterworth Lane as a pedestrian only through site link; and f. Retain feature trees and augment with additional complementary "landmark" character trees.

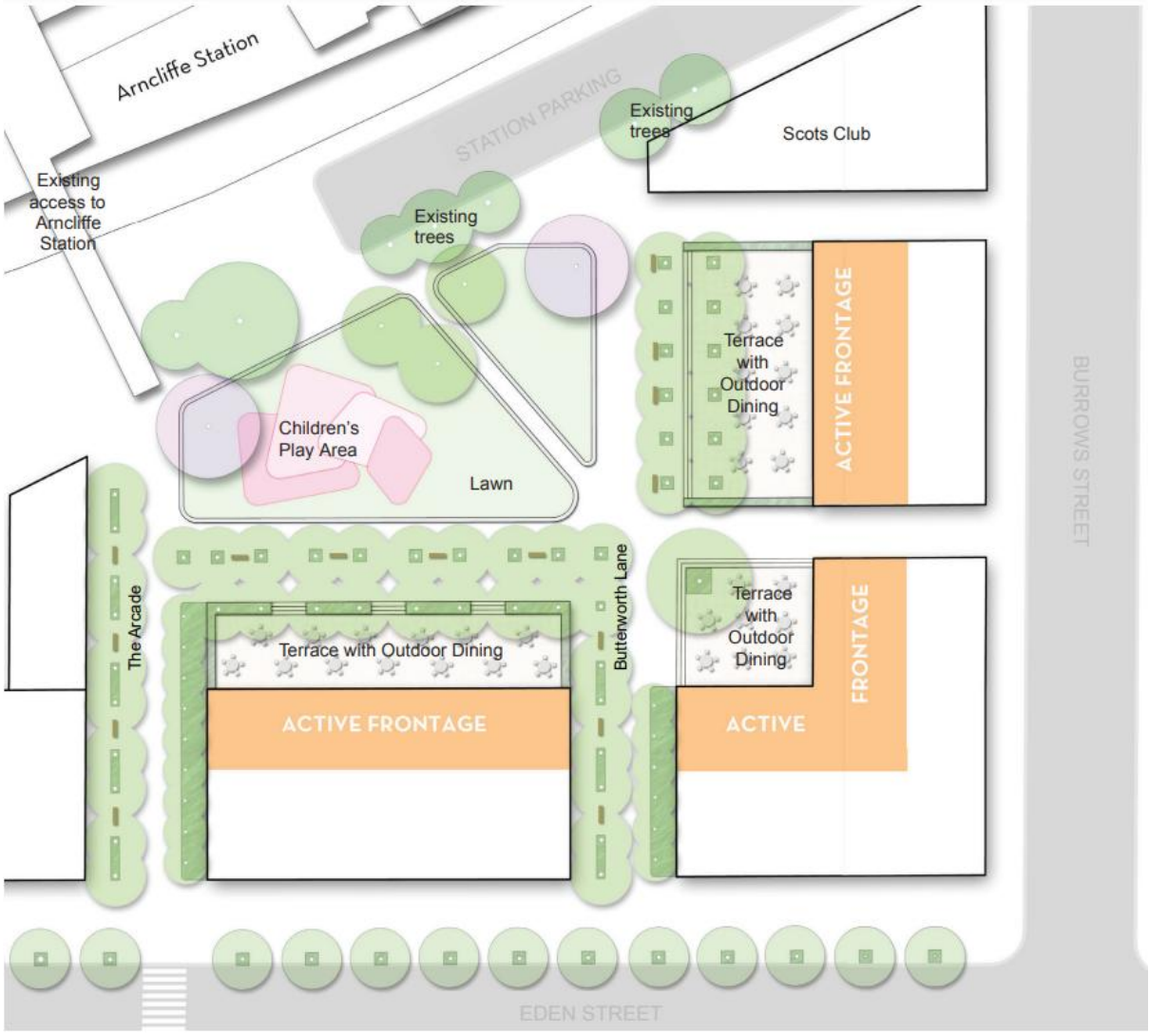


Figure 58: Indicative Concept Plan Wooroona Reserve

Eden Street Development Site

Objective		Control	
O1.	Provide the opportunity for a range of uses including integrated housing, employment and open space.	**C1.**	Any redevelopment of the site is to include a new consolidated public park space that shall: a. Ensure the new public park is to be located to maximise solar access; b. Provide a minimum width of 50m along the Eden Street frontage with a site area of 4000m^2; c. Ensure direct through site links are incorporated within the new park and integrate with the new space into the surrounding streetscape; d. Ensure new through site links will be provided in accordance with the diagrams on the following pages. e. Provide pathway connections through the public park connecting Princes Highway to Eden Street and Arncliffe Station; f. Ensure a generous landscape interface to Princes Highway with existing trees, additional tree planting, garden zones that must incorporate storm water treatment gardens; g. Provide landscape setbacks as per the Public Domain and Open Space Network Diagram; h. Ensure the new park will play a key role in the community providing new landscaping and areas for passive and active recreation activities.
O2.	Provide a centrally located public open space that caters for a growing local population and offers a variety of activities.		
O3.	Provision of the public open space will occur as these sites redevelop.	**C2.**	New buildings on the site must comply with the following controls and shall: a. Ensure building setbacks and site through links are in accordance with the Built Form and Character image and through site links. b. The configuration of buildings and structures must ensure that a minimum of 50% of the area of parks and green spaces receive a minimum of 3 hours during lunch hours (12pm - 2pm) on 21 June (mid-winter). c. Promote slender buildings, towers exceeding 8 storeys.

Objective	Control



Figure 59: Built Form and Open Space Diagram - Indicative Built Form Study

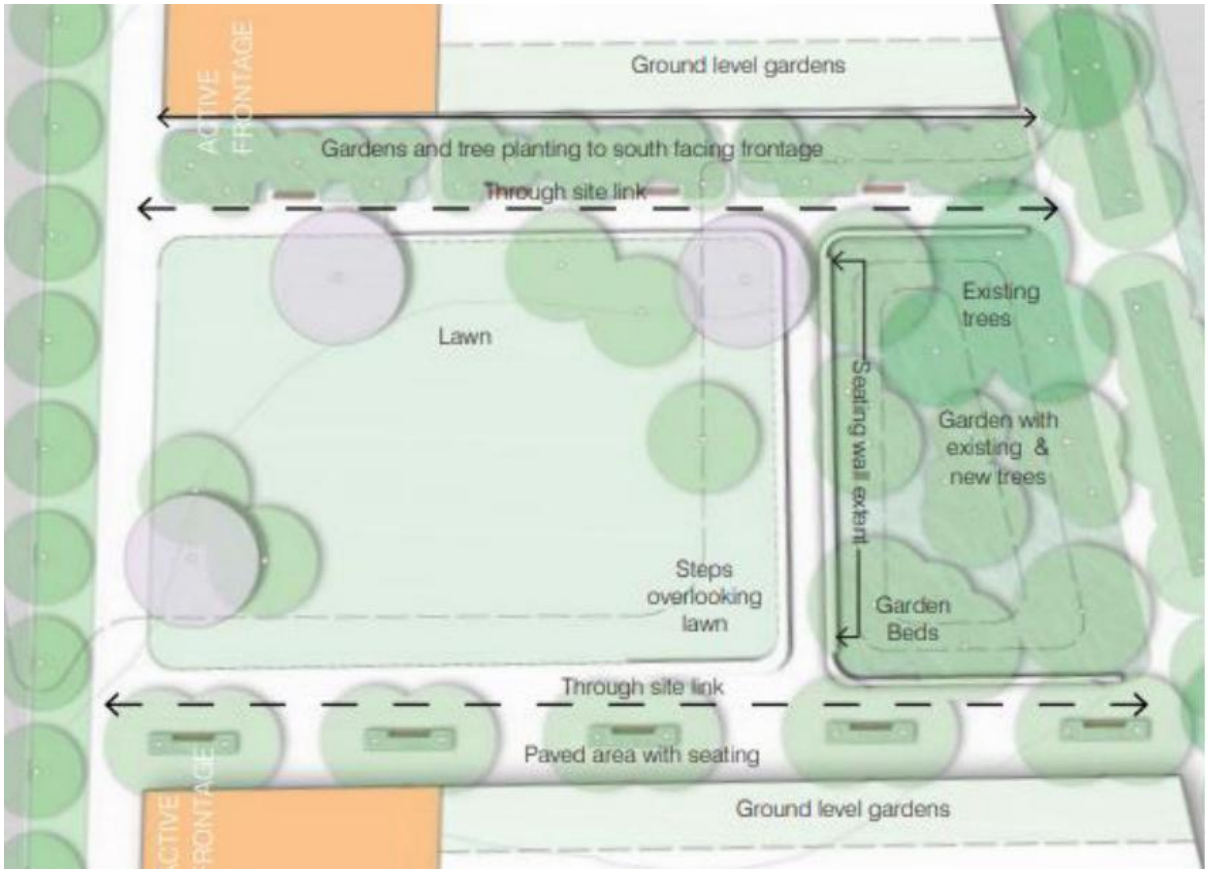


Figure 60: Built Form and Open Space Diagram - Indicative Concept for proposed park

Objective		Control	
Allen Street Development Site			
O1.	To provide opportunities for the provision of public open space as part of the site's redevelopment.	**C1.**	Any redevelopment of the site shall include a new public park, and demonstrate compliance with the following controls and shall: a. Ensure that the new park is located in the area bounded by Allen Street, Arncliffe Street and the SWSOOS; b. Ensure the new park demonstrates compliance with Council's water management and flooding controls. c. Ensure the area of the park is as identified at 5000m^2 in the supporting studies, with the park being subject to extensive flood analysis and modelling d. Provide pathway connections for efficient access through the site to Allen Street and to the new pedestrian connection on top of the SWSOOS; e. Provide generous landscape garden interface to the new building to the south west with new tree planting; and f. Provide areas for passive and active recreation.
O2.	To provide opportunities for play facilities, such as basketball courts for the nearby high school.		

Objective		Control	
		C2.	New buildings must demonstrate compliance with the following controls and shall: a. Provide a 6m wide pedestrian link through the site to the Bonnie Doon Channel; b. Ensure through site links are in accordance with the Through Site Links Plan Arncliffe North; c. Provide residential entries along the park edge; d. Ensure the lower 6 storeys are setback 6 meters from Allen Street and Argyle Street frontages; e. Promote slender buildings, towers exceeding 8 storeys should have a maximum floor plate of 800m^2 gross floor area. f. The configuration of buildings and structures must ensure that a minimum of 50% of the area of parks and green spaces receive a minimum of 3 hours during lunch hours (12pm - 2pm) on 21 June (mid-winter).

Objective	Control

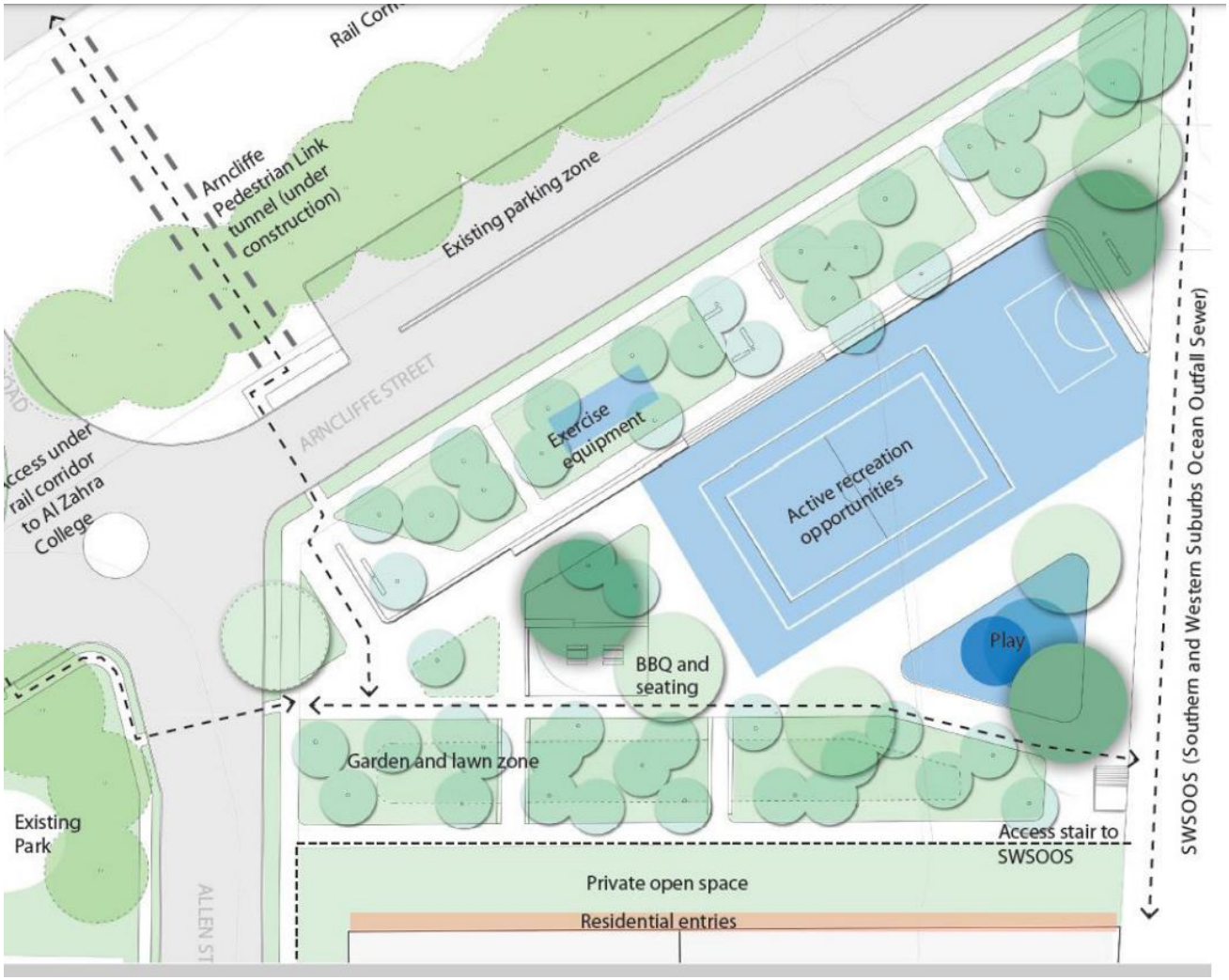


Figure 61: Indicative Concept Plan Arncliffe Station Park

Arncliffe Station Park			
O1.	To provide opportunities for the provision of multifunctional open space.	**C1.**	A new public park is to be delivered, and demonstrate compliance with the following controls: a. Ensure the new park is to be of a relatively flat topography for ease of access and movement; b. Ensure that the new park demonstrates compliance with the 4.1.3 Water Management. Liaison with Council's Flood Engineer is recommended during the design phase of the planning process; c. Incorporate stormwater detention features as required; d. Provide a variety of facilities for all age ranges and types of active and passive use;
O2.	To provide opportunities for active and passive recreation.		
O3.	To activate the surrounding public domain and streetscape.		

Objective		Control	
			e. Provide pathway connections should allow for efficient access through to Wooroona Reserve; and f. Ensure any future developments adjoining or adjacent to the park will include active frontages.
		C2.	New buildings adjacent to or within the vicinity of the site must demonstrate compliance with the following controls: a. Ensure building setbacks and site through links are to be in accordance with the Built Form and Character Map b. The configuration of buildings and structures must ensure that a minimum of 50% of the area of parks and green spaces receive a minimum of 3 hours during lunch hours (12pm - 2pm) on 21 June (mid-winter).

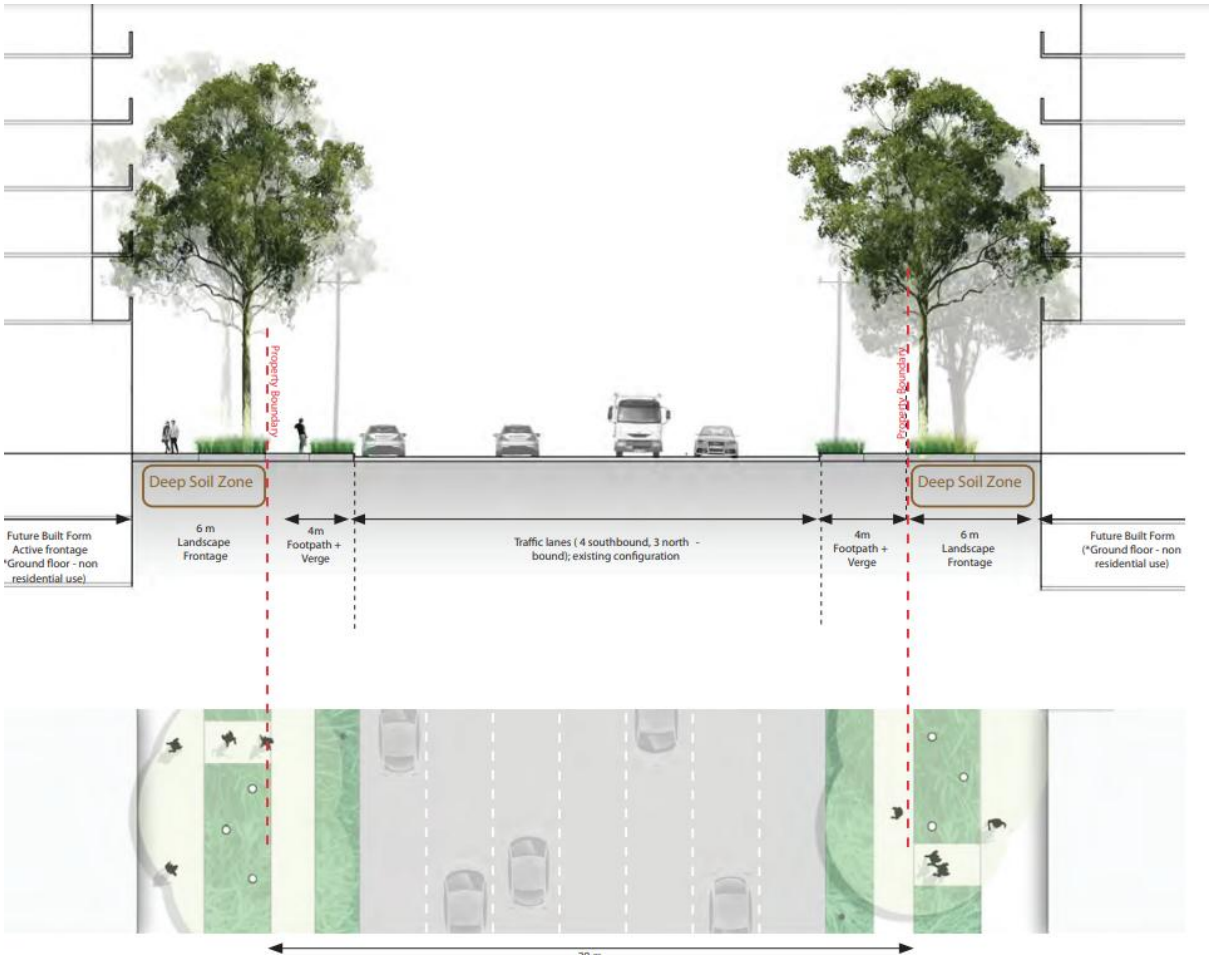


Figure 62: Indicative Concept Plan Arncliffe Station Park

7.4.3.3 Landscape Setbacks

Objective		Control	
Princes Highway Landscape Setback			
O1.	To provide strong definition to the public domain and create a consistent and attractive streetscape.	**C1.**	New development in areas identified in the Princes Highway Landscape Setback are to: a. Provide a landscape corridor along the Princes Highway Corridor from Arncliffe to Banksia. A continuous 6 metre deep soil landscape setback is proposed and are required to: i. Retain existing trees, where possible. These trees provide a gateway to the precinct and improve the amenity of the street environment for pedestrians, motorists and residents; ii. Where new trees are required landscape plans are to be developed in consultation with Council. New tree planting will be a minimum 600L pot size planted 8 metre apart, in accordance with Council guidelines; iii. Where awnings are located, they must provide adequate weather protection as well as ensuring tree planting has space to grow; b. Relocate footpaths to provide expanded verge and tree planting zones; c. Provide for the provision of under storey planting in garden zones, in accordance with Council guidelines; and d. Include an additional footpath adjacent to retail and ground floor uses with planting.
O2.	To provide enhanced pedestrian amenity.		
O3.	To create a landscaped streetscape that can accommodate large tree species.		
O4.	To reduce the visual bulk of buildings from the street.		
		C2.	Existing overhead power lines are to be moved underground as each site is redeveloped.
		C3.	New development in areas identified in the Princes Highway Intermittent Planting diagram are to: a. Provide a modified landscape corridor along the Princes Highway corridor from Avenal Street, South Arncliffe to Bestic Street, Banksia.

Objective		Control	
			In this location where there are B6 zones, retail frontages with on grade parking adjacent to the highway consolidated tree planting zones are to be provided. This allows on grade parking to be retained and for consolidated tree planting zones to be provided along the Princes Highway corridor in private land. Consolidated tree planting zones are to satisfy the following criteria: i. Minimum 6 x 6 metre deep soil zones along the Princes Highway frontage (minimum requirement one consolidated planting zone per 20 metres of street frontage); ii. Provision of large trees (minimum 15 metres high), in accordance with Council guidelines; iii. Provision of under storey planting in garden zones, in accordance with Council guidelines; and iv. Provision of WSUD treatment gardens in deep soil zones.

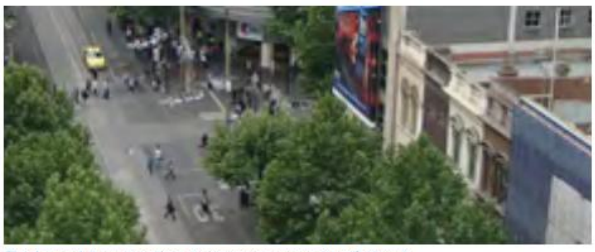




Successful Retail Streets with large trees and wide verges



Fast growing gum trees provide a gateway to the neighborhood



Boulevard tree planting to increase amenity of street

Figure 63: Princes Highway Indicative Section and Landscape Setback Precedents

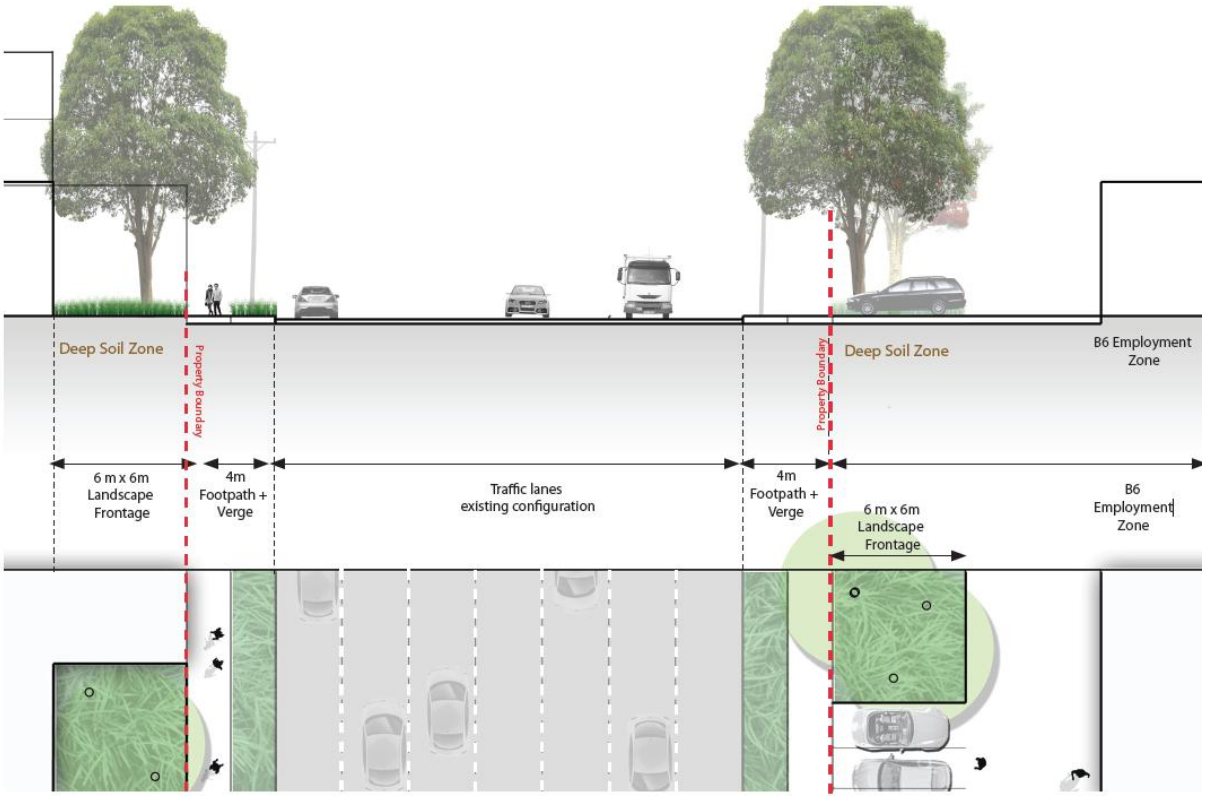


Figure 64: Indicative Section and Plan of Intermittent planting along the Princes Highway in the Banksia Precinct

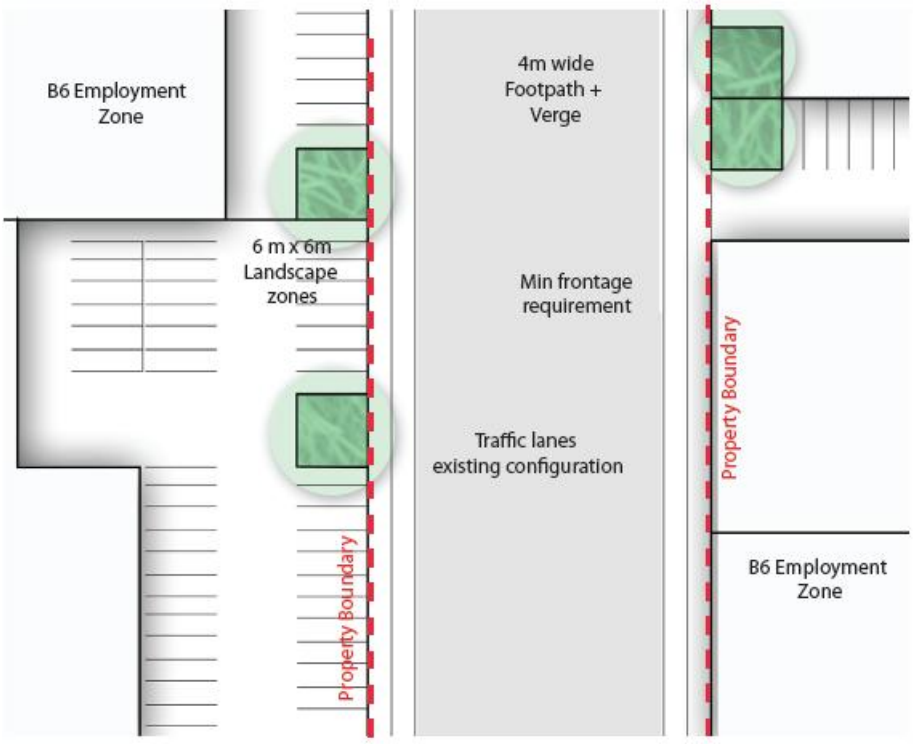


Figure 65: Option for Tree Planting along Princes Highway in the Banksia Precinct

Controls	
Residential Streets Controls	
C1.	Improvements to existing residential streets are proposed to increase canopy cover and improve neighbourhood amenity. New development located in the areas identified in the Residential Streets Landscape Setback image are to: a. Provide expanded footpath and verge zones and reduce carriage ways where possible; b. Provide ground floor private open space; c. Relocate footpaths to provide expanded verge and tree planting zones; d. Provide additional street tree planting to street verges, in accordance with Council guidelines; e. Provide additional tree planting between on street parking bays, in accordance with Council guidelines; f. Provide gardens with low shrubs and ground cover rather than lawn verges, in accordance with Council guidelines; g. Consolidate deep soil within setback frontages adjacent to existing streets to allow for additional tree planting in private land. This setback should not include private open space; and h. Allow for the integration and provision of rain gardens within landscape areas.
C2.	Existing overhead power lines are to be moved underground as each site is redeveloped.
Retail Streets Controls	
C3.	Several existing street reserves are generously proportioned and establish a precedent with large street trees providing amenity and shade. Streets such as Eden Street and Hattersley Street are to be improved through increased and high quality landscaping. New development in areas identified in the Retail Streets Landscape Setback image are to: a. Retain existing large scale trees located in street reserves or setbacks or along the rail corridor; b. Reduce excess carriageway areas and lane widths and providing expanded footpath zones for informal gathering, seating and outdoor dining; c. Provide additional tree planting to provide shade and seasonal colour, in accordance with Council guidelines; d. Provide new rain gardens that can filter street runoff; e. Provide new streetscape elements including furniture and improved pedestrian lighting in accordance with Council guidelines; and f. Incorporate distinctive lighting treatments that respond to local character to enhance the night time experience on primary retail streets, in accordance with Council guidelines.
C4.	Existing overhead power lines are to be moved underground as each site is redeveloped.

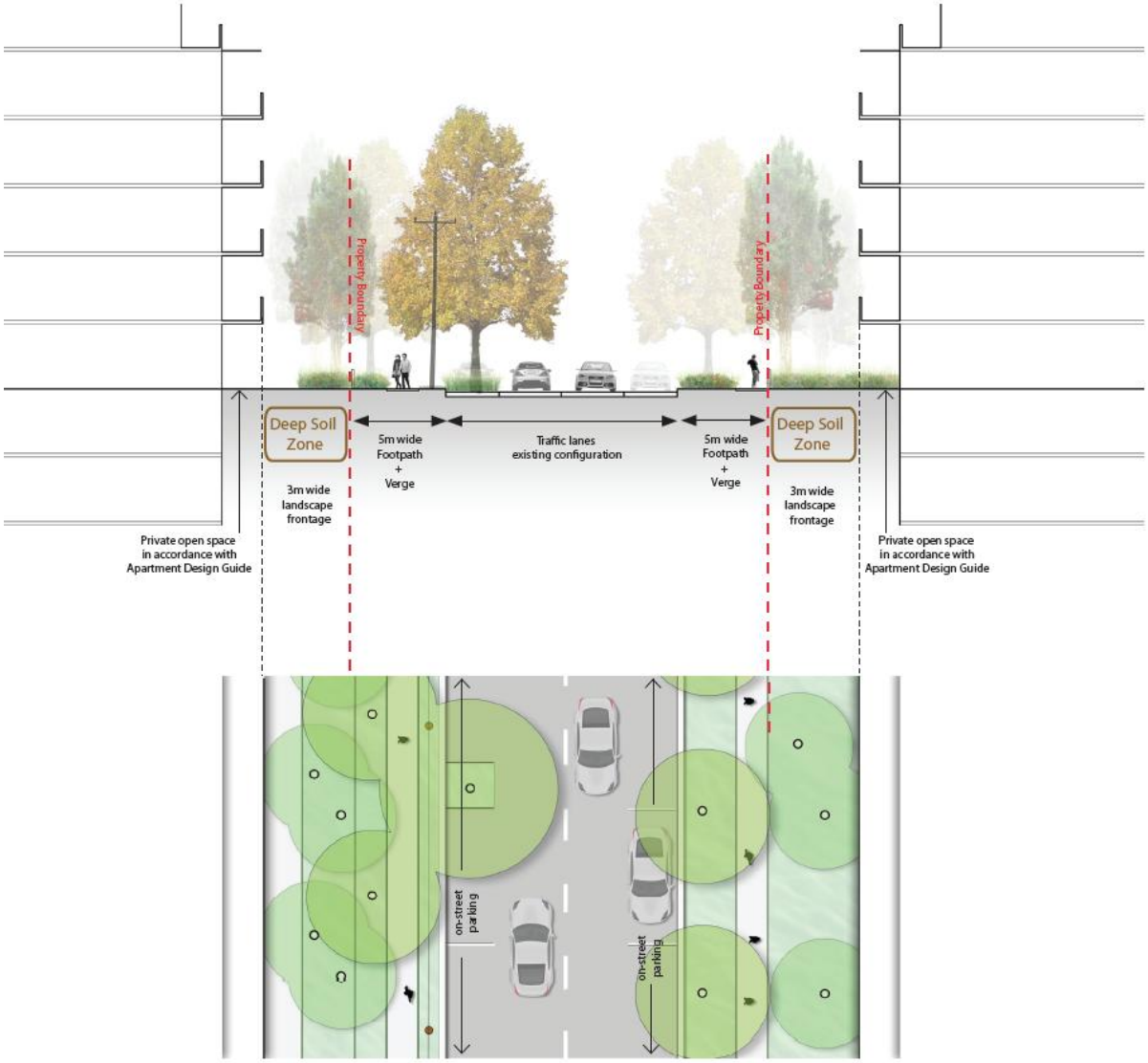


Figure 66: Indicative Residential Street Section and Plan

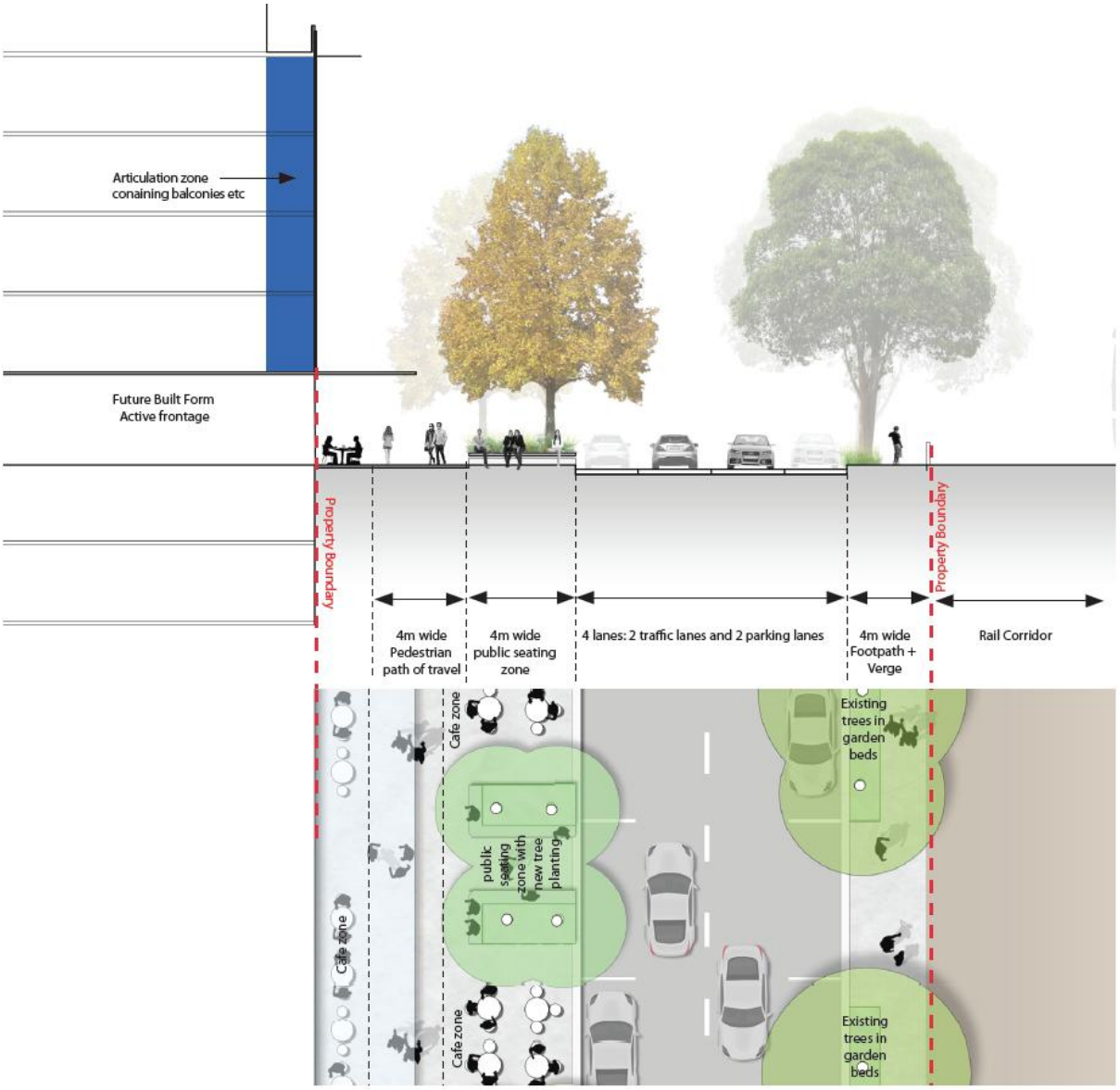
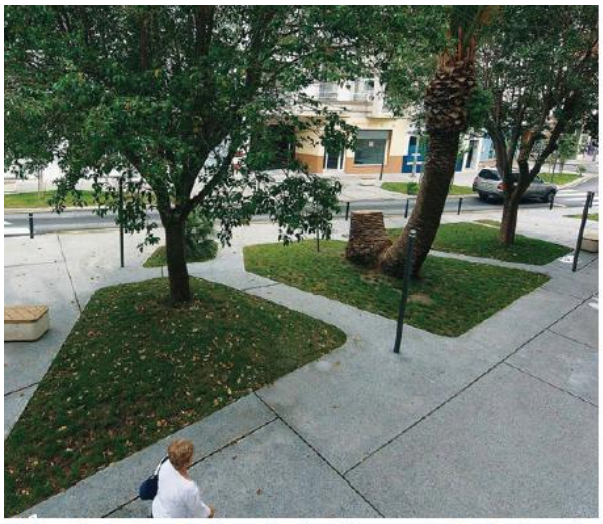


Figure 67: Indicative Concept Sketch for Firth Street



High quality street tree planting and paving to improve neighbourhood amenity



Public domain furniture including individual seats and benches



Decorative lighting to encourage night time activation

Figure 68: Retail Street Precedent

7.4.3.4 Through Site Links

Objective		Control	
O1.	To enhance connectivity through the precinct for pedestrians and cyclists as sites redevelop.	**C1.**	Through site links are to be publicly accessible connections through sites, (but not on land dedicated to Council for a public purpose) formalised through a positive covenant on the title of the land, that provides for unrestricted access for public thoroughfare and maintenance of the public domain.
O2.	To ensure the safety of pedestrians and cyclists.	**C2.**	Through site links are to be maintained by the land owner.
		C3.	Through site pedestrian links are to be provided generally in the locations shown on the Through Site Link Plans for Arncliffe North, Arncliffe South, and Banksia.
		C4.	Though site links and potential through site links need to be considered as part of any development application.
		C5.	Where a through site link is provided on site, FSR is based on the total site area.
		C6.	Pedestrian through site links can be provided in a number of ways, including arcades and open links between buildings. To ensure that pedestrian mobility and amenity can be effectively coordinated and integrated, the proponent is to liaise with Council prior to proceeding with detailed site planning and design.
		C7.	Through site links or arcades must connect to a public street on both ends and must be of a straight alignment, with clear visual connections.
		C8.	Through site links are to be publicly accessible connections through sites, (but not on land dedicated to Council for a public purpose) formalised through a positive covenant on the title of the land, that provides for unrestricted access for public thoroughfare and maintenance of the public domain.
		C9.	Pedestrian through site links are to: a. provide active frontages on both sides with clear glazing for windows and doors from floor to ceiling at ground level;

Objective		Control	
			b. be a clear and direct throughway for pedestrians; c. provide a minimum for 6 metres setback to building line; d. have a minimum width of 4.5 metres non leasable space clear of all obstructions (including columns, stairs and escalators); e. demonstrate compliance with Crime Prevention Through Environmental Design (CPTED) principles; f. where practicable, have access to natural light; g. have the capacity to provide active frontages on both sides; and h. be air conditioned and have clear glazed entry doors comprising at least 50% of the entrance.
		C10.	Through site links can be adjacent to active frontages, site boundaries (A), transport infrastructure (B) or public open spaces (C) as shown on the Through Site Links Plan.

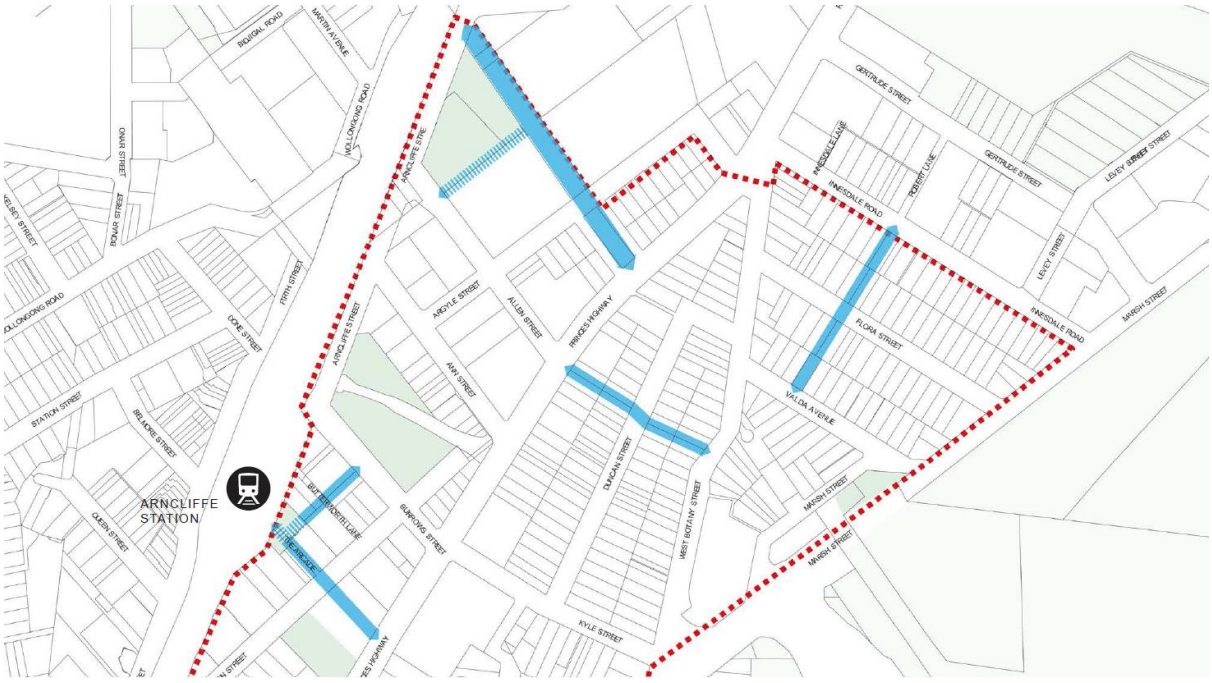


Figure 69: Through Site Links Plan Arncliffe North



Figure 70: Through Site Links Plan Arncliffe South

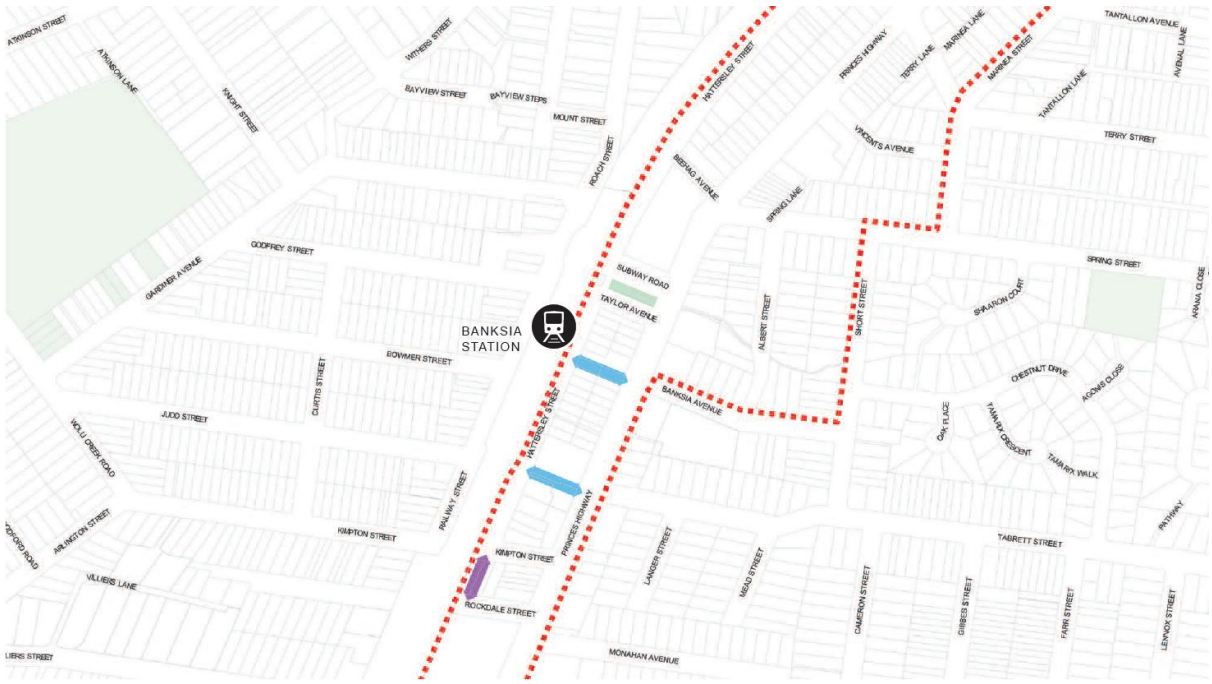


Figure 71: Through Site Links Plan Banksia

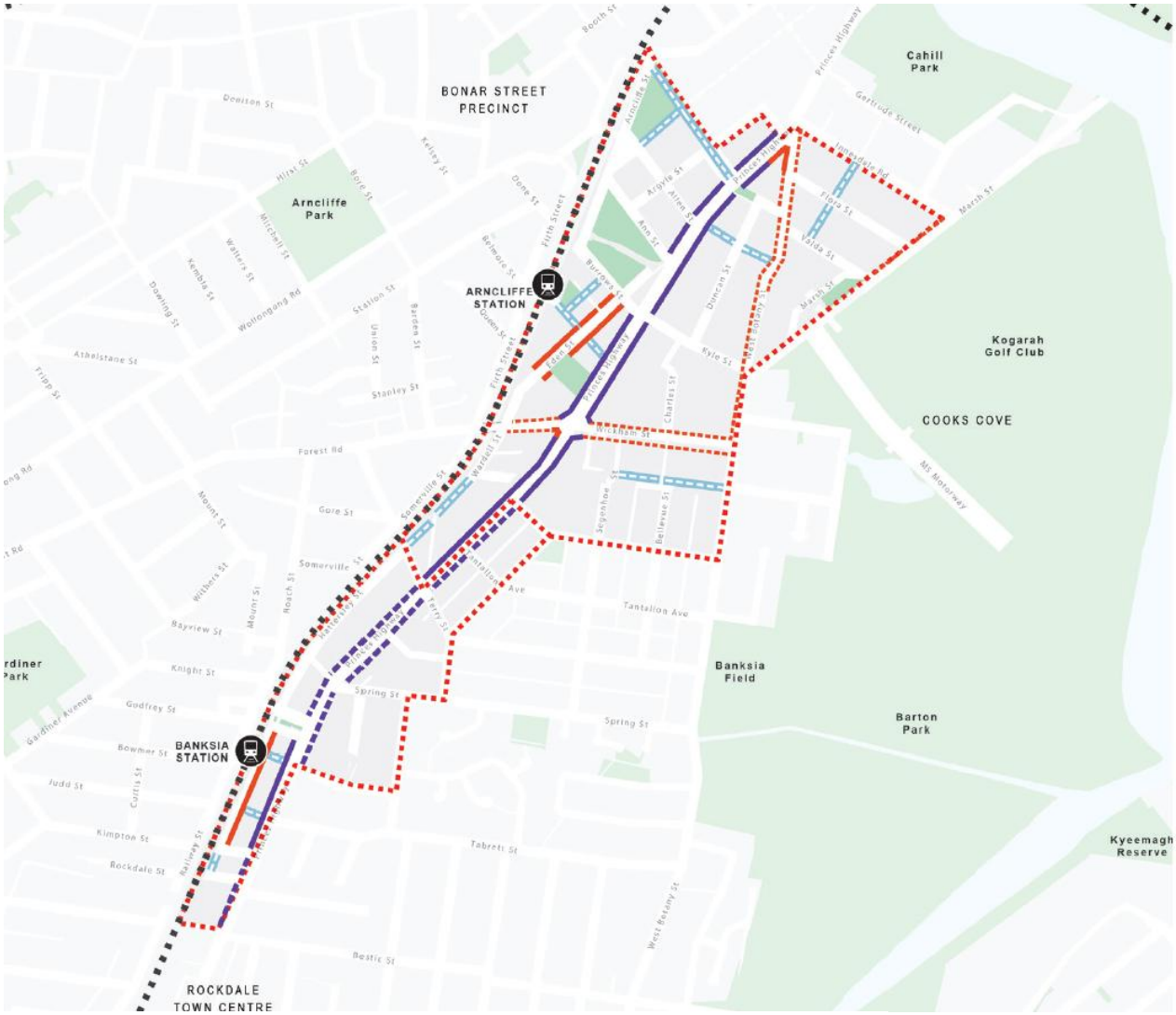
7.4.3.5 Built Form

Objective		Control	
Retail Streets Controls			
O1.	To ensure the development creates a positive streetscape and achieves high quality architectural design that promotes commercial, retail and business activity.	**C1.**	New development within the Arncliffe and Banksia Precincts is to provide ground floor building setbacks and provide new buildings

Objective		Control	
			to the street alignment in accordance with the Built Form and Character Map.
		C2.	Buildings should be set back 6 metres along the Princes Highway. The setbacks should include significant tree planting, landscaping and a secondary footpath located closer to the shop fronts and away from the traffic.
		C3.	5 metres landscaped setbacks are to consist of 3 metres landscaping and 2 metres private courtyards. The landscape zone should include large and medium size tree planting, in accordance with Council guidelines.

7.4.3.6 Street Wall Heights

Objective		Control	
O1.	To coordinate building massing along streets and across blocks.	**C1.**	New development within the Arncliffe and Banksia Precincts is to provide street wall heights in accordance with the Built Form and Character Map.
O2.	To ameliorate the effects of existing unevenly scaled and massed buildings.	**C2.**	The building envelope shall be set back a minimum of 3m above the Street Wall Heights as identified in the Street Wall Heights Map.



Street edge

- Built to street alignment with awnings
- Princes Highway - 6m landscape setback
- Princes Highway intermittent planting - 6m
- Landscape setback - 5m

Note: 3m set back required in other areas.

General

- Precinct boundary
- Mid-block footpaths
- Railway
- Parks
- Proposed new parks
- Waterways

Figure 72: Built Form and Character Map

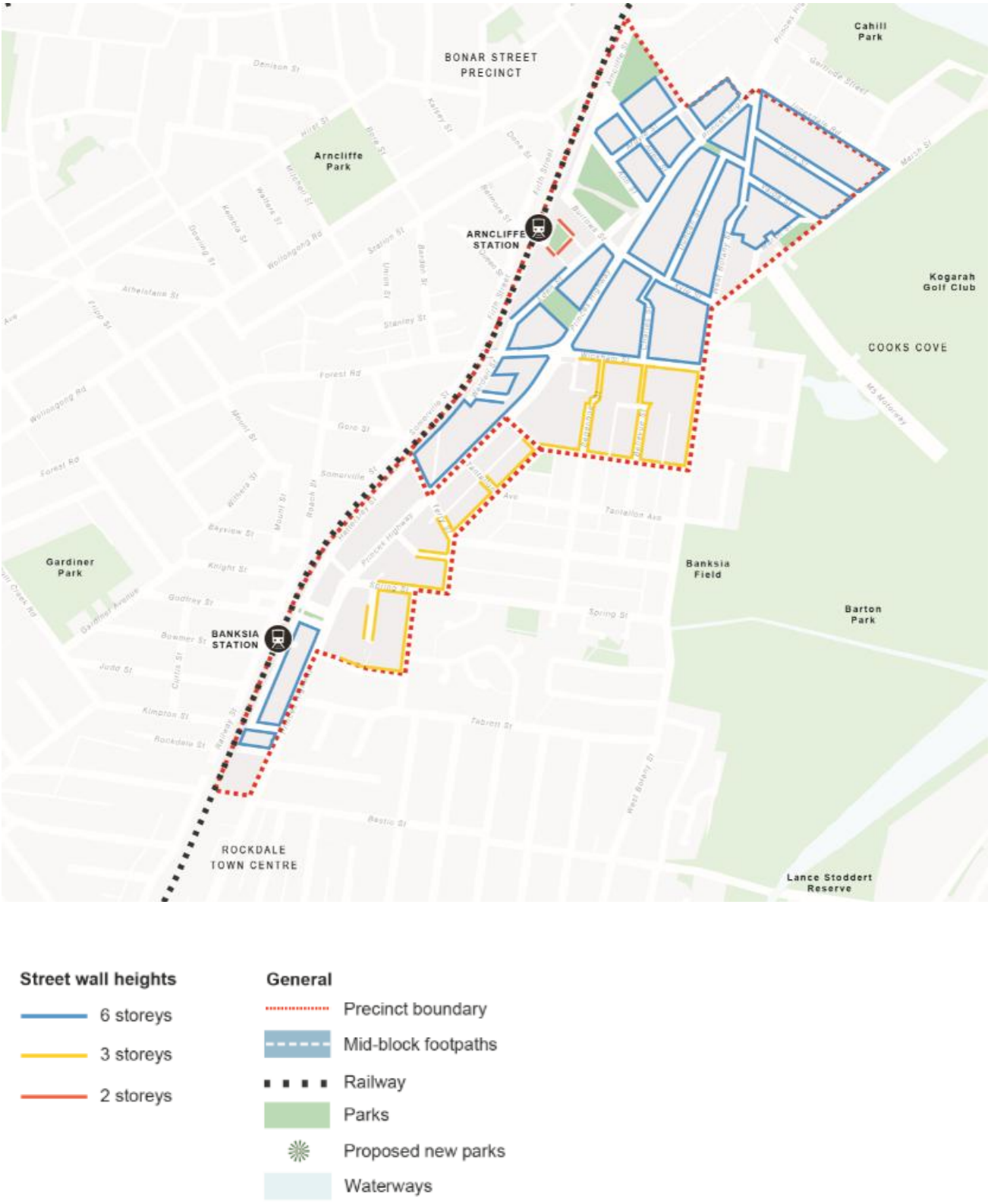


Figure 73: Street Wall Heights Map

7.4.3.7 Active Frontages

Objective		Control	
O1.	To encourage active street frontages in suitable locations.	**C1.**	New development is to provide an active street frontage in accordance with the Active Street Frontages Map.
O2.	To provide active street frontages to promote activity on the street and public domain.	**C2.**	New mixed-use development north of Forest Road and fronting the Princes Highway is to provide a floor to ceiling height of 7 metres to accommodate a wide range of retail showroom or commercial uses.
O3.	To enhance public security and passive surveillance, and improve the amenity to the public domain by encouraging pedestrian activity.	**C3.**	Development consent must not be granted for the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.
		C4.	New buildings are to demonstrate compliance with the following controls: a. Ground floor frontage to be activated by retail and business premises; b. No ground floor residential is permitted; c. Site adjoining the Princes Highway within areas identified as Active Street Frontage - Showroom are to include entire ground floor retail activation to the Princes Highway for accommodating large format retail and commercial uses; d. Locate ground levels at grade with finished footpaths; e. Reinforce corner frontages on primary streets with shop front windows; f. Shop fronts that can open out for restaurants and cafes are encouraged; g. Residential lobbies are permitted off the street frontage; h. No vehicle access permitted unless the development has no other street frontage; i. No service access permitted unless the development has no other street frontage. j. Provision of a separate goods lift for operations associated with large format retail and commercial uses; and k. Access, circulation, parking and loading docks are designed to

Objective		Control	
			minimise passenger and freight vehicle movement conflicts, and vehicle / pedestrian conflicts.



Figure 74: Active Frontages Map

7.5 Bonar Street Precinct

7.5.1 Description

The Bonar Street precinct in Arncliffe is well served with public transport and is located in close proximity to Arncliffe shopping centre and Wolli Creek. The precinct will be transformed from an underutilised industrial area into a medium to high density residential environment. It is envisaged that the redevelopment of the precinct will be staged and that existing uses within the precinct will continue to operate.

Refer to the Wolli Creek and Bonar Street Precinct Public Domain Plan and Technical Manual for detailed controls for streetscape design, street tree planting and concept designs for the community park and plaza.

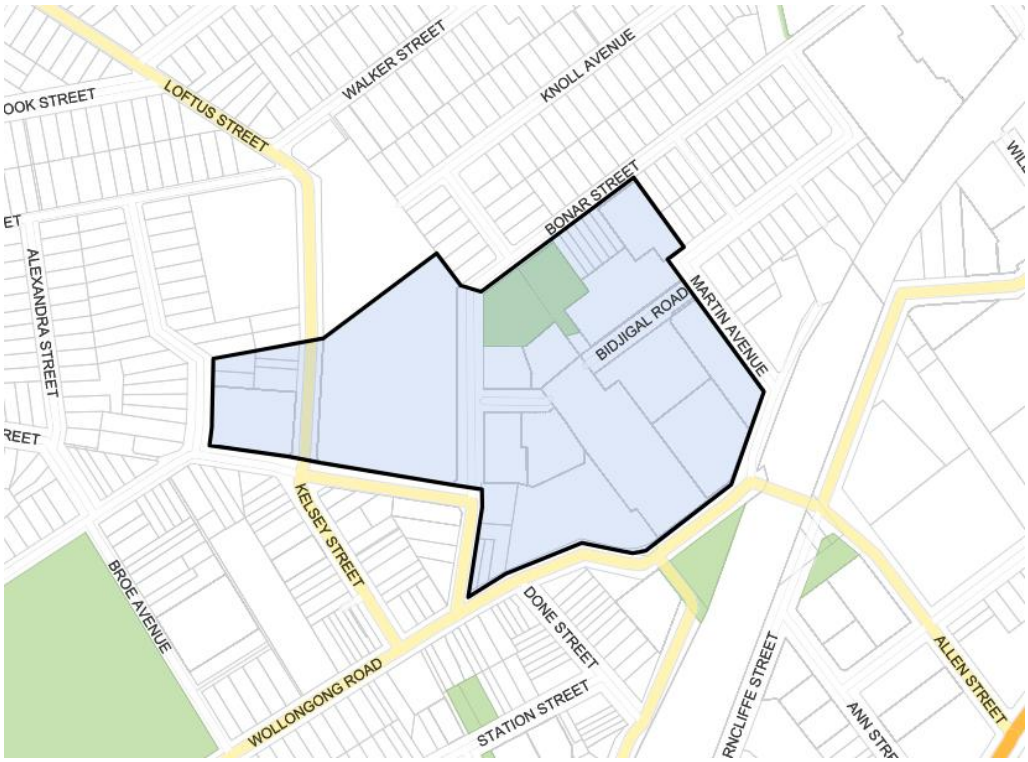


Figure 75: Bonar Street Precinct Land Application Map

7.5.2 Controls

Objective		Control	
O1.	To promote the development of the land predominantly for medium-high density residential use with a mix of dwelling types, and compatible uses including retail, child care, community facilities and open space to serve local residents.	**C1.**	Commercial uses, local shops, restaurants/ cafes or child care facilities should be located on at least part of the ground level of the building next to the Bonar Street/ New Road West intersection and the central square and community park.
O2.	To allow for underutilised properties to be redeveloped while existing viable businesses in the precinct continue operations in the short term.	**C2.**	Provide a street edge building form that defines streets and ensures legibility of the streetscape, provides street addresses for all buildings, view corridors through the precinct, and adequate setbacks for landscape treatment to the street edge.

Objective		Control	
O3.	To ensure that new residential development provides an acceptable level of amenity, by minimising noise, air quality and odour impacts, where located adjacent to non-residential land uses, through appropriate design responses.	**C3.**	Building setbacks from road frontages are to be wholly available as deep soil planting zones clear of car parking structures. Building façade articulation zones should be co-ordinated with deep soil planting zones and landscape plans to optimise root and canopy space for large trees along street frontages.
O4.	To achieve buildings of a distinctive contemporary character articulated in response to the local and environmental context to ensure a safe, permeable and legible public domain.	**C4.**	Provide direct access to the street from private yards where possible to maintain connection between public and private domains.
O5.	To create attractive landscape settings for buildings with a clear definition between public and private spaces.	**C5.**	Provide passive surveillance of the street from the buildings. Definition between the private frontages and the public domain is to include visually permeable fencing and walling.
O6.	To integrate the stormwater drainage corridors with landscape features as far as practical.	**C6.**	Fencing is to be designed to allow filtered views of the street to maintain passive surveillance.
O7.	To provide a range of open spaces for all age groups including a community park and central square.	**C7.**	Development is to comply with the Wolli Creek and Bonar Street Precinct Public Domain Plan and Technical Manual.
O8.	To maximise public safety and provide adequate protection of property against flood events.	**C8.**	Development is to incorporate setbacks at the street frontage in accordance with the street section diagram.
O9.	To ensure existing floodplain users do not experience any increase in flood level.	**C9.**	New roads are to be provided as per the Bonar Street Precinct Structure Plan and the following table:

Road	Location	Width (m)
Bonar Street	Between northern end of new road 5 and Arncliffe	18m
	Widening of west side between No. 47 and 123	4.5m
Wollongong Road	Widening of west side, Allen Street underpass to Martin Avenue	1.27m
Martin Avenue	Widening of south west side	1.6m

Table 20: Bonar Street Precinct Structure Plan

Objective		Control	
		C10.	Development is to provide on-site detention of water in accordance with Council's specific requirements for this precinct.
		C11.	The stormwater management system identified in the Stormwater Management Plans (as shown on the following diagrams) is to be implemented in conjunction with new development in the precinct.
		C12.	As part of any development on the eastern side of Bonar Street, all of the Stage 1 stormwater works (as shown on the following diagrams) must be completed to the satisfaction of Council prior to the construction of footings or basements for any new residential development.
		C13.	Development on the western side of Bonar Street can be completed and occupied without implementing the Stage 1 stormwater works.



Figure 76: Bonar Street Structure Plan

Objective	Control

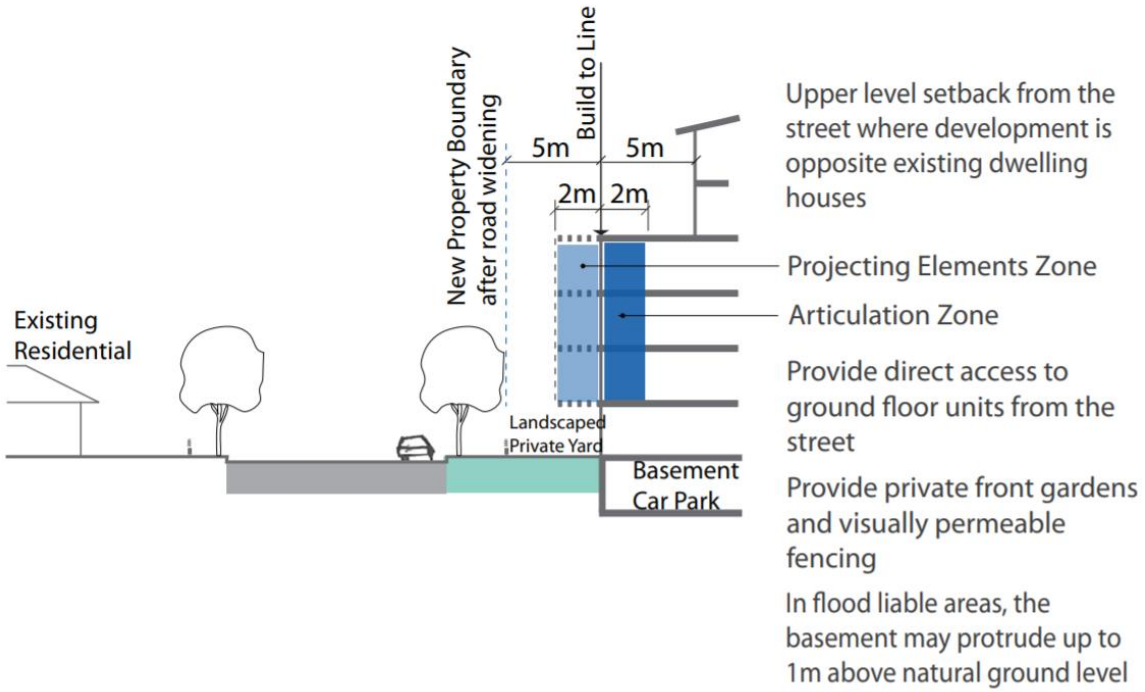


Figure 77: Street Section Diagram

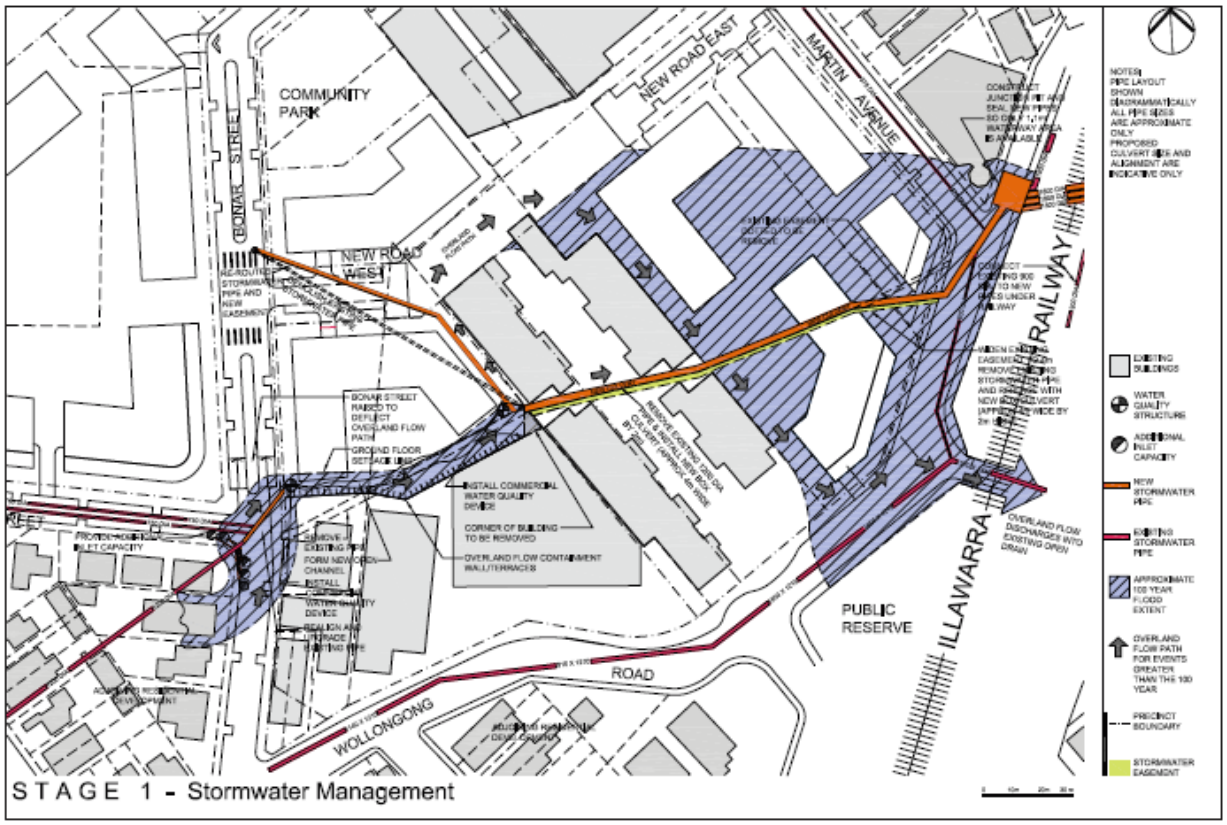


Figure 78: Stormwater Management Diagram – Bonar Street to Illawarra Railway (Stage 1)

Objective	Control

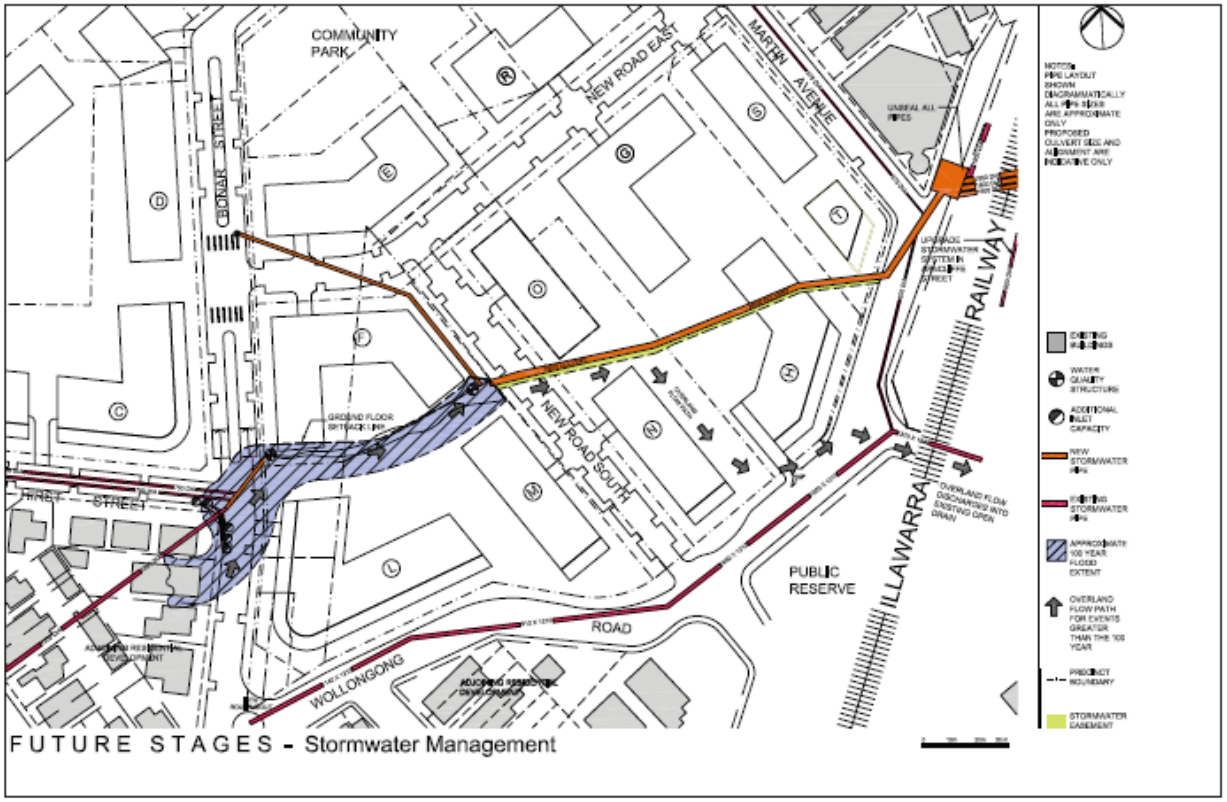


Figure 79: Stormwater Management Diagram – Bonar Street to Illawarra Railway (Future Stages)

7.6 Wolli Creek

7.6.1 Description

The Wolli Creek area to which this section applies is generally bounded by Wolli Creek and the Cooks River to the north, the Southern & Western Suburbs Ocean Outfall Sewer (SWSOOS) to the west, Innesdale Road to the south and Marsh Street to the east, as shown on Wolli Creek Redevelopment Area map.

Wolli Creek is evolving from an industrial area into a high-density mixed use, residential and commercial area. In keeping with its unique location and accessibility to public transport, Wolli Creek will achieve some of the highest densities within the western area of the Bayside LGA. To ensure that this occurs in a way that benefits the city both economically and aesthetically, both a Vision and Structure Plan have been developed which, along with specific controls, will guide the achievement of this goal.

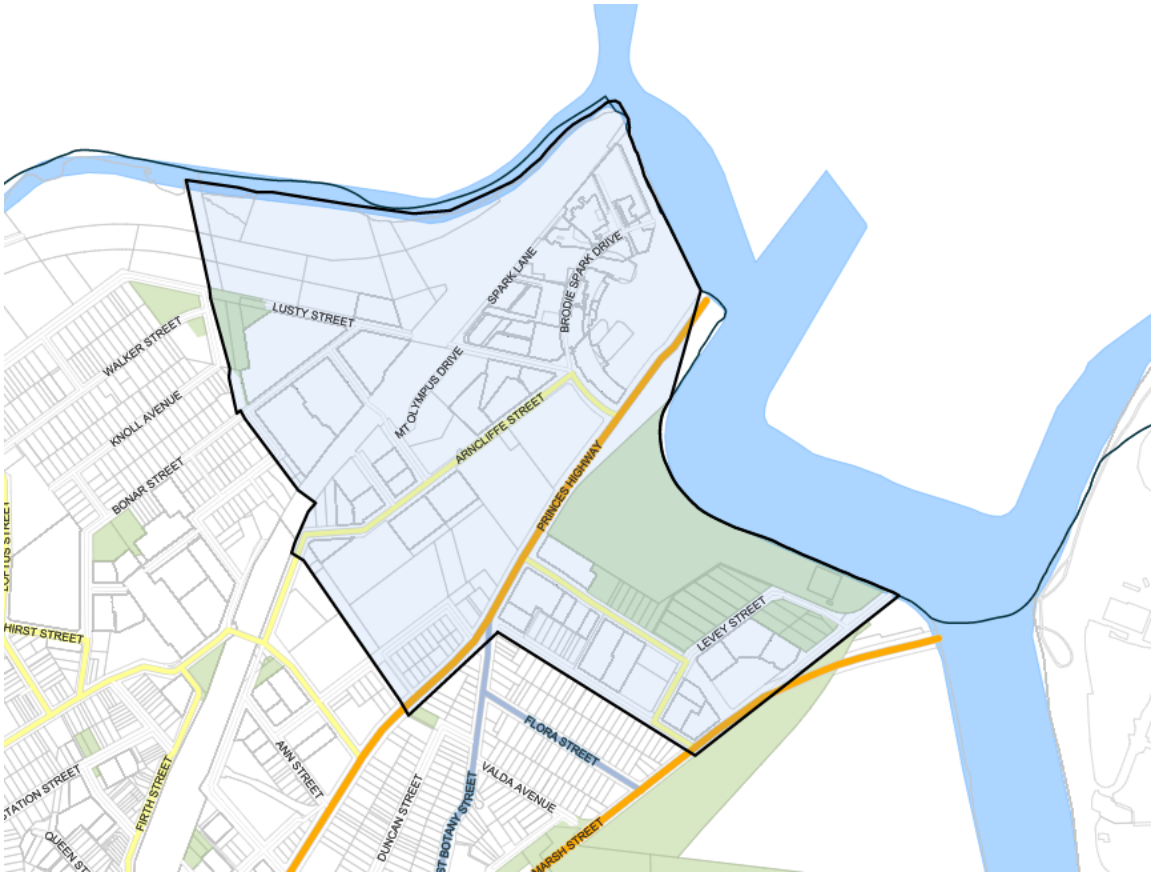


Figure 80: Wolli Creek Land Application Map

Wolli Creek contains some significant heritage items, namely the Wolli Creek Wetlands, the Tempe House Precinct incorporating Tempe House, St. Magdalen Chapel and their setting on the Cooks River, and the Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS). These items illustrate Wolli Creek's historical development and provide key reference points and landmarks in the area.

Historically, a range of industrial and urban activities have had a substantial impact on the natural environment and land contamination will be an issue during Wolli Creek's redevelopment. Although located adjacent to the Airport, it is outside the flight path configuration thereby avoiding serious aircraft noise. However noise generated by the three railway lines and arterial roads will need to be mitigated.

7.6.2 Vision

The vision for Wolli Creek is to create a high quality, high density urban environment, for living, working and recreation. An activity hub will evolve around Wolli Creek Railway Station and along Brodie Sparks Drive, with ground floor retail, a rail interchange, street dining and cafes. This area will be the focus and heart of Wolli Creek supporting activity day and night.

New development will be designed to define open space and streets. It will capitalise on the strategically important location of Wolli Creek and engage positively with busy roads and intersections and will respond sensitively to existing residential, foreshore and park settings. Wolli Creek will be clearly legible as the gateway to the St George region when viewed from the Princes Highway and Marsh Street.

Streets will be attractive and pleasant and support ground floor activity where appropriate particularly at major "hubs" such as Brodie Spark Drive. Good surveillance of public spaces and streets will be provided from residential, and office uses. A sense of community will evolve through shared use of public spaces and a cohesive design of the public domain.

Wolli Creek residents and workers will walk, cycle and use public transport and will have access to a wide range of recreation, entertainment and shopping facilities within Wolli Creek.

The heritage items and natural features of the area will be conserved and celebrated. The network will encourage use of the extensive recreation and open space facilities within Wolli Creek and provide good connections from outside the area.

Wolli Creek's location, being 8km from Sydney CBD, containing a major railway interchange - one stop from the airport, and being close to the M5 Motorway - will help to establish it as an important employment base within the region.

7.6.3 Controls

Objective		Control	
Land Use			
O1.	To provide a wide range of opportunities for different types of employment generating activities to meet regional and local needs.	**C1.**	Development is encouraged to provide commercial development in the area designated as town centre on the Wolli Creek Structure Plan Map.
O2.	To provide for the day-to-day shopping and service needs of the local community.	**C2.**	Where height difference between the street and the ground level of a building occurs (due to flooding constraints), ground floor uses should promote surveillance of the public domain by locating entrances, balconies, garden areas or locating steps between the street and dwellings.



Figure 81: Wolli Creek Structure Plan Map

Objective		Control	
Road Network and Vehicular Access			
O3.	To create a permeable road network that facilitates efficient vehicular access to and circulation within the area which can be conveniently used by all modes of transport.	**C3.**	New roads/road widenings are to be provided as per the Road Network and Vehicular Access Map and the following table: New roads

Road	Location	Width (m)
New Road 1	Extension of Gertrude Street between Marsh and Levey Street	23m
New Road 2	Extension of Gertrude between Princess	23m
New Road 3	Between northern end of Argyle Street	18.4m

Objective		Control	

	and Bonnie Doon Channel	
New Road 4	Extension of Argyle Street adjacent to SWSOOS	12m
New Road 5	Both sides of Bonnie Doon Channel	10.5m each side
New Road 6	Between northern end of new road 5 and Arncliffe	18m
Princes Highway	Widening of west side between No. 47 and 123	4.5m
Gertrude Street	Widening of north side between Princes Highway and Levey Street	3.1m
Arncliffe Street	Widening of north side between No. 15 and 29 Widening of south side between No. 34 and 94	5m
Lusty Street	Widening of north side	2m
Argyle Street	Widening adjacent to SWSOOS	2m
Robert Lane	Widening on both sides	2m
Innesdale Lane	Widening on both sides	2m

Table 21: Road Network and Vehicular Access

C4. Vehicular access to development sites is to comply with the Road Network and Vehicular Access Map.

C5. Vehicular entries should be located on secondary frontages with a preference to rear lane access, where possible.

Objective	Control

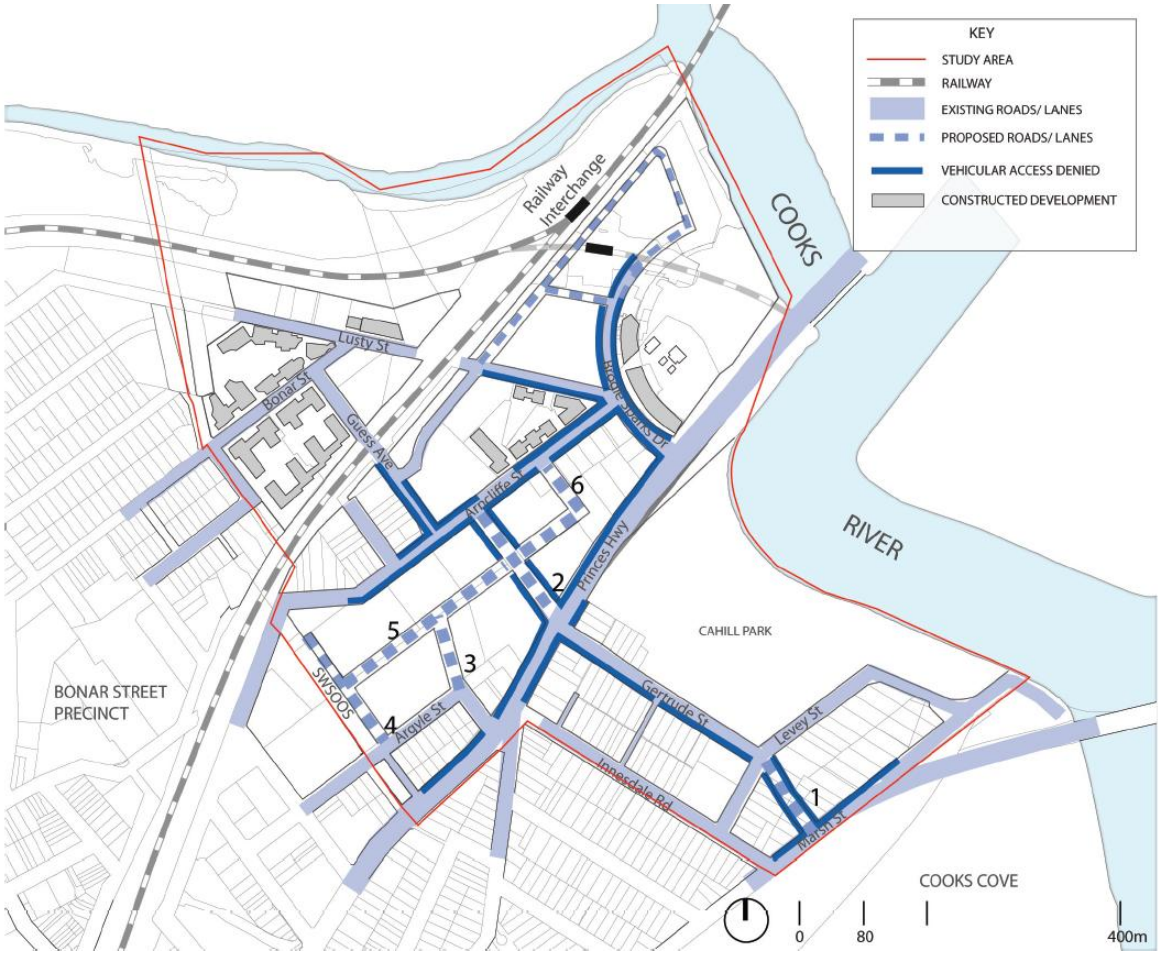


Figure 82: Road Network and Vehicular Access Map

Open Space and Movement			
O4.	To ensure that the nature and distribution of public spaces, buildings and facilities enhances the public domain and links key features and activities within Wolli Creek.	**C6.**	Pedestrian and cycle ways must be implemented as shown on the Open Space and Pedestrian/Cycle Network Map.
O5.	To promote pedestrian and cycle links to encourage sustainable travel in the precinct.	**C7.**	Provide safe pedestrian and cycle access across streets with ground level crossings preferable to pedestrian bridges and overpasses.
O6.	To enhance local pedestrian and cycle routes and link them with regional networks, residential areas, work, shopping and recreation activities and public transport nodes.	**C8.**	Provide two street level crossings across the Princes Highway at Gertrude Street and Brodie Spark Drive to maximise pedestrian and cycle connections at grade.
O7.	To consider and take advantage of the SWSOOS and its location by incorporating it into an open space network.	**C9.**	Provide a small plaza (min size 200m²) on the corner of Arncliffe Street and Brodie Spark Drive at 94 Arncliffe Street.

Objective		Control	
O8.	To retain, manage and upgrade environmentally significant areas, including Wolli Creek Wetlands and the Cooks River.		

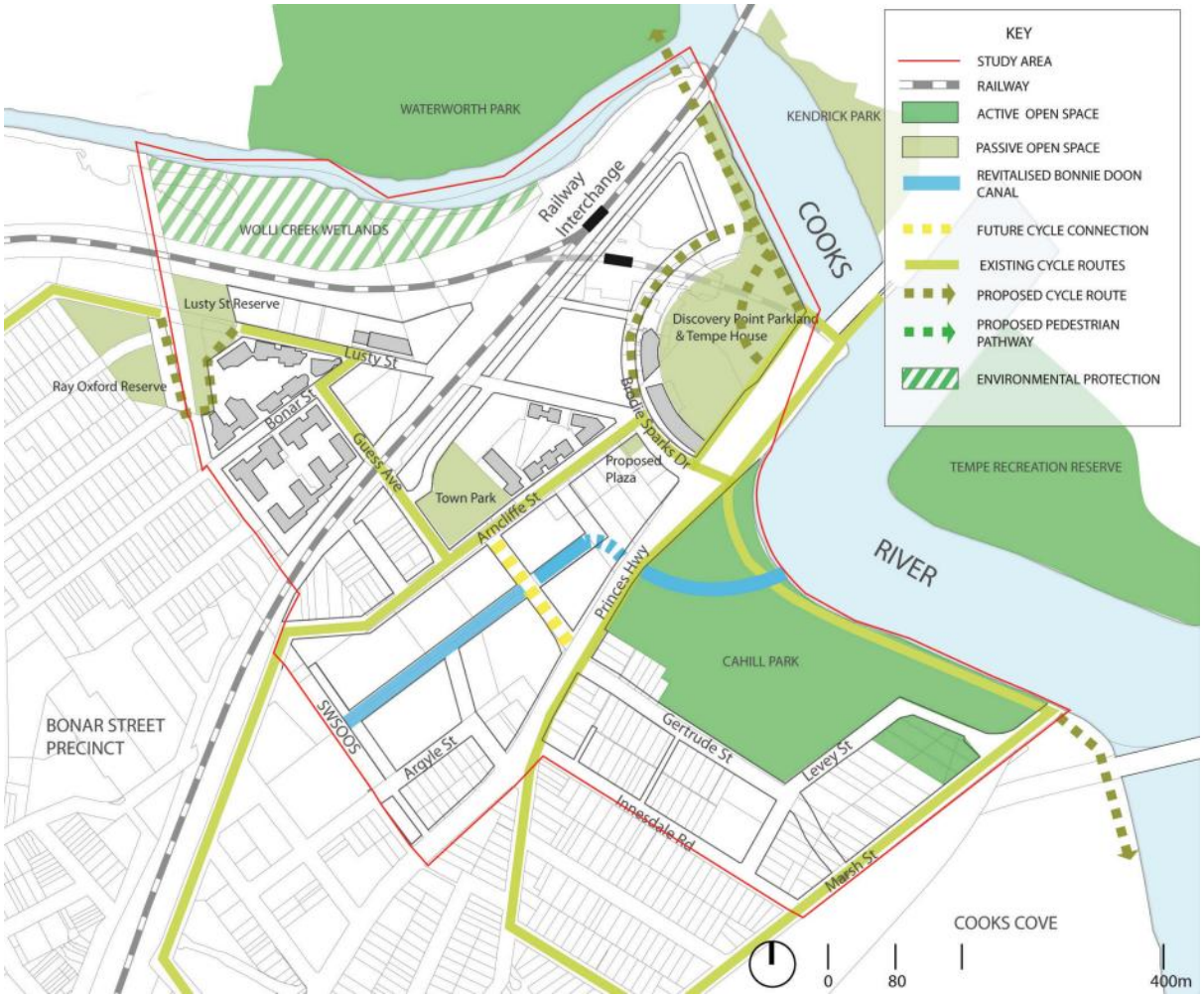


Figure 83: Open Space and Pedestrian / Cycle Map

Building Heights and Density			
O9.	To provide a reasonable incentive to achieve high quality development with a range of use.	**C10.**	Key sites as identified in the Building Height Map are developed as prominent gateway sites to announce the precinct from beyond the area.
O10.	Retain solar access to the public domain.	**C11.**	Preserve solar access to Cahill Park, public plazas and other parks between 12.00 noon to 2.00PM on June 21.
		C12.	Development to Innesdale Road is to set back the fifth level from the property boundary by additional 3m to preserve solar access to buildings on the south side of Innesdale Road.
		C13.	Development on Lusty Street is to provide a setback between the zoning boundary and any

Objective		Control	
			building to reduce overshadowing of the public park.

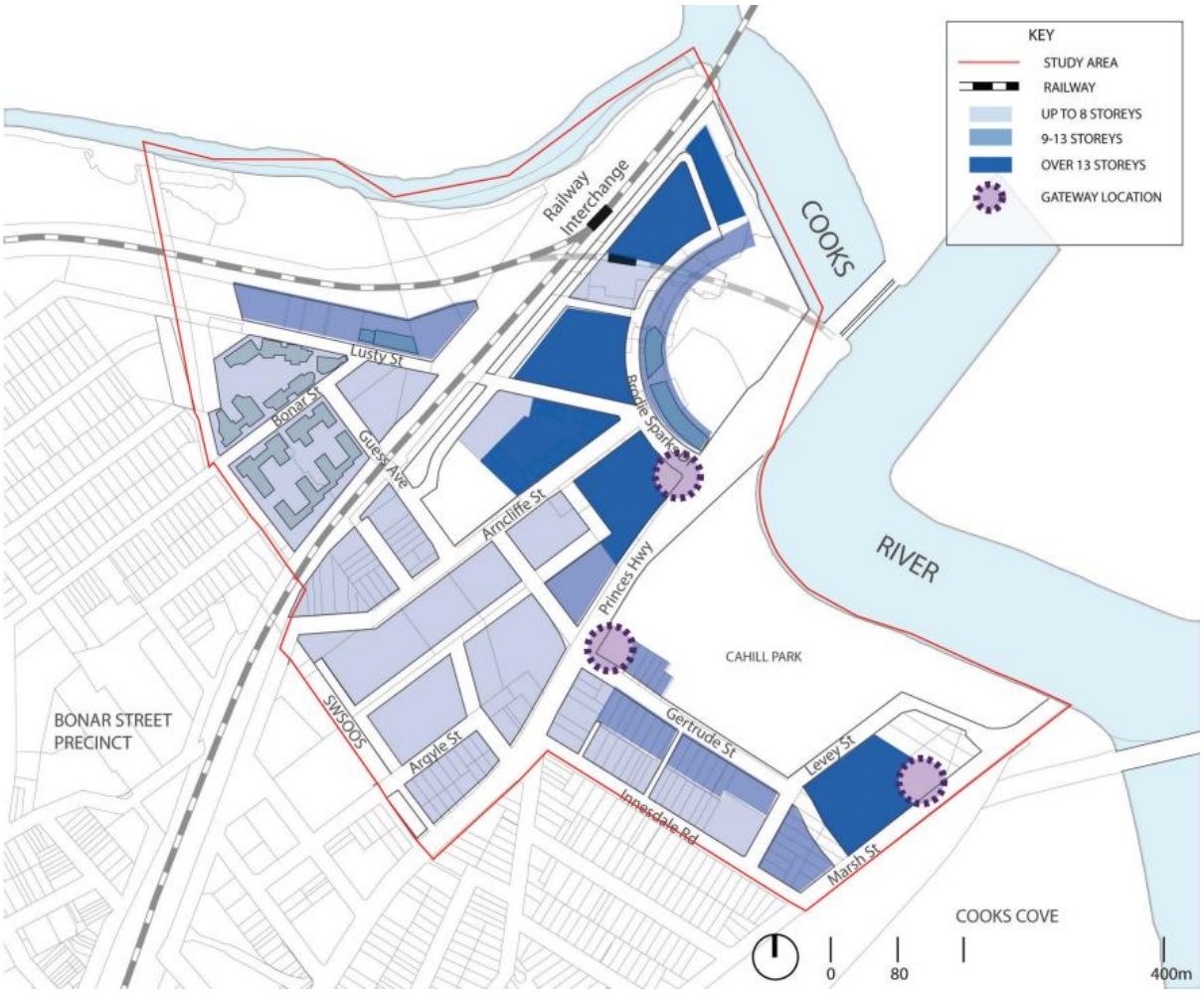


Figure 84: Building Height Map

Street Character and Setbacks			
O11.	To promote consistent edge treatment to streets and open space so that the built form reinforces the public domain.	**C14.**	Building design is to provide street wall buildings with zero side setback at the street frontage.
O12.	To create a town centre that is the heart of the precinct with high quality streetscapes, active building edges, high quality pedestrian environment and good access to transport links.	**C15.**	Development is to comply with the specific setback and design requirements as indicated by the Streetscape Character Map and associated diagrams.
O13.	To ensure developments have active frontages to streets to increase security and passive surveillance for the safety of pedestrians and property.	**C16.**	Development is to comply with the Wolli Creek and Bonar Street Precinct Public Domain Plan and Technical Manual.
O14.	To provide streets that facilitates a variety of ground floor uses and is attractive and comfortable for pedestrians.	**C17.**	Street wall building(s) must complement the built form and architectural character of existing buildings on the northern side of

Objective		Control	
O15.	To encourage a range of commercial and retail uses along Princes Highway and Marsh Street that capitalise on close proximity to the airport and the future redevelopment of Cooks Cove.		Brodie Spark Drive and southern side of Magdalene Terrace.
O16.	To create streets that are characterised by distinctive residential apartment buildings within a landscaped setting.	**C18.**	Development on Gertrude Street is to set back the top level from the building edge fronting the communal open space by 3m.
O17.	To provide a 'green finger' through the precinct reinforced with street tree planting and the new town park at Arncliffe Street.	**C19.**	Development on Lusty Street is to provide gaps between buildings (min 12m) on the north side to facilitate view corridors.
O18.	To improve pedestrian access along laneways and to facilitate vehicular access to development on the laneways.	**C20.**	Brodie Spark Drive is to be a lively retail street that provides opportunities for social interaction, such as cafes and outdoor dining.
O19.	To achieve adequate residential amenity for development along the laneway.	**C21.**	Development identified as having a Mixed Use Street Frontage is to activate the ground level whilst satisfying flooding constraints.
O20.	To provide a fitting entry into the St Georges region and the City of Rockdale and to reinforce the importance of Princes Highway and Marsh Street as gateways to the Rockdale LGA.	**C22.**	Development identified as having a Mixed Use Street Frontage is to ensure ground floor uses interact with the public domain and incorporate any of the following features: pedestrian areas; outdoor trading areas; walkways; garden and planted areas fronting residential uses; main entrances to buildings and suites.
		C23.	Development identified as having a Retail Street Frontage is to ensure buildings address corners and engage the public domain at street level and provide pedestrian amenity with a consistent awning or shelter.
		C24.	Development identified as having a Mixed Use Street Frontage is to provide active uses related to residential entrances and commercial uses on street level floor space to assist in creating a lively and active street.
		C25.	Development identified as having a Mixed Use Street Frontage is to provide access stairs where there are height differences between the street and the ground floor.
		C26.	Development identified as having a Retail Street frontage is to activate ground floor with retail and commercial uses.
		C27.	Development identified as having a Retail Street frontage is to ensure building design must achieve an outstanding level of design excellence.

Objective		Control	
		C28.	Development identified as having a Highway Interface is to ensure building design achieve an outstanding level of design excellence.
		C29.	Development identified as having a Highway Interface is to accommodate uses that benefit from exposure to passing traffic in lower storeys, such as retail, showrooms, studios and galleries.
		C30.	Development identified as having a Highway Interface is to offer water and park views suited to upper storey commercial and residential development.
		C31.	Development identified as having a Highway Interface is to use building design to minimise conflicts between highway and users.
		C32.	Development identified as having a Residential Street Frontage is to address the street with balconies, building entrances and living rooms or bedrooms on the ground floor.
		C33.	Development identified as having a Residential Street Frontage is to provide a front fence with a maximum height of 1.2m.
		C34.	Development on Lusty Street is to provide a minimum 3m setback between the railway line corridor and any multi-level parking structure to allow deep soil planting to screen the structure.
		C35.	Development identified as having a Parkland Interface is to activate ground floors with retail and commercial uses.
		C36.	Development identified as having a Parkland Interface is to provide good surveillance of the park.
		C37.	Development identified as having a Parkland Interface is to be predominantly glazed on ground floor to promote views to the park.
		C38.	Development identified as having a Retail Street frontage is to activate ground floor with retail and commercial uses.

Objective		Control	
		C39.	Development identified as having a Retail Street frontage is to ensure building design must achieve an outstanding level of design excellence.
		C40.	Development identified as having a Lane Frontage by the Street Character Map is to provide pedestrian footpath on both sides of the lane.

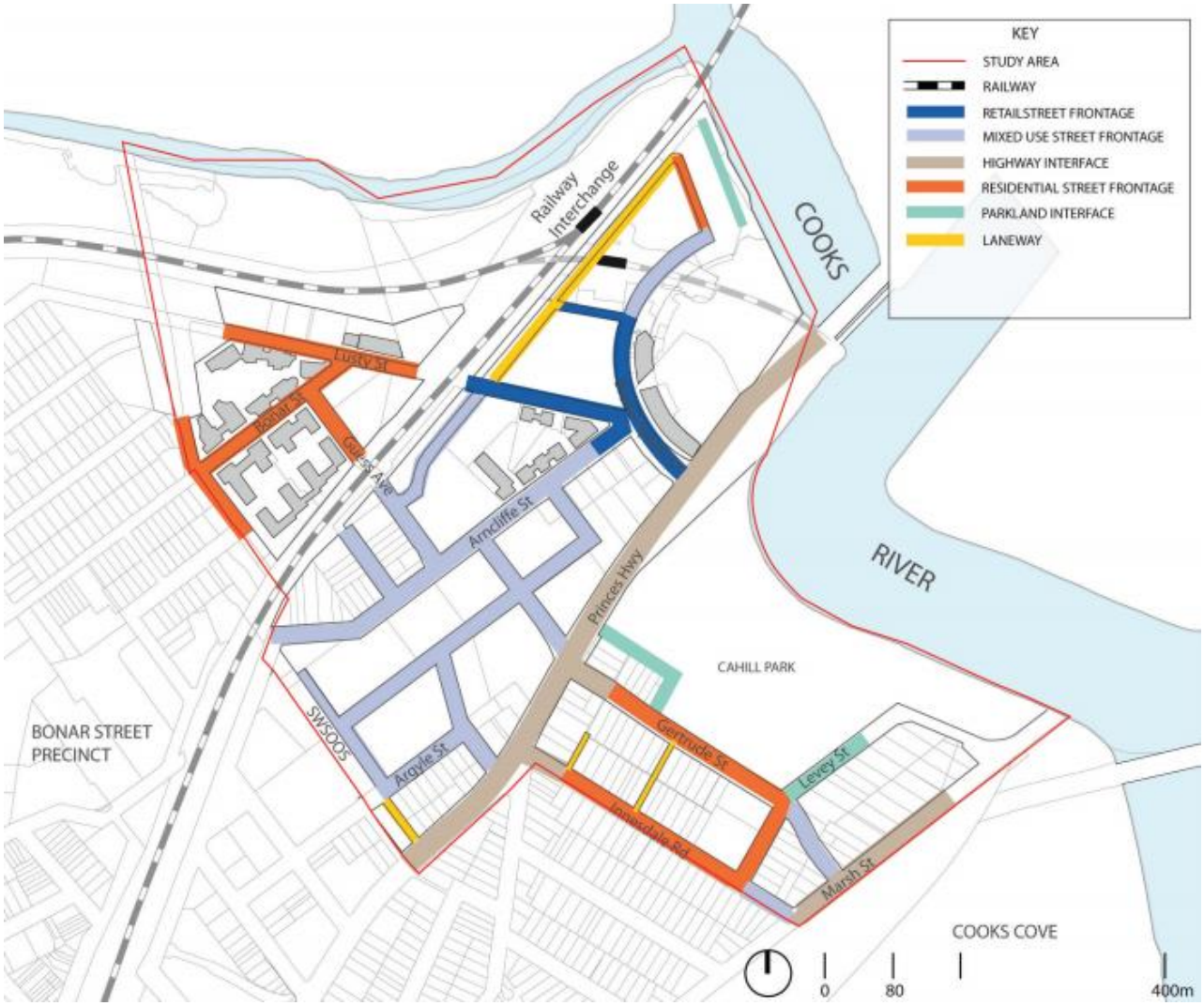


Figure 85: Streetscape Character Map

Objective	Control

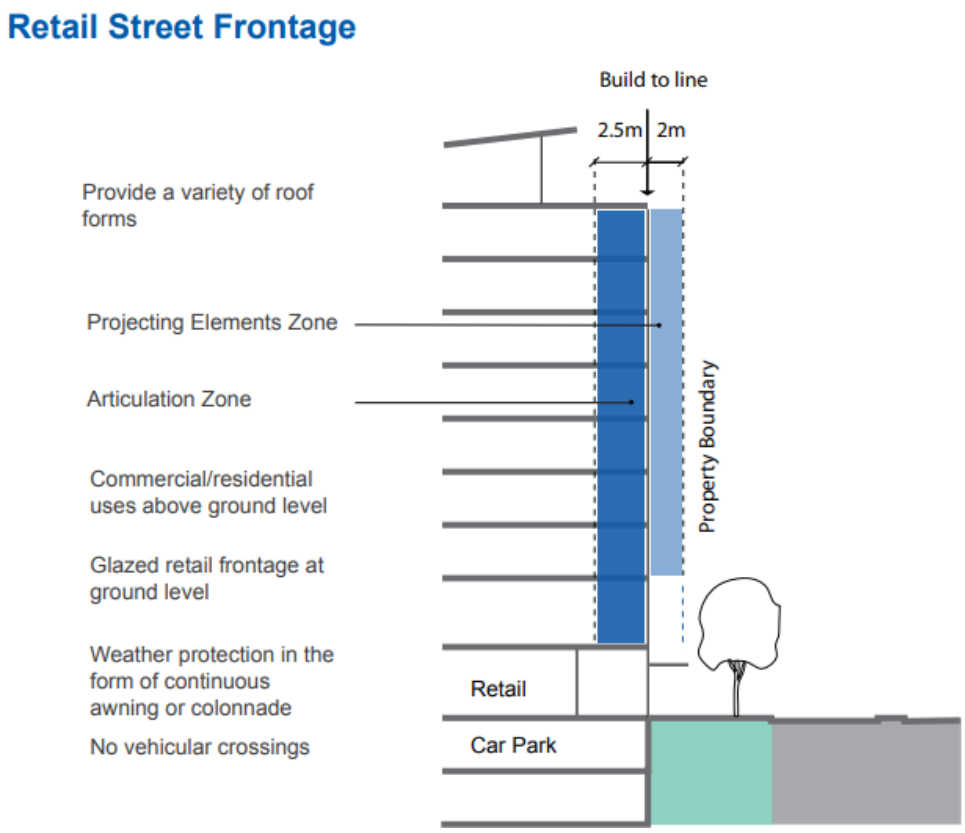


Figure 86: Retail Street Frontage Diagram

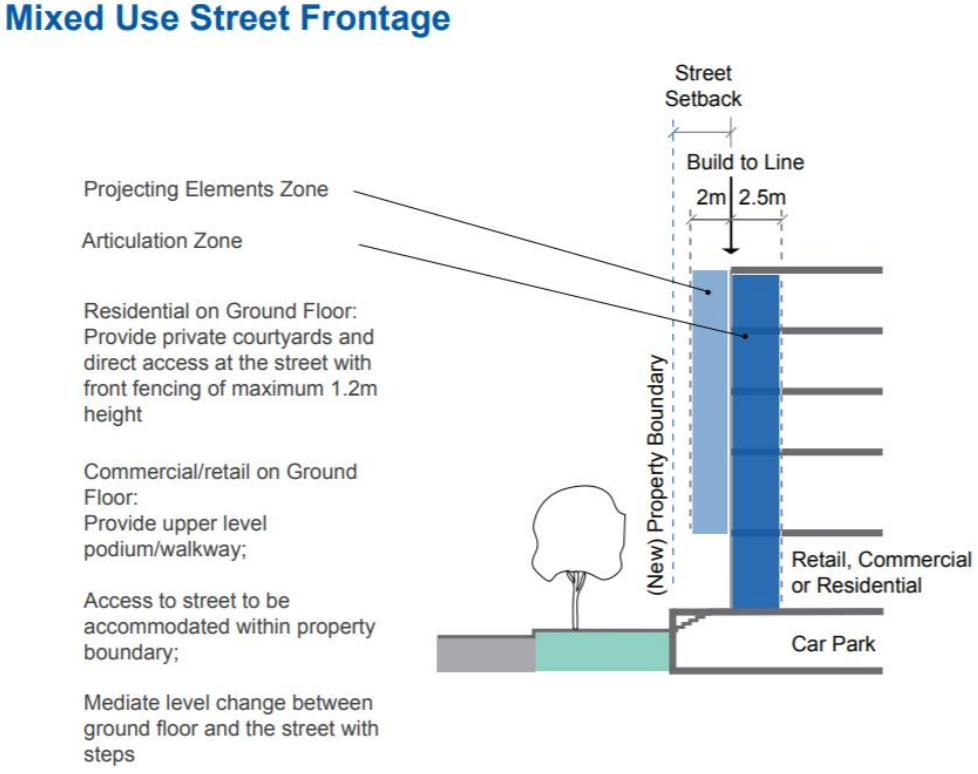


Figure 87: Mixed Use Street Frontage Diagram

Objective	Control

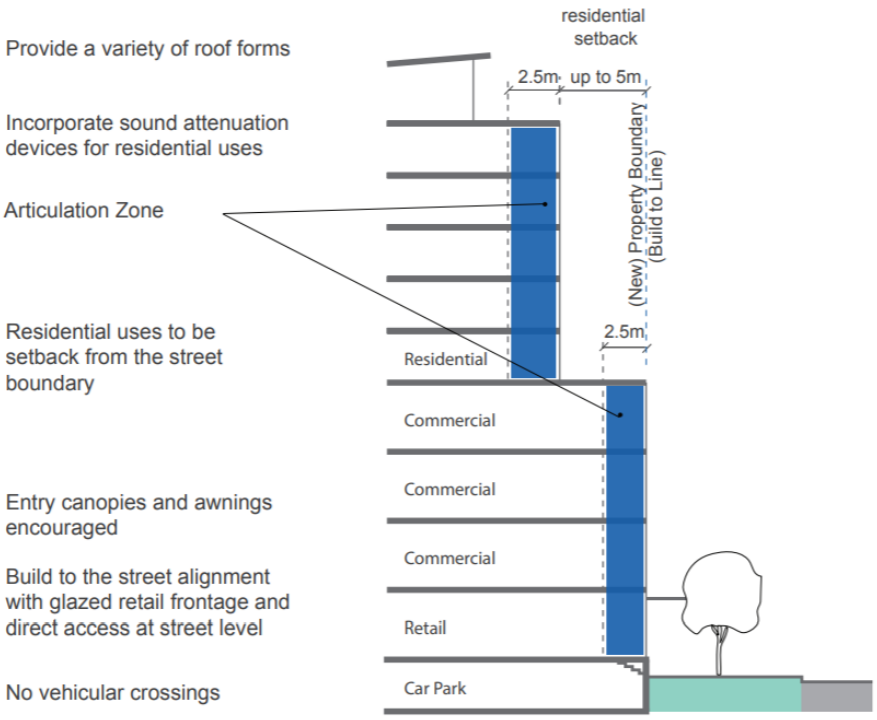


Figure 88: Highway Interface Diagram

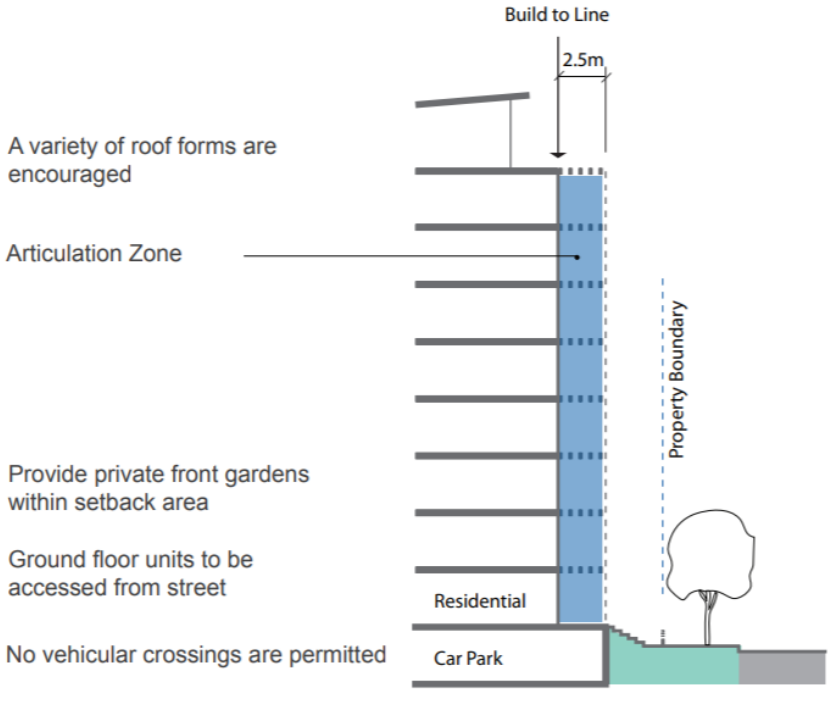


Figure 89: Residential Street Frontage Diagram

Objective	Control

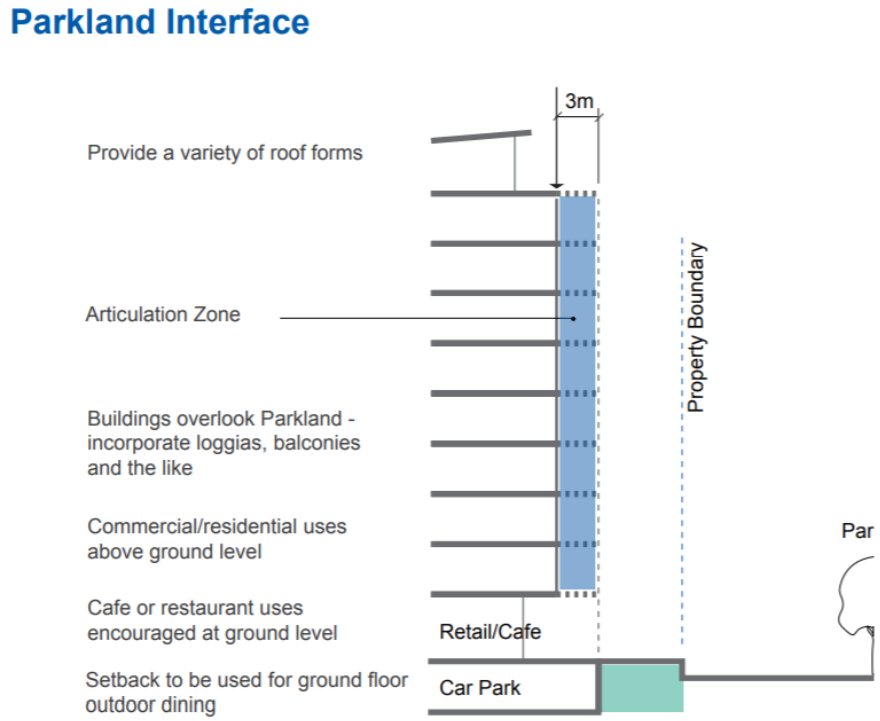


Figure 90: Parkland Interface Diagram

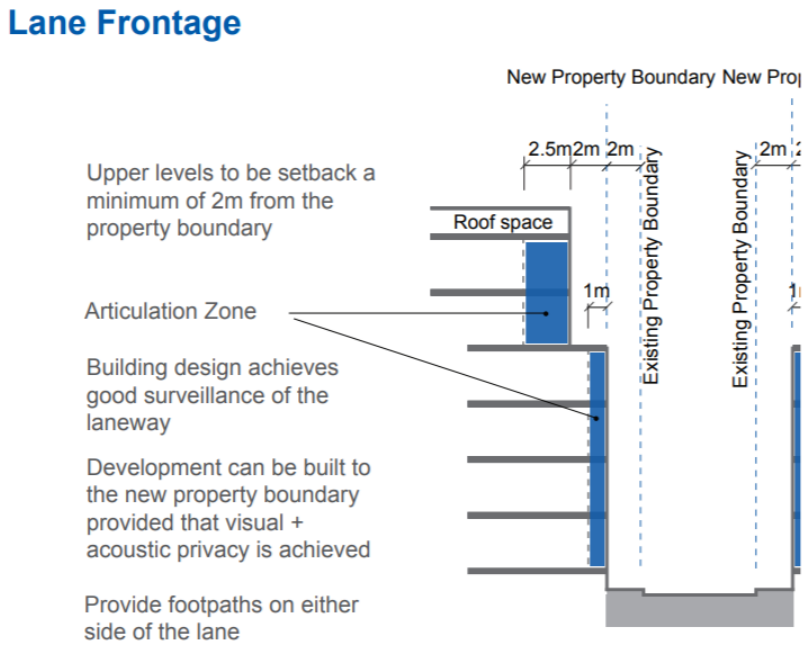


Figure 91: Lane Frontage Diagram

7.7 Mascot West Employment Lands

7.7.1 Description

The Mascot West Employment Lands are bounded by Alexandra Canal to the west, the airport to the south, Gardeners Road and the Mascot Station Town Centre to the north, and Botany Road at the eastern extent. The precinct's boundaries are shown below. Most of the area is affected by the 25-30 ANEF Noise Contour as well as road and rail noise.
The precinct contains a mix of land zoned for industrial, business development, and business park purposes generally to the north of the airport in the vicinity of O'Riordan Street, Coward Street, and Gardeners Road.

Land uses comprise 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. Part of this area is also within the zone of influence of the High Pressure Gas Pipeline that follows the ARTC Rail Corridor.

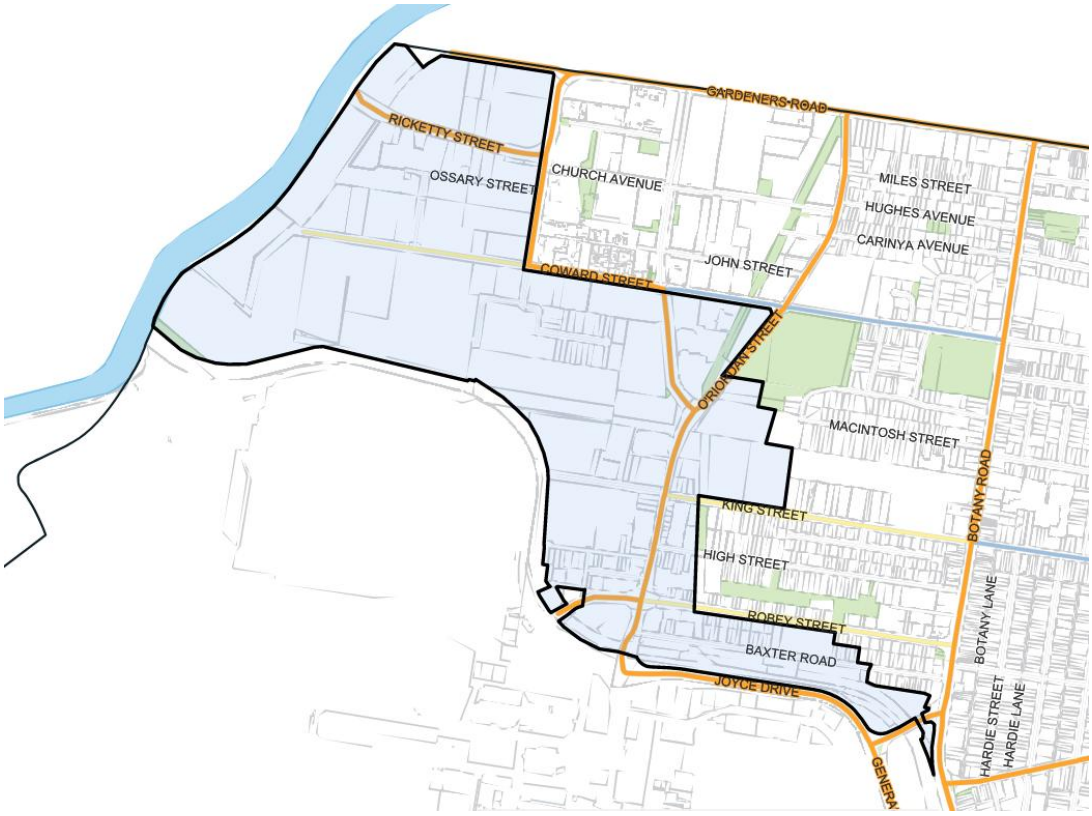


Figure 92: Mascot West Employment Lands Application Map

7.7.2 Controls

Objective		Control	
Open Space and Movement			
O1.	To allow for the provision and development of an open space and	**C1.**	Development fronting Alexandra Canal provides an open space and pedestrian

Objective		Control	
	pedestrian corridor along the foreshore of Alexandra Canal.		corridor along the full length of the foreshore frontage.
Built Form and Land Use			
O2.	To ensure that the scale, design, material of construction and nature of the development contributes positively to the visual amenity and the gateway function of the area.	**C2.**	Developments, including alterations and additions must improve the appearance of buildings, particularly along the roads which serve a gateway function to Sydney Airport and the Sydney CBD.
O3.	To encourage and provide for industrial development that has an affinity or locational need to be near to Sydney (Kingsford Smith) Airport.	**C3.**	All overhead wires (including electrical and telecommunication services) fronting the site are to be relocated underground as part of all development within this Precinct. The redundant power poles are to be removed and replaced with underground supplied street lighting columns. All works shall be carried out at the applicant's expense.
O4.	To ensure development achieves suitable setbacks to Alexandra Canal and the Mill Pond	**C4.**	Development in land zoned for Industrial Purposes (between Coward Street and Qantas Drive) is to have a relationship with Sydney (Kingsford Smith) Airport.
		C5.	Notwithstanding the above control, no buildings, structures, car parking, storage or vehicle manoeuvring areas are permitted within a minimum 10m wide area adjoining Alexandra Canal and 6m along the tributaries of the Canal.
		C6.	Development over 3 storeys in height will be assessed by the Design Review Panel.
Environmental Management			
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.	**C7.**	Development along Alexandra Canal must comply with the following: a. no buildings, structures, car parking, storage or vehicle manoeuvring areas are permitted within a minimum 10m wide area adjoining the Canal and 6m along the tributaries b. the maximum wall height at the edge of a building fronting the canal at the line of the 10m setback is 9m. If the building is higher than 9m the additional height must be setback by 3m from the line of the 9m height c. the setback is to be landscaped and planted with appropriate species, as detailed in the Alexandra Canal Masterplan, such landscaping is not to

Objective		Control	
			include plants with invasive root systems and that have the potential to damage the canal wall or its surrounding infrastructure d. the façade of buildings facing the setback should be enlivened by windows, staff amenities and provide passive surveillance of the setback area e. 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 f. 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 northwestern boundary. The Environment Protection Authority (EPA) has declared the bed sediments of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot as a remediation site. EPA has determined that the sediments in the canal are contaminated to the extent that they constitute a 'significant risk of harm' to human health and the environment under the *Contaminated Land Management Act 1997* (declaration no. 21008 / Area #3151; remediation order 23004 / Area #3151). 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

Objective		Control	
			impact on the Canal or its sediments to Sydney Water for review.
Traffic and Transport			
O6.	To ensure that development supports an efficient and sustainable transport system with a high level of access to public transport.	**C8.**	In land zoned B7 – Business Park or B5 – Business Development, a Workplace Travel Plan is to be lodged with any development application where a plan does not exist. **Note**: The Workplace Travel Plan is to, but not limited 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.
O7.	To ensure the protection of the Airport Line Tunnel which is generally located under Bourke Road and O'Riordan Street.	**C9.**	Any new development proposals (regardless of scale) which are located along O'Riordan Street or Robey Street must be referred to Transport for NSW for consultation at the Pre-DA stage.
O8.	To ensure the protection of the Sydenham-Botany Goods railway line.	**C10.**	Any new development proposals along the alignment of the Sydenham-Botany Goods railway line must be referred to Australian Rail Track Corporation.
O9.	To ensure the protection of the Airport Line Tunnel which is generally located under Bourke Road and O'Riordan Street.	**C11.**	Any new development proposals (regardless of scale) which are located along O'Riordan Street or Robey Street must be referred to Transport for NSW for consultation at the Pre-DA stage.
Environmental			
O10.	To ensure that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding.	**C12.**	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.
O11.	To ensure development responds to the Obstacle Limitation Surface considerations resulting from proximity to Sydney Airport.		

Objective		Control	
			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
		C13.	Development must comply with Sydney Airport's regulations with regard to safety, lighting and height of buildings.
		C14.	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.

7.8 Mascot Station Town Centre

7.8.1 Description

The Mascot Station Town Centre Precinct is centred around Mascot railway station and has been targeted for population and employment growth in State and Local planning strategies. The Precinct has been progressively redeveloped since the 2010s from an industrial area into a vibrant and creative town centre.

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

The boundaries of the Mascot Town Centre are shown in the figure below. Land on the eastern side of O'Riordan Street is not subject to this Part. The Centre is split into different "urban blocks" which are demonstrated in **Figure 93** below.

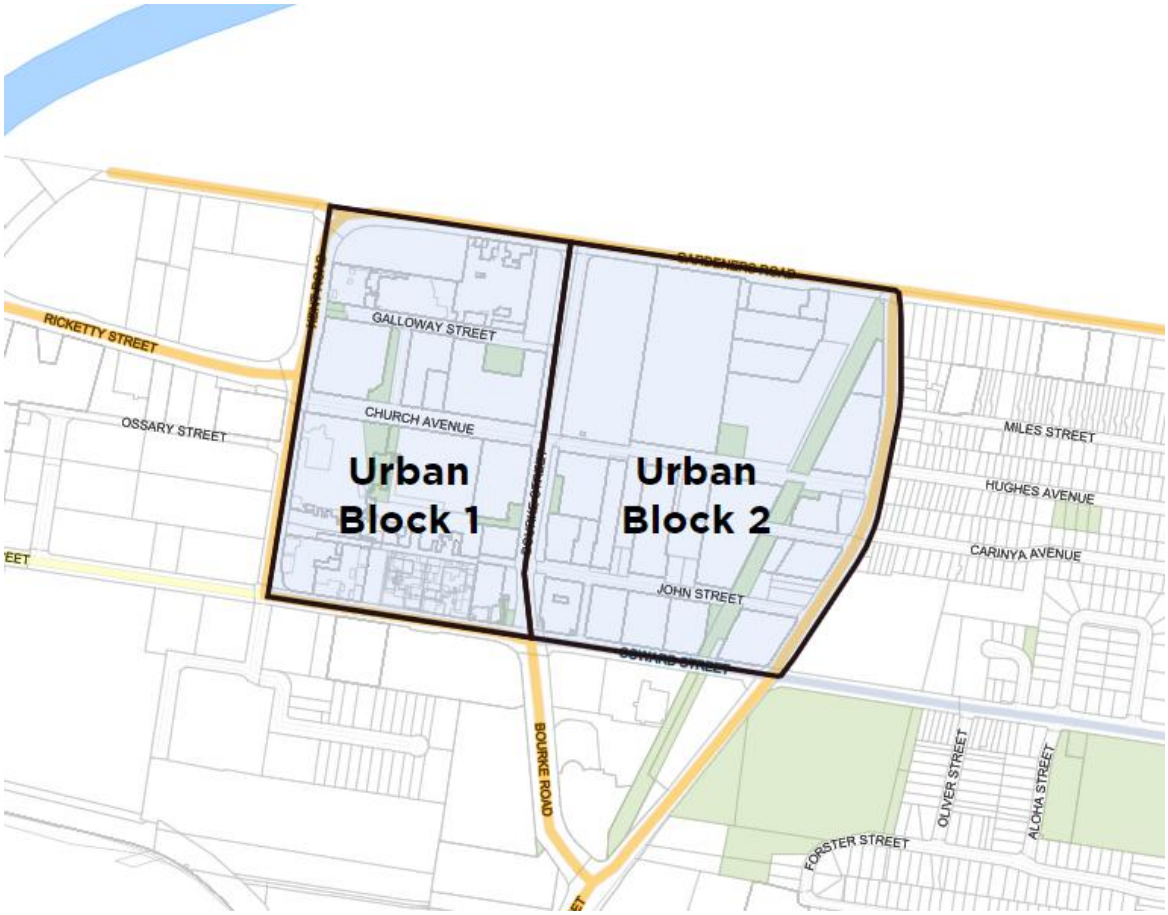


Figure 93: Mascot Station Town Centre Application Map

7.8.2 Vision Statement

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

Town Centre Role and Character

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

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

An important aim of this Part is that Bourke Street and Church Avenue have high levels of pedestrian amenity, calmed vehicular traffic and a balance between transport modes such as bicycles, buses and other vehicles. This Part aims to ensure that the design of the interface between the public domain and private development provides pedestrian interest and amenity.

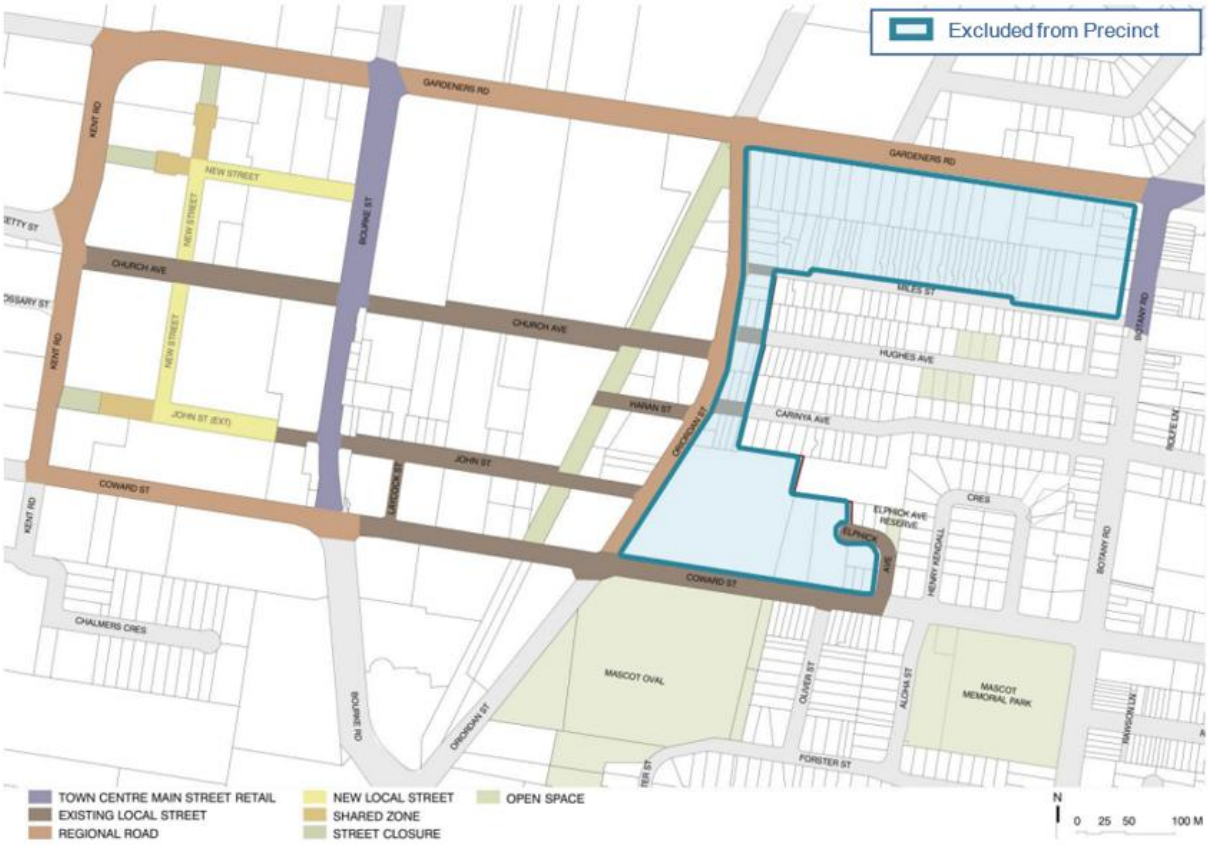


Figure 94: Street Character Map

Land Use

- **Retail and Commercial:** The main retail and commercial area will allow for small and medium scale business and retail opportunities including commercial offices, banks, post offices, hairdressers, convenience stores and cafes and restaurants looking out on to a new park.
- **Residential:** New residential uses within the precinct will primarily be apartment buildings either within stand-alone buildings or as mixed-use buildings above retail and commercial (shop top housing).
- **Public Open Space and Streetscape Improvements:** This Development Control Plan looks to substantially increase the amount of open space in the Town Centre. The Town Centre streets are to be designed as urban streets, where the interface between public and private domains is designed to promote pedestrian amenity.

7.8.3 Controls - General

Objective		Control	
Open Space and Movement			
O1.	To increase the quantum of public space in the town centre, to cater for the needs of an increased population, and greater visitor numbers.	**C1.**	Development is in accordance with the Urban Block 1 and Urban Block 2 Public Domain Maps.
		C2.	Widened footpaths, new street paving and pedestrian and cycle links must be provided in accordance with the principles of the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan.
		C3.	Street paving, lighting, bins, seating, bicycle racks and other street furniture must be provided in accordance with the principles of the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan and any other Council Public Domain Plan. These works must be robust, easily cleaned, and designed and specified in consultation with Council's landscape officer to ensure a consistent design standard is implemented.
		C4.	Street lighting must be provided throughout the public domain to improve public safety. **Note:** Any proposed street lighting must be in accordance with relevant Roads and Maritime Services standards, Austroads standards and Australian Standards.
		C5.	Public art must be provided on key development sites in accordance with the principles of the Public Domain Strategy and Appendix A of the Mascot Town Centre Precinct Masterplan. The provision of art works on these larger sites must be negotiated with Council, with details to be provided at Development Application stage.
		C6.	All existing above ground service cables, including power lines, telecommunications cables and other similar services (“overhead service cables”) in the streets adjacent to and within the confines of the development site will be placed underground at no cost to the Council.
		C7.	All work is to be in accordance with Council specifications, plans, details or the Urban Design Strategy.

Objective	Control



Figure 95: Urban Block 1 Public Domain Map

Objective	Control



Figure 96: Urban Block 2 Public Domain Map

Objective		Control	
Built Form and Design			
O2.	To ensure the scale of new buildings is consistent with the Local Character Statement of each urban block within the Mascot Station Town Centre Precinct.	**C8.**	Development is in accordance with the Urban Block 1 and Urban Block 2 height maps and the height controls of the Bayside LEP 2021.
O3.	To ensure development has minimal impact on neighbouring properties in terms of the potential loss of views, loss of privacy, overshadowing or visual intrusion.	**C9.**	Council may require a reduction in height shown for the land on the Height of Buildings Map where the proposed building height would have unacceptable adverse impacts with regard to: a. the overshadowing of a dwelling, private open space or public open space b. an inappropriate transition in built form and land use intensity c. the design excellence of a building d. view loss e. the Obstacle Limitation Surface
		C10.	Shadow diagrams must be provided for all development proposals for the summer and winter solstices. Shadow diagrams must illustrate the shadow impacts at 9.00AM, 12.00 noon and 3.00PM for both solstices. Additional building setbacks may be required where impacts within the site and/or upon adjoining properties are considered to be unreasonable.

Objective	Control



Figure 97: Urban Block 1 Height Map

Objective		Control	



Figure 98: Urban Block 2 Height Map

O4.	To provide appropriate bulk and scale relationships between buildings within the Mascot Station Town Centre Precinct.	**C11.**	Council may require a reduction in FSR shown for the land on the Floor Space Ratio Map where a building built to the Floor Space Ratio Map would have unacceptable adverse impacts with regard to: a. the overshadowing of a dwelling, private open space or public open space
O5.	To consolidate and align allotments to allow for development of built forms that		

Objective		Control	
	make a positive contribution to the spatial definition of the street.		b. an inappropriate transition in built form and land use intensity c. the design excellence of a building d. view loss e. the Obstacle Limitation Surface
		C12.	Development must conform to the Urban Block 1 and Urban Block 2 Site Amalgamation Maps.
		C13.	Development must conform to the Urban Block 1 and Urban Block 2 Lot Alignment Maps.
		C14.	Where land needs to be excised to create new parks, public domain spaces or roadways, a subdivision plan will be required as part of any development application.

Objective	Control



Figure 99: Urban Block 1 Site Amalgamation Map

Objective	Control



Figure 100: Urban Block 2 Site Amalgamation Map

Objective	Control

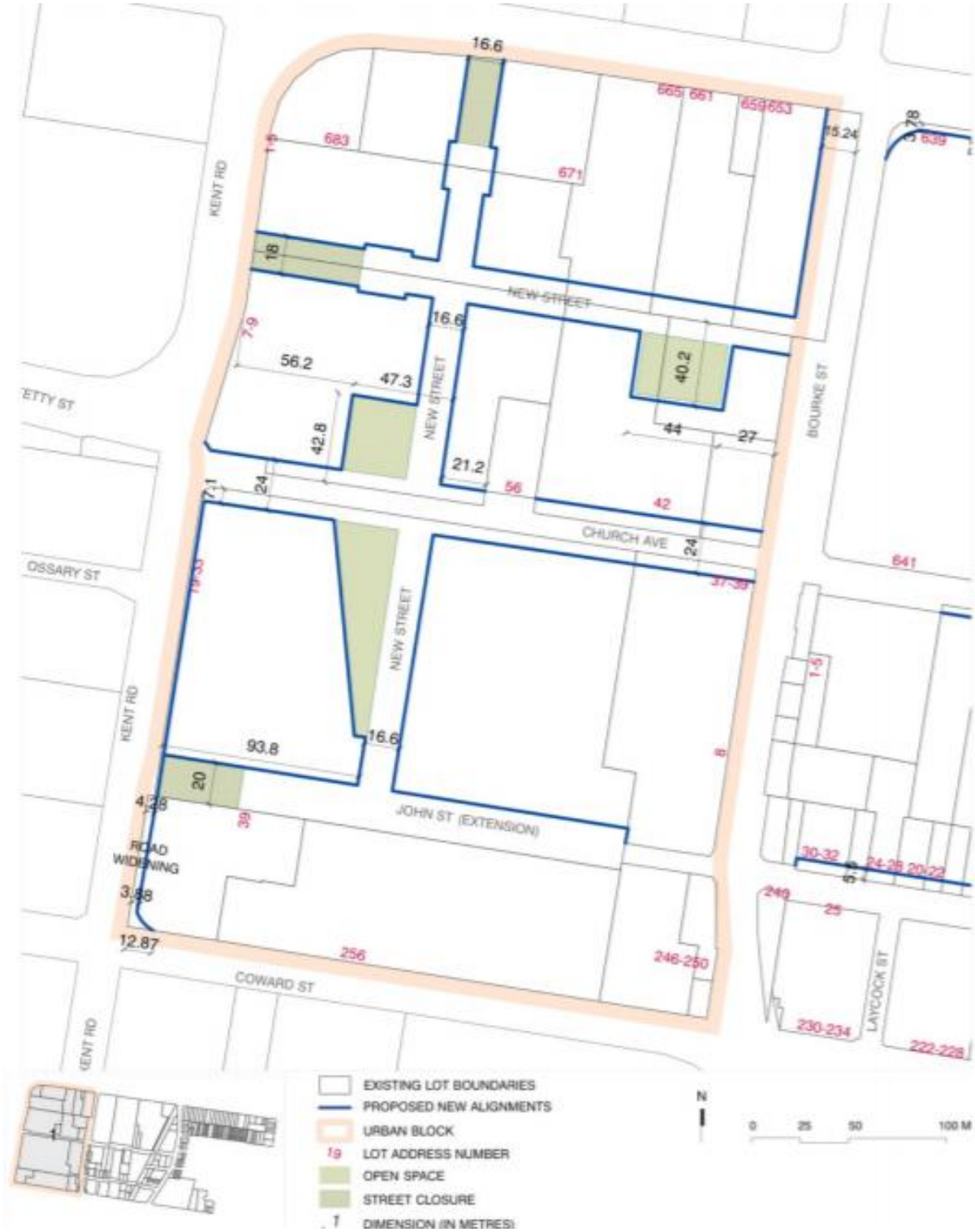


Figure 101: Urban Block 1 Lot Alignment Map

Objective	Control



Figure 102: Urban Block 2 Lot Alignment Map

Objective		Control	
O6.	To provide excellent design quality in the Mascot Station Town Centre Precinct.	**C15.**	Development must identify through a SEPP 65 Design Statement and/or annotated drawings how design excellence will be achieved in the proposed development.
O7.	To support the safe occupation of buildings.	**C16.**	Any construction plans with the development application must show the location of smoke detectors, together with a specification on their installation in accordance with the Building Code of Australia (BCA).
O8.	To ensure new development provides adequate visual and acoustic privacy levels internally and externally for neighbours and residents.	**C17.**	Buildings and open space areas will be designed to: a. enable casual surveillance of streets, open space and entrances to buildings b. minimise access between roofs, balconies and windows of adjoining developments c. ensure adequate lighting to access routes, car park areas and open space
O9.	To achieve sustainable building design through the design, construction and operation of buildings within the Mascot Station Town Centre Precinct.	**C18.**	External lighting must be provided to mixed use developments, commercial developments and industrial areas where pedestrian ways, main building entries, driveways, communal areas and car parks require public access at night or after normal trading hours.
O10.	To ensure new developments consider design features that cater towards managing wind patterns that infiltrate through the area to maintain comfortable conditions for pedestrians.	**C19.**	External lighting is to comply with the requirements of Section 9.21: *Lighting in the Vicinity of Aerodromes, Manual of Standards, Part 139 – Aerodromes* Version 1.1, February 2003. All lighting, regardless of location, which may affect the safe operation of aircraft operating at Sydney Airport are required to be compatible with the above requirements.
O11.	To ensure long life and ease of maintenance for all development.	**C20.**	Communal walls and floors connecting buildings are to be designed in accordance with the noise transmission and insulation requirements of the Building Code of Australia (BCA).
		C21.	New development adjacent to high noise sources (e.g. busy roads) are to generally locate habitable rooms and design private open spaces away from noise sources. Alternatively, if such spaces/rooms front a major noise source they must be protected by appropriate noise shielding devices to minimise noise intrusion.
		C22.	Development incorporates sustainable design. Note: A development application must identify and explain how sustainable building design will be achieved throughout the design, construction and operation stage.

Objective		Control	
			Development proposals will address the following: a. energy efficiency (solar design, insulation, hot water, lighting, and ventilation systems) b. water resources c. landscaping d. construction materials e. finishing materials f. waste management g. indoor environment quality h. stormwater management and Water Sensitive Urban Design i. ongoing building and site management
		C23.	Taller buildings must consider the shape, location and height of buildings to satisfy wind measurements for public safety and comfort at ground level. In addition, open terraces and balconies must not be detrimentally affected by wind. **Note:** Council may request a Wind report be submitted with a Development Application.
		C24.	Landscaping is to be utilised to ameliorate the impacts of wind tunnels and enhance the comfort of outdoor spaces.
		C25.	A reflectivity report examining the effects of possible solar glare on pedestrians and motorists may be necessary, subject to the scope of a proposal and the nature of glazing and reflective materials.
		C26.	Windows must be designed to enable cleaning from inside the building, where possible.
		C27.	The building must incorporate and integrate building maintenance systems into the design of the building form, roof, and facade.
Street Character and Development Setbacks			
O12.	To provide new buildings that spatially define streets with well-articulated facades.	**C28.**	Development must conform to the Urban Block 1 and Urban Block 2 Setback Maps.
		C29.	Development must be conform with the section plans for Urban Blocks 1 and 2.
		C30.	Corner buildings must address both street frontages.
		C31.	Development does not result in blank external walls of greater than 100m².

Objective	Control



Figure 103: Urban Block 1 Setback (Levels 1 – 4) Map

Objective	Control



Figure 104: Urban Block 1 Setback (Levels 5 – 13) Map

Objective	Control

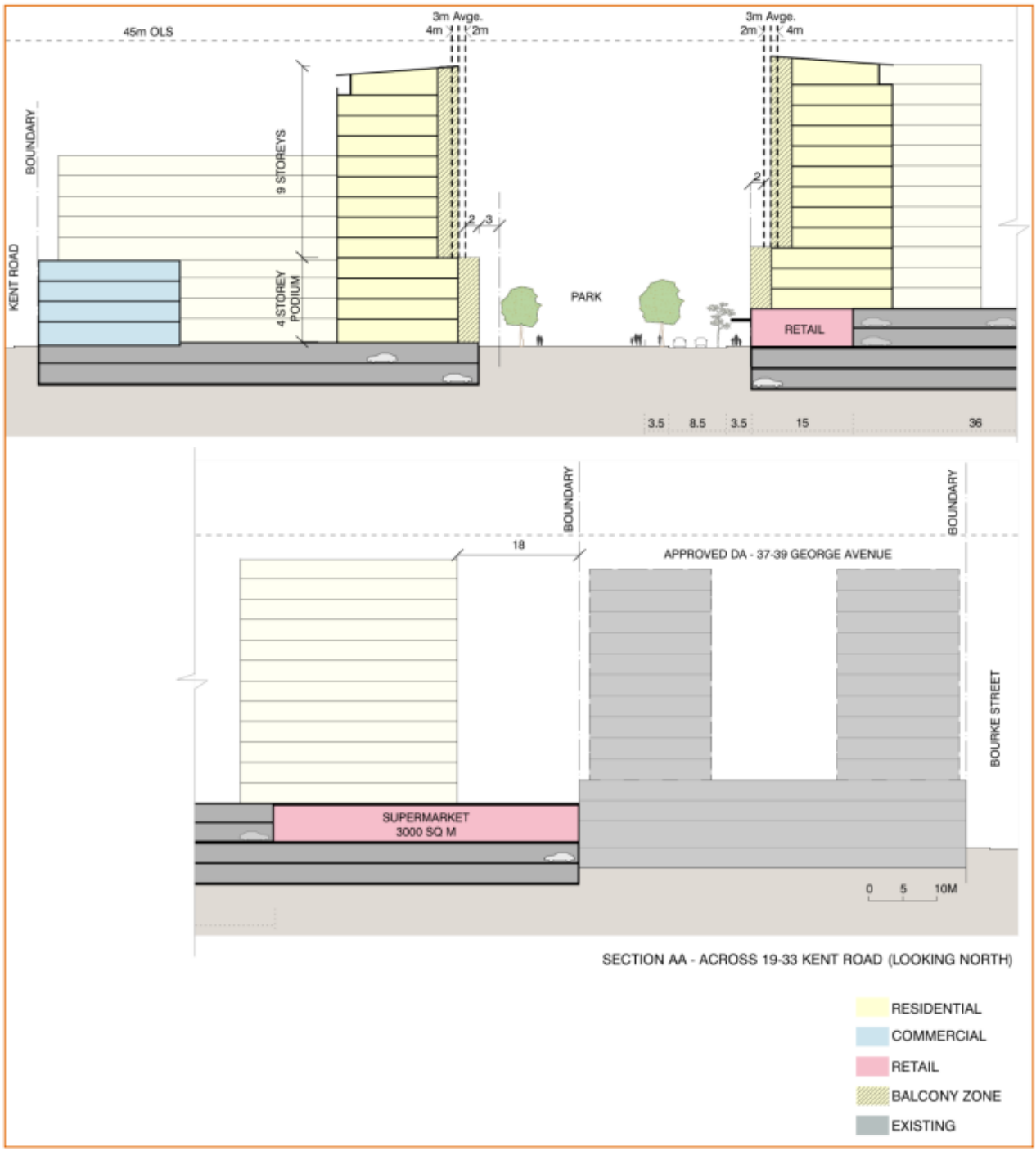


Figure 105: Section Plan #1 – Urban Block 1

Objective	Control

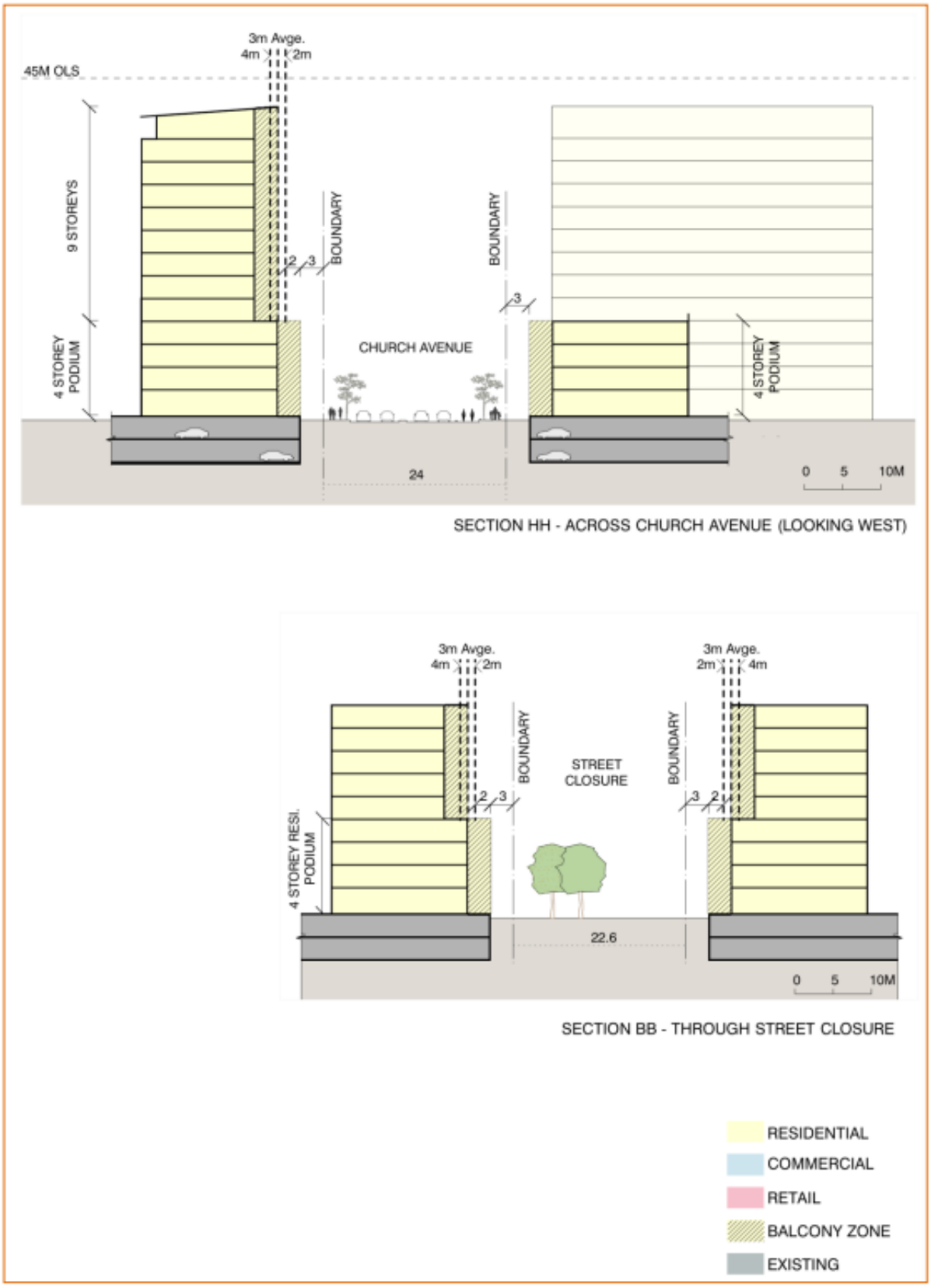


Figure 106: Section Plan #2 - Urban Block 1

Objective	Control

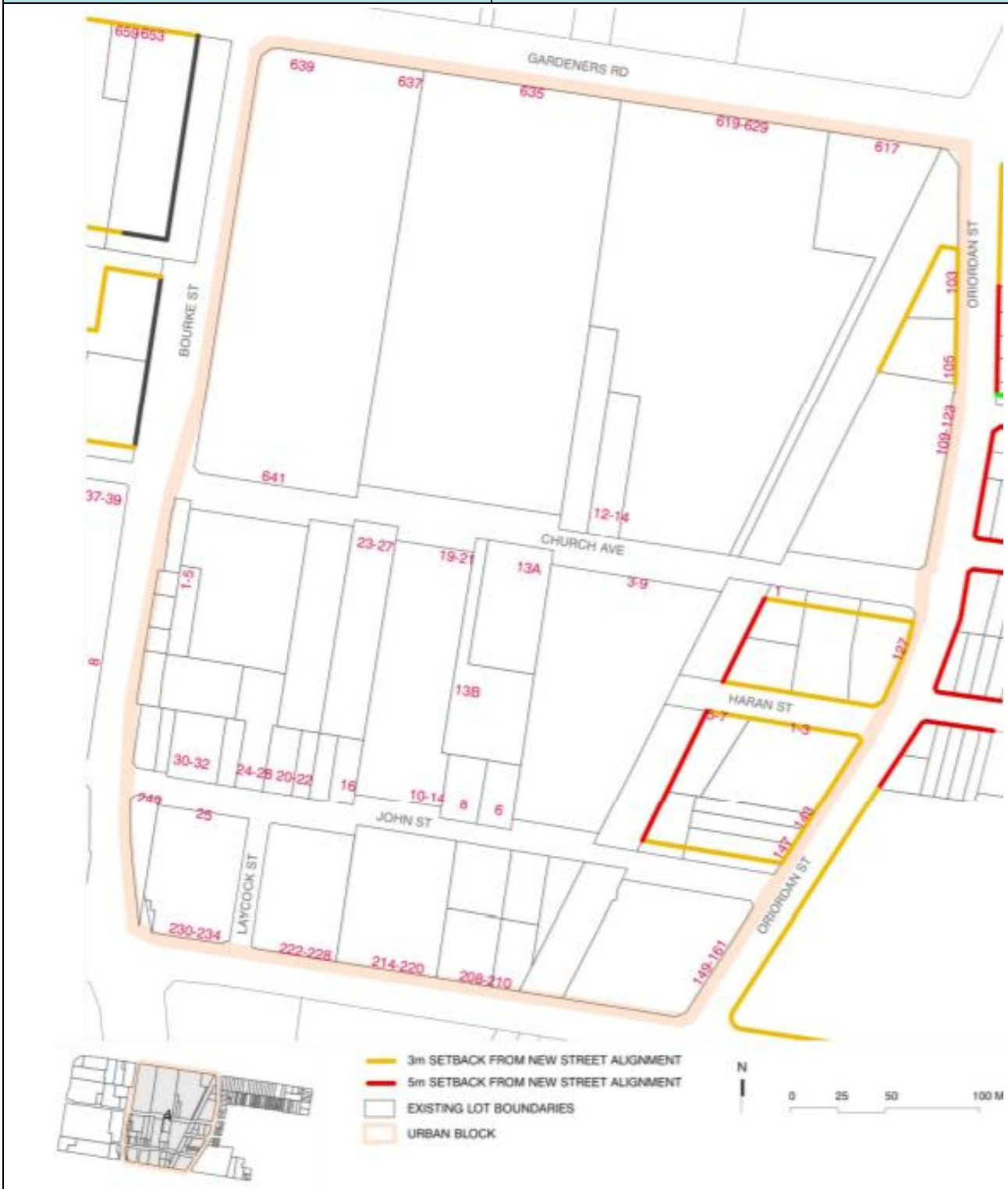


Figure 107: Urban Block 2 Setback (Levels 1 – 4) Map

Objective	Control



Figure 108: Urban Block 2 Setback (Levels 5 – 13) Map

Objective		Control	

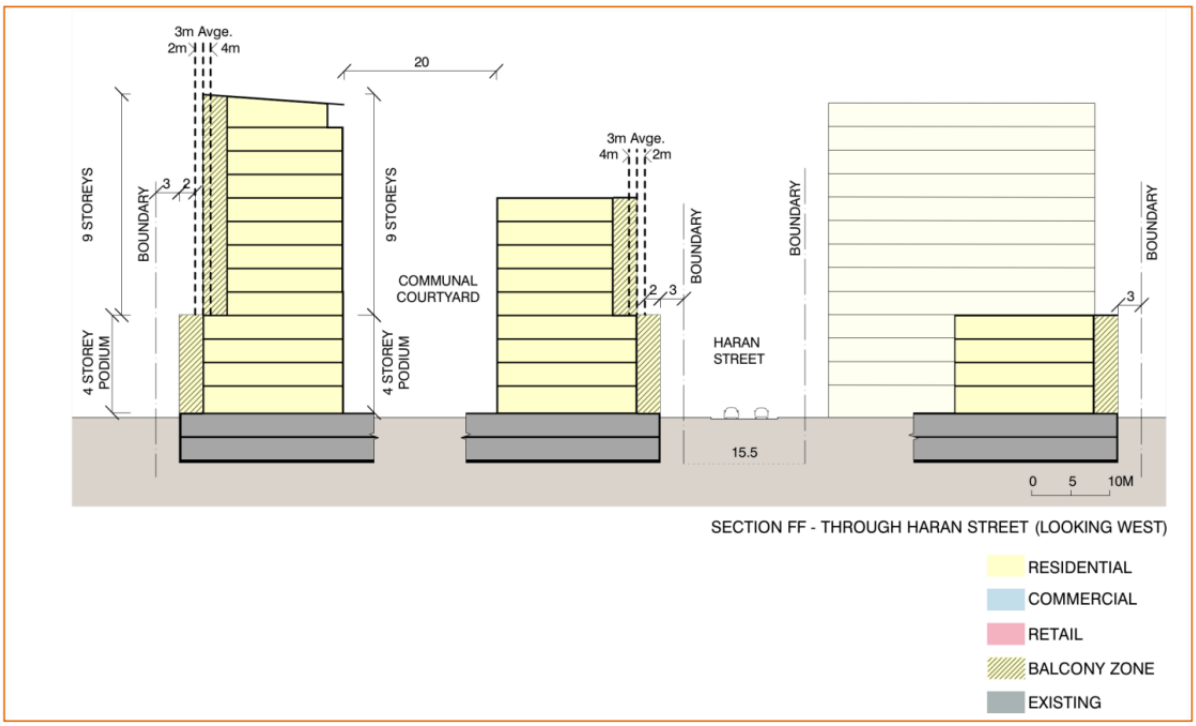


Figure 109: Urban Block 2 – Section Plan

O13.	To create cohesive streetscapes with consistent building alignments particularly at ground level in order to accommodate canopy street tree planting.	**C32.**	All property boundary front setbacks must be deep soil and landscaped and must not have any underground intrusions such as underground car parking or on-site detention. **Note:** The development site boundaries may not correspond to the existing allotment boundaries due to proposed streets and public domain works that may be required as part of redevelopments. Development site boundaries are shown on the site layout plans for each urban block and, where re-subdivision is required, will become the new allotment boundaries from which street setbacks are measured.
O14.	To ensure that all ground level elements of buildings visible from the street make a positive contribution to the public domain.		
O15.	To provide active street frontages from the ground floor retail areas of the Precinct in order to create vitality and vibrancy in the centre.		
O16.	To enhance pedestrian amenity by providing sun and rain protection.	**C33.**	Setbacks are to maximise the retention of existing trees and their root systems (including those on adjoining properties) and may need to be varied to achieve this.
O17.	To create a suitable interface between private and public spaces that ensures the safety, amenity and protection of privacy for residents.	**C34.**	Setbacks are to include the planting of canopy trees, both small and large varieties. Developments are not to rely solely on street trees to ameliorate buildings.
		C35.	Buildings must have a consistent street wall height (in terms of the number of storeys) and provide a continuous street frontage along all significant streets.

Objective		Control	
		C36.	Diversity and activity is to be ensured by providing a variety of frontage widths for retail shops along the street.
		C37.	Blank walls fronting principal streets and the public domain are to be avoided.
		C38.	The primary area of outdoor private open space must not be located on the street frontage.
		C39.	Ground floor residential with a street frontage must incorporate landscaping as part of the common area/setback. Such landscaping is to encourage privacy and a consistent, attractive and well-maintained frontage. The private terraces should also contain some landscaping.
		C40.	The landscaped street setback area shall be on one level or at a slight slope, not terraced or stepped or containing narrow planter boxes, to allow adequate lateral root space and soil volume for medium to large canopy trees.
		C41.	Side or rear boundary fencing is not permitted fronting the public domain except where appropriate landscaping is provided in front of the fence.
		C42.	The visual connection between the building frontage and the public domain must be considered carefully in all development. This may require the floorplate of development to step with the topography to ensure that the floor level of the building frontage is generally at footpath level.
		C43.	Development provides ground floor frontages in accordance with the below Urban Block 1 Retail and Commercial Frontage Map.
		C44.	Outdoor dining areas must allow for safe pedestrian circulation and access and must not compromise or restrict sight lines for motorists.

Objective	Control



Figure 110: Urban Block 1 Retail and Commercial Frontage Map

		C45.	Development provides awnings floor frontages in accordance with the below Urban Block 1 Awnings Map.
		C46.	Awnings must allow for continuous and contiguous street tree planting. Awnings (if required) are to be

Objective		Control	
			located and sized to adequately accommodate trees. Ground floor retail areas should be indented into the building so that awnings do not hinder street tree planting.

Objective	Control



Figure 111: Urban Block 1 Awnings Map

Objective		Control	
		C47.	Boundary fences will not provide opportunities for seclusion and are to be of a height that allows surveillance of streets.
		C48.	Where fencing of the front boundary is proposed for residential buildings the design must consider the following: a. solid metal panel fences (colourbond/sheet metal) of any height are not permitted along street frontages b. masonry/brick fences over 600mm and timber/steel picket/palisade or plain picket fences c. fencing over 1m high may be permitted. The design of fencing over 1m in height will take into consideration sightline issues when exiting from the subject site or adjacent properties. The design of the fence can be modified by setback or by using splays at least 1m x 1m in size d. a mixture of materials is preferable with a maximum of 60% solid material over the whole fence surface e. the design will consider the need for horizontal rhythms along the street such as vertical entry elements, boundary markers or fence post frequency f. where possible, the design will avoid the use of continuous lengths of fencing (a maximum of 6m without articulation) at the street frontage g. access gates are to be hung so that the direction of swing is inward h. satisfactory provision is to be made for access to public utility installations
		C49.	Maximum height of side or rear fences is 1.8m. Where the fence /side returns are to be erected on or adjacent the common allotment boundary, the written consent of the adjacent property owner(s) is required.
		C50.	Landscape documentation is to be provided that include details of all fencing to be used in a proposal – privacy, boundary, frontage, pool, dividing and so on. The details are to include style (manufacturer, product code, name), materials, colour/s and installation method.

Objective		Control	
Traffic and Parking			
		C51.	Alterations and additions to existing premises will not be required to provide additional car parking, provided: a. the gross floor area of the premises is not increased by more than 75% b. it is not otherwise possible to provide the parking on site

7.8.4 Controls - Urban Block 1

Objective		Control	
Land use			
O1.	To create a mixed-use neighbourhood comprising of residential and commercial uses supported by ground floor retail.	**C1.**	Gardeners Road and Kent Road buildings are to have a continuous commercial ground floor, with residential or commercial uses above reflecting the commercial character of these major roads.
O2.	To provide a major new supermarket close to Bourke Street and the railway station.	**C2.**	A mixed-use area with retail ground floor uses is to be provided on Bourke Street, Coward Street and Kent Road with predominately residential and commercial uses elsewhere within the urban block.
		C3.	Bourke Street is to be the major thriving main street in the Mascot Station Town Centre Precinct. Ground level retail, generous footpaths for pedestrians, a bike lane and bike facilities for cyclists, bus services, street trees and street furniture and paving are to be provided on Bourke Street as the active spine of the Town Centre.
		C4.	Church Avenue is to be a predominantly residential street, with canopy street trees, generous footpaths for pedestrians, on street parking and one-way traffic access to Kent Road, to ensure calmed local traffic conditions. The interface between the public and private domain at ground level is to be visually open, with multiple building and dwelling entries and no continuous blank facades or front garden walls.
		C5.	Part of the new north-south street is to be lined by ground floor retail to create activity and provide for safety and security throughout the day and evening.

Objective		Control	
		C6.	Kent Road and Coward Street buildings are to have a continuous commercial ground floor, with residential or commercial uses above. This will reflect the commercial character of these major roads and the movement economy of businesses fronting them. Residential floors above are to be designed using environmental design strategies such as site-specific apartment types, screening, and the like to maintain good residential amenity.
		C7.	The extension of John Street will provide access for vehicles and pedestrians with frontages being retail or commercial at ground level, to enhance retail activity, pedestrian amenity, and urban character in close proximity to the railway station.
		C8.	A major new supermarket is to be located in this urban block, with associated small-scale shops creating a thriving retail hub close to Bourke Street and the railway station. The supermarket will be the focus of retail activity.
Road Network and Vehicular Access			
O3.	To design and deliver local streets that support the needs of development and the surrounding network.	**C9.**	Development is to deliver road widening along the eastern side of Kent Road, including 19-33 Kent Road and 39 Kent Road, Mascot as well as widening the corner of Kent Road and Coward Street within 39 Kent Road. The road widening was identified by the Mascot TMAP prepared by SMEC Australia and is therefore identified in the Mascot Station Precinct DCP. Further information can be obtained from Council, Transport for NSW and Roads and Maritime Services.
		C10.	Development is to deliver road widening on both the southern and northern sides of Church Avenue to improve traffic management. Land to be dedicated is calculated by measuring the appropriate distance from the centre line of the existing road. The road reserve is to be 12 m from each side of the centre line.
		C11.	Development is to provide land for additional road widening identified on the Bayside LEP 2020 Land Reservation Acquisition Maps.
Open Space and Movement			

Objective		Control	
O4.	To ensure that the nature and distribution of public spaces, buildings and facilities enhances the public domain and links key features and activities within the block.	**C12.**	The retail open air arcade leading from Bourke Street westwards to the adjoining lot is to be extended.
		C13.	New local parks will provide for the recreation needs of a substantial increase in residential population. One or two sides of any new park shall front a public street to provide them with a public character, and to allow for overlooking from the public domain for safety and security.
Built Form: Building Height and Density			
O5.	To ensure the appearance of buildings adds to the richness and experience of the Centre.	**C14.**	Street frontages at the lower levels of buildings are to be generally continuous, enhancing pedestrian interest and amenity and providing safety and security by ensuring passive surveillance of the public domain. Small breaks in these perimeter block forms may provide pedestrian access to the centres of Blocks.
O6.	To ensure building heights relate to street widths to create a public domain scale which improves the sense of space and experience for the user.	**C15.**	Residential floors above ground level commercial are to be designed using environmental design strategies such as site-specific apartment types, screening, and the like to maintain good residential amenity.
		C16.	The upper levels of buildings are to facilitate daylight access to streets and avoid street canyons by being set back from the building alignment.
Street Character and Development Setbacks			
O7.	To create an amenable environment for users.	**C17.**	Public domain improvements are to be made in streets adjoining development sites.
O8.	To make the Bourke Street and Gardeners Road intersection a gateway site for users.	**C18.**	Development on the intersection of Gardeners Road and Bourke Street represents the northern entry point to the Mascot Station Town Centre Precinct. The property on the intersection is a gateway site and its redevelopment will respond to the site's prominence and visual importance in defining the entry to the Precinct.

7.8.5 Controls - Urban Block 2

Objective		Control	
Road Network and Vehicular Access			
O1.	To design and deliver local streets that support the needs of development and the surrounding network.	**C1.**	Development is to deliver Road widening along the southern side of Gardeners Road within 639 Gardeners Road, Mascot. The road widening was identified by the Mascot TMAP prepared by SMEC Australia. Further information can be obtained from Transport NSW and Roads and Maritime Services.
		C2.	Development is to deliver road widening along the southern and northern sides of Church Avenue and John Street (applies to sites that have not been redeveloped to date). For Church Avenue the land to be dedicated is calculated by measuring the appropriate distance from the centre line of the existing road. The road reserve is to be 12 m from each side of this centre line. For John Street, the land to be dedicated is to be calculated by measuring from the centre line of the existing road. The new road reserve is to be 10 m each side of this centre line.

7.9 Rosebery Character Precinct

7.9.1 Description

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

The Precinct is within the 20 to 25 ANEF contour which is conditional for residential development. The Rosebery Neighbourhood Centre is located along Gardeners Road and subject to more specific controls outlined in this section.



Figure 112: Rosebery Character Precinct Land Application Map

7.9.2 Desired Future Character

The Rosebery Precinct will be maintained primarily as a residential precinct that is characterised by a distinct housing style of dwelling houses. Future development will be undertaken to a scale, design, material of construction, and nature that contributes positively to the visual amenity of the area and which complements the architectural style of the surrounds.

7.9.3 Controls

Objective		Control	
O1.	To maintain the Rosebery Precinct as a residential area that is characterised by a distinct style of dwelling houses.	**C1.**	Site layout, building styles and designs promote commonality and a visual relationship with the surrounding built form and dwelling styles.
O2.	To encourage and focus retail activity and shop top housing within Rosebery Neighbourhood Centre.	**C2.**	The Rosebery Precinct is maintained as a residential area that is characterised by the distinct housing styles of dwelling houses.
O3.	To encourage new development to have minimal impact on traffic flow, demand for on-street parking and the streetscape.	**C3.**	Development comprises predominantly low-density residential accommodation in the form of detached/attached dwellings throughout the Precinct with a maximum height of 2 storeys.
O4.	To encourage new development or alterations and additions to existing development which complement the height and architectural style found in the immediate vicinity, particularly where there is an established character.	**C4.**	Dwelling styles maintain and complement existing development patterns.

Objective		Control	
O5.	To ensure that the scale, design, material of construction and nature of the development contributes positively to the visual amenity of the area.	**C5.**	An increased height and density in the form of terrace style housing (maximum height of 9m) occurs in Special Area H1.
		C6.	Maintain roof forms which are characteristic of the prevailing designs within the street.
O6.	To encourage increases in height and density in the form of terrace style housing in Special Area H1.	**C7.**	Retain front setbacks which are consistent within a street and promote landscaping to soften the built form.
O7.	To ensure that new development provides an acceptable level of amenity for its occupants through appropriate design responses.	**C8.**	Retain side setbacks, where they are consistent within a street.
		C9.	Promote landscaping in rear private open space areas to provide privacy to adjoining properties.
		C10.	Only fencing of a low scale height is to be provided.

Objective	Control



Figure 113: Height Map – Special Height Area (H1) (Rosebery)

7.9.4 Rosebery Neighbourhood Centre

7.9.4.1 Description

The Rosebery Neighbourhood Centre is a reasonable sized local centre which must cater for the needs of the local community. It is located along Gardeners Road and Botany Road on a flat section of land, on the boundary of the Rosebery Precinct. The Centre consists of a good mix of local shops (around 100 shops) which service the local community. The historic former Roxy Theatre is a Heritage Item, located at the middle of the Centre (along Gardeners Road) and provides a landmark for the Neighbourhood Centre.

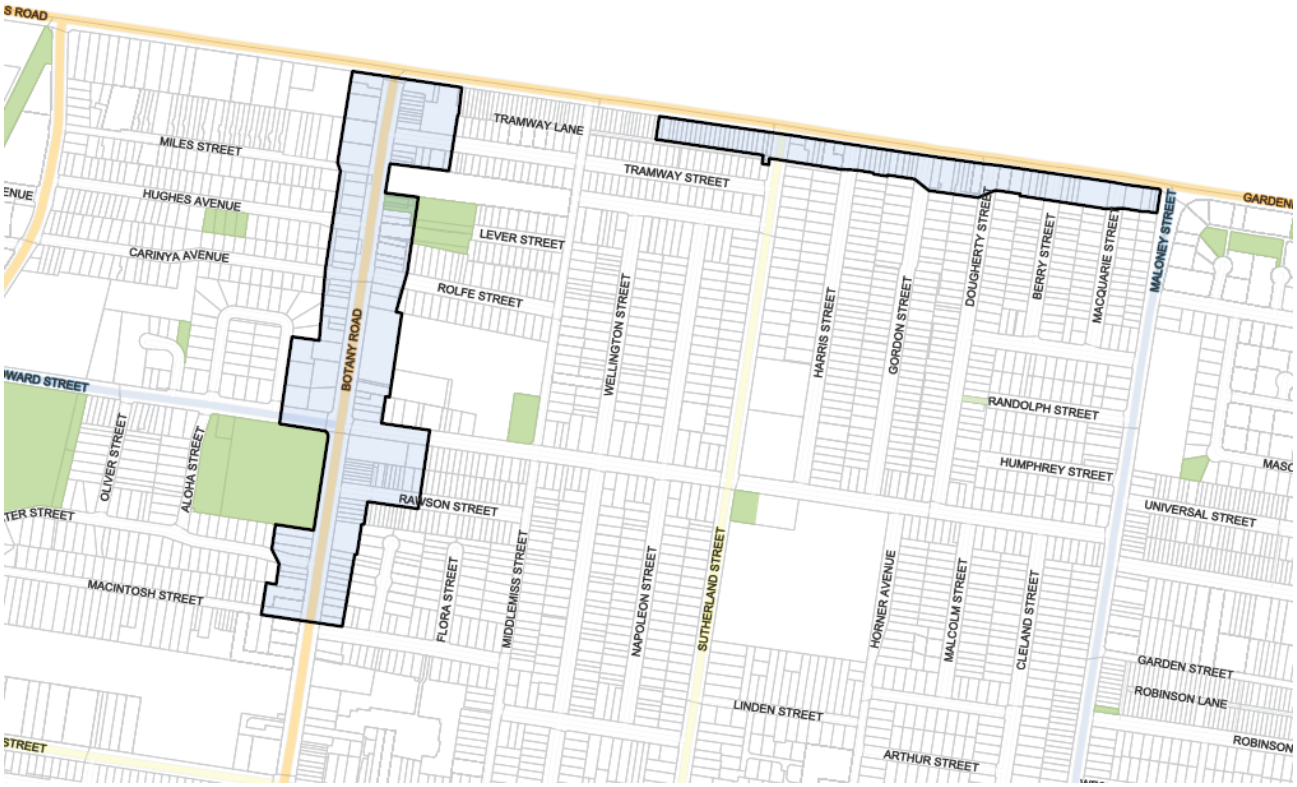


Figure 114: Rosebery Neighbourhood Centre Land Application Map

7.9.4.2 Desired Future Character

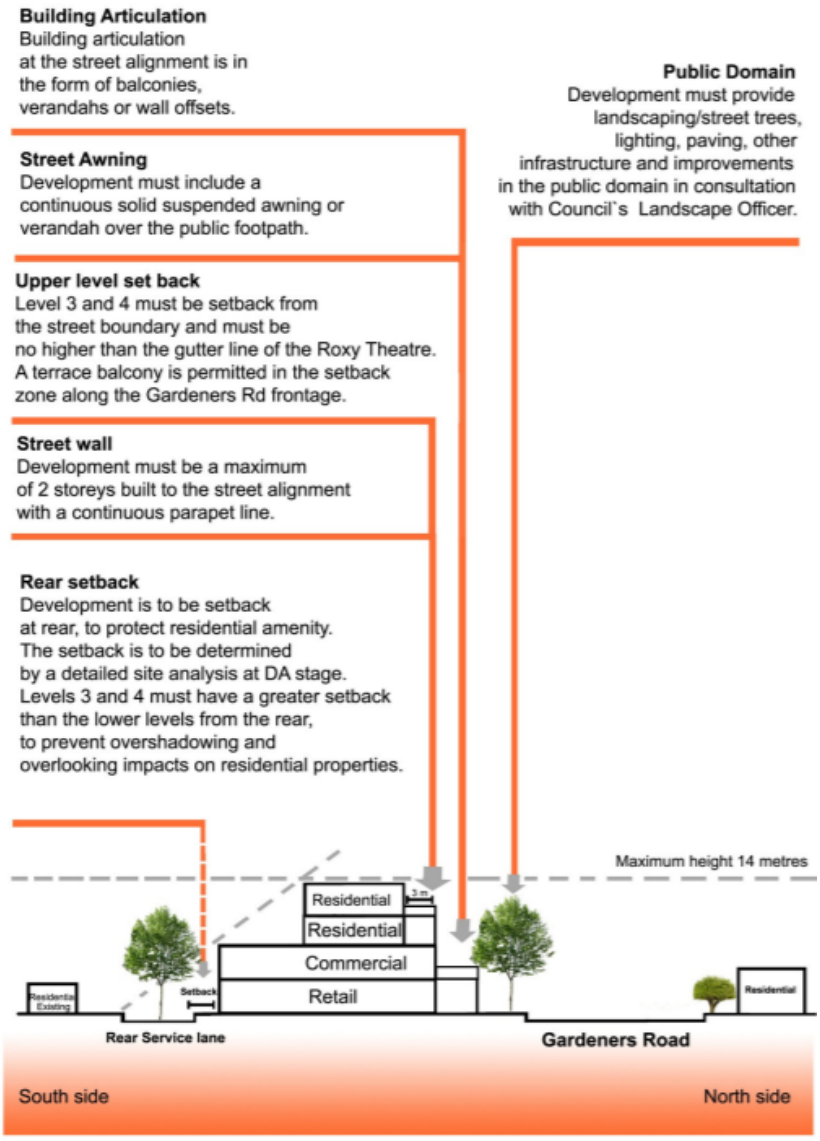
Public domain improvements, such as landscaping, footpath paving and public seating, are necessary to improve the amenity of the centre and will be required with any future redevelopment. The Roxy Theatre is a visually prominent Heritage Building at the middle of the Centre along Gardeners Road and sets a benchmark for the scale and form of development within the Centre.

The redevelopment of this area to provide increased densities in the future may be possible, however this would be contingent upon site consolidation occurring, in conjunction with considerable public domain improvements including increased public car parking and traffic management, and through site pedestrian links. Further studies and analysis of the centre would be required to establish appropriate controls to facilitate redevelopment.

7.9.4.3 Controls

Objective		Control	
Road Network and Vehicular Access			
O2.	To minimise vehicular access and servicing from the primary road frontage.	**C1.**	Vehicular access from Gardeners Road and Botany Road must be avoided where access is available from a side street or rear laneway.
O3.	To enhance pedestrian connectivity, access, and safety within the Centre.	**C2.**	Where a rear laneway exists loading and unloading must occur from the laneway and be within the site.
		C3.	Redevelopment of shops in the Centre is contingent upon additional public car parking.
		C4.	Traffic management measures minimise impacts on the adjoining residential area.
		C5.	The provision of through site pedestrian links or arcades from Gardeners Road to the rear and from Botany Road to the Lever Street Reserve are encouraged to improve pedestrian access, amenity, and safety.
		C6.	Pedestrian amenity and connectivity must be enhanced in conjunction with new development. Through site links and arcades to the rear are encouraged with redevelopment to provide improved access and safety for pedestrians. The creation of street closures in the side streets and the provision of decorative fencing and planting will assist in encouraging active street retail uses such as outdoor dining.
Built Form			
O4.	To ensure development complements the height and architectural style found in the immediate vicinity, particularly where this has a clearly established character.	**C7.**	Whilst a maximum of 4 storeys is permitted, buildings must have a maximum height of 2 storeys along the street frontage with a continuous parapet line, consistent with existing development.
O5.	To retain a coherent streetscape with a consistent street wall and parapet line.	**C8.**	Development must provide landscaping, street trees, decorative fencing, lighting, public seating, paving and other street plaza and public domain improvements identified by Council, generally in accordance with the Local Character Statement diagram below.
O6.	To retain and conserve the Rosebery Neighbourhood Centre and encourage a viable and attractive Neighbourhood Centre by improving the public domain and the public/private interface.	**C9.**	Buildings must address the street, and their entries are to be readily apparent from the street. Developments on sites with two or more frontages must address both frontages,

Objective		Control	
			to promote, add prominence and diversity to the streetscape. Buildings that are orientated across sites, contrary to the established development pattern, are intrusive and often overlook adjoining properties.



Note: Setbacks may be required for the provision of street trees.
Note: Along Botany Road Level 3 and 4 must be setback from the street boundary.

Figure 115: Local Character Statement

O7.	To improve and extend the pedestrian environment and to encourage appropriate outdoor uses with good solar access, such as cafes.	**C10.**	The design of buildings must encourage active street life and provide for small scale shops that will serve the local community. The design must also improve the residential amenity for the housing above the shops and

Objective		Control	
O8.	To retain existing trees within the streetscape, including the avenue of tall gum trees along Gardeners Road.		provide for passive surveillance of the surrounding streets.
O9.	To ensure that development recognises predominant streetscape qualities (i.e. setbacks & design features).	**C11.**	New development is to take into account and respond sympathetically to an established streetscape with strong architectural features and identity. New buildings are to reinforce these features and contribute to its character.
O10.	To allow reasonable redevelopment and to improve the architectural quality of building stock.	**C12.**	Contemporary architectural design solutions are encouraged; however, designs will need to demonstrate that they will not lead to a replacement or diminution of a street's existing character. Council encourages diversity in building designs provided that development outcomes complement the existing character of the suburb.
O11.	To ensure that redevelopment has a positive interface to, and maintains the amenity of, residential areas.		
O12.	To encourage development of awnings as balconies for residential units above (to improve amenity for unit dwellers and promote passive surveillance of streets).	**C13.**	The top 2 storeys must be set back (a minimum of 3m) from Gardeners Road and Botany Road to create articulation of the street facades. A setback to the rear is also required and is to be determined following a detailed site analysis at development application stage. The analysis must satisfy Council that the amenity of neighbouring residential properties is protected in terms of natural sunlight access, and privacy and visual amenity, and that the development is in accordance with the Local Character Statement diagram above. Impacts on residential areas are to be minimised.
		C14.	With redevelopment of the Centre, landscape planting must be provided along the rear boundary where a site adjoins a residential property, to provide a visual separation between the shops and the residential area. Such landscaping must not result in overshadowing of the residential property.
		C15.	The design of new development must improve the residential amenity of housing above shops by providing direct access to balconies and private open space, and passive surveillance of surrounding streets and pedestrian walkways.
		C16.	All designs must provide awnings above the footpath. Awnings above the footpath are encouraged to be trafficable verandahs for the use of residents on the first floor and are to provide for passive surveillance of the streets. If the verandah is built over the street,

Objective		Control	
			then a lease fee is payable to Council. The fee is set out in Council's Fees and Charges.
		C17.	Awnings must be provided continuously and at the same height along the shop frontages to provide weather protection for pedestrians.
Heritage			
O13.	To develop sympathetically with heritage items within or in the vicinity of the Centre.	**C18.**	Development is to retain and complement existing heritage items including significant vegetation.
O14.	To retain the former Roxy Theatre as a visual landmark in the middle of the Centre.	**C19.**	Redevelopment retains inter-war 2 storey shop-top housing built to the street alignment with continuous awnings and parapets.
		C20.	The Roxy Theatre informs the scale and form of development within the Centre along Gardeners Road.

7.10 Mascot Local Centre

7.10.1 Description

The Mascot Local Centre is located along Botany Road on a flat section of land. It is a medium size Local Centre with over 100 shops including a small local supermarket servicing the surrounding community. It has a good mix of local shops and services. It benefits from two Council car parking areas (one on either side of Botany Road) with over 140 public car spaces provided.

The Centre runs north-south along Botany Road and is surrounded by a predominantly low density residential area. Botany Road is a major arterial road that carries substantial traffic volumes which impacts on the amenity of the Centre. The Centre is affected by the 25 to 30 ANEF Contour and road traffic 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 116: Mascot Local Centre (Botany Road) Land Application Map

7.10.2 Desired Future Character

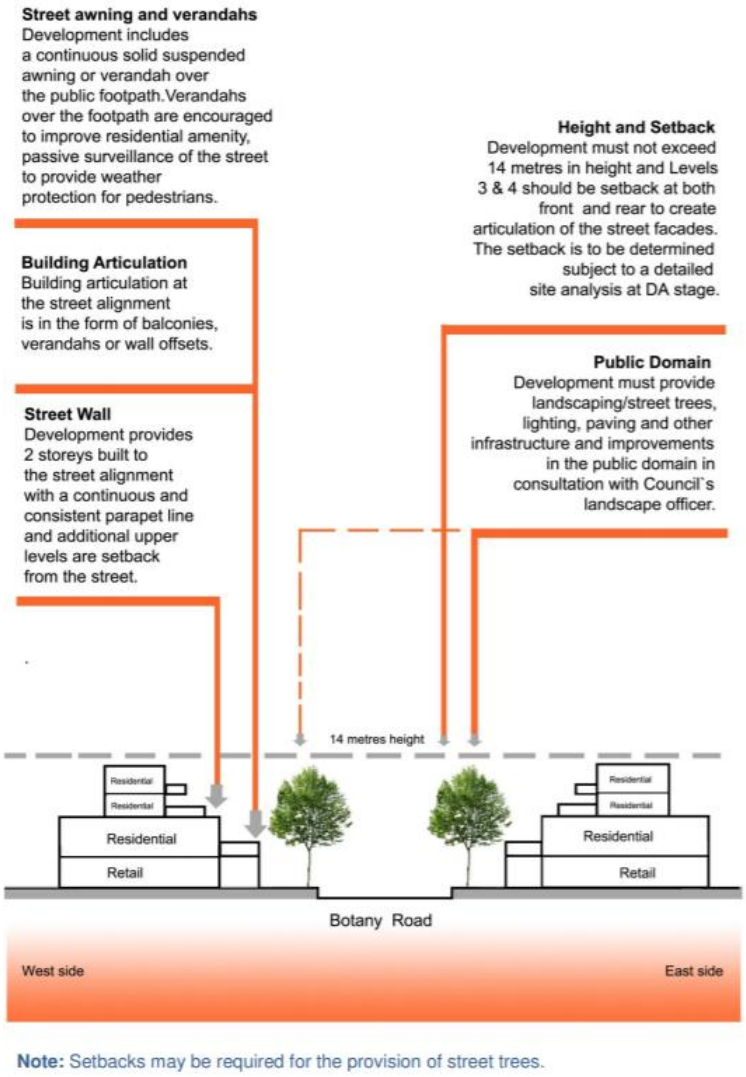
The Desired Future Character for the Mascot Local Centre is for it to be retained and conserved as a shopping strip, encouraging a viable and attractive centre through public domain and public/private interface improvements. Distinctive elements of its character will be protected including predominant streetscape qualities, height, and architectural style.

7.10.3 Controls

Objective		Control	
Land Use			
O1.	To encourage site consolidation and the provision of through-site pedestrian links or arcades that provide rear access to the public car parking areas.	**C1.**	Redevelopment is encouraged through logical lot consolidation of sites and infill development.
O2.	To achieve an integrated redevelopment outcome along Botany Road.		

Objective		Control	
Road Network and Vehicular Access			
O3.	To minimise vehicular access and servicing from the primary road frontage, allow for future upgrades and provide sufficient on-site car parking.	**C2.**	Vehicular access from Botany Road must be avoided where access is available from a side street or rear laneway.
O4.	To enhance pedestrian connectivity, access, and safety within the Centre.	**C3.**	All loading and unloading is to be carried out on-site or from the rear laneway where it exists. Loading and unloading on main roads is to be avoided at all times.
		C4.	Pedestrian amenity and connectivity must be enhanced in conjunction with new development.
		C5.	Through site links and arcades are encouraged with redevelopment to improve pedestrian access, amenity, and safety.
Built Form: Building Heights and Density			
O5.	To ensure development complements the height and architectural style found in the immediate vicinity, particularly where there is a clearly established character.	**C6.**	Development which seeks the maximum building height under the Bayside LEP 2021 and is south of Hollingshed Street will penetrate the Obstacle Limitation Surface (OLS) and is required to be assessed by CASA, Airservices Australia and the Airlines before an application can be submitted to the Department of Infrastructure and Transport for their determination.
O6.	To maintain the operational safety and efficiency of the airspace.		
O7.	To retain a coherent streetscape with a consistent street wall and parapet line.	**C7.**	Building height at the street frontage is a maximum of 2 storeys with levels 3 and 4 to be set back from the street by at least 9m.
Street Character and Development Setbacks			
O8.	To retain and conserve the Mascot shopping strip and encourage a viable and attractive Local Centre by improving the public domain and the public/private interface.	**C8.**	Development must provide landscaping, street trees, lighting, public seating, paving and other public domain improvements identified by Council, generally in accordance with the Local Character Statement diagram below.
O9.	To protect the distinctive and characteristic elements of Mascot Local Centre shops and ensure the integration of these features into subsequent uses.	**C9.**	The design of development must be generally consistent with the Local Character Statement of the centre identified in the Local Character Statement diagram below.
		C10.	Alterations and additions are to reflect the architectural design of the existing building. Materials and finishes are to be compatible with the existing building.
		C11.	New development when viewed from the street is to be compatible with the character of buildings within the site's visible locality by

Objective		Control	
			using similar shaped windows, doors and similar building materials.



Note: Setbacks may be required for the provision of street trees.

Figure 117: Local Character Statement

O10.	To retain existing trees and provide additional landscaping within the streetscape.	**C12.**	New development is to take into account and respond sympathetically to an established streetscape with strong architectural features and identity. New buildings are to reinforce these features and contribute to its character by incorporating traditional shopfronts and building facades.
O11.	To ensure that development recognises predominant streetscape qualities (i.e. setbacks & design features).		
O12.	To allow reasonable redevelopment and to improve the architectural quality of building stock.	**C13.**	A setback to the rear may be required where a site adjoins a residential area and is to be determined following a detailed site analysis at development application stage. Applicants must therefore demonstrate to Council with the development application that the amenity of neighbouring residential properties are
O13.	To improve and extend the pedestrian environment and to encourage		

Objective		Control	
	appropriate active outdoor uses with good solar access, such as cafes and retail.		protected in terms of sunlight and natural daylight access privacy and visual amenity.
O14.	To encourage development of awnings as balconies for residential and commercial units above (to improve amenity for unit dwellers and promote passive surveillance of streets).	**C14.**	Shop top housing must have windows and/or verandahs facing the street elevation to encourage surveillance of the street. If the verandah is built over the street then a lease fee is payable to Council. The fee is set out in Council's Fees and Charges.
O15.	To develop a high-quality streetscape with minimal visual impact or clutter.	**C15.**	Contemporary architectural design solutions are encouraged; however, designs will need to demonstrate that they will not lead to a replacement or diminution of a street's existing character. Council encourages diversity in building designs provided that development outcomes complement the existing character of the centre.
		C16.	Buildings must address the street and their entries are to be readily apparent from the street. Developments on sites with two or more frontages must address both frontages, to promote, add prominence and diversity to the streetscape. Buildings that are orientated across sites, contrary to the established development pattern, are intrusive and often overlook adjoining properties.
		C17.	Awnings must be provided continuously and at the same height along the shop frontages to provide weather protection for pedestrians.
Heritage			
O16.	To develop sympathetically with heritage items within or in the vicinity of the Centre.	**C18.**	Redevelopment retains inter-war 2 storey shop-top housing built to the street alignment with continuous awnings and parapets.

7.11 Maloney Street Neighbourhood Centre

7.11.1 Description

Maloney Street Neighbourhood Centre is a small Centre with less than 10 shops and comprises of several inter-war (1950's) two storey shop-top buildings, on both sides of the road. The shop-top buildings are all built to the street alignment with mostly continuous awnings and parapets.

The building stock around the Maloney Neighbourhood Centre is represented by mainly detached residential dwellings. The houses are predominantly single-storey Federation Bungalows and California bungalows. The existing commercial buildings are predominantly two storeys in height and are of a simple post war design, with attractive art deco detailing on the facades. There are also several residential buildings within the Centre and a service station.



Figure 118: Maloney Street Neighbourhood Centre Land Application Map

7.11.2 Desired Future Character

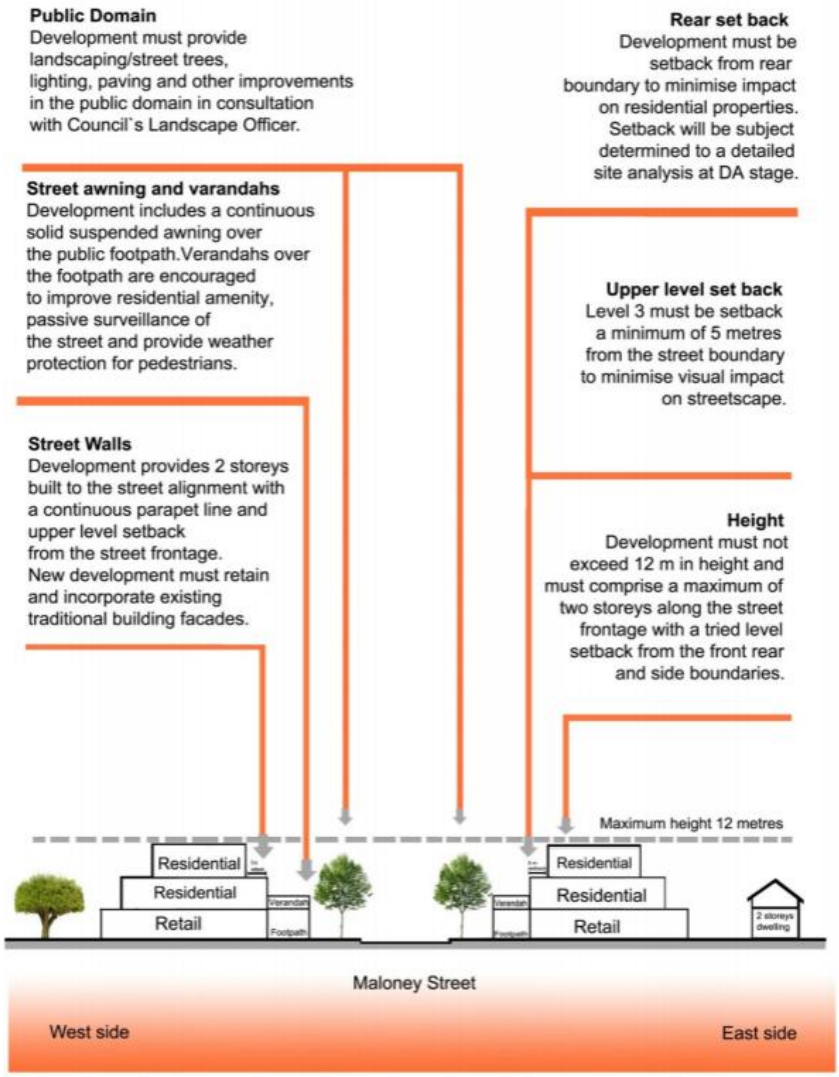
The Maloney Street Neighbourhood Centre is a small local shopping centre which must cater for the needs of the local community. The attractive art deco façades of the existing buildings in the centre must be retained in any redevelopment of the shops, as they add to the character of the centre. Public domain improvements, such as landscaping, footpath paving and public seating, would also greatly improve the aesthetics of the shops and will be required with any future redevelopment.

7.11.3 Controls

Objective		Control	
Land use			
O1.	To achieve an integrated redevelopment outcome along Maloney Street.	**C1.**	Redevelopment of the shops requires site amalgamation generally in accordance with site amalgamation diagram below to avoid inappropriate lot consolidation patterns that would isolate and unreasonably restrict redevelopment on a single lot.

Objective		Control	
			
Figure 119: Maloney Street Neighbourhood Centre Lot Consolidation Map			
Built Form: Building Heights and Density			
O2.	To retain a coherent streetscape with a consistent street wall and parapet line.	**C2.**	A maximum street wall height of 2 storeys applies along the street frontage, with a third level permitted which is set back from the street frontages and the rear (where the shops adjoins a residential property).
Street Character and Development Setbacks			
O3. **O4.**	To retain and conserve the shopping strip and encourage a viable and attractive Neighbourhood Centre with an improved and safer public domain. To protect the distinctive and characteristic elements of the Maloney Street Neighbourhood Centre and ensure the integration of these features into subsequent development.	**C3.** **C4.** **C5.**	Redevelopment of the Maloney Street Shops is contingent upon the provision of public domain improvements such as landscaping, paving of the footpaths, public seating and lighting identified by Council, generally in accordance with the Local Character Statement diagrams below. The design must encourage active street life while providing a high residential amenity and small scale shops that will serve the local community. The design of development must be generally consistent with the Local Character Statement

Objective		Control	
			of the centre identified in the Local Character Statement diagrams below.



Note: Setbacks may be required for the provision of street trees.

Figure 120: Maloney Street Neighbourhood Centre Local Character Statement

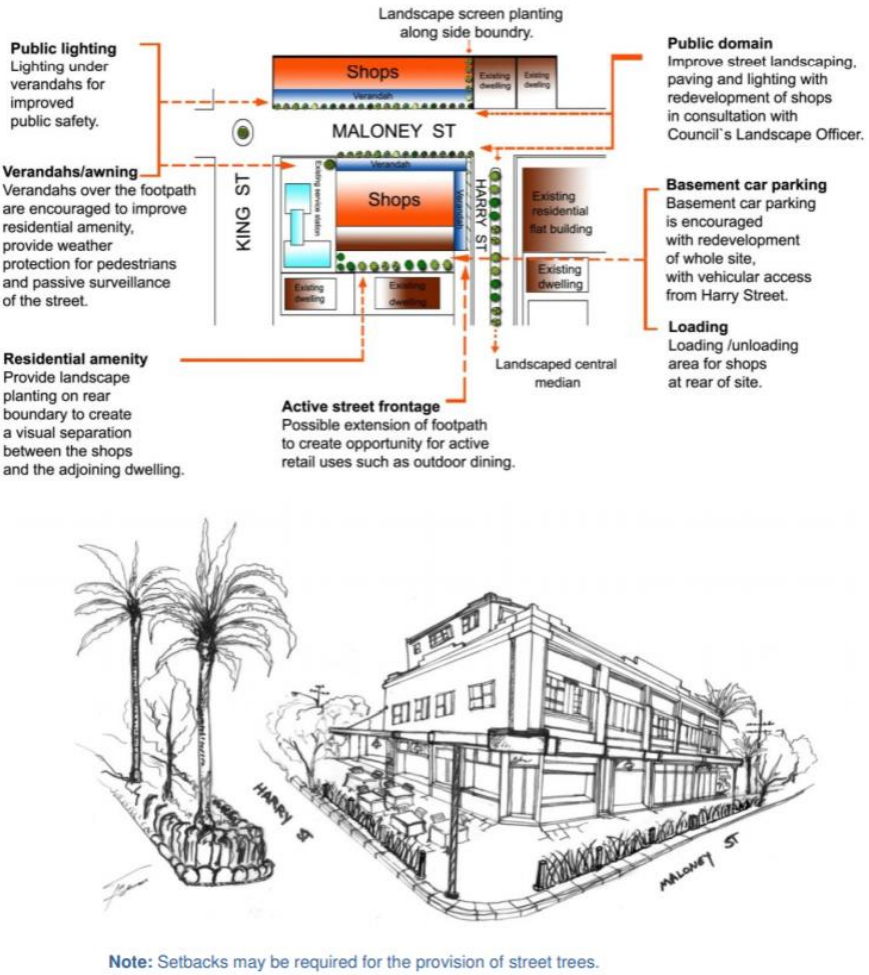


Figure 121: Maloney Street Neighbourhood Centre Desired Future Character

Objective		Control	
O5.	To ensure that development recognises and retains predominant streetscape qualities (i.e. existing building height along the street frontage & design features such as the art deco building façades).	**C6.**	Redevelopment retains and preserves the simple post-war design of commercial buildings with their attractive art deco façades.
		C7.	Pedestrian amenity and safety must be enhanced in front of the shops in conjunction with new development. The extension of the footpath on the corner of Maloney and Harry Streets will provide the opportunity for active retail uses such as outdoor dining.
O6.	To improve and extend the pedestrian environment and to encourage appropriate outdoor uses with good solar access, such as cafes.		
O7.	To ensure that the amenity of nearby residential properties is protected.	**C8.**	The design of development must improve the residential amenity for the housing above the shops by providing direct access to balconies and private open space, and passive surveillance of the surrounding streets and pedestrian walkways.
		C9.	The setback from the rear is to be determined following detailed site analysis at development application stage and must satisfy Council that the amenity of neighbouring residential

Objective		Control	
			properties are protected in terms of sunlight and natural daylight access, privacy and visual amenity.
		C10.	With redevelopment of the Centre, landscape planting must be provided along the rear or side boundary where a site adjoins a residential property, to provide a visual separation between the shops and the residential area.

7.12 Botany

7.12.1 Description

The Botany Precinct is bounded by the Airport, parklands abutting Botany Bay, Banksmeadow industrial area and the goods railway line. The dominant land uses are industrial and residential, which co-exist throughout the Precinct. Two linear retail shopping strips are located along Botany Road - Botany Local Centre within a Heritage Conservation Area and Banksmeadow Local Centre. The Botany Precinct has seen a transition with the conversion of industrial zoned land to residential zoned land, which has resulted in the emergence of stylish and high-quality medium density housing in the areas of Daphne Street, Banksia Street and William Street.

The main road through the area is Botany Road with Stephen Road providing access to and from other parts of the LGA. As a result, Botany is somewhat isolated from the adjoining residential areas. The street network within the Precinct is a combination of regular and irregular grids with some large blocks utilising private internal access ways. As a result, the permeability of the area is highly varied.

The focal points for retailing and services are Botany and Banksmeadow shopping strips; both of which are located on Botany Road. Botany Road has a concentration of Heritage Items as well as a Heritage Conservation Area at Botany Local Centre.

The quality of residential streetscapes varies although is generally good however traditional centres feature average quality public domain and are impacted by heavy traffic volumes.

Open space are generally larger parks that lack facilities and are located towards the edges of the Precinct. Major open spaces areas including Booralee Park, Garnet Jackson Reserve and the Sir Joseph Banks Park. Landscaping provided through street trees and planting within properties have created a pleasant environment, which results in a contrast to the industrial built form.

Setbacks within the Precinct vary markedly, with the area between the building line and front boundary line ranging from nil for some residential buildings to 10 metres for the larger industrial sites. Fences are varied in height and style but the majority of residential fences are of a low-scale.

Traditional detached housing occupies a large proportion of residential land, although more recent villas, townhouses and apartments provide a significant number of dwellings, particularly in the east. Some shop top housing occurs in the traditional strip shopping centres of Botany and Banksmeadow.

The precinct contains five localities which are subject to more specific design outcomes, as provided further within this Chapter:

- The Botany Local Centre
- The Botany West Industrial Precinct

- The Lord Street Business Park Precinct
- The Banksmeadow Neighbourhood Centre
- Swinbourne Street Neighbourhood Centre

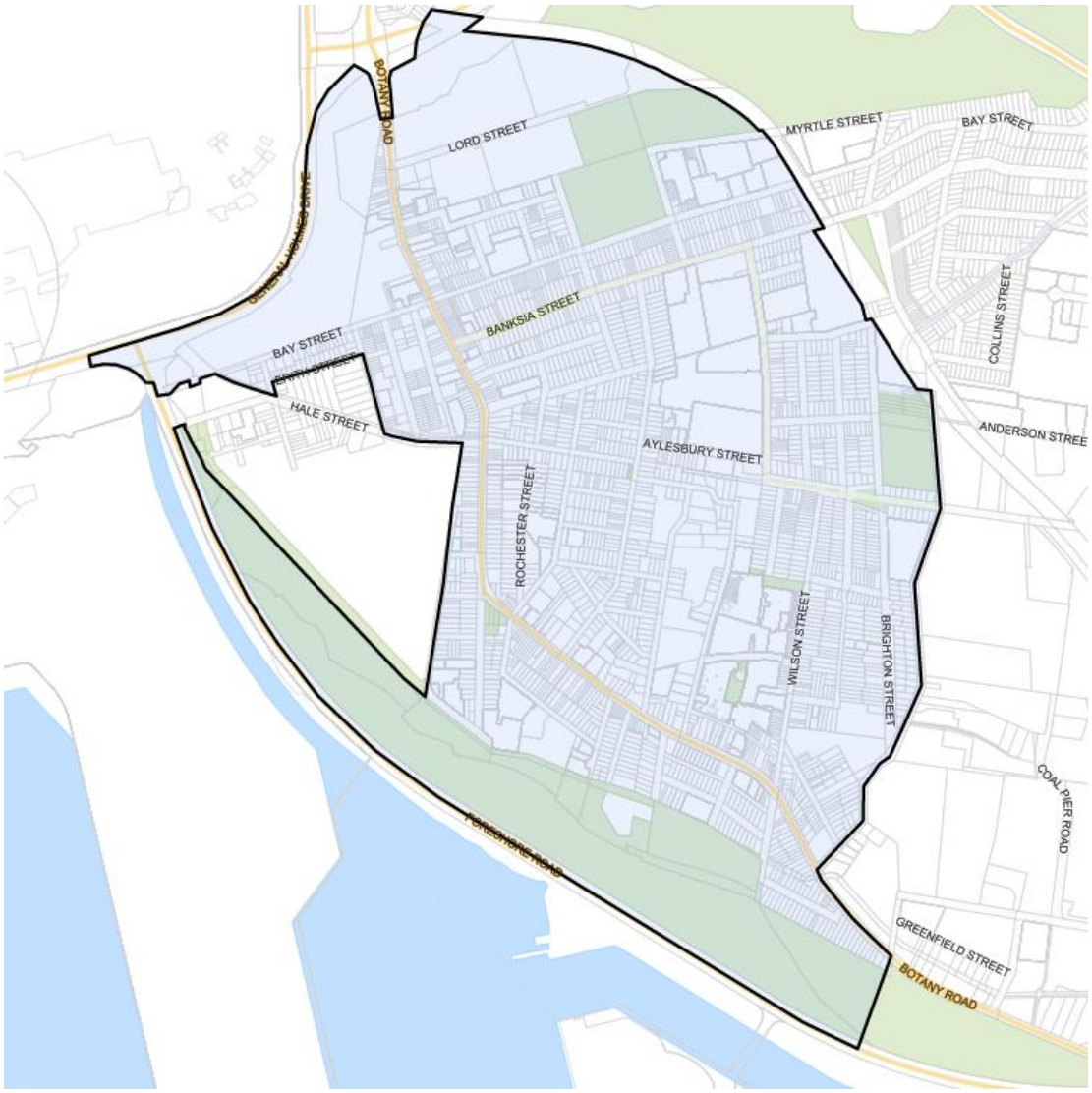


Figure 122: Botany Precinct Locality Map

7.12.2 Controls

Objective		Control	
Built Form: Building Heights and Density			
O1.	To encourage new development or alterations and additions to existing development which complements the height and architectural style found in the immediate vicinity, particularly where there is an established character.	**C1.**	Medium density residential development occurs in areas adjacent/adjoining existing medium density housing.
		C2.	Development maintains low density residential accommodation in the form of detached/attached dwellings with a maximum height of 2 storeys in the remainder of the Precinct.
O2.	To ensure that the scale, design, materials and nature of the development contributes positively to the visual amenity of the area.		

Objective		Control	
O3.	To minimise the impacts of non-residential uses, such as traffic and noise/air pollution, on residential amenity to be minimised through appropriate design responses.	**C3.**	Development on larger sites unlocks vistas and view corridors to park land, Botany Bay and City skylines.
		C4.	Densities in residential areas already affected by aircraft noise over 30 ANEF or adjacent to freight and major road corridors are not to be increased.
		C5.	Uses within sites affected by aircraft noise over 30 ANEF are converted to non-residential uses less affected by aircraft noise.
		C6.	Development along Botany Road and within the vicinity of Foreshore Road is designed to minimise traffic noise transmission.
Street Character and Development Setbacks			
O4.	To enhance the public domain and streetscapes within the Precinct through compatible land use, built form, amenity, and streetscape improvements.	**C7.**	Development provides an active frontage along Botany Road in the Botany Local Centre.
O5.	To ensure that new development provides a high level of amenity by adequately responding to the local and environmental context.	**C8.**	Development: a. promotes neighbourhood amenity and enhances pedestrian comfort b. encourages site layout and building styles and designs that promote commonality and a visual relationship with the surrounding built form and dwelling styles c. encourages dwelling styles that maintain and complement existing development patterns d. encourages a strong landscape and vegetation theme within both the public and private domain e. allows the adaptive reuse of industrial buildings for residential purposes f. encourages new development on larger sites (e.g. over 2,000m²) to promote a parkland setting for residential development
		C9.	Development provides landscaping within the front and side setback to soften the built form particularly in high density terrace, unit, and residential flat buildings.

Objective		Control	
		C10.	Development provides landscaping and public domain improvements to elevate Bay Street to a “grand avenue”.
		C11.	Development maintains roof forms to reflect the characteristics of the prevailing designs within the street.
		C12.	Development retains fencing character, styles, and height for each street which in some circumstances may include no fences. **Note:** Where there are various styles and heights, development should adopt the prevailing style and height.

7.12.3 Botany Local Centre

7.12.3.1 Description

Botany Local Centre is located along Botany Road and is a medium sized centre with over 70 shops servicing the local community. The Centre comprises the majority of the Botany Township Heritage Conservation Area and is characterised by a considerable number of heritage buildings and traditional shopfronts/facades. The Botany Town Hall is a Heritage Item which forms a focal point at the southern end of the Centre.

The suburb of Botany was created in the 1830’s with the creation of parishes in Sydney. The suburb evolved as subdivisions were approved. The area in the 1860’s had a variety of landholdings but it wasn’t until 1882 when the tramway came down Botany Road that the area expanded. The easy availability of water in the Botany area encouraged industrial uses and the area expanded in the 1904-1914 period. Shops developed to cater for the factory staff that moved into the area as industry expanded.



Figure 123: Botany Local Centre Application Map

Character Statement

The character of the Botany Township HCA is made up of a number of architectural styles and building typologies, which include late Victorian workers' cottages at the northern and southern ends of the HCA, and a central traditional commercial shopping strip comprised of two- to three-storey Federation buildings. The character of the distinct commercial and residential precincts of the HCA should be preserved and retained through the retention of contributory buildings, public open space, and the existing subdivision pattern.

Characteristic elements to be preserved include:

- the prevailing two to three-storey character of the traditional commercial shopping strip at the core of the HCA
- active street frontages in commercial buildings at the ground level
- the prevailing character of the Victorian cottages at the northern and southern ends of the HCA, comprised of single-storey cottages
- the range of surviving architectural styles and historic buildings, particularly the existing heritage items, landmark buildings and contributory buildings
- consistent decorative parapets, awnings and terraced retail shopfronts with shop-top housing built to the street alignment
- original sandstone and trachyte kerb and guttering, and prominent street plantings.

Uncharacteristic development includes housing from the late twentieth and early twenty-first century, residential flat developments, over-scaled additions, large multi-storey mid-rise commercial buildings,

rendering of face brickwork and the addition of garages and carports forward of the front building line in the residential precincts of the HCA.

Classification of Buildings within the Botany Township HCA



Figure 124: Classification of buildings within the Botany Township HCA

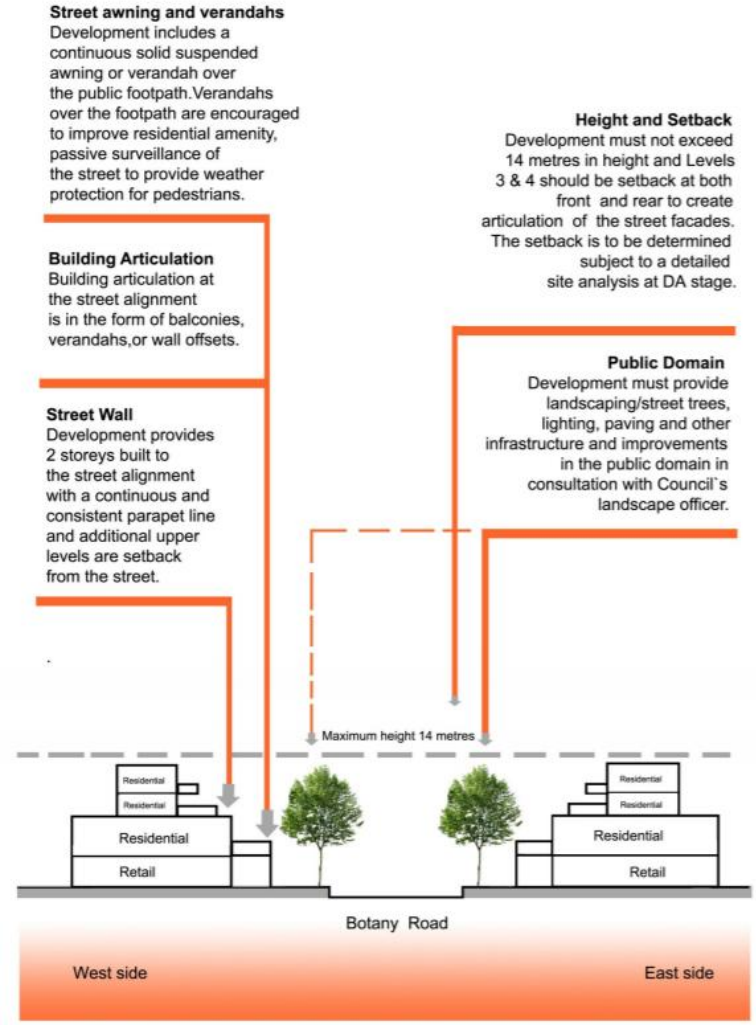
7.12.3.2 Desired Future Character

Future development is to be sympathetic to, and not detract from, the form and character of traditional shopfronts within the HCA or any Heritage Items. Development is to protect the distinctive and characteristic elements of commercial buildings and ensure the integration of these features into subsequent uses. The ‘main street’ character should be reinforced through new development, with original characteristics and traditional features of the retail buildings retained and enhanced. The centre will feature minimal signage, complimenting rather than dominating the Heritage Conservation Area.

7.12.3.3 Controls (General)

Objective		Control	
Road Network and Vehicular Access			
O1.	To minimise vehicular access and servicing from the primary road frontage and provide sufficient on-site car parking.	**C1.**	Vehicular access from Botany Road must be avoided where access is available from a side street or rear laneway.
O2.	To enhance pedestrian connectivity, access, and safety within the Centre.	**C2.**	Pedestrian amenity and connectivity must be enhanced in conjunction with new development.
		C3.	Through site links and arcades are encouraged with redevelopment to improve pedestrian access, amenity, and safety.
Built Form: Building Heights and Density			
O3.	To ensure new development complements the height and architectural style found in the immediate vicinity, particularly where this has a clearly established character.	**C4.**	Building height along the street frontage is a maximum of 2 storeys, with levels 3 and 4 to be set back from the street by at least 9m in accordance with the Local Character Statement identified for the Centre in the Local Character Statement diagram below.
O4.	To retain a coherent streetscape with a consistent street wall and parapet line.		
Street Character and Development Setbacks			
O5.	To retain and conserve the Botany Local Centre and encourage a viable and attractive Local Centre by improving the public domain and the public/private interface.	**C5.**	Development must provide landscaping, street trees, lighting, public seating, paving, decorative fencing and other public domain improvements identified by Council, generally in accordance with the Local Character Statement diagram below.
		C6.	The design of development must be generally consistent with the Local Character Statement of the centre identified in the Local Character Statement diagram below and the existing character of buildings within the Botany Township Heritage Conservation Area.

Objective	Control



Note:
Setbacks may be required for the provision of street trees.

Figure 125: Botany Local Centre Local Character Statement

Objective		Control	
O6.	To improve and extend the pedestrian environment and to encourage appropriate outdoor uses with good solar access, such as cafes.	**C7.**	Dwellings within a mixed use development and shop top housing are to have windows and/or verandahs (where a heritage item) in the street elevation to encourage surveillance of the street.
O7.	To retain existing trees and provide additional trees within the streetscape.	**C8.**	A setback to the rear may be required where a site adjoins a residential area and is to be determined following detailed site analysis at development application stage. Applicants must therefore demonstrate that the amenity of neighbouring residential properties are protected in terms of sunlight and natural daylight access, privacy and visual amenity.
O8.	To ensure that dwellings provide passive surveillance, resident interaction and amenity and address the street.		
O9.	To protect and reinforce the distinctive and characteristic elements (i.e. setbacks & traditional facades and design features) of the Botany Township Heritage Conservation Area.	**C9.**	Alterations and additions are to reflect the architectural design of the existing building. Materials and finishes are to be compatible with the existing building.
O10.	To encourage development of awnings as balconies for residential and commercial units above (to improve amenity for unit dwellers and promote passive surveillance of streets).	**C10.**	New development when viewed from the street is to be compatible with the character of buildings within the site's visible locality by using similar shaped windows, doors and similar building materials.

7.12.3.4 Controls (Heritage Conservation Area)

Objective		Control	
Character and Form			
O1.	To conserve and respect the main architectural features and form of Heritage Items.	**C1.**	Redevelopment retains inter-war 2 storey shop-top housing built to the street alignment with continuous awnings and parapets and their traditional building facades.
O2.	To retain Botany Town Hall as a focal point at the southern end of the Centre.	**C2.**	Preservation, reinstatement and maintenance of original façades and shopfronts are required. The removal or alteration of original shopfronts is not permitted.
O3.	To protect the distinctive and characteristic elements of commercial buildings and ensure the integration of these features into subsequent uses.	**C3.**	To achieve appropriate development to the original façades and shopfronts within the Heritage Conservation Area proposals must satisfy the following: i. Preserve and maintain original parapets, with existing detailing,

			unpainted and free of hoarding and signs; ii. Restore and maintain original upper level windows, with alternatives, being sympathetic in scale and proportion; and iii. Retention of continuous awning at unified heights and fascia to each shop.
		C4.	New shopfronts must reflect original details and proportions including the siting of recessed entrance doors.
		C5.	First floor balconies should remain open as important functional and architectural elements of the front façade. Enclosure of balconies will only be permitted if compatibility with original window types can be demonstrated.
		C6.	Rear elevations and structures are to be treated and maintained in a manner that is of quality and character appropriate to the Heritage Conservation Area and its controls.
		C7.	The profile of the front parapet wall should be maintained as a silhouette against the sky.
		C8.	The removal of first floor windows that have altered the profile of former openings is encouraged, with the original window to be restored.
		C9.	The level of overhead awnings above footpath level should match existing.
		C10.	Overhead awnings shall be of a uniform depth and form to match that which is predominantly within the group. Where appropriate, timber fascia and gutter are to be maintained or reinstated on buildings that originally featured a timber fascia.
		C11.	Contemporary designs for shopfronts must relate to the building type, streetscape and precinct. They must incorporate traditional features such as the division of frontages. The configuration of windows must use appropriate materials. **Note:** Where non-contributory or intrusive fabric exists in significant shopfront

			locations, it may be replaced by a modern shopfront if the design is consistent with the historical context in terms of materials, proportions, details, colour and signage.
		C12.	Shopfronts must not be amalgamated. Where properties are amalgamated, the original building elements and shopfronts must be conserved.
Pubs, Religious, Institutional and Public Buildings			
O4.	To ensure that the original characteristics of pubs in the HCA are retained and enhanced.	**C13.**	Original façades including areas of tiling are to be retained and conserved.
		C14.	Original pub names must be retained.
O5.	To ensure that any new work is carried out with due regard to the significance of the building and its setting.	**C15.**	Significant interior features and spaces must be retained.
		C16.	Original public areas and former pub accommodation areas, including their form, details, materials and finishes, should be retained.
		C17.	Work to a significant religious, institutional or public building must be compatible with the existing building.
Public Domain			
O6.	To ensure the public domain is consistent and sympathetic to the heritage significance of the Heritage Conservation Area.		<u>Parks</u>
		C18.	The formal layout of existing parks should be retained or reinstated so that placement of built elements, path location and cultural planting reflect the key development period of the park.
		C19.	Structures such as toilet blocks, playgrounds, shade structures and shelters should be located to protect and enhance public vistas and designed (in terms of their character scale, massing, form, colour and materials) to enhance the character of the Heritage Conservation Area.
			<u>Steps</u>
		C20.	Original stone steps and retaining walls should be retained and conserved in place using appropriate conservation methods.
		C21.	New steps should be designed: i. So that their scale and proportion relates to the surrounding built form; ii. For pedestrian comfort and safety; and

			iii. In accordance with the relevant Australian Standards.
		C22.	Materials for new steps should be concrete or sandstone, depending on the historical background and significance of their location.
			<u>Seats</u>
		C23.	Seats should be provided at bus stops and for the appreciation of vistas and views.
		C24.	The area around seats should be suitably treated so that seats are accessible to wheelchair users.
		C25.	The location of seats should take into account shade, wind and rain protection and the proximity to pollution and noise.
			<u>Street Furniture</u>
		C26.	The design of new street furniture items should have regard to the following parameters: i. Functionality (design for ergonomic comfort and ease of use, consideration of social and Interactive behaviour patterns) suitability to the HCA context; ii. Safety; iii. Durability, robustness and resistance to vandalism; iv. Maintenance; v. Compliance with relevant Australian Standards; vi. Affordability; vii. An integrated street furniture range for Bayside that is contemporary in spirit; and (viii)Designed to complement the unique location and heritage of the HCA.
			<u>Rubbish Bins</u>
		C27.	Rubbish bins should be non-intrusive and contemporary in design.
		C28.	Rubbish bins should be located only within commercial or recreational areas or at bus stops.
			<u>Bus Shelters</u>
		C29.	Shelters should be designed to be transparent and well lit to promote user safety.

		C30.	New bus shelters should be contemporary in design.
			<u>Drinking fountains</u>
		C31.	Drinking fountains should be designed to be easily useable by people of all ages, including those with disabilities.
		C32.	Placement of drinking fountains should not inhibit pedestrian or wheelchair access along the footpaths.
			<u>Footpath Paving Treatments</u>
		C33.	A continuity of surface treatments throughout street blocks should be maintained or provided in cases where replacement of surfaces is necessary.
		C34.	A homogeneity of colour and texture in paving materials should be maintained.
			<u>Kerbs and Gutters</u>
		C35.	All original sandstone kerbs and gutters should be retained.
		C36.	All original sandstone and trachyte kerbs and gutters should be retained where possible. If stone kerbs and gutters are required to be removed they should be stockpiled for reuse in new works.
		C37.	Damaged original stone kerbs and gutters should be restored where possible or replaced with new stone kerbs and gutters and detailed to match existing.
		C38.	New crossovers and chicanes will not be permitted as they interrupt the original line of the streets and stone kerbing.
		C39.	The kerb alignment should be retained parallel to the building line to preserve the character of streets.
		C40.	Where footpaths are widened, original stone or fly-ash kerbs should be left in their original position so that the earlier street form can be understood.
		C41.	The profile of all new kerbs should reflect the traditional kerb detail.

		C42.	Where concrete kerbs are to be used, precast segmental elements are preferred.
		C43.	All street name inlays in kerbs and gutters are to be retained.
			<u>Parking Areas</u>
		C44.	Public off-street car parking areas should be planted with appropriate species to soften visual impact, provide shade and screen parking from adjacent residential development.
			<u>Traffic Management Devices</u>
		C45.	Traffic and transport investigations are to be undertaken prior to the introduction of new traffic management devices. These investigations should, depending on their scope, include public participation and must include consideration of access issues generally for all people and the impact on heritage significance resulting from traffic management options to enable the least possible impact on significance
		C46.	The design and location of traffic management devices (such as traffic signals, speed humps, roundabouts and road signage) should not obscure public views and should minimise visual impact on significant items and the streetscape.
			<u>Signage</u>
		C47.	Signage should be discreet, of slender appearance and of contemporary design consistent with other street furniture.
		C48.	Street name signs should, where possible, be attached to buildings. Interpretive signs should incorporate brief historical information to assist in the comprehension of specific areas.
		C49.	Parking and traffic control signs should be rationalised and minimised.
		C50.	Corporate and advertising signs are not permitted within the public domain.
			<u>Services</u>
		C51.	Future substations should be recessed within a wall rather than freestanding.

		C52.	Existing substations should be screened or treated so that their impact is minimised.
		C53.	Overhead power lines and telecommunication lines should be located underground in order to protect significant vistas.
		C54.	New excavation for the installation or repair of underground services should not damage significant stone guttering or footpaths. Stone kerbs and guttering must be carefully replaced in their original locations.
		C55.	New services should be located so as not to conflict with substantial existing street trees.
		C56.	<u>Street Lighting</u> New lighting fixtures should be of simple and sophisticated design to compliment the Heritage Conservation Area.
		C57.	Public lighting should be provided to ensure legibility and visual orientation for pedestrians and enhance the sense of place.
		C58.	Lighting should be energy efficient. For example: Lighting should incorporate solar-powered lighting systems and economy measures for usage during daylight saving periods where appropriate.

7.12.4 Botany (West) Industrial Area

7.12.4.1 Description

This area is characterised by industrial uses on single and relatively small allotments, interspersed with residential uses. The area generally to the north of Erith Street is zoned IN1 Industrial and B7 Business Park whilst the area to the south of Erith Street is zoned IN1-General Industrial under State Environmental Planning Policy (Transport and Infrastructure) 2021.

The B7 zone allows light industry to continue, as well as other industries such as high technology industries and 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.

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.

Bay Street and Erith Street are narrow streets which limit 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.

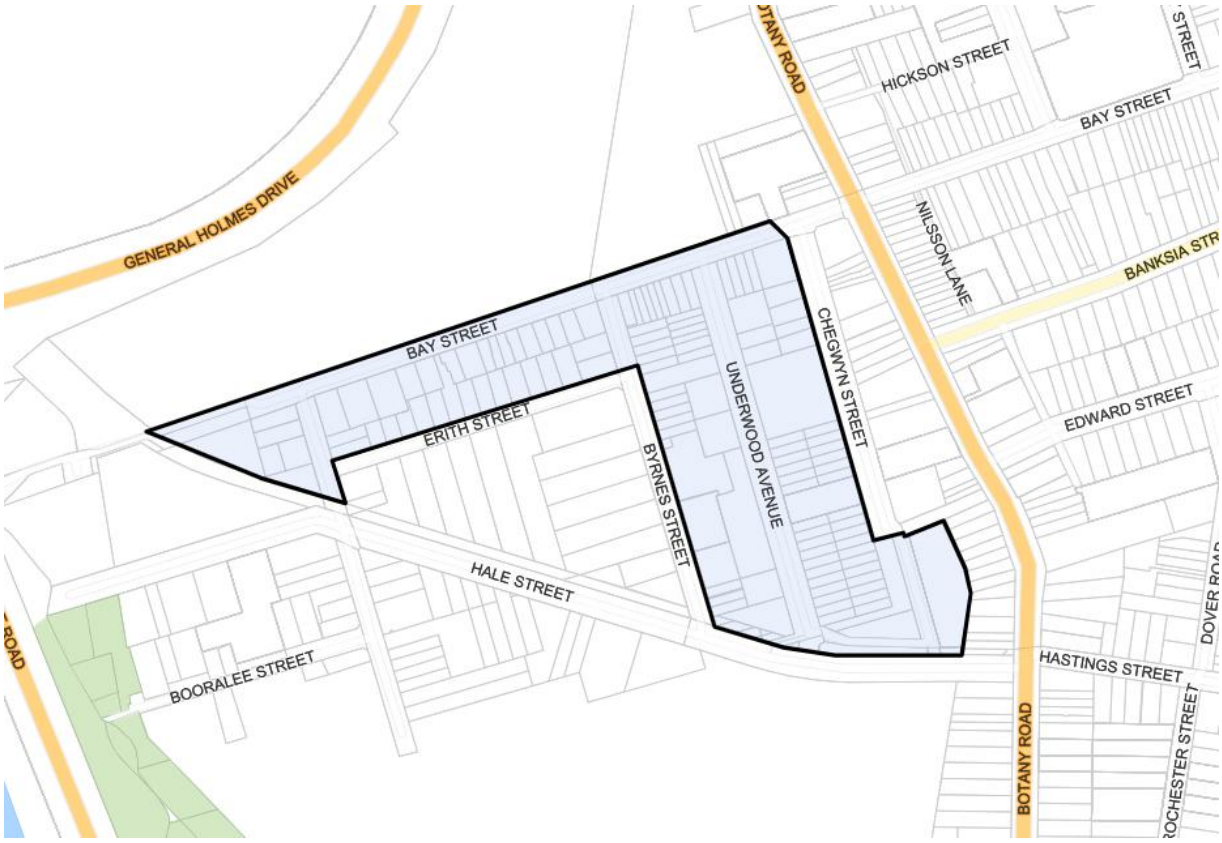


Figure 126: Botany (West) Industrial Precinct Land Application Map

7.12.4.2 Desired Future Character

Future development within the industrial area will respect the integrity of its heritage items and the Botany Township Heritage Conservation Area. Amenity in the north will need to be protected by limiting the size of delivery vehicles, whilst new business park and industrial uses will be designed to be compatible with adjoining residential areas.

7.12.4.3 Controls

Objective		Control	
O1.	Ensure that the business park and business development uses are compatible with the adjoining established residential area.	**C1.**	The maximum size of any vehicle accessing sites in the Precinct shall not exceed a Medium Rigid Vehicle (MRV) as defined by AS2890.2.
O2.	To protect the northern precinct's amenity by limiting the size of delivery vehicles.	**C2.**	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.
O3.	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.	**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).
O4.	Ensure that industrial uses concentrate in the southern part of the Precinct with access to Foreshore Drive through the Hale Street extension.	**C4.**	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.
O5.	Protect the heritage integrity of the Heritage Items within the precinct and the Botany Township Heritage Conservation Area.	**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; and (iv) NSW Flood Plain Development Manual.
		C6.	In addition, the Risk Management Plan shall minimise the exposure of development to

Objective		Control	
			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.	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.

7.12.5 Lord Street Business Park

7.12.5.1 Description

The Lord Street Business Park Precinct 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 Precinct is affected by the 20 to 25, 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.

The precinct contains a site at 1-3 Lord Street which is adjacent to the St Matthew's Anglican Church. This 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.

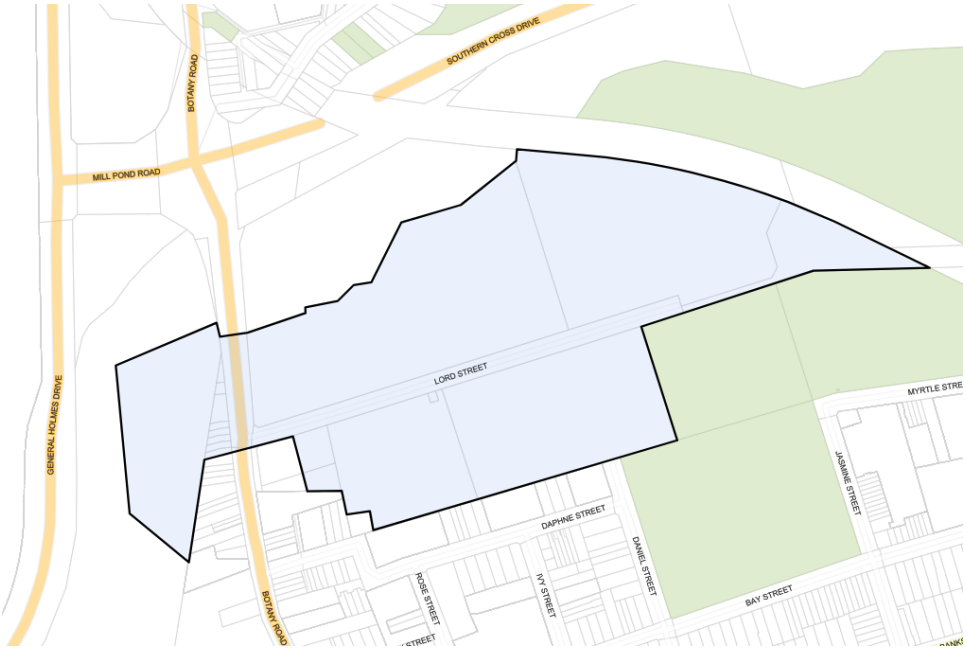


Figure 127: Lord Street Business Park Precinct Land Application Map

7.12.5.2 Desired Future Character

New development within the Lord Street Business Park will enhance the environmental and visual amenity of the locality, especially the Mill Ponds (east and west of Botany Road), whilst ensuring no adverse impact on the heritage significance of internal and adjacent heritage items and heritage conservation areas. Proposed uses will be compatible with the adjoining residential area, and withstand the stresses of flooding and sea level rise. Development at 1-3 Lord Street will be undertaken in accordance with the specific provisions that apply under Section 7.12.5.3.

7.12.5.3 Controls

Objective		Control	
Built Form: Building Height and Density			
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).	**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.	Development, including alterations and additions, is to comply with Sydney Airport's regulations with regard to safety, lighting and height of buildings.
		C3.	Development which seeks the maximum building height under the Bayside LEP 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

Objective		Control	
			Airlines before an application could be submitted to the Department of Infrastructure & Transport for their determination.
Environmental Management			
O2.	To ensure that development minimises the quantity of stormwater runoff. Its impact on the aquatic environment and the potential disturbance of contaminated sediments and is guided by the *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions* (EPA, Office of Environment and Heritage, 2017) and *NSW Water Quality and River Flow Objectives*.	**C4.**	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.
		C5.	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.

7.12.5.4 Site Specific Controls for 1-3 Lord Street

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 maintenance of the visual prominence of the church.

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 and establishing a sympathetic design response to the Church are important factors to consider in this regard.

Objectives		Controls	
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.	**C1.**	Any future built form on the site is to reflect the Business Park character of the precinct as well as provide a sympathetic design response to the adjacent Church through design articulation, modulation of form, variation in texture, finishes and materials.
O2.	To create a bookend style development that visually integrates with and provides an activated edge to the adjoining church.	**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 the western frontage to the Church.
O3.	To retain and enhance the visual prominence of the St Matthew's Anglican Church as viewed from Botany Road and Lord Street.	**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.
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.	**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.
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.	**C5.**	The ground floor of the building is to be designed to 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 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.

<table>
<tr><th colspan="2">Objectives</th><th colspan="2">Controls</th></tr>
<tr><td>O6.</td><td>To establish a functional building envelope that is capable of meeting employment-based industry operational requirements of the site.</td><td>C7.</td><td>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).</td></tr>
<tr><td>O7.</td><td>To maintain appropriate solar access and ensure privacy to residential buildings in the adjacent R3 Medium Density Residential zone.</td><td>C8.</td><td>Setbacks for any future development on the site are to be in accordance with those outlined in Table 22.</td></tr>
<tr><td></td><td></td><td>C9.</td><td>Upper level setbacks are to minimise solar overshadowing impacts to adjacent residential properties.</td></tr>
</table>

	Front (Lord St North)	Side (East)	Side (West)	Rear (South)
Ground Level	Min. 3m from site boundary	Min. 8m from site boundary*	Min. 7m from site boundary*	Min 6m from neighbouring building
Upper Levels 1-3	Min 3m from site boundary.	Min 3.5m from boundary*	Min 4m from site boundary*	Setback to increase by one metre for every additional metre in height above 5m in building height.
* 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.				

Table 22: Upper-level Setbacks

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.

Objectives		Controls	
O8.	**West Façade Objectives** 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.	**C10.**	Development is to be provided in accordance with the objectives for the façade outcomes at each frontage.

O9.	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.		
O10.	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.		
O11.	To establish a visual and/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.		
O12.	To create 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.		
O13.	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.		
O14.	To provide protection to openings from the west sun.		
	North Façade Objectives		
O15.	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.		
O16.	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.		
O17.	To include materials and finishes that reflect the commercial and industrial context of Lord Street.		
O18.	To enhance the visual qualities of the gateway to the Lakes Business Park precinct.		
O19.	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		
O20.	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		
O21.	To provide articulation and modulation to maintain solar access.		
O22.	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

Objectives		**Controls**	
O24.	To facilitate ongoing safety and security.	**C11.**	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 maintenance.

7.12.6 Banksmeadow Neighbourhood Centre

7.12.6.1 Description

Banksmeadow Neighbourhood Centre is located along Botany Road at Banksmeadow and is a medium sized centre with nearly 20 shops including the historic Sir Joseph Banks Hotel which provides a focal point at the centre of the shops. It has a good mix of local shops and cafes. Given the predicted residential growth, within the Pemberton-Wilson Street Precinct, which is in close proximity to the centre, there is the need for further shops such as a supermarket, to service the local community.

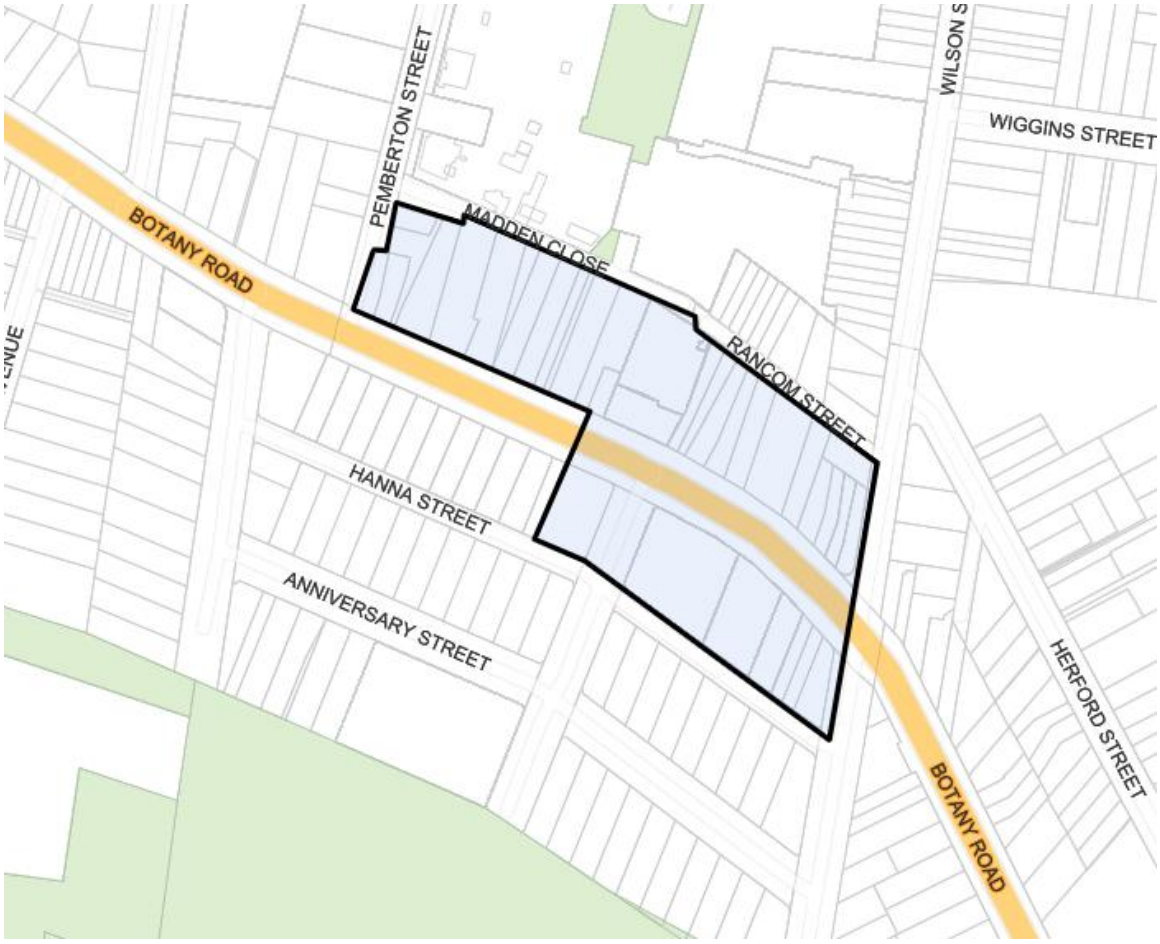


Figure 128: Banksmeadow Neighbourhood Centre Land Application Map

7.12.6.2 Desired Future Character

The Banksmeadow Neighbourhood Centre is anticipated to develop into a high quality centre with a balanced mix of retail, commercial, community and residential uses which cater for the needs of the local community, in accordance with the Structure Plan shown below.

Given the predicted residential growth within close proximity to the Centre, there is a need for further shops such as a supermarket, to service the increasing local community. Public domain improvements, such as landscaping, public seating, lighting of pedestrian walkways, further angle street parking and a signalised pedestrian crossing in Botany Road at the centre of the shops would be required in conjunction with new development (Note: this is subject to approval by Transport for NSW). Through site links and arcades leading to the residential precinct to the rear is also encouraged with future redevelopment of the shops.

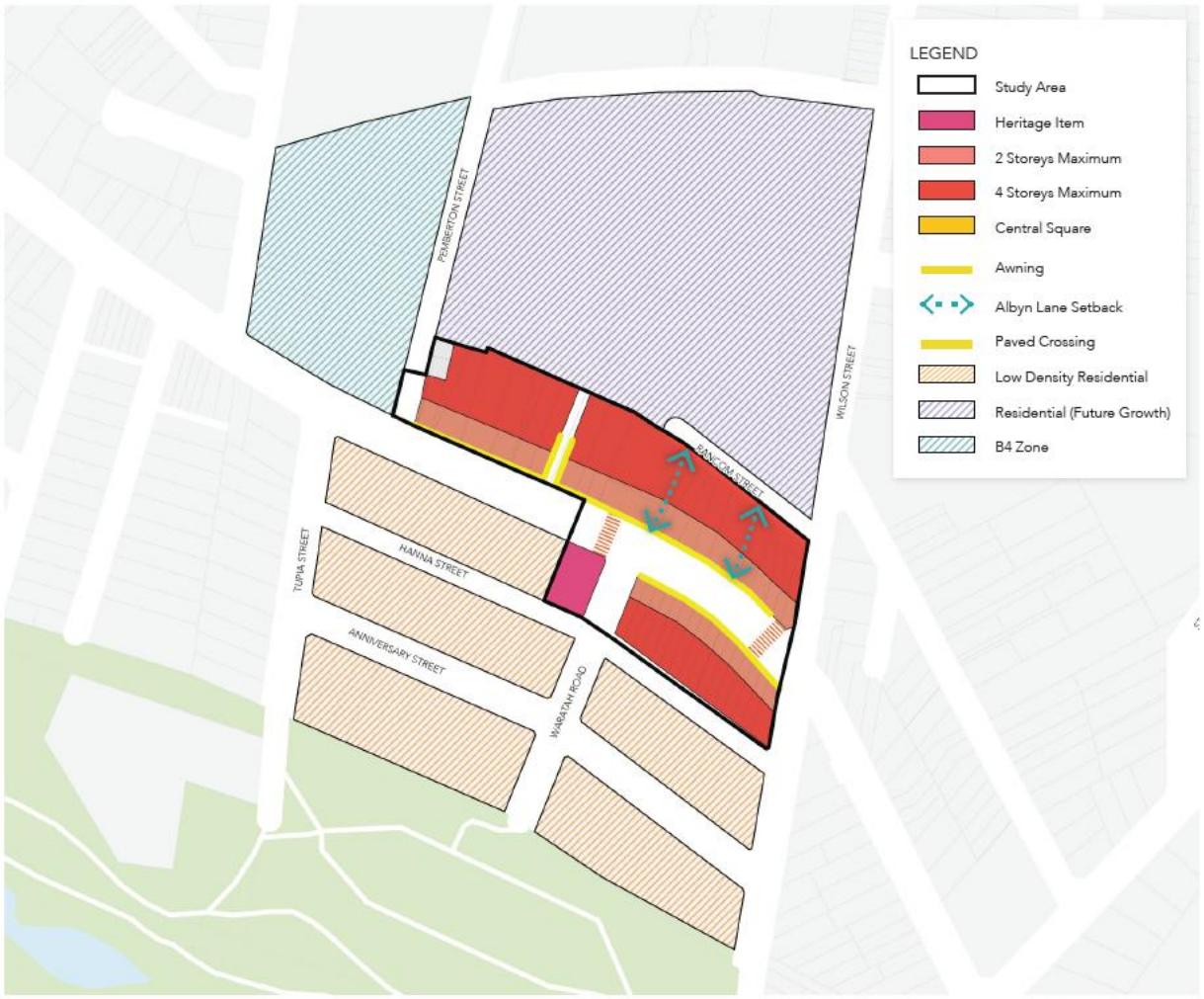
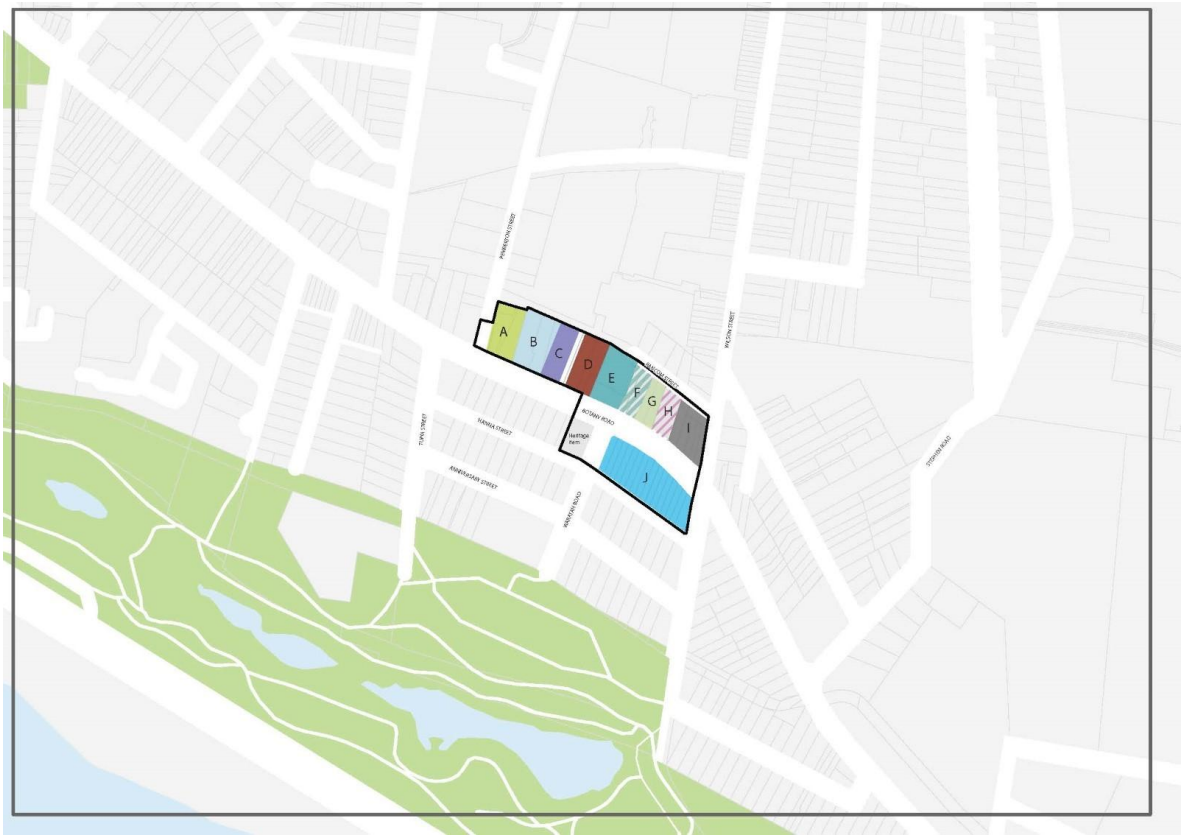


Figure 129: Banksmeadow Neighbourhood Centre Structure Plan

7.12.6.3 Controls

Objective		Control	
Land Use			
O1.	To develop a high quality centre with a balanced mix of retail, commercial, community and residential uses which cater for the needs of the local community, including a future supermarket.	**C1.**	The Banksmeadow Neighbourhood Centre develops in accordance with the structure plan above.
O2.	To achieve an integrated redevelopment outcome along Botany Road.	**C2.**	Redevelopment of the shops requires site amalgamation generally in accordance with the site amalgamation diagram to avoid inappropriate lot consolidation patterns that would isolate and unreasonably restrict redevelopment on a single lot.

Objective		Control	
			
Figure 130: Banksmeadow Neighbourhood Centre: Site Amalgamation			
Road Network and Vehicular Access			
O3.	To improve pedestrian accessibility, connections and safety within the Centre and reduce vehicular and servicing impacts on Botany Road.	**C3.**	Vehicular access on Botany Road must be avoided where access is available from a side street or rear laneway.
		C4.	Where a rear laneway exists loading and unloading must occur from the laneway (loading and unloading must be within the site).
		C5.	The provision of through site links and arcades is encouraged with new development to provide pedestrian connections to the residential precinct.
		C6.	Pedestrian amenity and connectivity must be enhanced in conjunction with new development. For instance, a signalised pedestrian crossing on Botany Road at the centre of the shops would be required to improve pedestrian safety and connections. Through site links and arcades leading to the residential precinct to the rear is also encouraged with future redevelopment of the

Objective		Control	
			shops to improve pedestrian accessibility, safety and amenity.
Built Form: Building Heights and Density			
O4.	To ensure development complements the height and architectural style found in the immediate vicinity, particularly where this has a clearly established character.	**C7.**	A maximum of 4 storeys is permitted, however buildings along the street frontage must have a maximum street wall height of 2 storeys with a continuous parapet line, consistent with existing development.
Street Character and Development Setbacks			
O5.	To retain and conserve the shopping strip at Banksmeadow and encourage a viable and attractive Neighbourhood Centre by improving the public domain and the public/private interface.	**C8.**	Development must provide landscaping, street trees, lighting, public seating, paving, angled parking and other public domain improvements identified by Council, generally in accordance with the Local Character Statement diagrams below.
		C9.	The design of development must be generally consistent with the Local Character Statement of the centre identified in the Local Character Statement diagrams below.

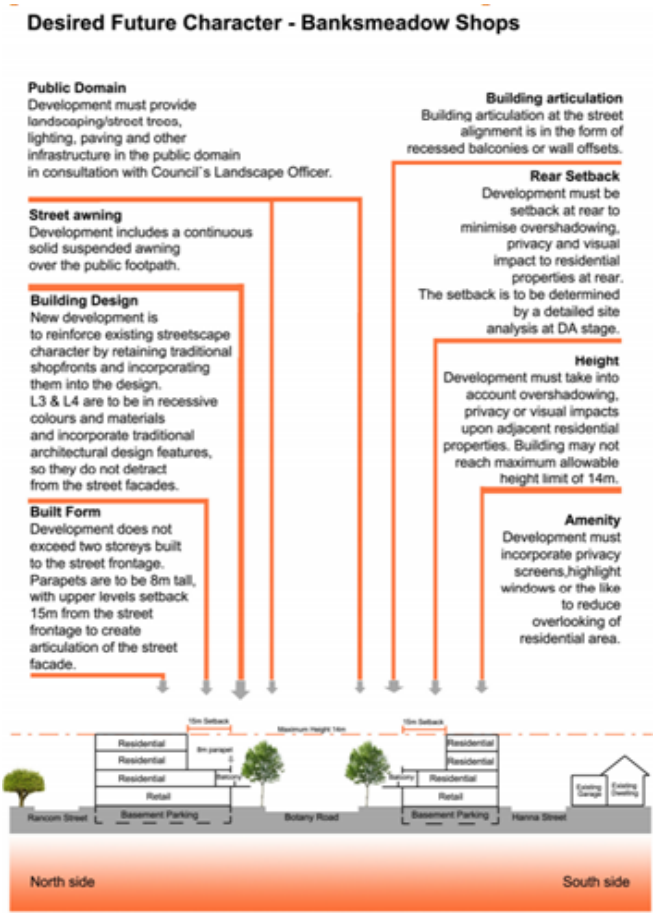


Figure 131: Banksmeadow Neighbourhood Centre Local Character Statement

Objective	Control





Note: Setbacks may be required for the provision of street trees.

Figure 132: Desired Future Character – Banksmeadow Shops

Objective	Control

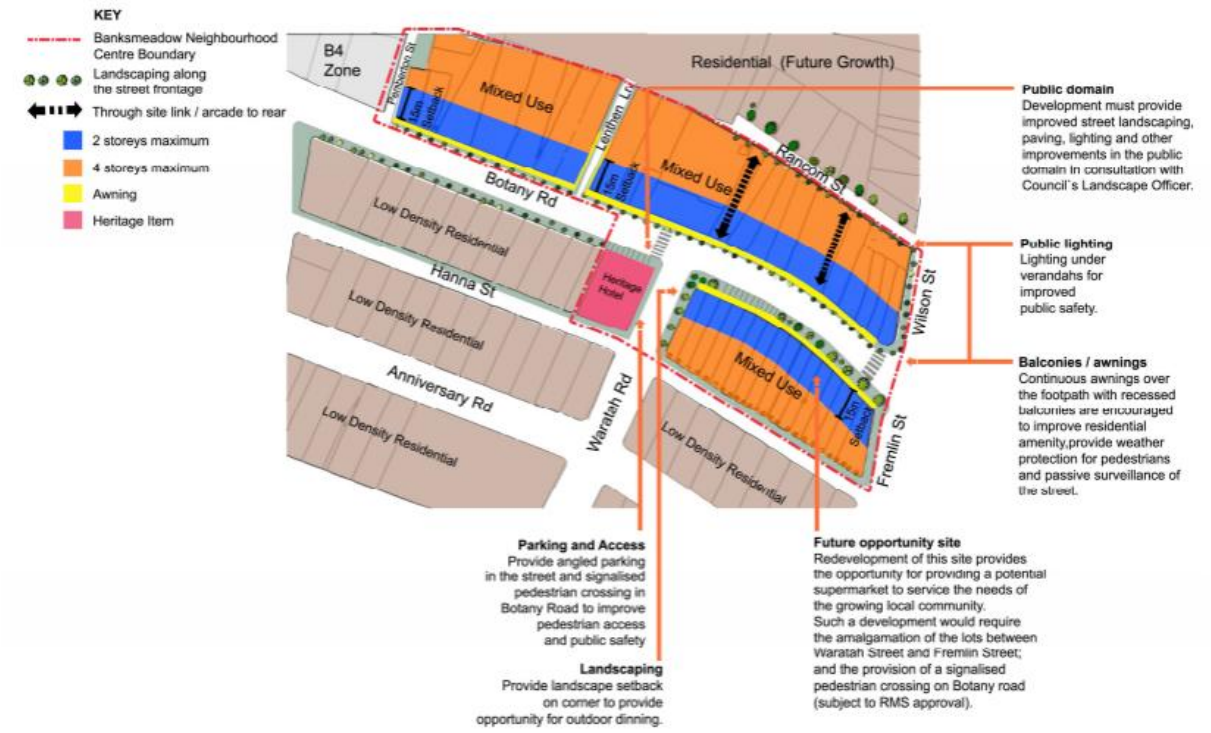


Figure 133: Banksmeadow Shops Masterplan

O6.	To retain existing trees and provide additional advanced trees within the streetscape.	**C10.**	New development is to take into account and respond sympathetically to an established streetscape with strong architectural features and identity. New buildings are to reinforce these features and contribute to its character.
O7.	To ensure that development recognises predominant streetscape qualities (i.e. setbacks, traditional shopfronts & design features) that contribute to local character.	**C11.**	Traditional shopfronts and façades must be retained and incorporated into new developments.
O8.	To allow reasonable redevelopment and to improve the architectural quality of building stock.	**C12.**	Contemporary architectural design solutions are encouraged; however, designs will need to demonstrate that they will not lead to a replacement or diminution of a street's existing character. Council encourages diversity in building designs provided that development outcomes complement the existing character of the suburb as detailed in the Character Statement.
O9.	To retain a coherent streetscape with a consistent street wall and parapet line.		
O10.	To ensure that redevelopment of the shops minimises impacts on the adjoining residential precinct.		
O11.	To encourage development of awnings as balconies for residential and commercial units above (to improve amenity for unit dwellers and promote passive surveillance of streets).	**C13.**	The top two stories must be setback from the street alignment to create articulation of the street façades. Setbacks to the rear are required (and will be determined subject to site analysis at the development application stage) to ensure that potential overshadowing, privacy and visual impacts on residential properties are minimised, in
O12.	To encourage appropriate active outdoor		

Objective		Control	
	uses with good solar access, passive surveillance, and a street address.		accordance with the Local Character Statement diagram. Applicants must demonstrate at development application stage that appropriate setbacks are provided so that amenity impacts on residential properties are minimised.
O13.	To develop a high-quality streetscape with minimal visual impact or clutter.	**C14.**	With redevelopment of the shops, landscape planting must be provided along the rear boundary where a site adjoins a residential property, to provide visual separation between the shops and the residential area.
		C15.	The design of new development must improve the residential amenity for the housing above the shops by providing direct access to balconies and private open space, and passive surveillance of the surrounding streets and pedestrian walkways.
		C16.	All designs must provide awnings above the footpath. Awnings above the footpath are encouraged to be trafficable verandahs for the use of residents on the first floor and to provide for passive surveillance of the streets. If the verandah is built over the street then a lease fee is payable to Council. The fee is set out in Council's Fees and Charges.
		C17.	Awnings must be provided continuously and at the same height along the shop frontages to provide weather protection for pedestrians.
		C18.	The design of buildings must encourage active street life and provide for small scale shops that will serve the local community. The design must also improve the passive surveillance of the surrounding streets.
Heritage			
O15.	To protect and maintain Heritage Items such as the Sir Joseph Banks Hotel in the vicinity of the Centre and provide a visual landmark.	**C19.**	Redevelopment retains the inter-war 2 storey shop-top housing built to the street alignment.
O16.	To retain traditional building façades in any redevelopment of the shops.		

7.12.7 Swinbourne Street Neighbourhood Centre

7.12.7.1 Description

Swinbourne Street is located in the suburb of Botany. It was established in the 1920's with the subdivision of land known as "Wilson". The Neighbourhood Centre is located along Swinbourne Street on a flat section of land with a large garden medium strip dividing the road (refer to **Figure 134**). It is a small centre with only four local shops.



Figure 134: Swinbourne Street Neighbourhood Centre Land Application Map

7.12.7.2 Desired Future Character

The Swinbourne Street Neighbourhood Centre will be a viable and attractive centre with an improved and safer public domain. Development will recognise predominant streetscape qualities, complement the height and architectural style found in the immediate vicinity. Reasonable development outcomes will improve the architectural quality of the building stock and retain a coherent streetscape.

7.12.7.3 Controls

Objective		Control	
Built Form: Building Heights and Density			
O1.	To ensure that development recognises predominant streetscape qualities (i.e. setbacks and design features).	**C1.**	Notwithstanding the maximum height of 12m, a maximum height of 2 storeys applies along the street frontage with a third level permitted which is setback from the street frontages and

Objective		Control	
O2.	To allow reasonable redevelopment and to improve the architectural quality of building stock.		the rear. The setback from the rear is to be determined following a detailed site analysis at development application stage and must satisfy Council that the amenity of neighbouring residential properties are protected in terms of sunlight and natural daylight access, privacy and visual amenity. Applicants must therefore demonstrate that impacts on the residential area are minimised.
		C2.	Redevelopment is encouraged through logical lot consolidation of sites and infill development. Avoid inappropriate lot consolidation patterns that would isolate and unreasonably restrict redevelopment on a single lot.
		C3.	Shop top housing must be provided in any redevelopment of the existing shops.
Street Character and Development Setbacks			
O3.	To ensure development complements the height and architectural style found in the immediate vicinity, particularly where this has a clearly established character.	**C4.**	The design of development must be generally consistent with the Desired Future Character of the centre identified in the diagrams below.
O4.	To retain a coherent streetscape with a consistent street wall and parapet line.	**C5.**	New development is to take into account and respond sympathetically to an established streetscape with strong architectural features and identity. New buildings are to reinforce these features and contribute to its character.
O5.	To ensure development complements the height and architectural style found in the immediate vicinity, particularly where this has a clearly established character.	**C6.**	Alterations and additions are to reflect the architectural design of the existing building. Materials and finishes are to be compatible with the existing building.
		C7.	The design must improve the residential amenity for the housing above the shops by providing direct access to balconies and private open space; and provide for passive surveillance of the surrounding streets and pedestrian walkways.
		C8.	The design must encourage active street life while providing a high residential amenity and provide for small scale shops that will serve the local community.
		C9.	Maintain limited advertisements and business signage to minimise visual impact on the surrounding residential area.

Objective		Control	
		C10.	Restrict signage to the awning fascia, under the awning or behind the shop window at street level.

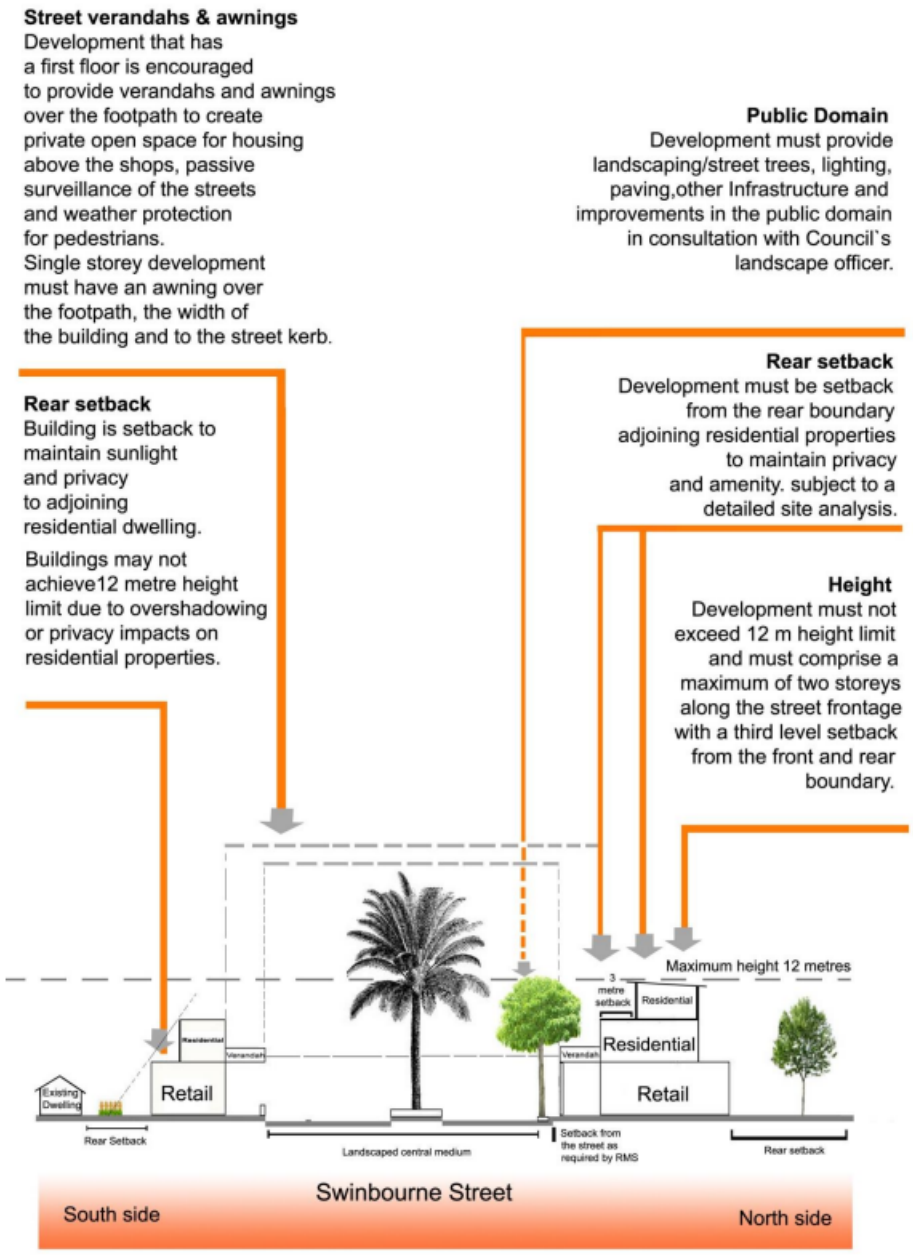


Figure 135: Swinbourne Street Neighbourhood Centre Local Character Statement

Landscaping and Public Domain			
O6.	To promote a viable and attractive Neighbourhood Centre with an improved and safer public domain;	**C11.**	Development must provide landscaping, street trees, lighting, public seating, paving, angled parking and other public domain

Objective		Control	
O7.	To retain existing heritage trees and supplement existing landscaping within the streetscape;		improvements identified by Council, generally in accordance with the diagram above.
O8.	To ensure that access driveways do not dominate the streetscape.	**C12.**	Pedestrian amenity must be enhanced in front of the shops in conjunction with new development.
		C13.	With redevelopment of the shops, landscape planting must be provided along the rear boundary where a site adjoins a residential property, to provide a visual separation between the shops and the residential area.

7.13 Botany South

7.13.1 Description

The Botany South Precinct is bounded by Botany Road to the south and west, Pemberton Street to the east and parts of Rochester, Cranbrook, Tenterden and Aylesbury Streets to the north. The Precinct is zoned predominantly B7 Business Park, with a B4 Mixed Zoned around the periphery of the Precinct. The Precinct is surrounded by land zoned for residential purposes.

The intention of the B4 zone within the Precinct is to act as a buffer between the B7 area and low density residential area and to enhance and protect the amenity of existing residential dwellings while encouraging the centre of the Precinct to be redeveloped with uses including creative industries, light industrial, warehouses and associated offices.

This Part is broken down into the following:

- Provisions applying to land only in the B7 Business Park Zone
- Provisions applying to land only in the B4 Mixed Use Zone



Figure 136: Botany South Land Application Map

7.13.2 Part A - Land in the B7 Business Park Zone

7.13.2.1 Desired Future Character

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

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

7.13.2.2 Controls

Objective		Control	
Land Use			
O1.	To encourage new light industrial, business park and commercial development and associated offices in the Precinct which are compatible with the capacity of the road network in the area.	**C1.**	No new residential dwelling houses are permitted within the B7 Zone though existing residential uses may be maintained and enhanced. Any residential alterations and additions must: i. Improve the appearance of buildings; and ii. Improve the interface and amenity with non-residential uses. **Note**: Caretaker Dwellings which are ancillary to an approved business or industrial use on the site are permitted.
O2.	To retain an employment base in the area which provides flexibility and encourages initiatives to create a unique and innovative working environment.		
O3.	To ensure no new residential development occurs other than development which maintains or enhances existing residential development, to a commensurate scale.	**C2.**	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.
O4.	To facilitate amalgamation and subdivision that results in some small lots, lot boundaries consistent with existing linear pattern and amalgamation where appropriate.		
Vehicle Access and Parking			
O5.	To provide adequate off-street parking and vehicle access that does not visually dominate the streetscape.	**C3.**	Visitor parking shall be located convenient to administration and office areas.
O6.	To encourage developments which do not require large transport vehicles.	**C4.**	For narrow and small lots an area for delivery vehicle access/manoeuvring may be provided within the front setback in order to allow such vehicles to enter and leave in a forward direction provided the minimum landscape requirements are met. **Note**: Refer to the below vehicle access and manoeuvring (narrow lots) diagram for an illustration of the desired outcome.
		C5.	Where there is a cluster of narrow lots, access driveways should be paired so that adjacent properties locate driveways side by side. **Note**: Refer to the below vehicle access and manoeuvring (cluster of narrow lots) diagram for an illustration of the desired outcome.

Objective		Control	
		C6.	Truck movements are to be limited along the pedestrian routes, as shown on the pedestrian route map below, to accommodate and encourage pedestrian movement.
		C7.	No vehicles larger than a Medium Rigid Vehicle are permitted to access the Precinct.

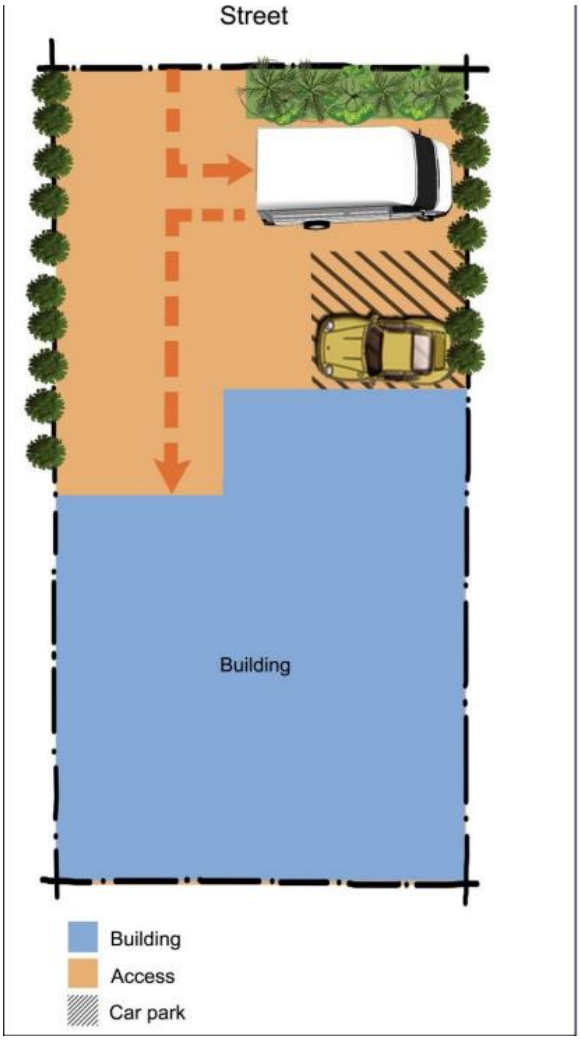


Figure 137: Vehicle access and manoeuvring (narrow lots)

Objective	Control

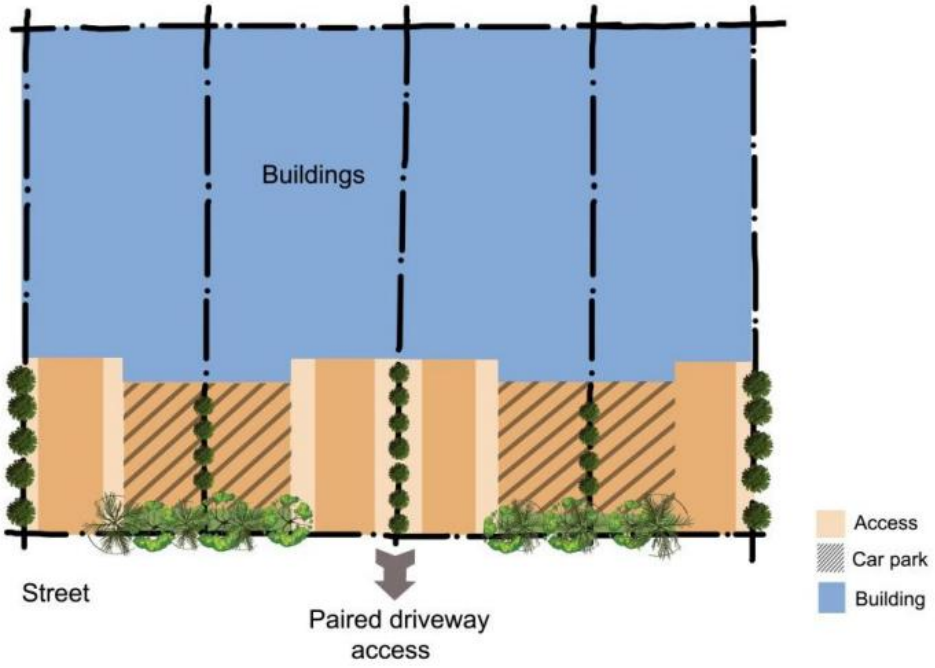


Figure 138: Vehicle access and manoeuvring (cluster of narrow lots)

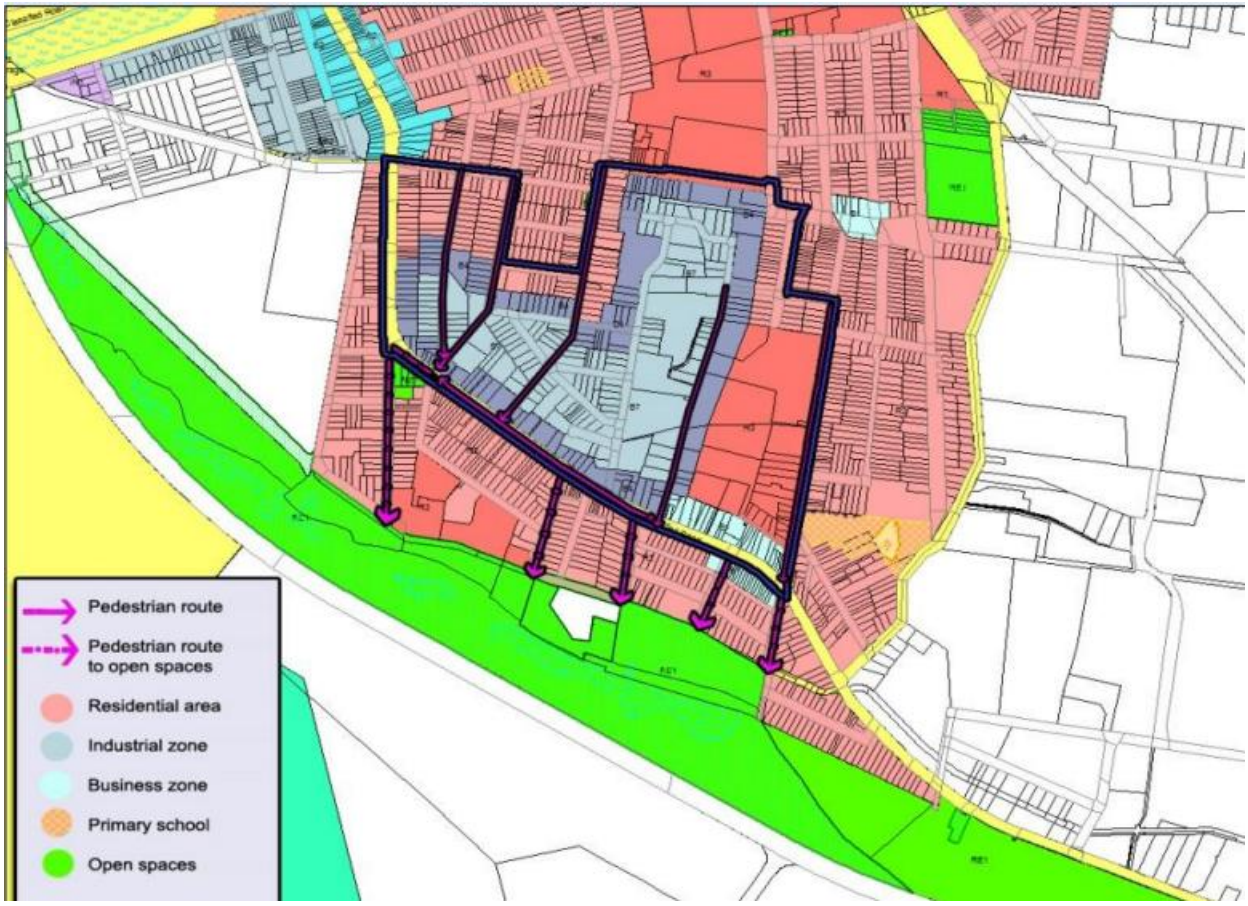


Figure 139: Pedestrian Route Map

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td colspan="4">Built Form: Building Heights and Density</td></tr>
<tr><td>O7.</td><td>To ensure the scale of new buildings is consistent with the Local Character Statement of the street.</td><td>C8.</td><td>Floor space is to be distributed on the site to ensure the scale of the building reinforces the role of the street.</td></tr>
<tr><td colspan="4">Design</td></tr>
<tr><td>O8.</td><td>To ensure that future development contributes to the creation of a high-quality landscape environment in the Precinct.</td><td>C9.</td><td>Setbacks are in accordance with the below table.
<table>
<tr><th>Boundary</th><th>Landscaping setback</th><th>Building setback</th></tr>
<tr><td>Front</td><td>3m</td><td>Merit (Min 6m and 9m for large lots)</td></tr>
<tr><td>Side</td><td>Nil to 3m</td><td>Nil to 3m</td></tr>
<tr><td>Side – adjoining a residential use</td><td>3m</td><td>3m</td></tr>
<tr><td>Rear</td><td>3m</td><td>3m</td></tr>
<tr><td>Rear – small narrow sites</td><td>Nil</td><td>Nil</td></tr>
<tr><td>Rear – adjoining a residential use</td><td>3m</td><td>3m</td></tr>
</table>
Table 23: Development Setbacks

C10. Front setbacks on narrow lots will be considered on merit with consideration of:
a. access and parking
b. appropriate landscaping
c. location of non-industrial uses i.e. office sections
d. presentation to the street

C11. On small frontage sites, buildings (including alterations and additions) may align to the side boundary in all locations except where a residential use is adjoining.

Note: Refer to the below site configuration for narrow frontages diagram for an illustration of the desired outcome.

C12. Narrow frontage sites may locate driveways and loading areas along one boundary but</td></tr>
</table>

Objective		Control	
			only if the boundary does not adjoin a residential use. **Note**: Refer to the below site configuration for narrow frontages diagram for an illustration of the desired outcome.
		C13.	The layout and orientation of buildings on lots greater than 1,000m² shall be in a manner that minimises lengthy or deep areas of car parking along the street frontage. **Note**: Refer to the below site configuration for lots greater than 1,000m² diagram for an illustration of the desired outcome.
		C14.	Offices are to be located to address the street and provide an active street presentation.
		C15.	A Landscape Zone is to be provided adjacent to the front property boundary of no less than 3 m in width. The zone is to accommodate canopy trees to screen and soften buildings and shade parking areas, underplanted with screen planting/hedging up to 1.2 m in height, as per the treatment within the landscape zone diagram. These areas are to be mass planted areas of screen or buffer landscaping using a layered planting design.
		C16.	Existing trees, including Council street trees and trees on neighbouring properties, are to be retained and adequate provision allowed for protection of the primary root zone and canopy when locating new buildings, driveways and parking areas.
		C17.	For existing and new buildings, Council may require landscape improvement or enhancement of existing landscaping or the public domain through provision of: a. street trees b. planter tubs/pots c. new paving d. street furniture e. a specific streetscape planting scheme f. maintenance of the existing streetscape g. reinstatement of landscaping on site in accordance with a previously approved landscape plan

Objective		Control	
		C18.	Architectural features are to be provided at ground level giving an entrance element to the building and addressing the primary street frontage.

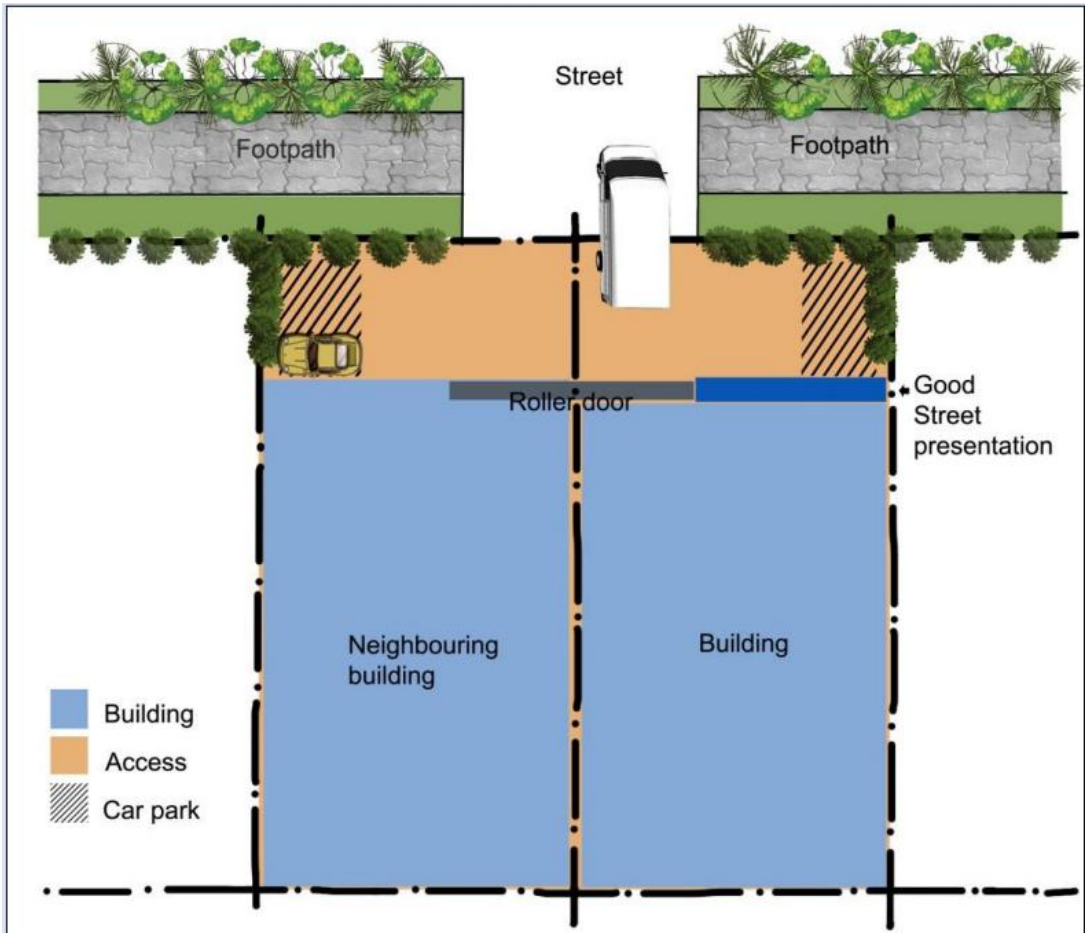


Figure 140: Site configuration for narrow frontages

Objective	Control



Figure 141: Site configuration for lots greater than 1,000m²

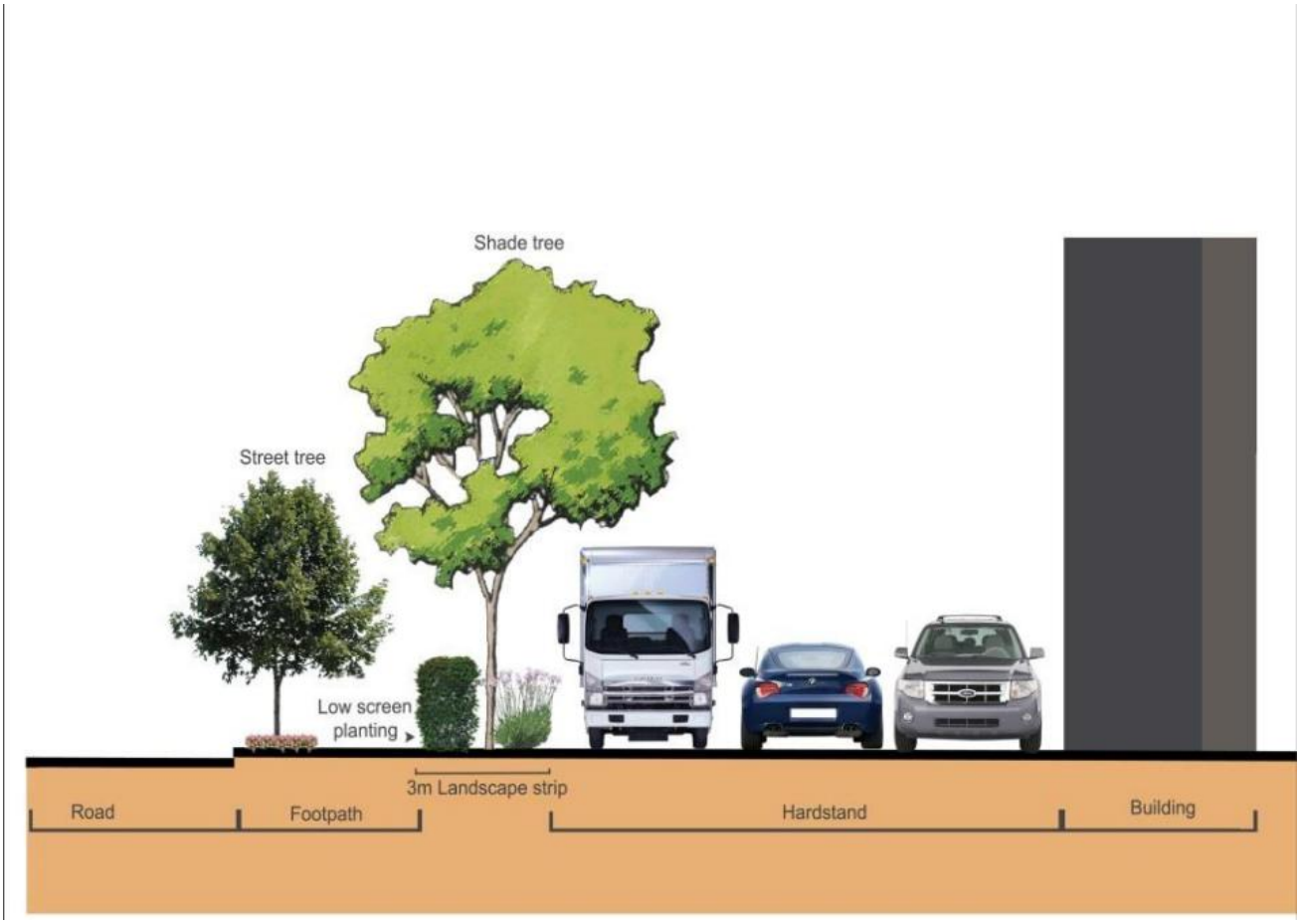


Figure 142: Treatment within the Landscape Zone

Objective		Control	
Operations			
O9.	To mitigate the visual and environmental impacts, including noise, air quality and odour impacts, to nearby residential development.	**C19.**	Hours of operation are limited from 7AM to 7PM, Monday to Friday.
		C20.	New non-residential development is to be designed so that noise producing activities are remote from any residential boundary.
		C21.	Any levels of noise generated from the operations or vehicles associated with the development is to be compatible with adjoining non-residential uses and the requirements of the NSW EPA Environmental Criteria for Road Traffic Noise and Council's adopted noise criteria.
		C22.	Where non-residential development adjoins any land zoned for residential purposes or any premises used for residential purposes, the external walls abutting such development must be constructed in 230mm or 280mm cavity brickwork. Where such walls adjoin land zoned for residential purposes, construction must be in face brickwork.
		C23.	New buildings and alterations and additions, within close proximity to residential uses are to be designed to minimise any adverse effects on the amenity of residential areas by way of overshadowing, overlooking, lighting, dust, noise or fumes.

7.13.3 Part B – Land in the B4 Mixed Use Zone

7.13.3.1 Desired Future Character

The B4 zone within the Botany South Precinct is anticipated to develop into a high quality area of mixed uses featuring medium density housing, low impact commercial and business uses and creative industries. New works in the public domain will be required such as landscaping and pedestrian corridors to improve the amenity of the Precinct and encourage pedestrian movement and live/work opportunities. The redevelopment of this area is to provide a transition from non-residential to surrounding residential uses with the intention of buffering any adverse amenity issues created within the B7 zone.

New residential uses within the B4 – Mixed Use zone need to ensure that through site layout and building design, any impacts from the B7 zone are adequately mitigated. This Area is affected by 20 to 25 and 25 to 30 ANEF Contours and road traffic noise which must be considered through development.

The Mixed-Use Zone area has three distinct areas (Areas 1, 2 and 3) with varying interfaces and Desired Future Characters. Controls for all development, as well as development specifically within Areas 1, 2, and 3, are provided in this Section.

7.13.3.2 Controls – All Areas

Objective		Control	
O1.	To encourage residential development that co-exists and provides a transition from non-residential uses to low scale residential and provides a safe and liveable environment.	**C1.**	Where development adjoins or is adjacent to residential uses the development must not detrimentally affect the amenity of residential uses by way of: a. Scale and size; b. Floorspace ratio; c. The size and number of vehicle movements; d. Noise; e. Air and water pollution; and f. Any other negative environmental impact.
O2.	To encourage live/work opportunities which will emit low level of noise and minimises operating hours.	**C2.**	Residential development shall be designed and demonstrate that it will not be detrimentally impacted by any non-residential uses in the vicinity.
O3.	To ensure there are no land use conflicts on the interface between the non-residential and residential uses.	**C3.**	Internal habitable rooms of dwellings within the B4 Mixed Use Zone which are affected by high levels of external noise are to be designed to achieve internal noise levels of 50dBA maximum. Development Applications which contain residential accommodation are to be accompanied by a noise assessment prepared by a qualified acoustic consultant addressing the following: a. the noise requirements of the NSW Infrastructure SEPP in terms of road traffic noise b. the noise and vibration requirements of the residential accommodation (refer to Part 4.3.3 of this DCP) c. conduct detailed site attended audits during the day, evening and night periods to identify and assess noise from activities associated with the B7 Zone d. assess noise from ground activities including aircraft take-off's and landing's at Sydney Airport referenced to each floor of the proposed building e. where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport) the acoustical assessment is to take into account noise from the operations of Port Botany f. confirm noise exposure levels for each floor of the proposed residential building g. confirm building noise controls for internal noise levels to satisfy the recommended noise criteria

Objective		Control	
		C4.	New residential buildings which adjoin the B7 zone should be designed to accommodate and minimise any adverse effects on the amenity of residential areas by way of overlooking, lighting, dust, noise, or fumes.

7.13.3.3 Controls - Area 1 – Botany Road

Area 1 fronts Botany Road to the south, adjoins land within the B7 zone to the north and low density residential dwellings to the south. In Area 1 residential is not permitted at ground floor. The ground floor of development must contain a complementary non-residential use that is permissible within the B4 Zone (see the Bayside Local Environmental Plan 2021 Active Street Frontages Map).

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

Objective		Control	
General			
O1.	To encourage live/work opportunities.	**C1.**	The ground floor of development must contain complementary non-residential uses permissible in the B4 zone. Residential uses are only permitted at first floor and above.
O2.	To encourage low scale mixed use development with residential at first floor and a range of compatible vibrant uses such as shops, professional offices, and studio/workshops at ground floor, which are not impacted by adjoining industrial and commercial uses and that do not impact on adjoining and adjacent residential amenity.	**C2.**	Residential alterations and additions must: a. improve the appearance of buildings b. improve the interface and amenity with non-residential uses
O3.	To promote the amalgamation of small sites to deliver better quality development and adequate on-site parking.	**C3.**	The ground floor level of a mixed use development that relates to the active street frontage must be predominantly used for commercial uses or other street activating uses.
O4.	To create a focus for a wide variety of businesses that offer employees and visitors a lively and attractive environment, becoming more than just a ‘place of work’ but one that compliments and connects business activities with each other.	**C4.**	Amalgamation of sites is encouraged to reduce the number of access points from Botany Road.
		C5.	A change of use must not result in a significant impact on adjoining or nearby properties, in particular adjoining residential uses or on traffic movements within the locality.
		C6.	Fences are not encouraged within the Area as fencing is not a typical characteristic of the area. However, if required, fencing shall not be: • Higher than 1m for residential uses • Higher than 1.5m (with over 50% to be transparent) for non-residential uses.

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td colspan="4">Building and Site Layout</td></tr>
<tr><td>O5.</td><td>To promote and encourage a high design quality of buildings.</td><td>C7.</td><td>Car parking, landscaping and non-residential uses are to be located at the rear of the property to provide a buffer between the B4 and B7 zones.

C8. On small frontage sites, buildings may align to the rear and side boundary in all locations except where a residential use or zone adjoins.

C9. Setbacks are in accordance with the below table.

<table>
<tr><th>Boundary</th><th>Landscaping setback</th><th>Building setback</th></tr>
<tr><td>Front</td><td>4m</td><td>7m</td></tr>
<tr><td>Side</td><td>Nil to 1.5m</td><td>Nil to 1.5m</td></tr>
<tr><td>Side – adjoining a residential use / zone</td><td>3m</td><td>3m</td></tr>
<tr><td>Rear</td><td>Nil to 3m</td><td>Nil to 3m</td></tr>
<tr><td>Rear – adjoining a residential use / zone</td><td>3m</td><td>6m</td></tr>
</table>
Table 24: Boundary Setbacks

C10. Building setbacks must form a continuous and consistent alignment.

Note: Awnings and verandas along classified roads should be set back a minimum of 1.5m from the kerb.

Awnings and verandas along local roads that intersect with classified roads should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the intersection with the classified road.

At any signalised intersections (on local roads or classified roads), awnings and verandas should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the signalised intersection.</td></tr>
<tr><td colspan="4">Parking and Access</td></tr>
</table>

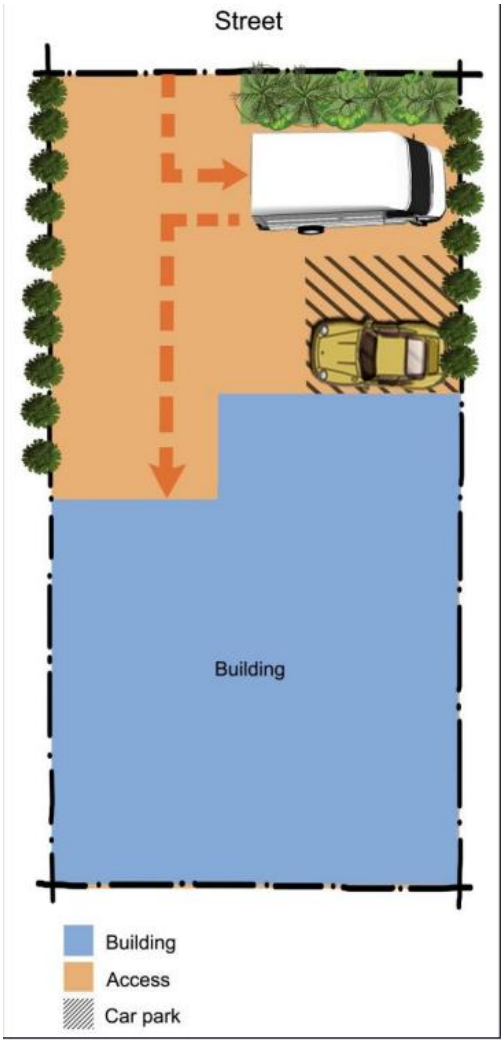
Objective		Control	
O6.	To limit access points from Botany Road.	**C11.**	Access driveways should be paired so that adjacent properties locate driveways side by side to reduce the number of access points.
O7.	To encourage the provision of parking, vehicular access and servicing areas that provide a buffer between residential and non-residential uses and pleasant, safe and provide a shared working environment.	**C12.**	Loading and unloading must not detract from the amenity of nearby residential uses.
		C13.	New manoeuvring areas and parking areas facing existing residential areas are not permitted due to noise resulting from such activities.
		C14.	Any commercial car parking must be conveniently located and identified.
Landscaping			
O8.	To retain existing trees both inside and outside the site and provide suitably proportioned areas of well-designed landscaping on each development site.	**C15.**	A suitable area of dense landscape planting is required in the rear setback to provide a buffer between the B4 and B7 zones including landscaping of car park areas to achieve a high level of amenity which will screen the development from residential areas.
		C16.	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.
Residential Interface			
O9.	To ensure non-residential development is sympathetic with the streetscape character and maintains the amenity of surrounding residential development.	**C17.**	Where a site contains or adjoins a residential use or property, Council shall require the applicant to provide shadow diagrams prepared by a suitably qualified person. These shadow diagrams shall: a. show the shading effects of a proposal on adjoining residential properties or the public domain b. be based on a survey of the site and adjoining development c. be prepared at 9.00AM, 12.00PM and 3.00PM at 21st June (winter solstice)
O10.	To ensure that the proposed development is designed to minimise the impact of noise and vibration from uses within the B7 zone and external sources.		
O11.	To ameliorate conflicts on the interface between the non-residential and residential uses.	**C18.**	Site lighting for building security and staff safety must be directed so as to not cause annoyance to neighbours, residents or glare to passing motorists.
O12.	To provide a buffer between residential and non-residential uses and zones in the form of building design and through high quality landscaping.	**C19.**	Walls of buildings adjacent to residential uses are to make use of non-reflective colours and materials to avoid glare on residential areas (especially balconies). The walls are to be treated aesthetically as well as acoustically. Window placement and/or tall trees should be

Objective		Control	
			considered as ways to protect privacy, reduce noise, and light pollution.
		C20.	On small frontage sites, buildings may align to the rear and side boundary in all locations except where a residential use or zone adjoins. 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 9.00AM and 3.00PM during 21st June.
		C21.	New development is to be designed so that noise-producing activity is remote from the interface boundary.

7.13.3.4 Controls - Area 2

Objective		Control	
General			
O1.	To encourage live/work opportunities.	**C1.**	The ground floor of development must contain complementary non-residential uses permissible in the B4 zone. Residential uses and live/work are only permitted at first floor and above.
O2.	To encourage improvements to the Public Domain.		
O3.	To ensure development is environmentally compatible and respects the non-residential and residential uses.	**C2.**	Where residential development is proposed to adjoin the B7 zone, the proposed development must be designed and demonstrate that it will not be detrimentally impacted by any non-residential uses in the vicinity.
O4.	To ensure proposed development is designed to minimise the impact of noise and vibration from uses with the B7 zone.	**C3.**	Residential alterations and additions must improve the appearance of buildings and the interface and amenity with non-residential uses.
O5.	To ensure the protection and viability of the Botany Local Centre and Banksmeadow Neighbourhood Centre.	**C4.**	If required, fencing shall not be: • Higher than 1m for residential uses; • Higher than 1.5m (and over 50% must be transparent) for non-residential uses.
Building and Site Layout			
O6.	To ensure building setbacks achieve a comfortable street environment through	**C5.**	On small frontage sites, buildings may align to the rear and side boundary in all

<table>
<tr><th colspan="2">Objective</th><th colspan="2">Control</th></tr>
<tr><td></td><td>the provision of sunlight, scale, sense of enclosure and landscaping.</td><td></td><td>locations except where a residential use or zone adjoins.</td></tr>
<tr><td>O7.</td><td>To ensure that future development contributes to the creation of a high-quality landscape environment in the Precinct.</td><td>C6.</td><td>Development shall avoid long blank walls facing the street and adjoining residential uses.</td></tr>
<tr><td>O8.</td><td>To manage the transition in building use and scale from low-scale residential, multi-use areas and business park uses.</td><td>C7.</td><td>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.</td></tr>
<tr><td>O9.</td><td>To maintain the scale of streets as incremental change occurs.</td><td>C8.</td><td>Setbacks are to be in accordance with the below table.
<table><tr><th>Boundary</th><th>Landscaping setback</th><th>Building setback</th></tr><tr><td>Front</td><td>3m</td><td>Merit (Min 6m and 9m for large lots)</td></tr><tr><td>Side</td><td>1m to 1.5m</td><td>1m to 1.5m</td></tr><tr><td>Side – adjoining a residential use / zone</td><td>3m</td><td>3m</td></tr><tr><td>Rear</td><td>Nil to 3m</td><td>Nil to 3m</td></tr><tr><td>Rear – adjoining a residential use / zone</td><td>3m</td><td>3m</td></tr></table>Table 25: Boundary Setbacks</td></tr>
<tr><td colspan="4">Parking and Vehicular Access</td></tr>
<tr><td>O10.</td><td>To encourage the provision of parking, vehicular access and servicing areas that provide a buffer between residential and non-residential uses are pleasant, safe and provide a shared working environment.</td><td>C9.</td><td>For delivery vehicle access/manoeuvring on narrow and small lots in the area, car parking may be provided within the front setback in order to allow such vehicles to enter and leave in a forward direction (refer below) provided minimum landscape requirements are met.</td></tr>
<tr><td></td><td></td><td>C10.</td><td>Any commercial car parking must be conveniently located and identified.</td></tr>
</table>

Objective		Control	
 **Figure 143: Parking and Vehicular Access**			
Storage			
O11.	To provide a high level of pedestrian amenity and create a vibrant and safe precinct.	**C11.**	Any open storage areas shall be effectively screened and shall harmonise with existing or proposed landscaping to prevent the storage area being viewed from a public road, nearby public reserve or adjoining residential property. Specific details of the materials to be stored external to the building shall be lodged with the Application.
		C12.	Storage areas are not permitted to be located within the landscaped setbacks or areas.
Landscaped Area			
O12.	To retain existing trees both inside and outside the site and provide suitably proportioned areas of well-designed landscaping on each development site.	**C13.**	The landscaped setback zone is to accommodate canopy trees to screen and soften buildings and to shade parking areas, underplanted with screen

Objective		Control	
			planting/hedging up to 1.2 metres in height (refer to figure below). These areas are to be mass planted areas of screen or buffer landscaping using a layered planting design (refer to Council's Landscaping Technical Guidelines for Development Sites).
		C14.	Site planning is to allow for the retention of significant trees and vegetation, particularly near the street frontage.

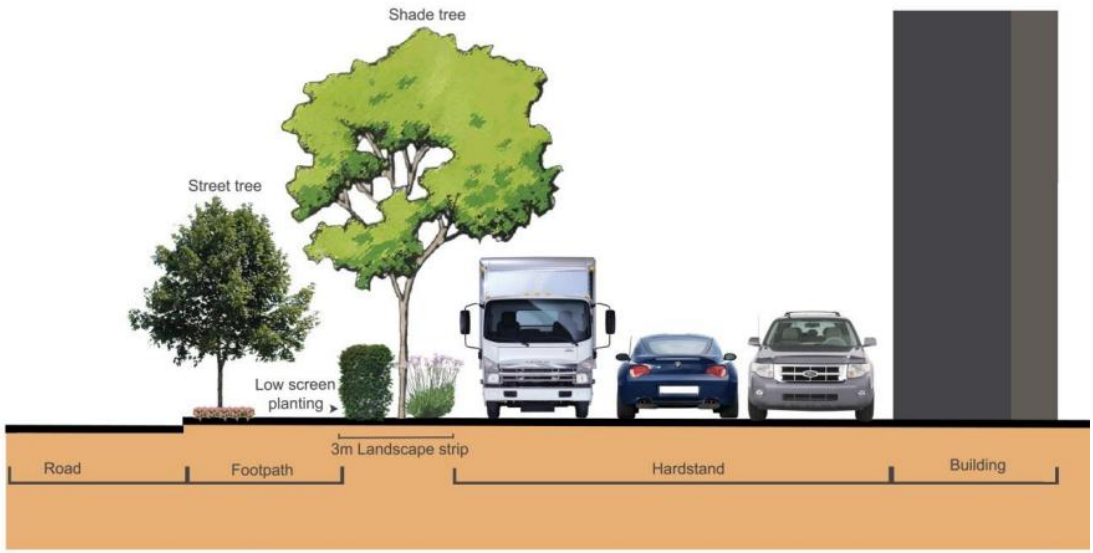


Figure 144: Trees and Vegetation Near Street Frontage

Interface of Mixed Use and Residential Development			
O13.	To ameliorate land use conflicts on the interface between the non-residential and residential uses.	**C15.**	Loading and unloading must not detract from the amenity of nearby residential uses.
		C16.	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.
O14.	To ensure development encourages a mix of uses that co-exist and provide a transition from non-residential uses to residential uses through development which emits low levels of noise, provides high level of privacy for residential and minimises operating hours.	**C17.**	Site lighting for building security and staff safety must be directed so as to not cause

Objective		Control	
			annoyance to neighbours, residents or glare to passing motorists.
		C18.	Walls of buildings adjacent to residential uses are to make use of non-reflective colours and materials to avoid glare on residential areas (especially balconies). The walls are to be treated aesthetically as well as acoustically. Window placement and/or tall trees should be considered as ways to protect privacy, reduce noise and light pollution.
		C19.	Windows of habitable rooms and the private open space of adjoining dwellings shall not have sunlight reduced to less than 2 hours between 9.00AM and 3.00PM at 21st June as a result of development. **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.

7.13.3.5 Controls - Area 3 – Aylesbury Street

Objective		Control	
General			
O1.	To encourage residential development that co-exists and provides a transition from non-residential uses to low scale residential and provides a safe and liveable environment.	**C1.**	Development in this area is to be for residential purposes. Live/work opportunities are encouraged that can co-exist with residential uses.
O2.	To encourage live/work opportunities which will emit low level of noise and minimises operating hours.	**C2.**	Residential development shall be designed and demonstrate that it will not be detrimentally impacted by any non-residential uses in the adjoining B7 Zone.
O3.	To ensure there are no land use conflicts on the interface between the non-residential and residential uses.		

7.14 Page Street Neighbourhood Centre

7.14.1 Centre Description

The Page Street Neighbourhood Centre is located on a level section of Dalley Ave, Pagewood. It currently consists of a red brick two storey development with five ground floor shops and residential dwellings on the first floor (refer to **Figure 145**). The Centre is located across the road from Pagewood Primary School.

Other development in the vicinity consists of single-family dwelling houses and a variety of older style three storey residential flat buildings and is also located on the edge of an industrial zone. The centre currently services the local residents, the school community and factory workers.



Figure 145: Page Street Neighbourhood Centre Land Application Map

7.14.2 Desired Future Character

The Page Street Neighbourhood Centre is anticipated to develop into a high quality Neighbourhood Centre with a balanced mix of retail, commercial, community and residential uses which cater for the needs of the local community. If the existing Centre is redeveloped in the future, consolidation of the five existing allotments is required and vehicular access must be from the rear of the centre, preferably to a basement car park. Public domain improvements, such as landscaping, lighting of the pedestrian walkway, provision of a shared zone in the rear laneway and a pedestrian crossing in Holloway Street would be required with any future redevelopment of the centre.

7.14.3 Controls

Objective		Control	
Land Use			
O1.	To support a variety of local retail, commercial and residential development.	**C1.**	Redevelopment of the Page Street Neighbourhood Centre is contingent upon the consolidation of the five existing allotments and the provision of the public domain improvements identified by Council, generally in accordance with the Local Character Statement diagrams below.

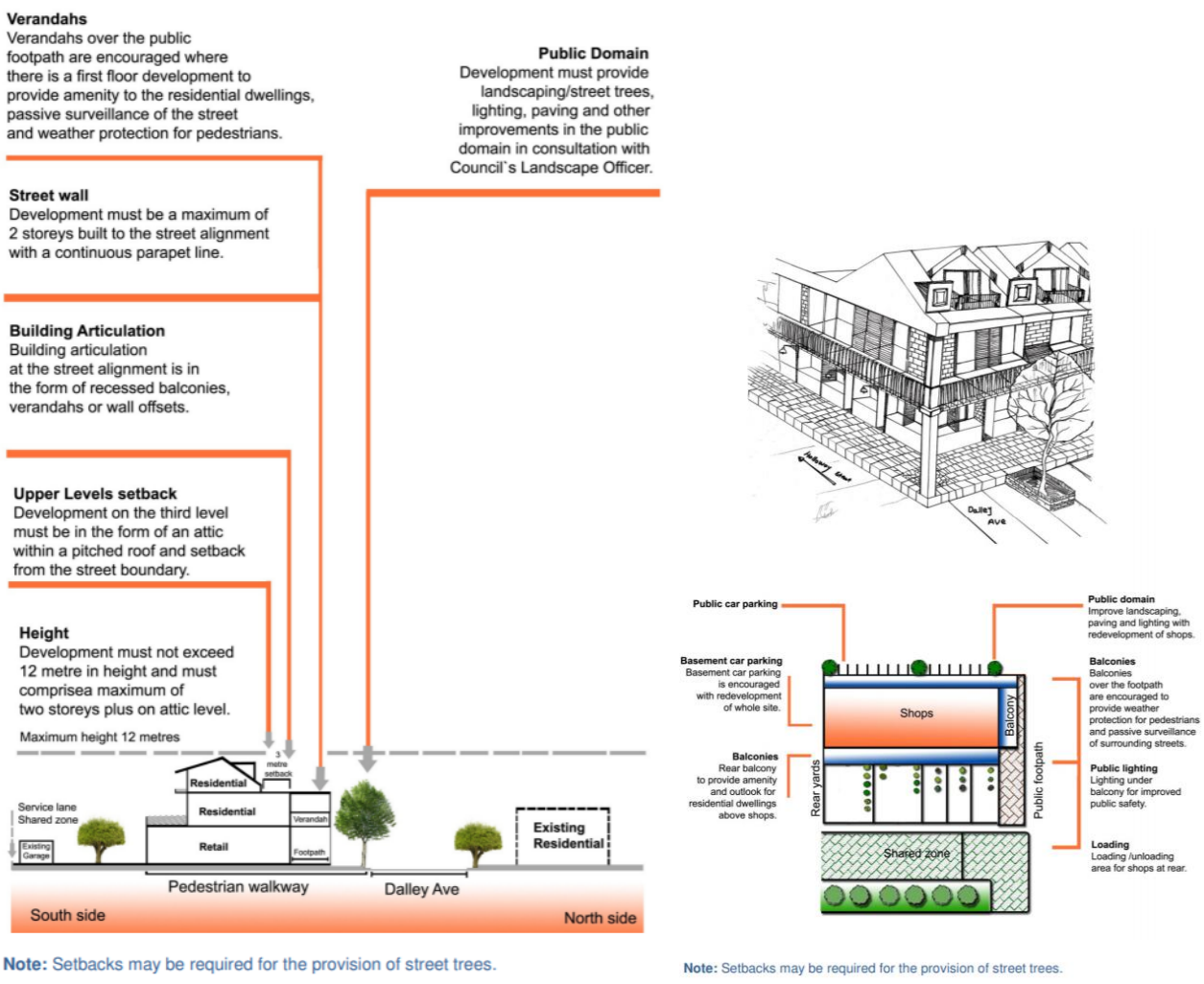


Figure 146: Page Street Neighbourhood Centre Desired Future Character

O2.	To achieve an integrated redevelopment outcome along Dalley Avenue.	**C2.**	Redevelopment of the centre requires site amalgamation generally in accordance with the site amalgamation diagram below to avoid inappropriate lot consolidation patterns that would isolate and unreasonably restrict redevelopment on a single lot.

Objective		Control	
Figure 147: Redevelopment of the centre			
 Redevelopment requires site amalgamation in accordance with the defined amalgamation parcel (A).			
Road Network and Vehicular Access			
O3.	To minimise the visual impact of vehicular access and servicing from the street and prioritise pedestrian connections.	**C3.**	Vehicular access must be from the rear laneway and not from Dalley Avenue. If the five allotments (where the shops are currently located) are redeveloped as a consolidated site, basement parking is required to be provided.
		C4.	Where a rear laneway exists loading and unloading must occur from the laneway.
		C5.	Development must maintain the pedestrian links to Holloway St and Wentworth Ave.
		C6.	A paved shared zone is to be provided in the rear laneway to create a safer environment for pedestrians and create a better connection with the park at the rear of the centre.
Built Form: Building Heights and Density			
O4.	To ensure building height is compatible with that prevailing in the centre through alignment of the street wall.	**C7.**	Notwithstanding the 12m height limit, buildings are to have a maximum street wall height of 2 storeys, with a third attic level permitted where it is within a pitched roof form.
Street Character and Development Setbacks			

Objective		Control	
O5.	To retain and conserve the shopping strip and encourage a viable and attractive neighbourhood centre with an improved and safer public domain.	**C8.**	Pedestrian amenity and connectivity must be enhanced in conjunction with new development. Lighting above the existing walkway to Holloway Street and provision of a verandah over the footpath is encouraged to provide weather protection and passive surveillance of the street. A new pedestrian crossing in Holloway Street is to be provided in the redevelopment.
O6.	To allow sympathetic redevelopment and to improve the architectural quality of building stock.	**C9.**	All development must address the street frontage.
O7.	To encourage footpath dining.	**C10.**	The design must encourage active street life while providing a high residential amenity and small scale shops that will serve the local community.
O8.	To encourage development of awnings as balconies for dwellings above shops (to improve dwelling access to private open space and promote passive surveillance).	**C11.**	The design of development must be generally consistent with the Local Character Statement of the centre identified in the Local Character Statement diagrams above.
		C12.	Footpath dining is allowed where it is safe (generally 2m from the kerb). Development where possible is to provide connections to the open space area at No. 2a Baker Street.
		C13.	Maintain limited advertisements and business signage to minimise visual impact on the residential area.
		C14.	Restrict signage to the awning fascia, under the awning or behind the shop window at street level.

7.15 Banksmeadow Industrial Precinct

7.15.1 Description

The Banksmeadow Industrial Precinct is located in the eastern portion of the LGA, and as indicated below only the following parts are zoned under the *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 81 Holloway Street, Banksmeadow; and
- B5 Business Development and B7 Business Park along Denison, Smith and Rhodes Streets Hillsdale.

The nature of uses, large allotment sizes and consolidated ownership of industrial landholdings in the Precinct are significant on a local government area and sub-regional basis. This Precinct is largely bordered by residential uses, and apart from hazard, risk and environmental conflicts, the visual impact of

any development is a major consideration. Conflicts between the industrial and residential uses (including industrial traffic in residential streets) are considered a significant problem in the area.

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.

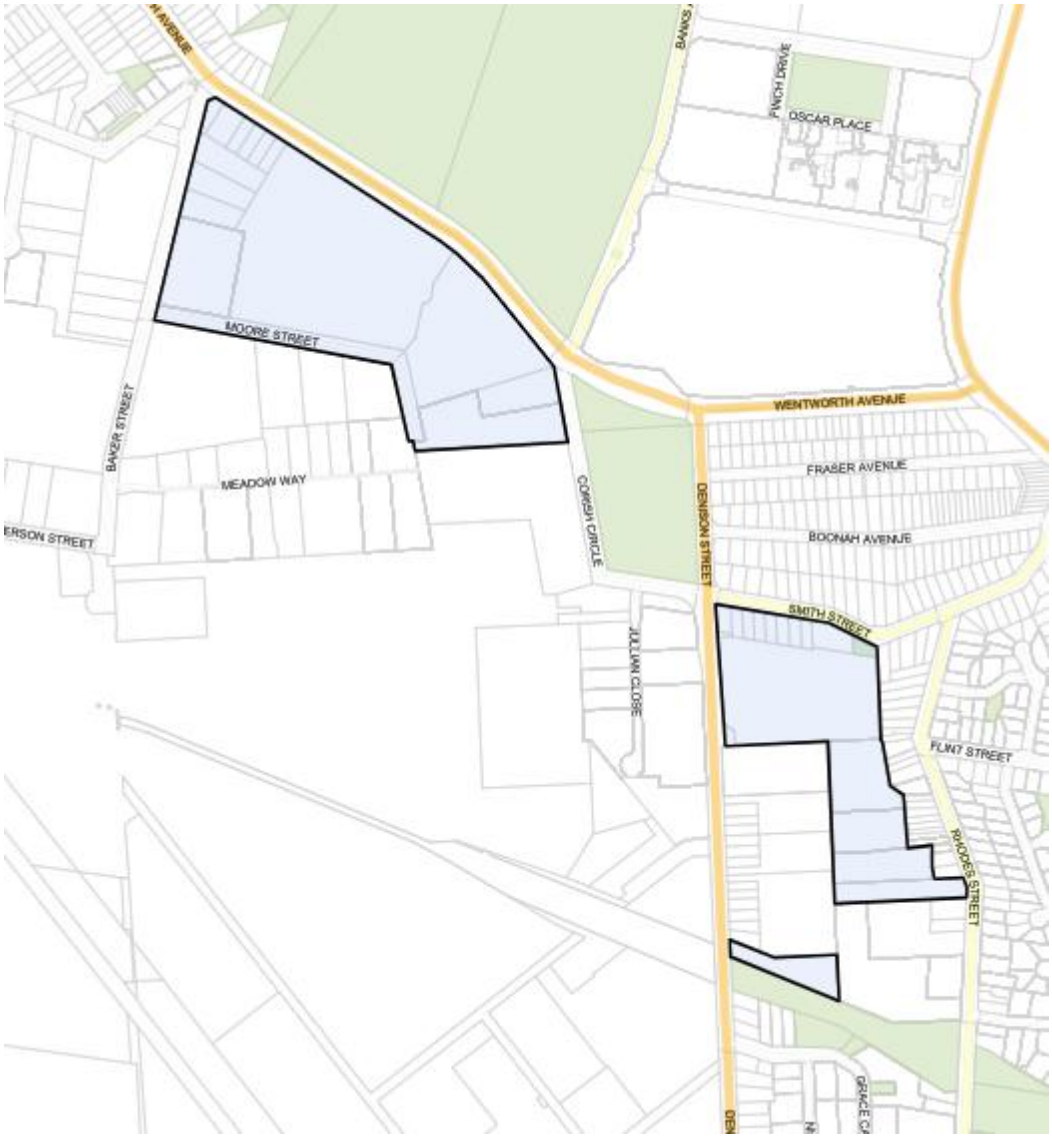


Figure 148: Banksmeadow Precinct Land Application Map

7.15.2 Desired Future Character

The Banksmeadow Industrial Precinct will develop generally as an industrial area, with ancillary office components fronting the road and any adjoining residential area. Industrial uses will be compatible with adjoining established residential areas and any risk to human health, property or the natural environment arising from development will be minimised.

7.15.3 Controls

Objective		Control	
General			
O1.	To encourage the office component of industrial development to front the road or any adjoining residential area.	**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 semitrailers.
O2.	To ensure that industrial uses are compatible with adjoining established residential areas.	**C2.**	Developments in 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.
O3.	To ensure that development can withstand the stresses of flooding and sea level rise and does not adversely impact flooding.	**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, air quality, odour and any other pollution and risk.
		C6.	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.
		C7.	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).
		C8.	Development shall: i. Have finished floor levels of a minimum 500mm above the 1 in 100 year flood level

Objective		Control	
			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.
		C9.	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.
		C10.	The maximum size of vehicle accessing Smith Street and Rhodes Street is restricted to Medium Rigid Vehicles (MRV) as defined by AS2890.2.
Risk			
O4.	To ensure that any risk to human health, property or the natural environment arising from the operation of the development is minimised and addressed.	**C11.**	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.
O5.	To ensure that existing pipelines are identified and protected during the development process.	**C12.**	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.
		C13.	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.
		C14.	If a site fronts Denison Street a Transport Risk Assessment Report is required to be lodged with Council.
		C15.	A Risk Assessment Evaluation is required for development in this precinct.

7.16 Hillsdale Local Centre

7.16.1 Description

The Hillsdale Local Centre is occupied by the multi storey Southpoint Shopping Centre, residential tower and associated car parking areas; and a mix of one, two and three storey commercial and residential buildings. The building stock around the Hillsdale Local Centre is represented by predominantly three storey residential flat buildings to the west and south and dwelling houses to the north.

The Hillsdale Local Centre is already substantially developed, with Southpoint Shopping Centre occupying a majority of the Centre. Development of the remaining allotments in Bunnerong Road and Flint Street can only occur if the parcels are amalgamated in accordance with **Figure 150** and vehicular access is from either the right of way at the rear of the Bunnerong Road properties or from Flint Street.

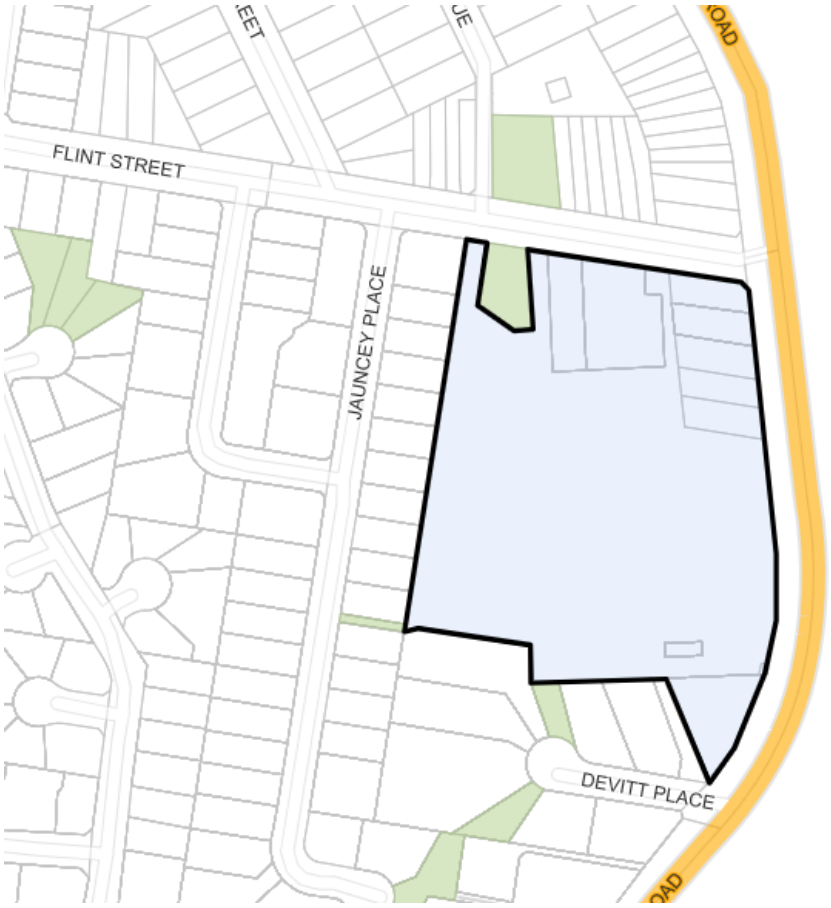
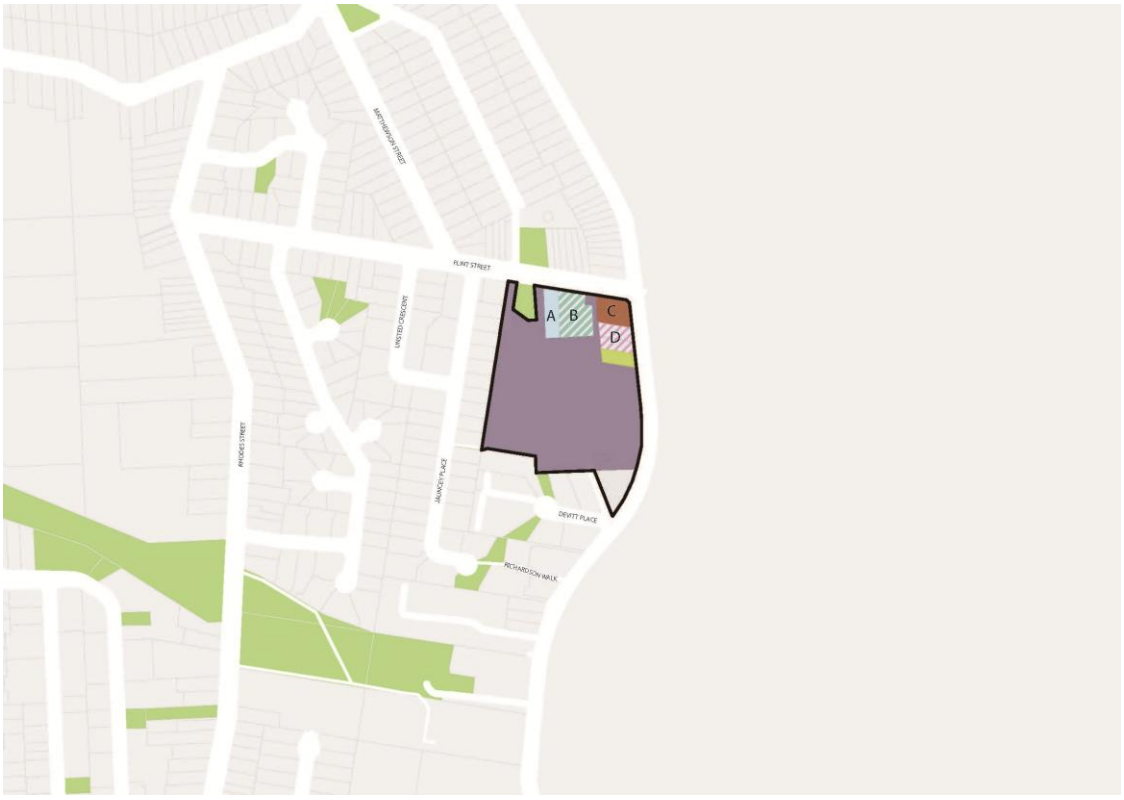


Figure 149: Hillsdale Local Centre Land Application Map

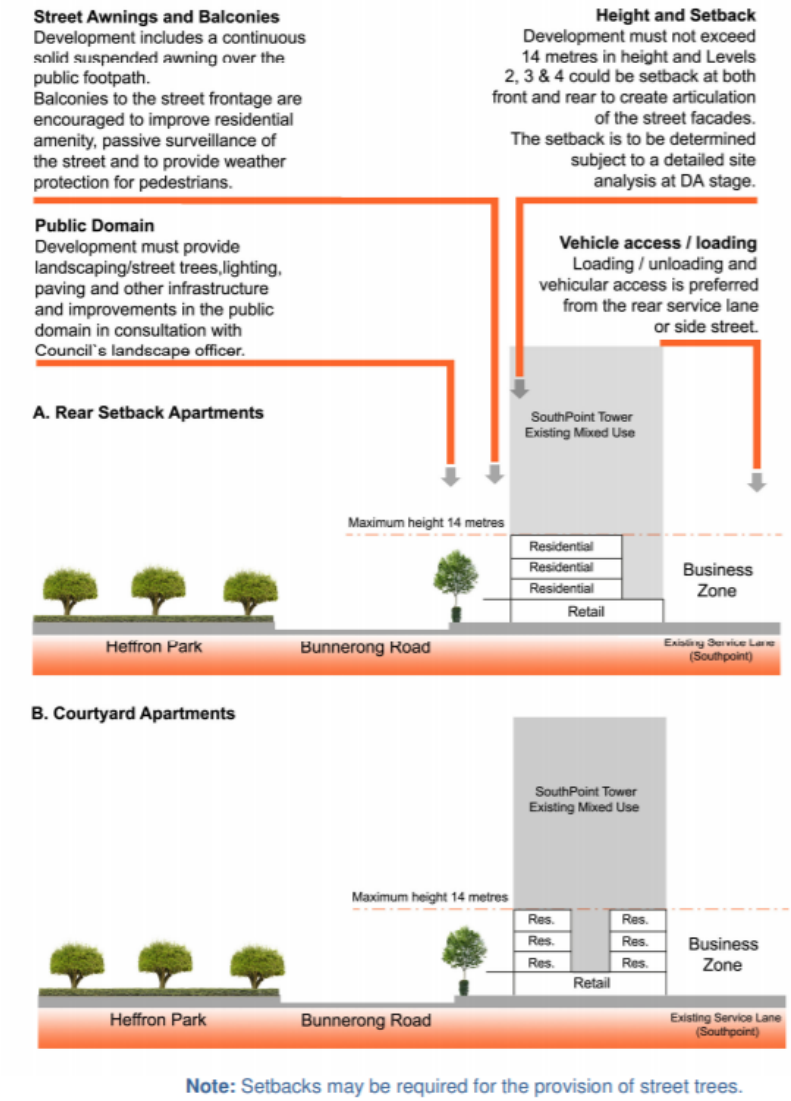
7.16.2 Desired Future Character

The Hillsdale Local Centre is already substantially developed, with Southpoint Shopping Centre occupying a majority of the Centre. Development of the remaining allotments in Bunnerong Road and Flint Street can only occur if the parcels are amalgamated and vehicular access is from either the right of way at the rear of the Bunnerong Road properties or from Flint Street. Those properties along Flint Street are to provide a landscaped front setback, paving/landscaping of the footpath and passive surveillance of the street to improve the visual amenity and safety of the Centre where it abuts the low density residential area.

7.16.3 Controls

Objective		Control	
Land Use			
O1.	To encourage site consolidation.	**C1.**	Redevelopment is encouraged through logical lot consolidation of sites and infill development in accordance with the site amalgamation diagram below. Avoid inappropriate lot consolidation patterns that would isolate and unreasonably restrict redevelopment on a single lot.
 **Figure 150: Hillsdale Local Centre Lot Consolidation Map**			
Road Network and Vehicular Access			
O2. **O3.**	To minimise vehicular access and servicing from the primary road frontage and provide sufficient on-site car parking. To enhance pedestrian connectivity, access, and safety within the Centre.	**C2.** **C3.**	Vehicular access to the development sites in Bunnerong Road is preferred from the existing carriageway at the rear of the properties or alternatively from Flint Street. This may require negotiation with the adjoining Southpoint Shopping Centre. Where a rear laneway exists loading and unloading must occur from the laneway. All loading and unloading is to be carried out on the site.
Built Form: Building Heights and Density			
O4.	To retain a coherent streetscape and a consistent street wall and parapet line.	**C4.**	Building height at the street frontage is a maximum of 2 storeys with level 3 and 4 to

Objective		Control	
			be setback from the front and rear boundary, subject to a detailed site analysis at Development Application stage.
Street Character and Development Setbacks			
O5.	To encourage a viable and attractive Local Centre by improving the public domain and the public/private interface.	**C5.**	Development must provide landscaping, street trees, decorative fencing, lighting, public seating, paving and other public domain improvements identified by Council, generally in accordance with the Local Character Statement diagram below.
		C6.	The design of development must be generally consistent with the Local Character Statement of the centre identified in the Local Character Statement diagram below.



Note: Setbacks may be required for the provision of street trees.

Figure 151: Local Character Statement Diagram

Objective		Control	
O6.	To retain existing trees and provide additional landscaping within the streetscape.	**C7.**	Existing street trees must be retained and supplemented with new planting where required by Council's Landscape Officer.
O7.	To allow reasonable redevelopment and to improve the architectural quality of building stock.	**C8.**	Contemporary architectural design solutions are encouraged; however, designs will need to demonstrate that they will not lead to a replacement or diminution of a street's existing character. Council encourages diversity in building designs provided that development outcomes complement the existing character of the suburb.
O8.	To ensure that dwellings within a mixed-use development provides passive surveillance, resident interaction and amenity and addresses the street.		
O9.	To improve and extend the pedestrian environment and to encourage appropriate active outdoor uses that address the street, such as retail and outdoor dining.	**C9.**	A building setback along Flint Street is required to provide landscape planting along the front boundary, paving of the footpath and passive surveillance of the street to improve the visual amenity and safety of the low-density residential area opposite. This planting could also provide an attractive outlook for active uses such as outdoor dining which could adjoin the landscaped frontage.
		C10.	Developments must be designed to: a. promote uses that attract pedestrian traffic along the ground floor street frontages b. provide an active street edge c. provide opportunities for active uses such as outdoor dining d. improve the safety and amenity of the Business Centre
		C11.	Developments on sites with two or more frontages must address both frontages, to promote, add prominence and diversify the streetscape.

7.17 Daceyville

7.17.1 Description

Daceyville, or Dacey Garden Suburb as it was known originally, is historically, aesthetically, and socially significant, and significant for its historical associations to the former City of Botany Bay, the current Bayside LGA, the state of New South Wales, Australia and potentially internationally.

At the national and international level, the Dacey Garden Suburb manifests the physical and social values that marked the understandings of a model settlement in the earliest years of the international town planning movement. This movement is strongly associated both with the maturity of the Industrial Age and the recognition of its concomitant social impacts caused by pollution and overcrowding; and then by the significant social, economic and political ramifications following WW1.

Dacey Garden Suburb demonstrates a very high level of significance as a model suburb designed by a series of Australia's leading architects, including several of its pioneering town planners, in response to the need for a healthy living environment for the working classes. It is the international prototype of its type, being the first example in Australia of the translation of the principles of the 'Garden City' into the lower density and suburban context of the 'Garden Suburb'.

The physical manifestation of the earliest principles of town planning remain clearly legible in the disciplined and cohesive form of the suburb; including its clearly defined radial street pattern which has established streetscapes of both grand and intimate scale with both axial and evolutionary elements.

The design of Daceyville's housing represents a sophisticated interpretation of stylistic consistency through a 'pattern book' approach to the individual design of buildings within the suburb regardless of purpose which is made notable through the templates being the work of skilled architects; in a setting that continues to provide evidence of the importance placed on the provision of open space in both public and private domains through building setbacks and controls over development including both alterations and additions. The consistency of built forms and detailing has survived and resulted in a precinct with a notable physical, spatial and landscape integrity. Later layers of change, including the recent introduction of infill development, has respected these original town planning principles, which illustrates their ongoing relevance and validity to contemporary town planning.

The ongoing purpose of Dacey Garden Suburb as a place for public housing continues to demonstrate the community's commitment following WW1 to provide quality accommodation in a healthy environment for the less fortunate in the community. Dacey Garden Suburb is the earliest model suburb in the world to have been built for this purpose and to have remained managed and occupied as social housing.

The more recent infill development by the Department of Housing has largely retained the integrity of the historic cultural landscape and now makes a valid contribution to the contemporary heritage values of the area. It not only provides demonstrable evidence of the ongoing community need for housing for low-income earners, but the form and density of this infill development is the result of the esteem in which both the subdivision and original housing is held by local residents the wider community, including significant community groups such as the National Trust (who had recorded the suburb as a historically significant precinct as early as 1978) and professional bodies of urban planners and architects; who together protested successfully against the original proposal for extensive demolition of the original fabric and its replacement by high density housing in the 1980s.

Character Statement

The character of the Daceyville HCA is made up of Federation Arts and Crafts cottages constructed between 1910 and 1920, with some commercial buildings. Existing housing stock is a combination of single-storey cottages, semi- detached dwellings, and town houses.

This character should be preserved and retained through the retention of contributory buildings, public open space, the existing subdivision pattern and typical Garden Suburb layout, and large street trees. Characteristic elements to be preserved include:

- Original Federation Arts and Crafts detached and semi-detached single and two-storey buildings, with styles of dwellings often repeated throughout the precinct.
- The dominant material palette of brick, painted brick, fibro and rendered brick in a variety of period colours including peach, apricot, pink, brown, green and red.
- The relationship between the public and private domain with open landscaped theme created by generous front setbacks, large landscaped areas surrounding buildings with established gardens, low scale fences, and a lack of boundary fences abutting public roads and open space.
- Wide streets and wide verges with mature street plantings.
- Radial avenues centred on Dacey Gardens Reserve.

Classification of Items in the Daceyville HCA

All properties within Daceyville Garden Suburb Heritage Conservation Area are contributory unless listed as heritage items in the Bayside LEP.



Figure 152: Daceyville Precinct (Top) and Garden Suburb HCA/Heritage Items (Bottom)

7.17.2 Controls

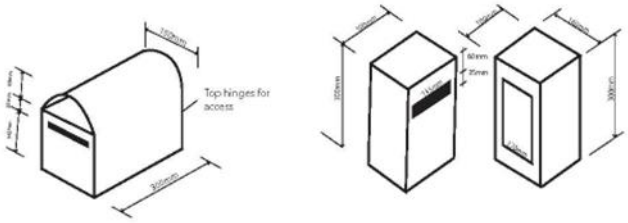
Objective		Control	
Garden Suburb Housing (Contributory properties)			
O1.	Conserve the heritage significance of Daceyville by protecting the design principles and architectural form of the original Garden Suburb housing and contributory building forms.	**C1.**	Alterations, additions, and extensions to Garden Suburb housing shall be designed in such a way so as to complement the prevalent architectural style of the building while also retaining the predominant Daceyville Garden Suburb design characteristics.

Objective		Control	
		C2.	Restoration and repair of period features to original building forms is encouraged.
		C3.	The maximum permissible site coverage of new development on lots containing Garden Suburb housing which are 0–250sqm in size, shall be assessed on a merit-based approach.
		C4.	The maximum permissible site coverage of new development on lots containing Garden Suburb housing which are greater than 250sqm shall not exceed 50%.
		C5.	Original front setbacks of Garden Suburb housing must be retained.
		C6.	Extensions and alterations to Garden Suburb housing shall not dominate the form of original buildings. Pavilion style additions at the rear of the original house are encouraged.
		C7.	Additions to single-storey Garden Suburb housing must maintain the single-storey scale character of the original dwelling. Two storey additions at the rear of the property will be assessed on a merit-based approach. Additions to two-storey Garden Suburb housing must be located at the rear of the property and must not exceed the ridge height of the host building.
		C8.	Additions are not permitted within Garden Suburb roofs. Original roof forms shall not be altered, and dormer windows and skylights facing the street are not permitted.
		C9.	Infilling of Garden Suburb housing verandahs and porches to street fronted elevations is not permitted.
		C10.	Infilling of verandahs at the rear of buildings, where not visible from the street, is permitted as a means of providing additional floor area. Where such infilling is permitted, it must be carried out in such a manner that can be reversed at a later date.
		C11.	Retain and restore original doors and windows in preference to replacement. Original sunhoods, blinds and awnings should be retained and repaired, or where repair of

Objective		Control	
			the original is not possible, authentically reconstructed.
		C12.	Externally hung metal roller blinds and modern security grilles are not permitted.
		C13.	New openings on the street-facing façade of Garden Suburb housing is not permitted.
		C14.	Driveways must be concrete wheel strips with grass in between so as to minimise the amount of hardstand coverage. Full width concrete driveways are not permitted.
		C15.	Hardstands are only permitted in front of the front building setback where Council deems that they are designed with minimal negative impact on early garden suburb design features that may be found in the front yard. For example, tinted paths, plinths, and trees.
		C16.	Suitably designed lightweight carports are permissible at the side of Garden Suburb housing, provided they are located behind the front building setback and only where they reflect the character of the host building. In addition, garages and carports may be acceptable at the rear of properties where they are utilising an existing rear lane or front driveway.
Infill Development			
O2.	Facilitate the development of appropriately designed infill development which respects and complements the heritage significance and conserves the original Daceyville Garden Suburb plan.	**C17.**	Infill development shall reflect the established character of Daceyville without imitating the design of Garden Suburb housing.
		C18.	Infill development shall reflect the building form, scale, rhythm, proportion, detailing and materials, within a contemporary interpretation of the significant buildings and is not to be located in areas originally designed to be open space in the Garden Suburb layout.
		C19.	Infill development shall reflect the established single-storey scale of Garden Suburb housing. Two-storey infill development is only permissible on streets with an established character of two-storey or mixed single and two- storey building developments.

Objective		Control	
		C20.	Infill development shall incorporate use of verandahs and articulated facades complementary to Garden Suburb housing.
		C21.	Infill development shall reflect established front and side setbacks and building orientation along streetscapes. New development which does not conform to the established front and side setbacks of the Garden Suburb is not permitted.
		C22.	Roof designs of new buildings shall have consideration for the following: a. new roofs shall respond to the orientation of the site b. roofs shall reflect the streetscape and the predominant roof form characteristics in the street and suburb c. skylights, antennae and satellite dishes shall be located on the rear roof plane or where they are not visible from the public domain d. dormer windows are not permitted e. the use of sheet metal roofing is not permitted f. eaves are to match that of original Garden Suburb housing
			
Figure 153: Sketch showing the impact of an unsuitable roof form			
		C23.	Window and door openings of infill development shall reflect the design principles of original windows and doors of Garden Suburb housing, e.g. timber frames, vertical emphasis. Horizontally emphasised windows shall not be permitted.
		C24.	Garages and carports of new infill development shall have consideration for the following: a. car parking facilities shall not be the dominant architectural feature of the building

Objective		Control	
			b. garages and carports shall be sited at the rear, using rear lane or front driveway access c. lightweight carports at the side of dwellings may be considered where appropriate d. garages and carports are not permitted forward of the front building line e. driveways are to be concrete wheel strips with grass in between to minimise the amount of hardstand coverage. Full width driveways are not permitted
Landscaping and Gardens			
O3.	The layout, design, and planting withing gardens is to be consistent with the character the prevailing character of the original Daceyville Garden Suburb.	**C25.**	The spatial relationship between front gardens and residential housing is to be maintained.
		C26.	Original garden elements such as gates, concrete plinths, concrete borders and red oxide colours pathways are to be retained.
		C27.	Where new landscaping is proposed, plant species that are characteristic to original gardens are to be selected.
		C28.	New development shall incorporate landscaping which is appropriate to the development and Garden Suburb appearance in terms of scale, style, and materials.
		C29.	Additional trees and shrubs are encouraged in front and side gardens but should not be established as screening elements that obscure the front façade when viewed from the street.
		C30.	Paving in the front gardens of Garden Suburb housing shall be restricted to driveway or entrance paths.
Fences, Gates, and Letterboxes			
O4.	Retain and reinstate appropriate front fencing, sympathetic side fences and letterboxes that are in keeping with the existing design and character of the Daceyville Garden Suburb.	**C31.**	Early timber and mesh wire front fences are important contributory elements and are permitted along Gardeners Road.
		C32.	Where an existing front fence is already in place, a consistent height of fences is to be maintained.
		C33.	The introduction of new front fencing and inappropriate materials, such as sheet metal to properties is not permitted. Landscaping

Objective		Control	
			and low-level concrete plinths are suitable alternatives to delineate front boundaries.
		C34.	Rear site fencing shall comprise of timber-paling fencing to a height of 1.8m.
		C35.	New letterboxes must be in a design similar to original letterboxes. The introduction of new styles of letterboxes is not permitted.
 **Figure 154: Examples of original letterboxes in the Daceyville HCA**			
Public Domain			
O5.	Ensure the future conservation and amenity value of the public parks and public landscaped areas within the Garden Suburb, and conserve important views and vistas.	**C36.**	Significant vistas and streetscapes, especially those on Cooks Avenue and Banks Avenue, shall be preserved and retained.
		C37.	Concrete plinth walls, which were designed to demarcate the public and private domains, shall be retained in lieu of front fences. Any removal of concrete plinths to the front of Garden Suburb housing is not permitted.
		C38.	Original wall-mounted street signs are to be conserved and are to be located on the face of corner buildings. Original name plates and street signs shall be conserved and retained. Removal of these features and new freestanding signs are not permitted.
		C39.	The existing configuration of roads, paths, kerbs, and guttering are to be maintained in their current profiles and locations.
Subdivision and Amalgamation			
O6.	Conserve and retain the relative distribution of original dwelling types as key elements of Daceyville Garden Suburb and retain the historically based subdivision pattern.	**C40.**	Site amalgamations and land subdivisions are not permitted.
		C41.	Strata subdivisions of Garden Suburb housing into multi-unit housing development within the Garden Suburb is permitted.
		C42.	Where strata subdivisions of Garden Suburb housing into multi-unit housing development is permissible, as much of the original building fabric as possible shall be retained.
Non-Residential Development			

Objective		Control	
O7.	Retain and conserve the heritage significance of non-residential contributory buildings.	**C43.**	Where adaptive re-uses are proposed for non- residential buildings into residential uses, the re- use shall demonstrate sensitivity to the architectural merit of the building, setting and precinct. Uses which are not sympathetic to the social and cultural context of the building will not be permitted.
		C44.	Open space around non-residential buildings of significance is to be retained. New structures must not dominate non-residential buildings and landscapes of significance.
		C45.	Additions, alterations and extensions to non-residential development such as schools, churches and halls must take into consideration the existing building characteristics and form.
		C46.	Additions, alterations and extensions to the Daceyville shops or infill development in the shopping area are to be contained within the building planes established by the primary ridgeline of the shops. Infill shop buildings shall be designed to match the ridge, eave and floor lines of Garden Suburb shops.
		C47.	Additions and alterations to contributory buildings must retain a high proportion of the original fabric and the character of the building.
		C48.	Removal or alteration of original and characteristic architectural elements, such as awnings on commercial buildings, is not permitted.

7.18 Bardwell Valley Heritage Conservation Area

7.18.1 Statement of Significance

The Bardwell Valley Heritage Conservation Area (HCA) is of cultural heritage significance at a local level as an intact example of an early twentieth-century subdivision in the Bayside area. Part of the 1920 subdivision of the Lansdowne Estate, the area is associated with builder William Lansdowne, who was involved in the design and construction of several houses in the subdivision. The area has aesthetic value for its high proportion of original bungalow and cottage style houses, many of which were constructed in a short period between 1920 and 1925 and retain their interwar architectural character. The consistent use of face brick, timber detailing and consistent roof and fence lines present a cohesive streetscape and have representative value as a demonstration of rapid suburban development in the early twentieth century.

7.18.2 Character Statement

The character of the Bardwell Valley HCA is primarily made up of high-quality and relatively intact bungalow and cottage style houses. Mostly completed between 1920 and 1925, many original houses in this area share a common architectural typology and material palette which is important to the aesthetic values of the area. This character should be preserved and retained through the retention of contributory buildings, the existing subdivision pattern, and large street trees. Characteristic elements to be preserved include:

- The high proportion of surviving contributory buildings, particularly Federation and Inter-War bungalows and listed heritage items
- The grid layout and wide streets
- The consistency of low front fences at the front boundary of private properties
- Original chimneys and the consistency of forward-facing double-gabled roof forms stepping down the slope to the north
- The prevalent single-storey scale
- The dominant material palette of face brick, timber batten detailing and timber joinery elements, roughcast rendered elements, sandstone base courses, timber framed windows, leadlight casement windows, window hoods, and timber shingle cladding
- Established gardens and consistent setbacks.

Uncharacteristic development includes housing from the late twentieth and early twenty-first century, residential flat developments, over-scaled additions, rendering of face brickwork and the addition of garages and carports forward of the front building line.

7.18.3 Controls

Objective		Control	
Bardwell Valley Heritage Conservation Area			
O1.	Retain and conserve the special qualities of the Lansdowne and Hamilton Streets HCA and ensure that development within the HCA is commensurate with the heritage significance of the area.	**C1.**	Contributory and neutral dwellings are to be retained and conserved.
		C2.	Existing verandas and porches shall not be infilled.
		C3.	Roof forms are to be hipped and gabled.
		C4.	The single storey character of the area is to be retained.
		C5.	Significant public domain elements including street plantings shall be retained and conserved.
		C6.	Single storey hipped roof additions are preferred. Additions above roof lines shall be set back from the street elevation to minimise change as seen from the street.
		C7.	Additions and new buildings shall incorporate materials and finishes consistent with adjacent and nearby contributory dwellings, e.g. smooth face brickwork, terracotta roof tiles, timber windows and doors, sandstone base courses.

7.18.4 Boundary of the Bardwell Valley HCA



Figure 155: Boundary of the Bardwell Valley HCA.

7.19 Brighton Le Sands Heritage Conservation Area

7.19.1 Statement of Significance

The potential Brighton Le Sands Heritage Conservation Area (HCA) is of cultural heritage significance at a local level as evidence of the development of commuter suburbs in the 1920s in Rockdale and the wider Bayside area. The group of houses in Brighton Parade are aesthetically significant as an intact streetscape of Inter-War Bungalow-style houses and cottages in a suburban setting with mature street plantings, with rare streetscape detailing such as brick kerbing. The high proportion of original building stock together with the consistent material palette, scale, asymmetrical form, and roof and fence lines demonstrate a cohesive interwar architectural character that is representative of a distinct period of suburban development in Bayside.

7.19.2 Character Statement

The character of the potential Brighton Le Sands HCA is primarily made up of high-quality modest bungalow and cottage style houses. Many original houses in this area share a common architectural typology and material palette which is important to the aesthetic values of the area. This character should be preserved and retained through the retention of heritage listed and contributory buildings, the existing subdivision pattern, brick kerbing and large street trees. Characteristic elements to be preserved include:

- The high proportion of surviving contributory buildings, particularly Federation and Inter-War bungalows and listed heritage items
- Historical streetscape elements from the early period of development in the area, such as brick kerbing
- The consistency of low front fences at the front boundary of private properties
- Original chimneys, roof forms, and tiled roof cladding
- The prevalent single-storey scale
- The dominant material palette of face brick, timber detailing and timber joinery elements, roughcast rendered elements, brick front verandas, timber framed windows, and timber picket and masonry front fences.

Uncharacteristic development includes housing from the late twentieth and early twenty-first century, over-scaled additions, infilled verandas, rendering of face brickwork, unsympathetic fencing and the addition of garages and carports forward of the front building line.

7.19.3 Controls

Objective		Control	
Brighton Le Sands Heritage Conservation Area			
O1.	Retain and conserve the special qualities of the Brighton Le Sands HCA and ensure that development within the HCA is commensurate with the heritage significance of the area.	**C1.**	Contributory and neutral dwellings are to be retained and conserved.
		C2.	Existing verandas and porches shall not be infilled.
		C3.	Roof forms are to be hipped and gabled.
		C4.	The single storey character of the area is to be retained.
		C5.	Significant public domain elements including street plantings and brick kerbing shall be retained and conserved.
		C6.	Additional driveway crossovers are not permitted where historical brick kerbing would be disturbed.
		C7.	Additions and new buildings shall incorporate materials and finishes consistent with adjacent and nearby contributory dwellings, e.g., smooth face brickwork, roof tiles, timber windows and doors, roughcast rendered detailing

7.19.4 Boundary of the Brighton Le Sands HCA



Figure 156: Boundary of the Brighton Le Sands HCA

7.20 Banksia Heritage Conservation Area

7.20.1 Statement of Significance

The Banksia Heritage Conservation Area (HCA) is significant at a local level as it contains the substantially intact rows of single storey nineteenth-century workers' housing known as 'Jackson's Row' as well as several other intact early twentieth-century houses. It is historically significant for its association with the Mercantile Building Land & Investment Co, a building society and speculative developer that had some influence in the development of the Bayside area. The HCA is representative of three phases in the residential development of Bayside LGA, late Victorian row houses, early twentieth-century bungalow dwellings and interwar era brick houses.

The Banksia Heritage Conservation Area has aesthetic significance as it contains two intact streetscapes displaying a uniformity of housing types, interspersed with some neutral and newer developments. Views north and south down Farr and Gibbes Streets encapsulate the repetitive forms of the single-storey free standing row houses with consistent gable roof forms and setbacks to the street. The Banksia Heritage Conservation Area has rarity value as it contains intact rows of single-storey nineteenth-century workers' housing, a typology that is uncommon in the Bayside LGA.

7.20.2 Character Statement

The character of the Banksia HCA is primarily made up of intact rows of houses from the late Victorian period of development in Banksia. The streetscapes retain many original single-storey narrow Victorian terrace houses with a consistency of scale and presentation, as well as some larger semi-detached Federation houses. This character should be preserved and retained through the retention of contributory buildings and the existing subdivision pattern. Characteristic elements to be preserved include:

- The surviving heritage items and contributory buildings, particularly the Jackson's Row cottages and intact rows
- of Victorian terraces
- The consistency of low front fences at the front boundary of private properties
- Consistent narrow setbacks, the dominant single-storey scale and lack of private car spaces
- Original chimneys and roof forms
- The dominant material palette of rendered brick terraces, decorative rendered elements, ornate façade windows, and painted brick front fences.

Uncharacteristic development includes housing from the late twentieth and early twenty-first century, over-scaled and unsympathetic additions, front facing dormers, infilled verandas, the removal and replacement of original features including windows and doors, and uncharacteristic fencing.

7.20.3 Controls

Objective		Control	
Banksia Heritage Conservation Area			
O1.	Retain and conserve the special qualities of the Banksia HCA and ensure that development within the HCA is commensurate with the heritage significance of the area.	**C1.**	Contributory and neutral dwellings are to be retained and conserved.
		C2.	Existing Porches shall not be infilled.
		C3.	Original roof forms are to be retained. Dormer windows, skylights and other infrastructure are not permitted on the street-facing roof plane.
		C4.	The single storey character of the area is to be retained
		C5.	Single storey additions are preferred. Additions to terraced cottages shall be

			located at the rear or incorporated into the roof space.
		C6.	Additions and new buildings shall incorporate materials and finishes consistent with adjacent and nearby contributory dwellings.
		C7.	Additional vehicle crossovers are not supported.

7.20.4 Boundary of the Banksia HCA



Figure 157: Boundary of the Banksia HCA

7.21 Ocean View Estate Heritage Conservation Area

7.21.1 Statement of Significance

The Ocean View Estate HCA has cultural heritage significance at a local level as an intact portion of one of the most ambitious and commercially successful estate developments in the Bayside LGA. The area shows evidence of the development and expansion of early twentieth-century housing estates in the area, often led by speculative development.

The area has aesthetic significance for its particularly fine example of Federation Arts and Crafts and Federation Bungalow style dwellings set within formal gardens. Elements such as the early Christ Church at the northern entry to the HCA, wide streets with mature plantings and original dwellings orientated towards a central park contribute to the area's sense of place and create a distinct Garden Suburb character.

Individual properties within the HCA (both individually heritage listed and classified as contributory) have aesthetic and representative significance, exhibiting excellent detailing, craftsmanship and generally high levels of intactness and integrity. Excellent examples of Federation Arts and Crafts and Federation Bungalow typologies are found throughout the HCA, with some earlier Victorian-era housing throughout.

The HCA has representative value through its collection of intact Federation-era dwellings, as well as the clear demonstration of early town planning principles evident in its Garden Suburb character and layout.

Seaforth Park was planned as the grand square in the 1883 subdivision and is the oldest designated park in the former Rockdale LGA. The street plantings in Dunmore Street demonstrate the municipal approach to urban beautification in the Ocean View Estate subdivision. The tree planting commemorated the reign of Queen Victoria (although the present trees are not the original trees).

7.21.2 Character Statement

The character of the Ocean View Estate HCA is made up of a number of architectural styles, including fine examples of high-quality late Victorian, Federation Arts and Crafts, Federation Bungalow and Inter-War Bungalow style houses and cottages. This character should be preserved and retained through the retention of contributory buildings, public open space, the existing subdivision pattern and typical Garden Suburb layout, and large street trees. Characteristic elements to be preserved include:

- The range of surviving architectural styles and historic buildings, particularly the existing heritage items, landmark buildings and contributory buildings.
- The grid layout of wide streets centred around Seaforth Park.
- The consistency of low front fences and gates at the front boundary of private properties.
- Original chimneys and roof forms.
- The consistent single-storey scale.
- Prominent ornate decorative elements, particularly on surviving examples of late Victorian buildings and Federation houses.
- The dominant material palette of face brick, timber batten detailing and timber joinery elements, sandstone base courses, timber framed windows and window hoods, and
- Established formal gardens and mature street trees.

Uncharacteristic development includes housing from the late-twentieth and early twenty-first century, residential flat developments, over-scaled additions, rendering of face brickwork and the addition of garages and carports forward of the front building line.

7.21.3 Controls

Objective		Control	
Ocean View Estate Heritage Conservation Area			
O1.	Retain and conserve the special qualities of the Ocean View Estate HCA and ensure that development within the HCA is commensurate with the heritage significance of the area.	**C1.**	Contributory and neutral dwellings are to be retained and conserved.
		C2.	Existing verandahs and porches shall not be infilled.
		C3.	Roof forms are to be hipped and gabled.
		C4.	The single storey character of the area is to be retained.
		C5.	Significant public domain elements including public open space and street plantings shall be retained and conserved. Seaforth Park is to be retained as public open space.
		C6.	Single storey hipped roof additions are preferred. Additions above roof lines shall be set back from the street elevation to minimise change as seen from the street.
		C7.	Additions and new buildings shall incorporate materials and finishes consistent with adjacent and nearby contributory dwellings. For example, smooth face brickwork, terracotta or slate roof tiles, timber windows and doors, sandstone base courses.

		C8.	Buildings on street corners shall address both street frontages through façade articulation, wraparound porches, corner gates and consistent fences. Fences up to 2 metres in height on the secondary street frontage of corner lots may be considered for privacy, if set well back from the corner.

7.21.4 Boundary of the Ocean View Estate HCA

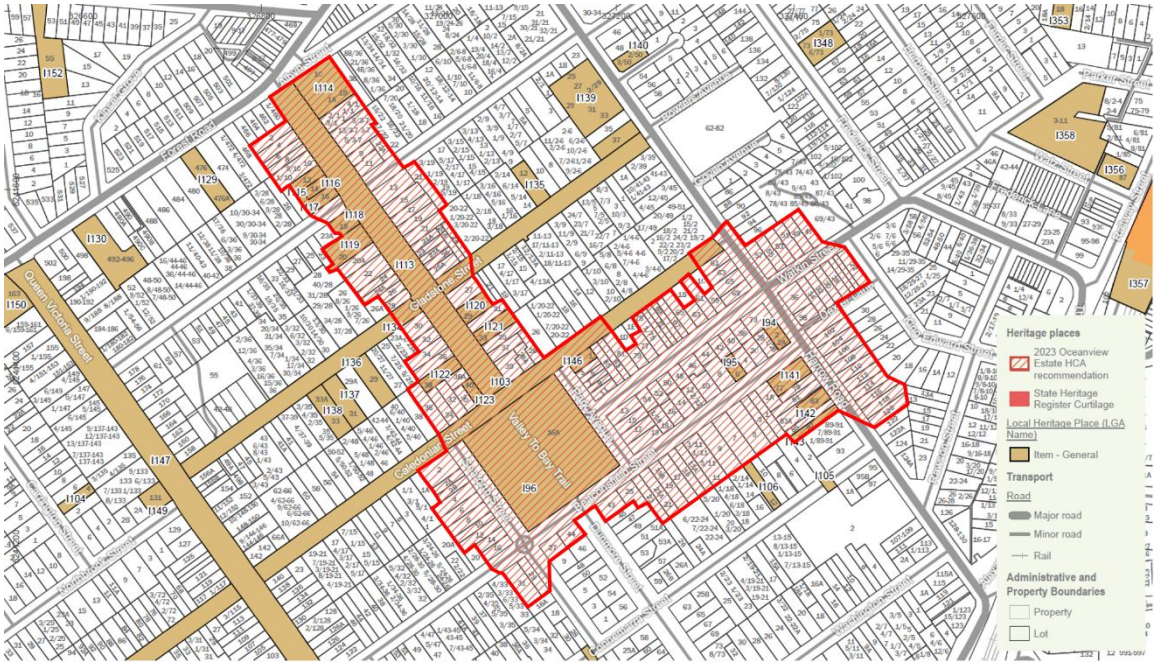


Figure 158: Boundary of the Ocean View Estate, Bexley HCA

7.22 Eastgardens Centre

7.22.1 Description

This chapter applies to land at 152 Bunnerong Road (Lot 1 DP 1058663), Eastgardens, as outlined in red at **Figure 159** below**.** The site has been divided into four precincts with directions for each precinct detailed later in this chapter.

This chapter should be read in conjunction with other relevant parts of this DCP including (but not limited to) Part 3 General Development Provisions and relevant sections in Part 6 Non-residential Development, Part 8 Managing Risk and Environmental Conditions, Part 9 Schedules and Technical Specifications. For any build-to-rent development, please refer to relevant controls within other Parts of the DCP as well as the Apartment Design Guide. In the event of any inconsistency between this chapter and other Parts of the DCP, this chapter will prevail to the extent of the inconsistency.

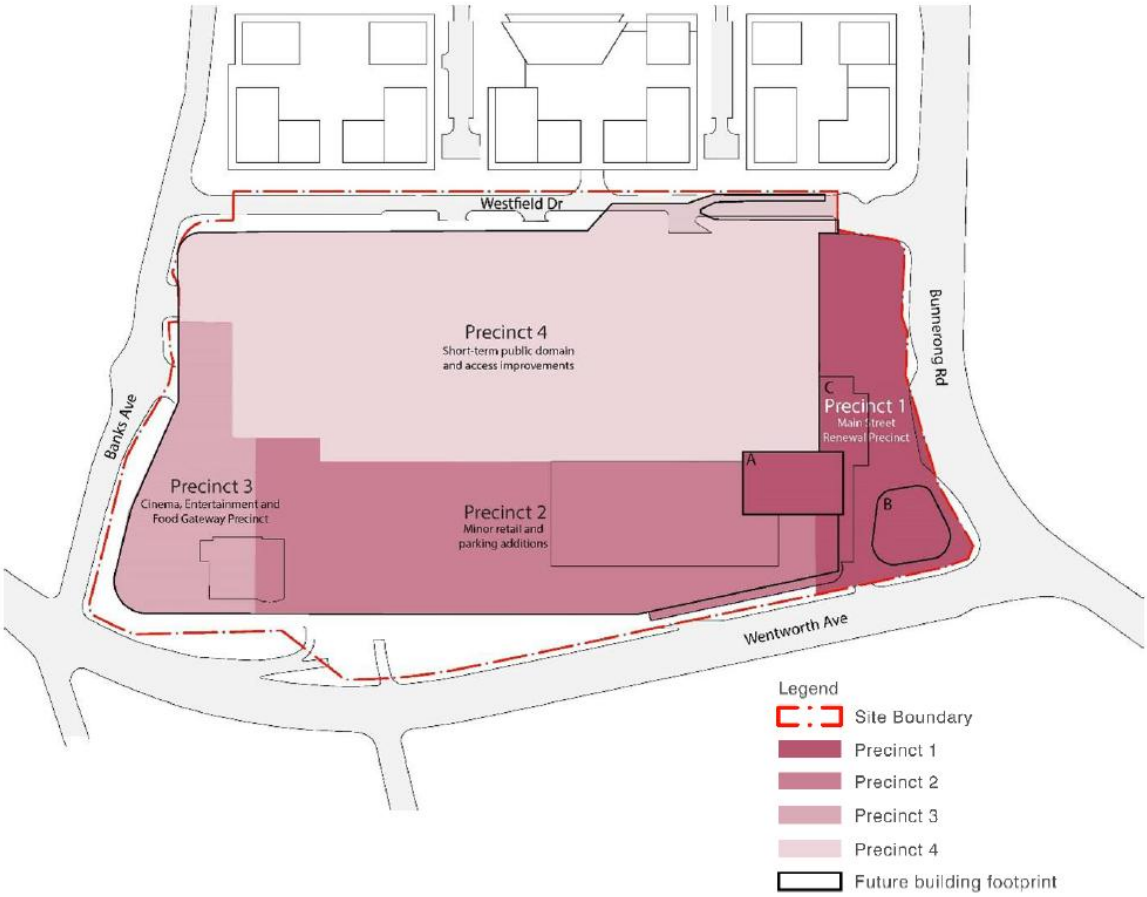


Figure 159: Master plan precinct diagram

7.22.1.1 Vision for the Eastgardens Centre

Westfield Eastgardens will transform over time into a vibrant, centre with an improved retail and entertainment offering and a focus on enhancing customer visitation to the centre on foot and by public transport. New commercial office towers will be integrated into an active civic plaza connected to the bus interchange at the eastern end of the site. The transformation of Westfield Eastgardens is an opportunity to improve accessibility, better connect with the community, create jobs and strengthen the important strategic and economic role of the centre.

Westfield Eastgardens will transcend its role as a traditional shopping centre and become a morning to evening community hub where people can fulfil more of their daily needs.

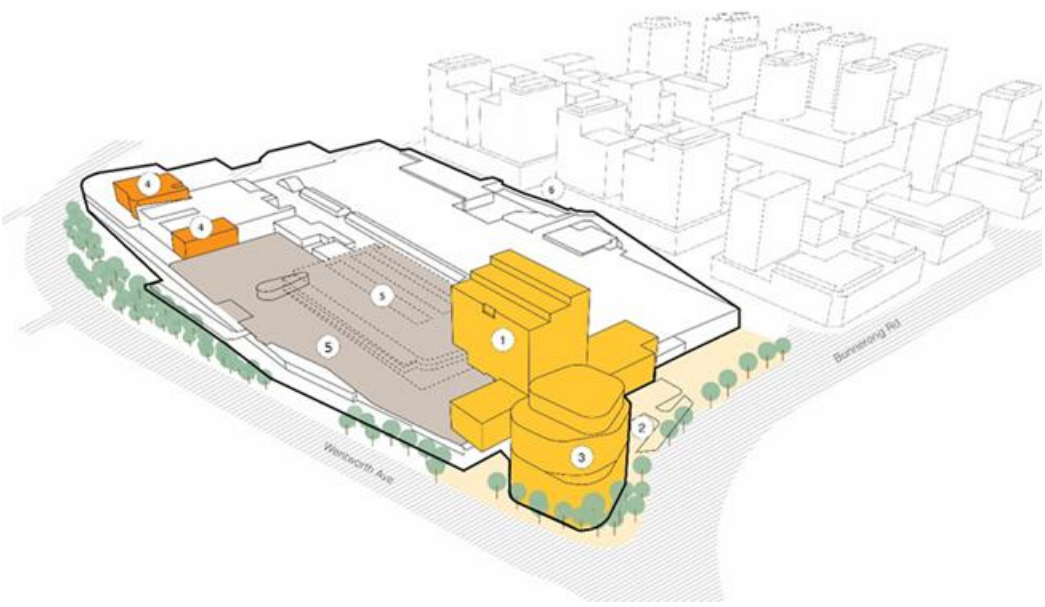
A new active publicly accessible civic plaza fronting Bunnerong Rd, will ensure the centre integrates with the surrounding neighbourhood and delivers an improved arrival experience for visitors travelling on foot, by car or by public transport.

The key objectives to achieve this vision are:

- To expand and redevelop the shopping centre to deliver a mix of new uses to meet the needs of the local community.
- To accommodate future employment growth and promote job creation at the centre, consistent with the role of the Eastgardens-Maroubra Junction Strategic Centre.

- To accommodate health, retail, wellbeing and civic service and lifestyle uses to support the day-to-day needs of the community and builds on the strategic retail importance of the centre.
- To improve pedestrian accessibility, amenity, safety and permeability.
- To improve the external interface and quality of the streetscape around the centre.
- To create a welcoming civic entry from the east by upgrading the bus interchange and enhancing the public domain.
- To deliver public domain upgrades with the renewal of the precincts.

The redevelopment of the site should be consistent with the indicative master plan illustrated at **Figure 160**.



	Key Features
1	A new commercial building
2	A new publicly accessible plaza and upgraded bus interchange fronting Bunnerong Road
3	A new commercial building
4	Desired location for minor retail expansion, including outdoor food and beverage terrace and additional cinemas
5	Desired car park extension as required
6	Public domain improvements to Westfield Drive and a new pedestrian crossing to the Pagewood Green site to the north.

Figure 160: Master Plan - Key Features

7.22.2 Built Form and Amenity

Objective	Control
Building Heights – All Precincts	

Objective		Control	
O1.	Ensure building heights reinforce the strategic importance of the centre but are also appropriate for their context.	**C1.**	The height of buildings in storeys as shown in the preferred building heights strategy in **Figure 161** should not exceed that corresponding the maximum height of buildings (in metres) specified in Bayside LEP 2021. Any variation to the building heights in storeys and footprints must demonstrate that the changes would achieve: • A diversity of building heights, with the tallest buildings appropriately set back from Bunnerong Road. • An appropriate street wall height that creates a high-quality public domain and pedestrian environment along Bunnerong Road. • Variation in building height and form to reduce bulk and scale and provide a sense of openness from the street, landscaped areas and the new publicly accessible plaza.
O2.	Development on the site should minimise solar impact on adjoining properties and the public domain.	**C2.**	Building height in storeys is to be a maximum of 10 storeys on the corner of Bunnerong Road and Wentworth Avenue to promote the prominence of the site whilst providing a transition to surrounding development.
		C3.	Whilst some overshadowing impact is anticipated at an interface between a strategic centre with E2 Commercial Centre zoning and the relatively low-density residential area, development on the site is to minimise overshadowing impacts on the dwellings to the south. Development shall: • Maintain approximately 2 hours of solar access between 9am and 3pm on 21 June to 50% of the primary private open space areas of the dwellings to the south of Wentworth Avenue. • Where the primary private open space of the adjacent development currently receives less than the required amount of sunlight on 21 June (50% coverage for a minimum of 2 hours), development is to not create additional overshadowing to the primary private open space of the adjacent development. • In addition, where the primary private open space of the adjacent development currently receives less than the required amount of sunlight on 21 June (50% coverage for a minimum of 2 hours), development is to ensure that 50% of each front yard receives a minimum of 1 hour of

Objective		Control	
			solar access between 9am and 3pm on 21 June.

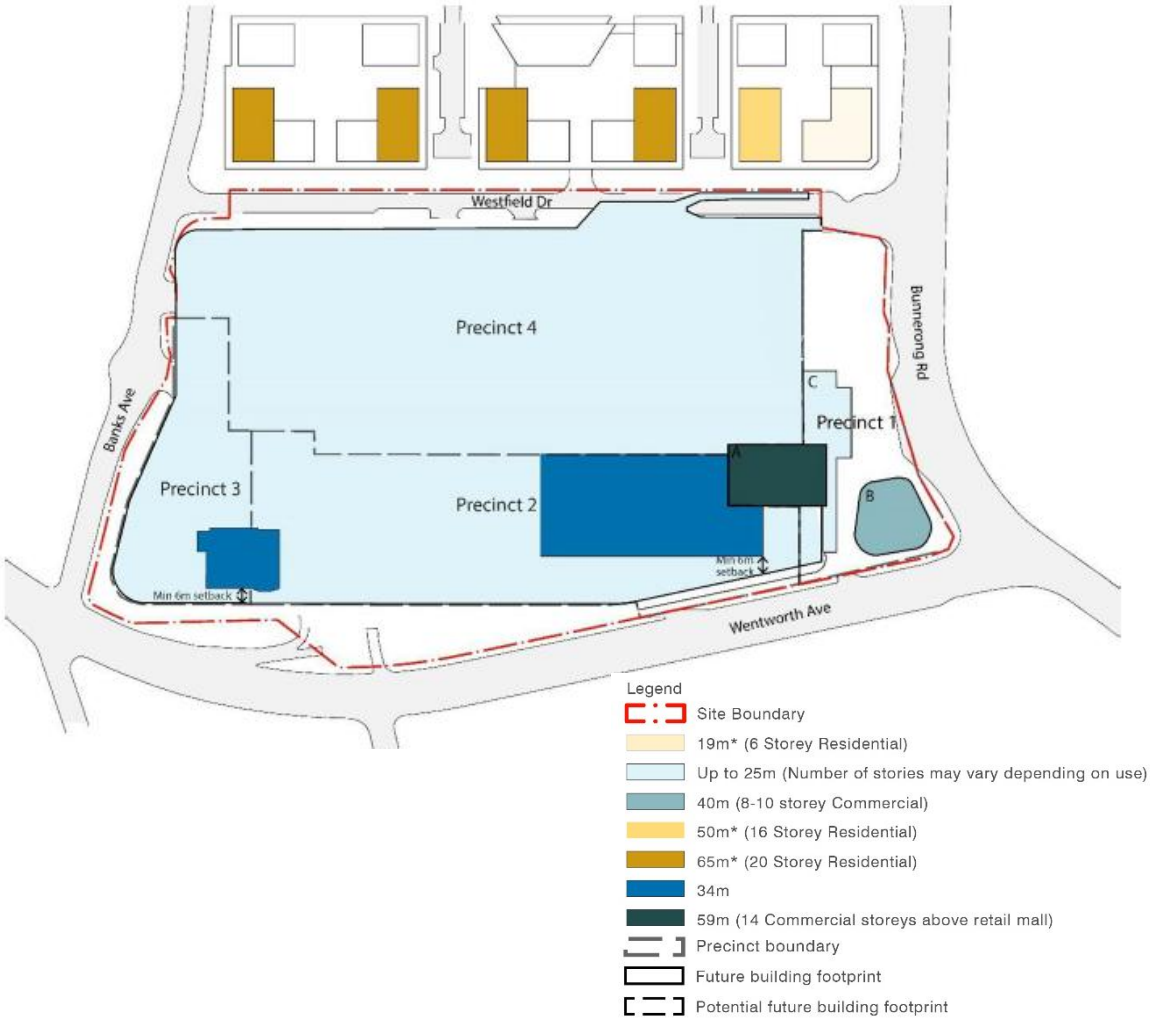


Figure 161: Preferred building height strategy plan

Street Wall Heights – All Precincts			
O1.	Establish an appropriate street wall height along Bunnerong Road to provide an appropriate transition to surrounding development. Street wall heights refer to the height of a building that addresses the street frontage from the ground level up to the first building setback.	**C1.**	Street wall heights are to be in accordance with the street wall plan in **Figure 162**.
		C2.	The new tower (Building B) on the south-eastern corner of the site is to have a maximum street wall height of 8 storeys.
		C3.	Development on the existing main building is to have a maximum 22m street-edge character.
O2.	Ensure buildings are appropriately setback above the street wall height and ensure towers provide an	**C4.**	Taller built form above the existing building is to be set back on the podium behind the street wall. Additional podium levels above the street edge

Objective		Control	
	appropriate scale transition to the street.		should be setback a minimum of 6m from the street wall. See **Figure 161.**

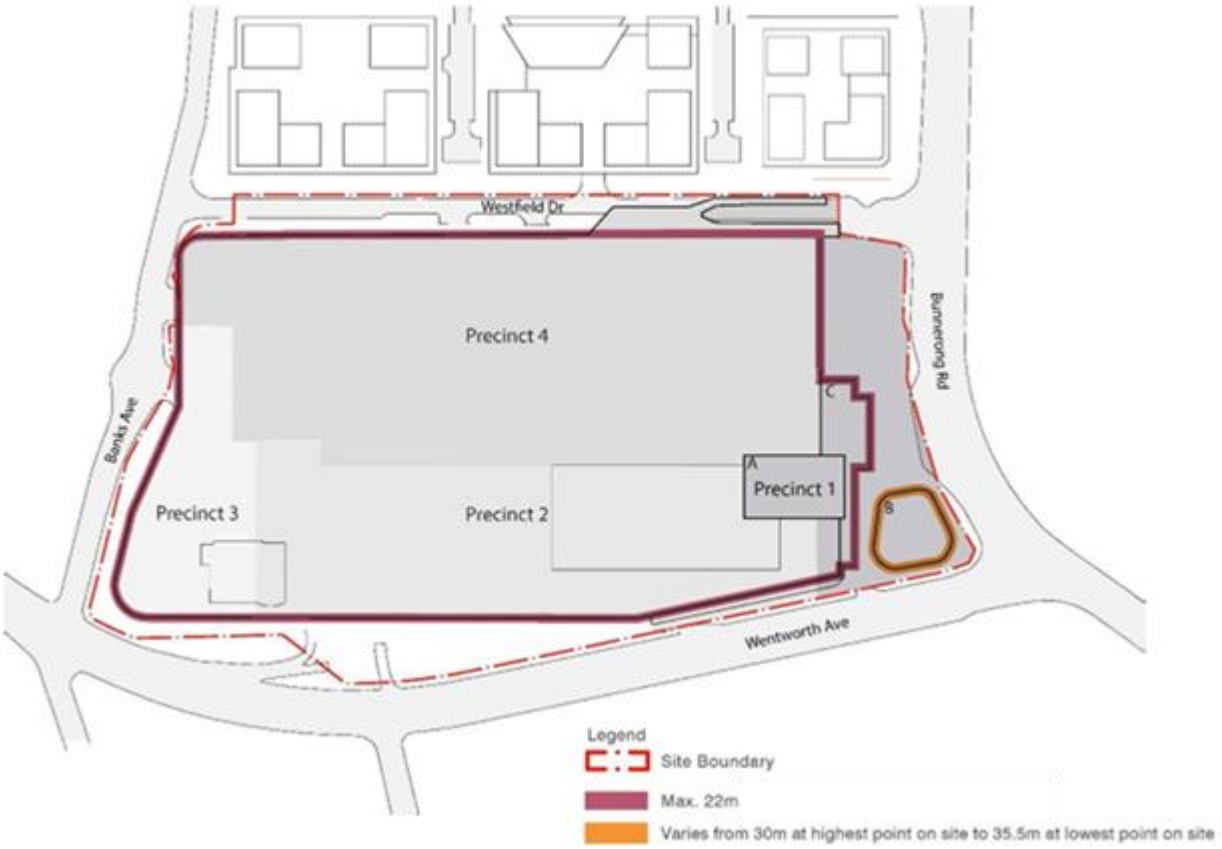


Figure 162: Street wall heights

Building Form			
O1.	Ensure the built form is complementary to the character of the existing and future centre and amenity impacts on surrounding uses are minimised.	**All Precincts**	
		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.
O2.	Apply design measures and vegetation to minimise the visual impacts of buildings to streetscapes.	**C2.**	A Schedule of Finishes is required for new buildings and any additions to existing buildings, such as additional floors.
		C3.	Buildings addressing the corner shall include an accentuated form to the corner.
O3.	Encourage renewable energy initiatives such as the installation and use of renewable energy technologies to reduce greenhouse emissions and reduce the energy demand of developments.	**C4.**	New servicing is to be concealed and not visible from the public domain.
		C5.	Blank walls and facades are to be suitably articulated and minimised.

Objective		Control	
O4.	Apply principles and processes that contribute to ecologically sustainable development (ESD) and reduce the impacts of development on the environment.	**C6.**	Roof forms are to be designed to support sustainable functions by orienting surfaces so they are suitable for solar panels and battery storage, green roofs and rainwater tanks for water conservation.
		C7.	For new non-residential development and eligible alterations / refurbishments and additions with an estimated development cost of $5 million or more, the development is to achieve a minimum 4 Star Green Star Certified Rating from the Green Building Council of Australia (GBCA).
		C8.	For non-residential development with an estimated development cost of $5 million or more, an Environmentally Sustainable Design (ESD) Report is to be submitted with the development application. The report is to address any ESD requirements set out in an Environmental Planning Instrument or in this Development Control Plan.
		Precinct 1	
		C9.	The maximum floorplate for Building A is not to exceed 1,550sqm GFA.
		C10.	The maximum floorplate for Building B is not to exceed 1,150 sqm GFA.
		C11.	Buildings are to be well-designed to define corners and activate the ground plane.
Setbacks			
O1.	Allow for the existing site landscaped areas to be retained and enhanced. Ensure the overall landscaped area is not less than existing.	**Precinct 1**	
		C1.	Ground floor setbacks are to be provided generally in accordance with **Figure 163.**
O2.	Ensure building separation and setbacks result in reasonable amenity for neighbours and the public domain, in terms of daylight, human scaled streets, sense of openness, and wind mitigation.	**C2.**	New development is to have front and side setbacks which maximise the retention of the existing green vegetation buffer, retain and protect the existing mature trees.
		C3.	The minimum separation distance between Building B and Building C is to be 16m.
O3.	The intent of the future ground setback strategy is to create a pleasant pedestrian environment and provide for high quality landscaped areas and tree canopy on all frontages.	**C4.**	The upper levels of any tower form are to have a greater southern setback to minimise overshadowing to adjacent dwellings.
		C5.	Building A is to be setback onto a podium and be setback a minimum of 35m from the southern boundary to minimise overshadowing.
		C6.	A Wind Effects Report including results of a wind tunnel test is to be submitted with the DA for all buildings greater than 35m in height. The controls

Objective		Control	
			in Part 3 relating to maximum gust speeds shall also be addressed.
		Precinct 2, 3 and 4	
		C7.	If a Precinct is to be staged, a Ground Floor Setback Strategy is to be submitted with the Concept / Stage 1 development application or first development application lodged for that precinct.
		C8.	Setbacks must be generally in accordance with **Figure 163**.
		C9.	Any future car park additions are to be setback from the existing building edge.

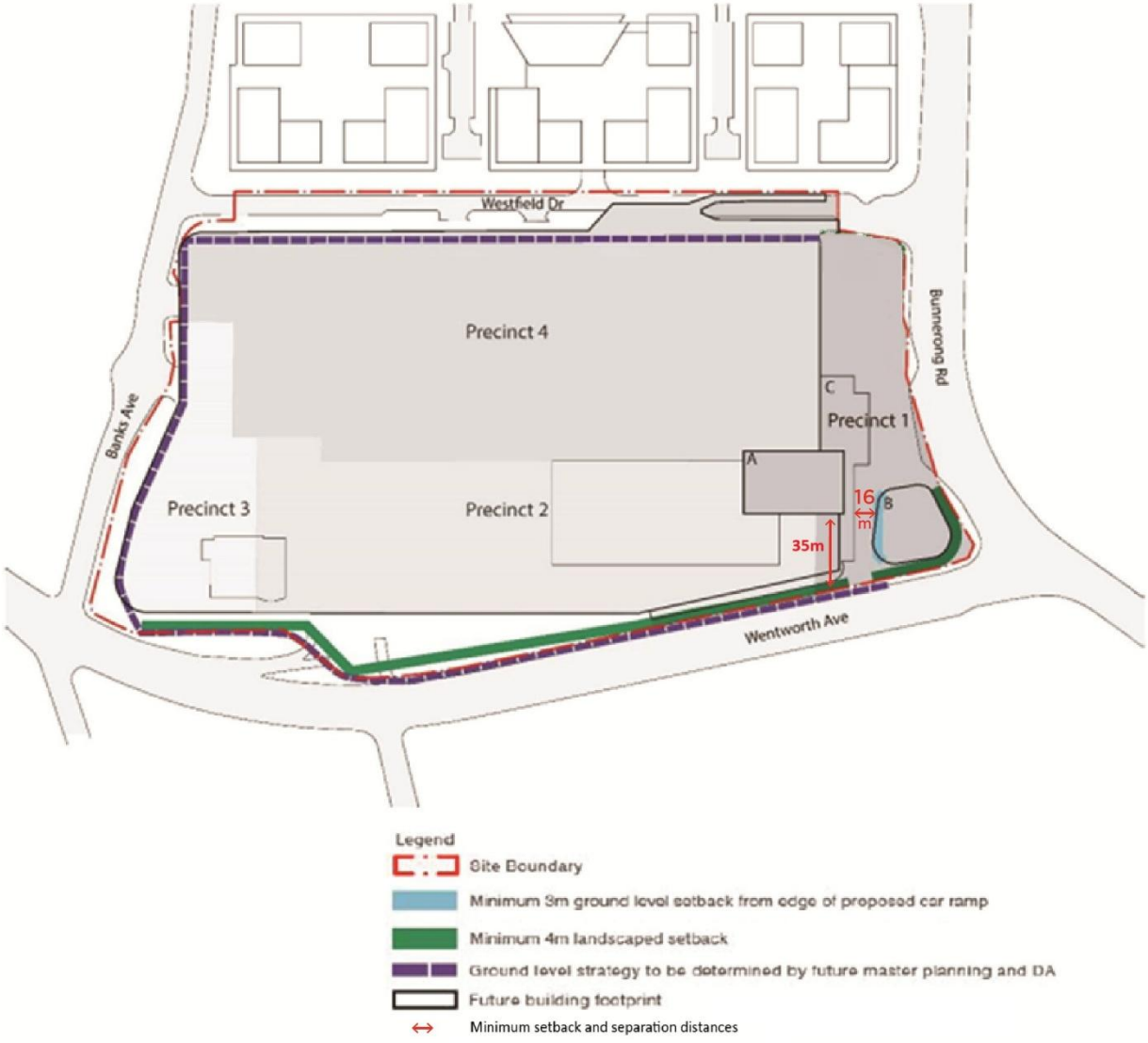


Figure 163: Setbacks diagram

Objective		Control	
Active Street Frontages and Preferred Land Uses			
O1.	Ensure that the centre develops to be more outward-facing at the eastern and western activity hubs and have an improved relationship with the street.	**All Precincts**	
		C1.	Active frontages must be provided generally in accordance with **Figure 164**.
O2.	Create a vibrant integrated precinct that is activated at all times of the day and into the night, with retail, commercial and community spaces.	**C2.**	Two active hubs are to be created at the eastern and western end of the centre to enhance the arrival experience to the centre. A new plaza at the eastern end will connect to the existing central spine.
O3.	Encourage new office uses that will support the centre's economic function and reinforce the centre's strategic employment role.	**C3.**	Development should be generally in accordance with the preferred land use strategy provided in **Figure 165**.
O4.	Prioritise pedestrian amenity and safety.	**C4.**	Active frontages are to be developed for entertainment, retail or commercial uses that interface with the public domain.
O5.	Minimise blank façades, basement access and servicing along Bunnerong Road and the Wentworth Avenue corner at Bunnerong Road.	**C5.**	The number of building entries and active tenancies is to be maximised in activate frontage areas.
		C6.	Glazing, outdoor dining and operable windows are to be maximised in the active frontage zones. Blank walls are to be avoided in active frontage areas, and if necessary, must be architecturally treated.
O6.	Ensure the activation of busy pedestrian entries, such as the publicly accessible plaza and transport interchange area on Bunnerong Road.	**C7.**	Where outdoor dining is proposed, the Outdoor Dining controls in Part 6 of the DCP are to be addressed.
		Precincts 2 and 3	
		C8.	If a Precinct is to be staged, an Active Frontage Strategy is to be submitted with the Concept / Stage 1 development application or first development application lodged for that precinct. The Active Frontage Strategy is to be integrated with any Landscape and Access strategies for the precinct and wider site.
		C9.	The activation of the western Banks Avenue precinct for pedestrians to meet, gather and enter the site is a priority for future development of Precinct 3.

Objective	Control

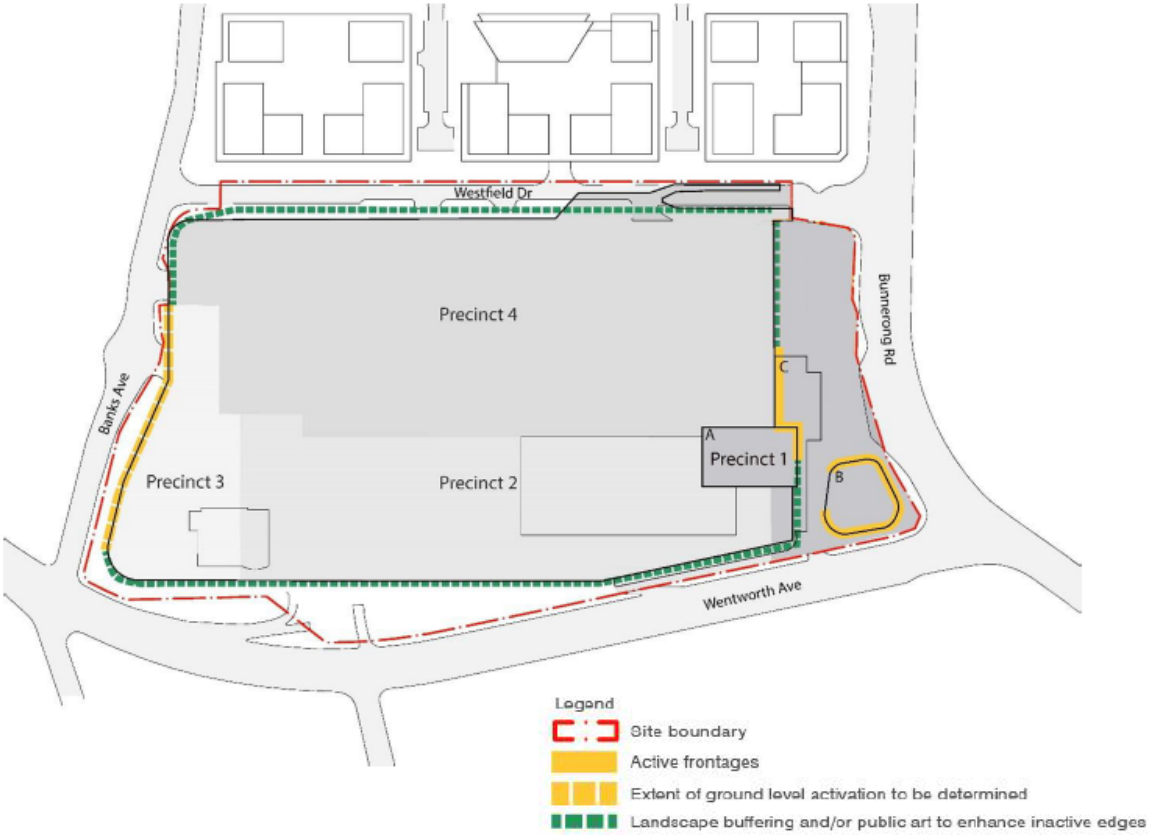


Figure 164: Active frontage diagram

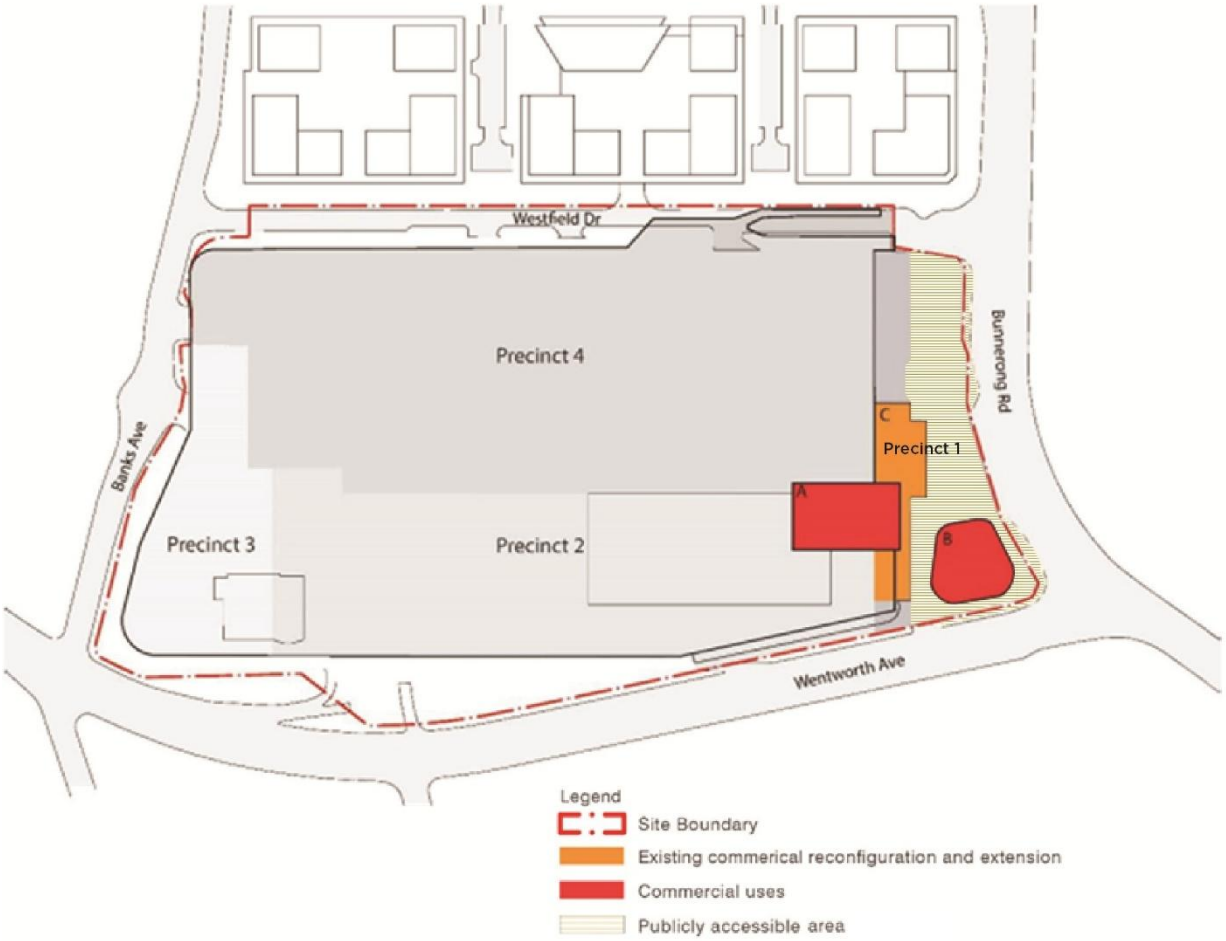


Figure 165: Preferred land use plan

Objective		Control	
Awnings and Entries – All Precincts			
O1.	Ensure all development is easy to find and accessible for customers, employees, visitors and transport users.	**C1.**	All new buildings must have clearly visible entries at ground level from the public domain, or publicly accessible plaza.
O2.	Ensure that all new buildings have clearly visible entries from ground-level or the public domain.	**C2.**	Lobbies and entrances to new buildings are to have clear and legible street address or activate the public plaza.
O3.	Encourage entrances that are designed to clearly guide visitors to access points and define the transition between public and private spaces.	**C3.**	Provide awnings or building overhangs (minimum 3m depth) at street or ground-level commercial and retail developments for weather protection and pedestrian amenity. These elements must integrate with the building's architectural character and use materials suitable for local climatic conditions.
O4.	Provide weather protection and shading for pedestrians and shop fronts.	**C4.**	A continuous awning strategy is to be provided along open pedestrian routes.

Objective		Control	
		C5.	Disabled access must be provided in accordance with Part 3.6.1 – Accessibility and the Disability Discrimination Act 1992.
Hours of Access and Operation – All Precincts			
O1.	Ensure the operation of commercial or retail uses does not cause undue disturbance to the amenity of surrounding residential areas.	**C1.**	Where late night trading is proposed, the controls in Part 3.15 are to be addressed.
O2.	To minimise the abandonment of shopping trolleys.	**C2.**	For any development that will provide shopping trolleys for customers, a Shopping Trolley Management Plan is to be submitted with the development application which outlines in detail how shopping trolleys will be managed on and off the site. The Plan is to include all aspects of trolley management including: a. How trolleys will be returned to the trolley bays; b. Methods for identifying shopping trolleys that belong to a specific business (e.g. serial numbers, company logo, tracking device etc.); c. Details of a trolley containment system, or alternative trolley control system, which restricts the removal of trolleys from the premises; d. How the operator will restrict the movement of shopping trolleys outside the development; e. How it is proposed to manage any shopping trolleys that are taken off site; f. Measures to ensure that any trolleys reported as posing a risk or nuisance, are collected immediately upon notification (this may require an "after hours" collection service); and g. A site plan of the premises showing the location of trolley bays and exit points.

7.22.3 Landscaping and Public Domain

Objective		Control	
General		**All Precincts**	
O1.	Deliver a high-quality, pedestrian-focused public domain that is attractive, accessible, and encourages social interaction, shopping, and dining.	**C1.**	Retain existing mature trees along Bunnerong Road, Wentworth Avenue, and in street setbacks wherever possible, augmenting these with additional plantings.

Objective		Control	
O2.	Integrate landscaping and vegetation, including the retention of significant existing trees, to create a green buffer and enhance the public realm.	**C2.**	Future development shall increase overall tree canopy cover on site and ensuring landscape buffer widths support the growth of large, mature trees without the need for excessive pruning.
O3.	Promote 'green buildings' and encourage the inclusion of green walls, green façades, green roofs, and rooftop gardens to enhance building aesthetics, improve the streetscape, and help mitigate the urban heat island effect.	**C3.**	Prioritise planting of native trees or locally inspired species with minimum 200L pot size, particularly along Wentworth Avenue, to reduce the visual impact of built form and complement the streetscape. If new street trees are proposed, the proposed tree species are to be consistent with Council's Street Tree Masterplan.
O4.	Ensure safe and convenient pedestrian access from the residential area north of the Westfield site, while maintaining essential loading operations on Westfield Drive.	**C4.**	Maintain or increase deep soil and landscaping areas on site to support healthy vegetation growth and ecological function.
O5.	Prioritise upgrades to Westfield Drive that improve conditions for pedestrians and cyclists to support the long-term renewal of Precincts 2 to 4.	**C5.**	New developments and major alterations and additions are to incorporate green walls / façades, green roofs, and / or rooftop gardens as part of their building design and be designed to be integrated with the overall architectural and landscape strategy of the development. These landscape elements should be designed in accordance with Bayside's Landscape Technical Specification.
O6.	Ensure that future development of Precincts 2 and 3 deliver improved landscape, design and access conditions.	**C6.**	If a Precinct is to be staged, a detailed staged Public Domain and Landscape Strategy is to be submitted with the Concept / Stage 1 development application or first development application lodged for that precinct. For non-staged Precincts, a detailed landscape plan is to be submitted with the development application.

Objective		Control	
		C7.	A Public Domain and Landscape Strategy is to be prepared in consultation with Council and is to address, but not limited to the following: • Bayside Landscape Technical Specification requirements; • Tree Assessment Report of existing trees; • Tree and landscape retention details; • Planting strategy, typologies and maintenance / on-going management details; • Water sensitive urban design principles; • Integration of soft landscaping with built form; • Streetscape design (materials, kerb and pavement design, furniture, pedestrian access); • Clearly defined useable public spaces and pedestrian amenity; • Design and location of active and public transport connections; • Signage, wayfinding, lighting and materials palette; • Any outdoor dining seating arrangements; and • Public art strategy.
		C8.	Street furniture (e.g., bins, bollards, signage, lighting) is to be designed to minimise visual clutter, reduce environmental impacts on neighbours, and maintain clear pedestrian pathways.
		C9.	Development must address Crime Prevention through Environmental Design (CPTED) controls in Part 3.1.3.
		Precinct 1 and 4	
		C10.	A new active civic plaza is to be delivered along Bunnerong Road, generally in accordance with **Figure 166**.
		C11.	The design of the new publicly accessible plaza must: a. Improve pedestrian access to the retail centre and buildings A, B, and C; b. Be activated by uses such as retail, cafés, outdoor dining, or community spaces. c. Maximise openness to air and sky, with natural ventilation and daylight and where it is covered, employ architectural

Objective		Control	
			mechanisms that feel open and publicly accessible. d. Include high-quality landscaping and landscaped light-wells providing natural ventilation and daylight to the below-ground bus terminus. e. Integrate the retail interface at the upper level plaza with the public transport connections through direct access . f. Include appropriate lighting for safety and security.
		C12.	A Public Domain and Landscape Strategy for Precinct 1 is to be submitted and consistent with the public domain design shown in **Figure 166**.
		C13.	The Public Domain and Landscape Strategy for Precinct 1 is to be prepared concurrently with public domain and pedestrian access improvements for Precinct 4 at Westfield Drive and must include, but is not limited to: • Precinct improvements shown on any of the figures in this Part; • Pedestrian access enhancements to Westfield Drive and improved footpath connections to the northern residential area; • Clear, safe, and legible pedestrian routes prioritising desire lines to the shopping centre and public transport; • Public art to screen ramps and cantilevers; • Visual treatments to reduce the impact of loading docks, blank walls, storage areas, and car ramps whilst maintaining passive surveillance and improve presentation; • Lighting upgrades for pedestrian safety without emphasising existing structures; • CPTED improvements for pedestrian areas between the building and existing carpark ramps. • Traffic calming measures to maximise pedestrian safety to protect pedestrian networks; • Streetscape enhancements with landscaping that maintain safety and security; • Wayfinding measures; and • Public art with relevant local context.

Objective		Control	
			All works in Precinct 4 are to be designed in consultation with Council with upgrades to Westfield Drive to be completed to Council's satisfaction prior to the occupancy or operation of any development in Precinct 1.

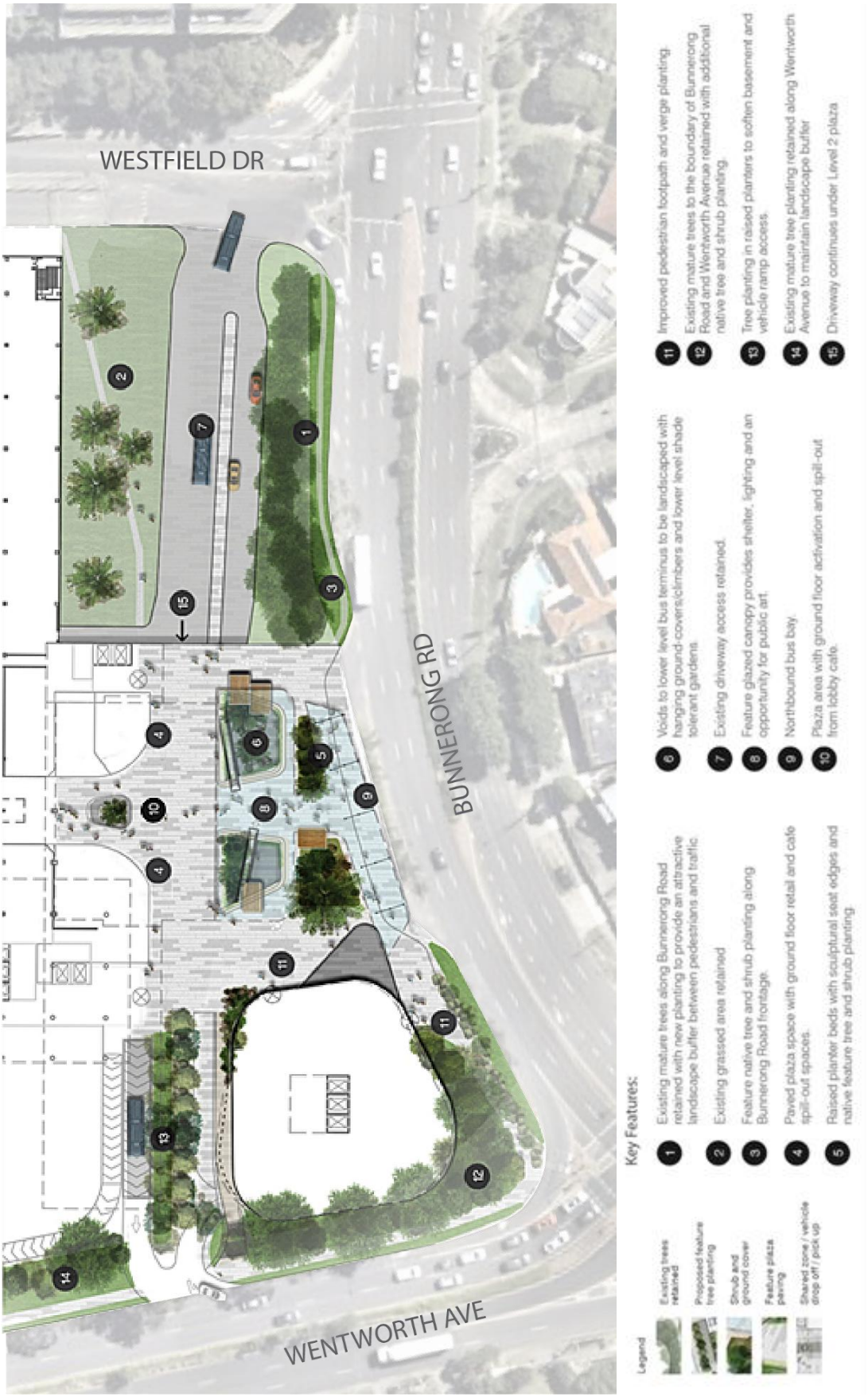


Figure 166: Landscape and publicly accessible areas within the public domain of Precinct 1

Objective		Control	
Public Art Strategy – All Precincts			
O1.	To integrate engaging and purpose-built public art into the urban landscape to support increased activation and place-making.	**C1.**	A detailed Public Art Strategy is to be submitted for each of the Precincts. The Strategy for each Precinct is to be submitted with the Concept / Stage 1 development application or first development application lodged for that precinct.
O2.	To create public spaces that are engaging and fit for purpose to support increased activation and place-making.	**C2.**	The Public Art Strategy should draw on inspiration from either the Indigenous heritage, the botanical heritage of Botany Bay, the coastal location or the industrial heritage of the port precinct.
		C3.	The Public Art Strategy is to comply with the requirements of the Bayside Public Art Policy 2022 and public art selection panels are to include a Bayside Council Arts and Culture Specialist.

7.22.4 Transport, Access and Movement

Objective		Control	
Public and Active Transport			
O1.	To establish Bunnerong Road as the main public transport and active transport interface.	**All Precincts**	
		C1.	Public transport circulation around the site is to be generally in accordance with **Figure 167** and any Transport for NSW (TfNSW) requirements.
O2.	To provide clear and safe links to public transport and active transport routes and increase pedestrian traffic.	**C2.**	Clear links to public transport shall be provided from building entries.
O3.	Provide an upgraded public bus interchange and facilities to encourage active or alternative transport and public transport use.	**C3.**	Works adjoining street frontages on routes identified in the Bayside Priority Cycleway Network in Bayside's Bike Plan 2024 and in Randwick's Cycling Network Plan in Randwick City Council's Active Transport Plan (June 2024), shall support and complement the cycleways by incorporating safe bicycle access into the centre.
		C4.	Facilities for active and public transport, are to be provided in and around the site.
		C5.	Adequate active transport wayfinding and signage are to be provided around the site.

Objective		Control	
		Precinct 1	
		C6.	An upgraded bus interchange must be included with any future development application for Precinct 1. The upgraded bus interchange must be included within the Bunnerong Road plaza and be designed to meet TfNSW requirements, including bus driver facilities, bus parking / layover spaces and have potential for expanded capacity to accommodate future service increases.
		C7.	The bus interchange is to be arranged over two levels with north-bound buses accessed via a kerbside stop, off Bunnerong Rd whilst south-bound buses are located within the sunken bus terminus below the plaza within Precinct 1, generally as shown in **Figure 167.**
		C8.	Pull-in bays for north-bound buses shall be provided on the western edge of Bunnerong Road.
		C9.	Consultation is to be undertaken with TfNSW regarding whether a Bus Interchange Operations and Safety Plan (BIOSP) is required to be prepared and submitted with the Development Application. If a BIOSP is required, the applicant is to prepare the plan in consultation with TfNSW and relevant operators and demonstrate compliance with applicable standards.
		C10.	A shared drop-off / pick-up zone for shared mobility, taxi, ride share, kiss and ride are to be accommodated within the below grade bus terminus.
		Precinct 3	
		C11.	A second shared drop-off / pick-up zone for shared mobility, taxi, ride share, kiss and ride are to be accommodated on the ground level near the Banks Avenue entrance.

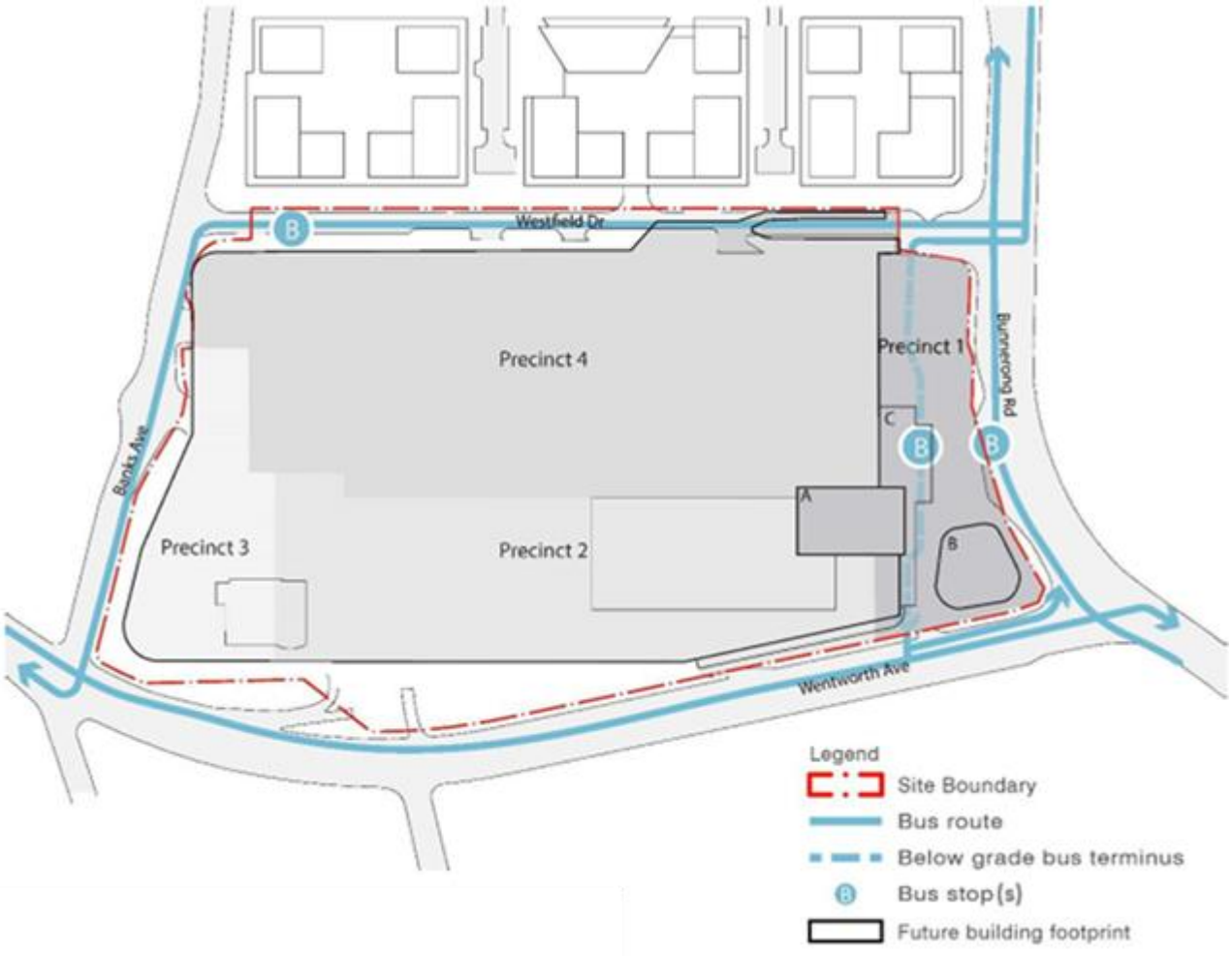


Figure 167: Public transport circulation

Objective		Control	
Pedestrian Access			
O1.	Enhance pedestrian accessibility, amenity, safety and permeability throughout the site and minimise potential conflict with vehicular traffic.	**All Precincts**	
		C1.	Access to existing and proposed buildings are to be generally consistent with **Figure 168**.
O2.	Strengthen pedestrian connections from the west of the site to the Bunnerong Road bus terminus.	**C2.**	A safe path of travel is to be maintained through the centre to the bus interchange.
O3.	Improve pedestrian access from the adjacent northern residential precinct	**C3.**	Pedestrian paths must be: • Free from obstructions such as landscaping, door swings, or furniture; • Constructed with high-quality paving
O4.	Ensure public spaces are accessible, safe and welcoming at all times of the day.		

Objective		Control	
O5.	Provide safe and permeable access through the site during operational hours.		materials that support intuitive wayfinding; • Integrated with the Bunnerong Road plaza design where applicable.
		C4.	Vehicular crossovers on designated pedestrian routes must be minimized to ensure pedestrian safety and ease of movement. Development should not restrict the potential for new pedestrian connections or reduce site permeability.
		C5.	Pedestrian paths surrounding the centre are to be upgraded with tree canopy provided to shelter paths where feasible.
		C6.	Escalators must be designed to be clearly visible, easy to navigate, and seamlessly connected to pedestrian pathways.
		C7.	Pedestrian areas are to be well lit, especially at night.
		C8.	Disabled access must be provided in accordance with the *Disability Discrimination Act 1992* and Accessibility requirements in Part 3 of the DCP.
		Precinct 1	
		C9.	The plaza is to be privately owned and maintained and must be subject to a positive covenant on title ensuring unlimited, unimpeded access by the general public at all times.
		C10.	The plaza is to be a safe and welcoming space for users at all times through the provision of lighting and design considerations whilst protecting surrounding residential amenity.
		C11.	Pedestrian access is to be generally provided in accordance with the locations and design requirements in **Figure 168** and **Figure 169**.
		C12.	Further pedestrian and traffic studies are to be undertaken to determine and design safe pedestrian movement between Precinct 1 and 4. Consideration should be given to enhancing Westfield Drive with traffic calming and improved pedestrian crossing facilities to reduce pedestrian conflict with the bus and vehicular dominance at the T-junction of Westfield Drive and Bunnerong

Objective		Control	
			Road. This is to be submitted with the Concept / Stage 1 development application or first development application lodged for either precinct.
		Precincts 2, 3 and 4	
		C13.	A detailed Access Strategy is to be submitted for Precincts 2 to 4. The Strategy for each Precinct is to be submitted with the Concept / Stage 1 development application or first development application lodged for that precinct. An Access Strategy must demonstrate how pedestrian access within these precincts can be improved by: • Incorporating pedestrian movement and connections in and around the site as shown in **Figure 168.** • Upgrading all pedestrian access points along Wentworth Ave and include dedicated pedestrian / active transport access corridor through the car park to centre entrances. Refer to **Figure 168.** • Promoting accessibility by foot, bicycle and public transport; • Facilitating north-south movement through the centre and consider new entrances from Westfield Drive along desire lines; • Minimise vehicle and pedestrian conflict areas; • Create an improved town centre environment with a focus on pedestrian amenity and safety; and • Prioritise pedestrian and landscape improvements along Banks Avenue, reducing car park dominance and supporting shared mobility access.
		Precinct 4	
		C14.	Any significant additional development in Precinct 4 in the future would need to be accompanied by a strategy for: • Rationalisation of loading and service areas to improve pedestrian environment. • Investigation of a new north-south through site link into the shopping centre with activated openings to Westfield Drive

Objective		Control	
			• Investigation into the rationalisation of the loading and car ramps to Level 3 and 4 loading and parking facilities.

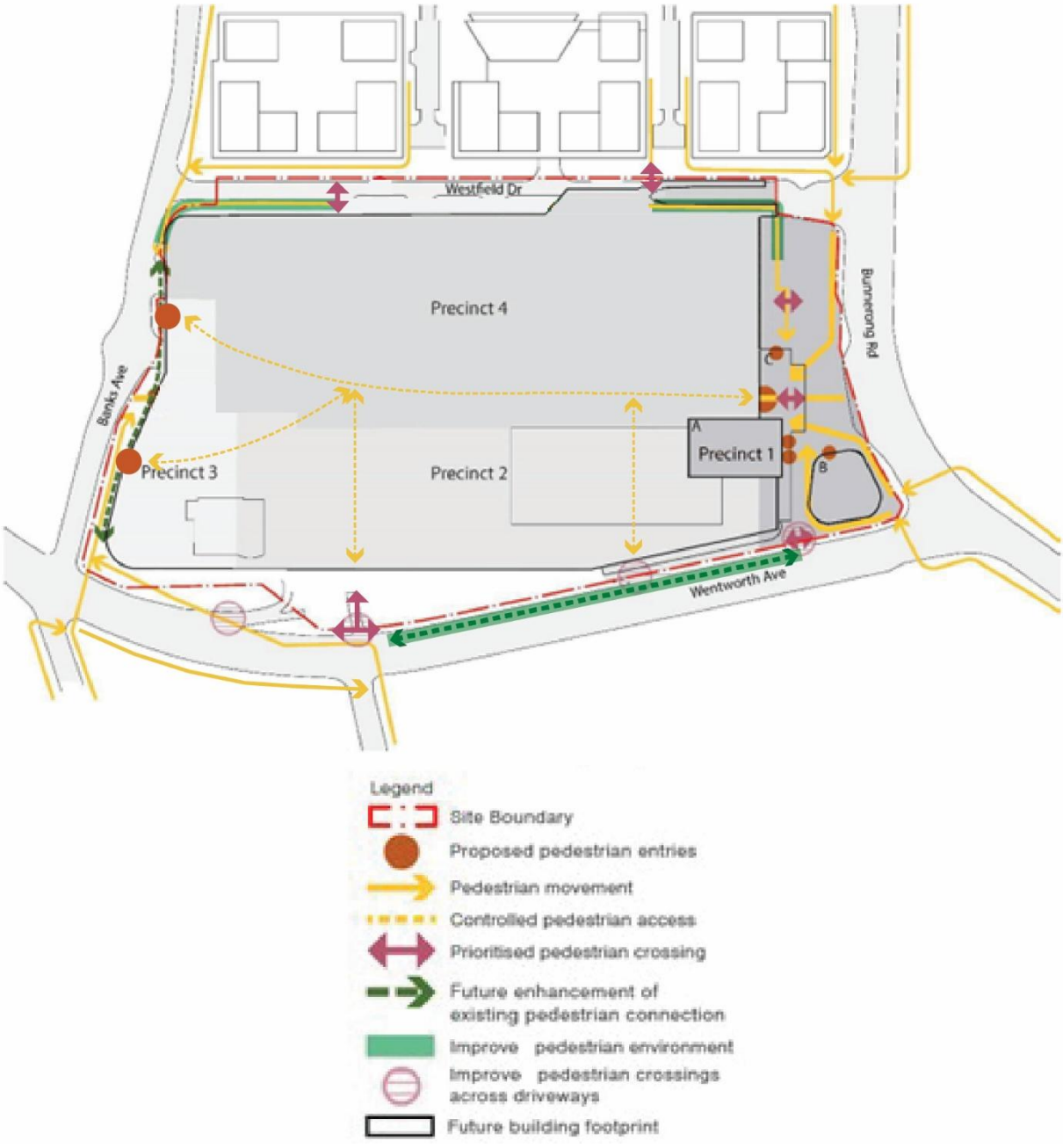
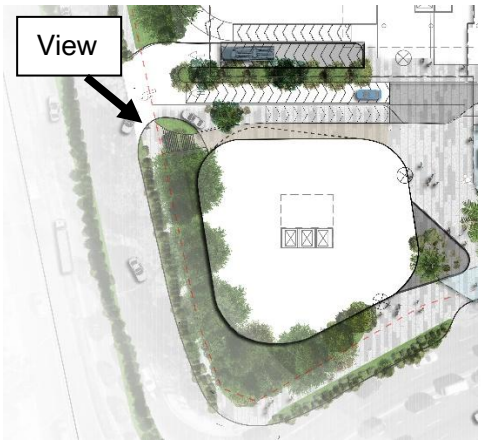


Figure 168: Pedestrian access and building entries

Objective	Control



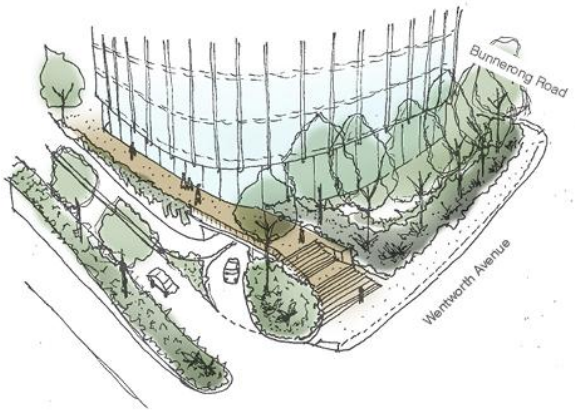


Figure 169: Indicative 3D and plan view of pedestrian access to the west of Building B

Parking and Vehicular Access			
O1.	Minimise vehicle and pedestrian conflict.	**All Precincts**	
O2.	Maintain efficient service vehicle access.	**C1.**	Car parking provision shall be determined by a Parking Assessment based on surveys of similar developments and analysis of current use and demand. Key considerations in determining appropriate car parking rates include: • Access to public transport and active transport opportunities. • Where different uses on site have alternative peak periods and can effectively share parking • Where technology can be used to ensure parking is used efficiently
O3.	Maintain the existing primary vehicular access points to the site (off Wentworth Avenue, Westfield Drive and Banks Avenue) and ensure that any changes to the location and design of car park entries are efficient, safe, and integrated into the design of the development to minimise visual impact.		
O4.	Retain existing car parking provision and provide additional parking appropriate for the expansion of the centre.		
O5.	Prioritise pedestrian safety within carpark areas	**C2.**	No additional vehicular access is to be provided to the site.
		C3.	Loading is to be undertaken primarily from Westfield Drive.
		C4.	All loading and unloading is to be undertaken on-site.
		C5.	Any reconfiguration of carparking areas is to incorporate a food delivery waiting area in a location with safe and convenient access to food and drink premises within the centre.
		C6	Walking routes within car parks are highlighted with pavement paint to improve pedestrian safety to the centre entrance points.

Objective		Control	
		C7.	Landscape and planting design at car park entries shall be configured to provide a visually welcoming experience, while maintaining clear sightlines to ensure safety for both vehicles and pedestrians.
		C8.	Any new above ground car parking areas are to be screened from publicly accessible streets and spaces with façade treatments that allow natural ventilation but minimise the visibility of cars within the car park
		Precinct 1	
		C9.	No additional car access is to be provided directly off Bunnerong Road**.**
		C10.	An updated traffic management plan for the whole site is to be submitted with the Concept / Stage 1 development application or first development application lodged for that precinct.
		Precincts 2, 3 and 4	
		C11.	Any changes to vehicle access to the site should seek to improve accessibility to and through the site for pedestrians, cyclists and public transport.
		C12.	An updated traffic management plan for the site is to be submitted with the Concept / Stage 1 development application or first development application lodged for each precinct.
Road Network – All Precincts			
O1.	Accommodate increased traffic movement around the development.	**C1.**	Upgrades to surrounding intersections and new pedestrian connections are to be undertaken in consultation with, and to the satisfaction of TfNSW and Council.
O2.	Upgrade surrounding road network to improve pedestrian and vehicular safety and connectivity.	**C2.**	A signalised pedestrian crossing at the T-junction of Wentworth Ave and Denison Street shall be provided in consultation with TfNSW.

Managing Risk and Environmental Conditions



8 Managing Risk and Environmental Conditions

8.1 Hazardous development and Risk

Overview

Certain industrial lands within Bayside LGA may support activities that involve handling, storing or processing a range of substances which in the absence of locational, technical or operational controls could create an off-site risk or offence to people, property or the environment. These activities would be defined as potentially hazardous or potentially offensive.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) provides a systematic approach to planning and assessing proposals for potentially hazardous and offensive development for the purpose of industry or storage. Through the Resilience and Hazards SEPP, the permissibility of a proposal to which the policy applies is linked to its safety and pollution control performance.

Development proposals are to consider land use safety risks for proposals near high-pressure gas transmission pipelines consistent with Hazardous Industry Planning Advisory Paper (HIPAP) 6 – Guidelines for Hazard Analysis (Planning NSW, 1992) and compared against HIPAP 4 – Risk Criteria for Land Use Safety Planning (Planning NSW, 1992).

Botany / Randwick Industrial Area

The Botany / Randwick industrial area forms a significant industrial complex of State and National significance. The location of the industrial area, within the vicinity of residential areas, has required that safety studies into the cumulative risk of industrial activity be undertaken to quantify and measure hazard risk associated with such activities. The Department of Planning & Environment has released three studies that investigate industrial operations and make land use planning recommendations. Studies released to date include the 'Risk Assessment Study for the Botany / Randwick Industrial Complex and Port Botany' (1985), the 'Port Botany Land Use Safety Study' (1996) and the 'Botany / Randwick Industrial Area Land Use Safety Study' (2001).

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

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

Implementation of recommendations 1, 3, 4, and 5 listed above are the responsibility of State, Local Governments and industry to administer through consultation and development approvals. Implementation of recommendation 2 is achieved by Bayside Council through the preparation of this

Development Control Plan to give the Study status under the Environmental Planning and Assessment Act 1979.

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

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

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

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

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

Sensitive land uses that are considered incompatible with fatality risk, injury or irritation risk (as defined in Hazardous Industry Planning Advisory Paper No.4 – Risk Criteria for Land Use Safety Planning - Planning NSW, 1992) resulting from operations within the Botany / Randwick industrial area under this plan include:- child care centres, nursing homes, educational establishments, hospitals and units for aged persons. Site means land comprising one or more allotments that forms an area to which a development consent or application for consent, applies under the provisions of the Environmental Planning and Assessment Act 1979.

Additional information: A number of 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

Objective		**Control**	
O1.	To ensure that any risk to human health, property or the natural environment arising from the hazardous or potentially offensive development is minimised and addressed.	**C1.**	Should a proposed use involve the storage and/or transport hazardous substances, Council will require an assessment of the Development Application under State Environmental Planning Policy (Resilience and Hazards) 2021.
O2.	To ensure that the potential risk associated with certain industrial		**Note**: All applications to carry out potentially hazardous or potentially offensive development will have to be advertised.

Objective		Control	
	developments is appropriately considered and mitigated.	**C2.**	Development Applications to carry out potentially hazardous development are required to be supported by a Preliminary Hazard Analysis (PHA). **Note:** Applicants are to refer to the applicable HIPAPs and other guidelines such as applying SEPP 33 and Multi-level Risk Assessment found on the NSW Department of Planning, Industry and Environment's website at https://www.planning.nsw.gov.au/Policy-and-Legislation/Hazards
		C3.	Development adjacent or adjoining sites/uses/pipelines that involve the storage and/or transport of hazardous substances are to: a. Prepare a risk assessment in accordance with the HIPAPs, and b. Comply with provisions under *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Division 12A, Subdivision 2, Development adjacent to pipeline corridors. **Note:** Banksmeadow Industrial Precinct and Denison Street have specific risk related controls that have to be complied with (refer to Chapter 7.15 of this DCP).
Botany / Randwick Industrial Area			
		C4.	Development within the 'Consultation Region' identified in the below figure that will result in 'residential intensification' or 'sensitive use intensification' will require the concurrence of the Department of Planning & Environment.
		C5.	Development for 'residential intensification', 'sensitive use intensification', and development that will result in increased traffic volumes or access points onto Denison Street, Hillsdale, Stephen Road, Botany, (being a designated Dangerous Goods Route) must: a. Consider a transport risk assessment report. The contents and outcomes of a transport risk assessment report are to be in general accordance with the principles outlined in HIPAP 6, HIPAP 4, HIPAP 10 – Land Use Safety Planning (NSW Department of Planning, 2011)

Objective		Control	
			and HIPAP 11 – Route Selection (NSW Department of Planning, 2011), and b. Receive development concurrence for the application from the Department of Planning & Environment.
		C6.	Any other applications for development adjacent to / or within the vicinity of routes designated as 'Dangerous Goods Routes' will be assessed under the relevant Council planning instruments and controls.
		C7.	Where a site is considered by Council to be located partly within any region or adjacent to a dangerous goods route defined in this plan, any development on the site will be assessed and viewed as though it was located within the area with the more stringent risk-related development controls specified in this development control plan. **Note**: Council in 2012 commissioned a traffic count for Denison Street (in both directions, north and south); which includes a separate count for dangerous goods traffic as Council wanted to compare the overall traffic to the dangerous goods traffic. Whilst this data is available to applicants who are required to prepare a Transport Risk Assessment Report, the data is over 12 months old and depending on the proposed development Council may require a new Transport Risk Survey to be conducted at the applicant's costs. Please contact Council for more information.
		C8.	Parts of Pagewood, Botany, Mascot, and Banksmeadow are 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.

Objective	Control



Figure 170: Consultation Region

8.2 Soil Management

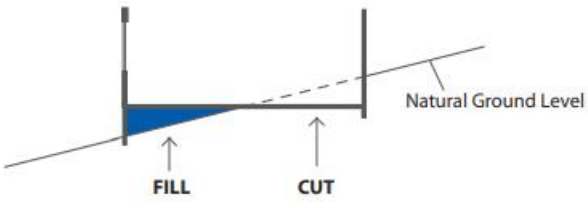
The scale of development in Bayside and its close proximity to Botany Bay and other waterways means that there is the potential for sediment to be washed into waterways. Planning in advance and using simple control measures will reduce this impact.

Objective		Control	
O1.	To protect the environmental quality of waterways.	**C1.**	Development must minimise any soil loss from the site to reduce impacts of sedimentation on waterways.
O2.	To reduce erosion hazard and prevent soil, building material and pollutants leaving the site and entering waterways.	**C2.**	Development that involves site disturbance is to provide an erosion and sediment control plan which details the proposed method of soil management and its implementation. Such details are to be in accordance with The Blue Book - Managing Urban Stormwater: Soils & Construction by Landcom.
O3.	To prevent reduction in the hydraulic capacity of drainage systems.	**C3.**	Development is to minimise site disturbance, including impacts on vegetation and significant trees and the need for cut and fill.

8.3 Development on Sloping Sites

Site excavation and filling should be minimised so as not to affect the ecology of the site and to minimise excessive stormwater runoff. Building form should generally be stepped in accordance with the slope of the land to minimise these environmental impacts and the amenity impacts on adjoining neighbours.

Objective		Control	
O1.	To limit site excavation and minimise cut and fill to ensure that building form relates to topography.	**C1.**	The building footprint is designed to minimise cut and fill by allowing the building mass to step in accordance with the slope of the land.
O2.	To protect the amenity of adjoining properties.	**C2.**	To minimise cut and fill on sloping sites and to encourage good quality internal environments, any habitable room of a dwelling must have at least one external wall entirely above existing ground level.



Development is to minimise cut and fill on sloping sites
Fill = Cut

Figure 171: Cut and Fill on Sloping Sites



Schedules

9 Schedules

9.1 Dictionary

This DCP adopts all the definitions contained within the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, and the *Bayside Local Environmental Plan 2021* (BLEP 2021). In addition to these definitions, the following terms used in this DCP are defined as follows:

Term	Definition
Accessible housing	means housing that is designed and built to accommodate the needs of occupants with mobility impairment (Australian Standard 1428: Design for Access & Mobility Series).
Active frontage	means that the ground floor of a building is used for one or a combination of the following: • entrance to retail • retail shopfront • entrance to residential/commercial above • café or restaurant if accompanied by an entry Gaps in frontage, blank walls, louvre grilles for plant rooms or car parking areas are not considered to be active frontages.
Active transport	refers to walking, cycling or using public transport. Active transport is an alternative to car travel and can provide benefits, such as increasing daily physical activity and reducing greenhouse gas emissions. Ancillary benefits can also include an increase in the sense of community and improved mental health.
Adaptable housing	housing that is designed and built to accommodate future changes to suit occupants with mobility impairment or life cycle needs (Australian Standard 4299: Adaptable Housing).
Adaptive reuse	means the conversion of an existing building from one use(s) to another or from one configuration to another.
Amenity	means the 'liveability' or quality of a place which makes it pleasant and agreeable to be in for individuals and the community. Amenity is important in both the public and private domain and includes the enjoyment of sunlight, views, privacy and quiet.
ANEF	means the Australian Noise Exposure Forecast within the meaning of AS2021.
Articulation zone	means the area of three dimensional modelling at the periphery of the building, including any changes in facade alignment, balconies, bay windows and sun shading devices.
Base hours	the standard range of trading hours that a late night trading premises is entitled to if an application is approved.
Building articulation	refers to the three dimensional design of a building and its surfaces. Building articulation can enrich the building's street address and character, and should respond to its orientation. Building articulation also includes modelling of the upper level and roof level of a building.
Build to Line	means a front setback expressed as a required distance from the street edge of the building envelope. In urban areas the build to line often corresponds to a zero front setback, to establish a consistent streetscape.
Building envelope	means the area within which a building can be built, usually represented in plan and section.
Built environment	means the structures and places in which we live, work and play, including land uses, transportation systems and design features.
Ceiling height	means the horizontal distance between finished floor level and the underside of the ceiling.

Connectivity	is the degree to which networks, such as streets, railways, walking and cycling routes, services and infrastructure, interconnect. A highly-connected place will have many public spaces or routes linked to it.
Core	means the vertical circulation (e.g. lift, stairs).
Deep soil	areas of soil within a development that are unimpeded by buildings or structures above and below ground. Deep soil zones exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas
Dignified access	means a design or process which enables access to premises, goods and services, which doesn't assume that assistance is required.
Extended hours	trading hours that may be approved above base hours on a trial basis.
Facade	means the external face of a building.
Flexible space	means the space within a building that can be used as either residential or commercial space (or a combination of both) by virtue of its design and dimensions.
Freestanding sign	means a sign that is displayed on a structure that is mounted on the ground on one or more supports.
Front building line	means the line of the existing or proposed external wall of a building (other than any ancillary development, attached development or detached development) closest to the property boundary adjacent to the primary road, or otherwise the front of the property.
Ground	means the existing ground level at the time of the development application.
Habitable room	means a room used for normal domestic activities other than a bathroom, toilet, pantry, walk-in wardrobe, corridor lobby, photographic darkroom, clothes drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods of time.
Indigenous plants or animals	means a plant or animal species occurring at a place within its historically known range and forming part of the natural biodiversity of the area.
Legibility	means the extent to which people can understand the layout and find their way, including cues from built forms. In short, an environment which is easily understood by people.
Lightwell	means a shaft for air or light, enclosed on all sides or which has the potential to be enclosed by future adjoining development, and either open to the sky or glazed.
Non-habitable room	means spaces of a specialised nature not occupied frequently or for extended periods, including bathrooms, toilets, pantries, walk-in wardrobes, corridors, lobbies, photographic darkrooms and clothes drying rooms.
On-grade	means on ground level (not on a building structure).
Outdoor areas	are any areas that are not considered an enclosed place within the meaning described in the Smoke-free Environment Regulation 2007.
Parapet	means a horizontal low wall or barrier at the edge of a balcony or roof. It is often taken to refer to the decorative element which establishes the street wall height of heritage buildings.
Patron capacity	the maximum number of patrons permitted in a development consent. Outdoor seating is included in patron capacity calculations.
Performance, creative, or cultural uses	include: • Live entertainment, being an event, which one or more persons are engaged to perform live or pre-recorded music, or where the performer (or some of the performers) are present in person.

	• Production, exhibition, or projection of an artwork, craft, design, media, image or immersive technology. • Rehearsal, teaching, or discussion of art, craft design, literature, performance, ideas or public affairs.
Penthouse	means a separate dwelling located on the roof area of a residential flat building or shoptop housing.
Permeability (in an urban design context)	means the degree of physical and visual accessibility; more specifically, maximising connections with surrounding streets and activities and making their role clear to potential users.
Public domain	means places or buildings within an area which are available for public use and access, including streets, public spaces, open space and public buildings.
Private open space	means an area of land or of a build (such as a balcony or uncovered roof terrace) which is appurtenant to a dwelling and intended for the exclusive use of the occupants of the dwelling and located and designed so as to offer visual privacy to the occupants. Private open space provided at above ground level must be located a minimum of 2m above ground level.
Porte cochere	A covered entrance attached to a main building structure and primarily used for the purposes of loading and unloading vehicles.
Site frontage	the width of the property measured at the street.
Street alignment	means the boundary between land allotments and a street or lane.
Street wall buildings	means buildings built to a consistent alignment to define a street edge, generally with zero side setbacks at the street frontage.
Temporary sign	means a sign that is erected for a term not exceeding 40 days, whether consecutive or non-consecutive, in any 365 day period.
Terrace (outdoor area)	means an unroofed and usually paved area connected to an apartment and accessible from at least one room. May be on-grade or on a structure (podium).
Transport system (also referred to as movement network)	is the physical infrastructure of roads, footpaths, bike paths and railway lines that provide the physical connection between places. Travel time, comfort and safety are factors that determine the quality of transport systems. It is also used as a term to describe the level of service provided (e.g. accessibility to public transport, routes, frequencies and connectivity).
Walkability	is the measure of the overall walking conditions in an area. A place is walkable when is has characteristics that invite people to walk.

9.2 Notification Procedures

9.2.1 Advertising & Notification Requirements for Local Development

This chapter is the subject of an ongoing review by Council and will be updated upon completion of this review. In the interim, Council will refer to current advertising and notification requirements for local development, contained in Part 2 of *Botany Bay Development Control Plan 2013* and Part 8 of *Rockdale Development Control Plan 2011*, as well as the relevant provisions of the Bayside Engagement and Communications Strategy.

9.2.2 External Notification

Some development, in addition to requiring the consent from Council, will also require approval, concurrence or referral (for comment) from a public authority, State Government Department or identified agency.

In determining the external notification requirements of a development application consideration is required to be given to the integrated development and designated development provisions outlined in the *Environmental Planning & Assessment Act 1979*.

The table below provides a guide for the external notification requirements for development applications.

Table 26: External Notification Requirements

Public Authority or State Government Dept or Agency	Legislation/Study	Development Application Note: This list is a guide only.
Integrated Development		
Fishing and Aquaculture (within NSW Department of Primary Industries)	Sections 144, 201, 205 and 219 - *Fisheries Management Act 1994*	• Development that involves reclamation, dredging and or any work that may cover or destroy marine vegetation.
The Heritage Council	Section 57 - *Heritage Act 1977*	• Development to land or a building that has an interim heritage order or is listed on the State Heritage Register.
NSW National Parks and Wildlife Service	Section 90 - *National Parks and Wildlife Act 1974* (NP&W Act)	• Development where there is an Aboriginal Place (under the National Parks and Wildlife Act) over the land, or any Aboriginal objects on the land and the development proposal will damage, deface or destroy the Aboriginal object or Aboriginal place.[2]
Office of Environment & Heritage - NSW	Sections 43, 47, 48, 55 and 122 - *Protection of the Environment Operations Act 1997*	• Development that currently has or may require an EPA licence in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997.
Transport for NSW – (fmr. Roads and Maritime Services)	Section 138 - *Roads Act 1993*	• Development that will erect a structure or carry out a work in, on or over a public road, or • Development that involves digging or disturbing the surface of a public road, or • Development involving removing or interfering with a structure, work or tree on a public road, or • Development involving connecting to a road (whether public or private) to a classified road.
Office of Water (within the Department of Primary Industries)	*Water Management Act 2000*	• Development that may require water to be pumped from a river, lake, watercourse or bore. • Development that involves or is likely to involve works for irrigation, water supply or drainage, changing (or preventing a change) the course of a river, or preventing the land from flooding.
Office of Water (within the Department of Primary Industries)	*Water Management Act 2000*	• Within 40 metres of a water course. • Controlled Activity Approval.
Approvals, referrals and comment		
Department of Planning and Environment The Environment and Heritage Group (NSW Environment Protection Authority)	*SEPP (Resilience and Hazards) 2021*	• Hazardous and Offensive Development – referral or preliminary hazard analysis.
Department of Planning and Environment (Manager of Hazards Unit)	*Botany/Randwick Industrial Area Land Use Safety Study – 2001; The Port Botany Land Use Safety Study Overview Report – 1996 and Council's DCP*	• Development affected by the provisions of the Botany/Randwick Industrial Area Land Use Safety Study – 2001; the Port Botany Land Use Safety Study Overview Report – 1996, and Council's

Public Authority or State Government Dept or Agency	Legislation/Study	Development Application Note: This list is a guide only.
		Development Control Plan (risk provisions (including transport and dangerous goods route).
Heritage Council	*Bayside Local Environmental Plan 2021*	• Development on an archaeological site (other than land listed on the State Heritage Register or to, which an interim heritage order applies.)
Transport for NSW – (RailCorp)	*Bayside Local Environmental Plan 2021* *SEPP (Transport and Infrastructure) 2021*	• Development within 25m of either side of the centre line of the Airport Line tunnel. Refer to the Airport Line Tunnel Protection Guidelines for details • Other building works or developments carried out on land near or adjoining rail property, land, infrastructure or assets
ARTC	*Bayside Local Environmental Plan 2021* *SEPP (Transport and Infrastructure) 2021*	• Major development within 60m of Sydenham Botany Goods Line. • Other building works or developments carried out on land near or adjoining rail property, land, infrastructure or assets.
Transport for NSW	*SEPP (Transport and Infrastructure) 2021* *SEPP (Industry and Employment) 2021* *Roads Act 1993* *Bayside Local Environmental Plan 2021* *Bayside DCP 2022*	• All works relating to a public road. • SEPP (Transport and Infrastructure) 2021 - traffic generating developments. • SEPP (Industry and Employment) 2021. • Acquisition and development of land reserved for roads. • Any development fronting a classified road. • Any new development proposals (regardless of scale) which are located along O'Riordan Street or Robey Street (within the area defined within Figure 92 – Mascot West Employment Lands of Chapter 7.7 of the DCP).
Sydney Water Corporation	*Sydney Water Act 1994*	• Development that is likely to require a trade waste permit. • Development that is likely to impact on Sydney Water owned infrastructure, including sewer, water or stormwater infrastructure. • Development, which lies over/adjacent to SydneyWater owned sewer, water or stormwater infrastructure. • Development that is likely to add significant volumes of stormwater to Sydney Water owned stormwater systems. • Development adjacent to the Sydney Water owned Botany Wetlands and Alexandra Canal. • Development on the Eastlakes, Bonnie Doon and The Lakes Golf Courses, which are owned by Sydney Water.
Sydney Airport Corporation Limited	*Bayside Local Environmental Plan 2021*	• Development that is likely to have an impact on the function/operation of the airport e.g. height restrictions. • (Any intrusion into prescribed airspace would constitute a controlled activity and as such, must be referred to Sydney Airports Corporation Limited (SACL) for an approval process (Airports Act 1996 Section 186)).
NSW Maritime Authority (within Roads and Maritime Services)	*Management of Water and Water side Land Regulations – NSW – Maritime Services Act 1935*	• Development that includes buildings located below the mean high water mark.

Public Authority or State Government Dept or Agency	Legislation/Study	Development Application Note: This list is a guide only.
NSW Fire & Rescue		• Major residential, commercial and industrial developments.
NSW Police Service	*Protocol for the Review of Development Applications referred to the New South Wales Police Force by Botany Council.*	• Council is required to consider CPTED principles when assessing all applications. • Council has discretion as to which applications will be referred to NSW Police Force for comment of Jointly reviewed by trained police and council for crime risk, depending on the size or nature of proposal and their likely impact on community safety. • The protocol details a schedule of applications to be referred to NSW Police, a Procedure for referral and exchange of information. • The schedule includes: – Multiple units, townhouse, villa developments (20 or more dwellings) – Mixed use developments (with 20 or more dwellings) – New or upgraded commercial/retail development (major work) – New industrial complexes with multiple industrial units (multiple industrial works) – New or upgraded schools (major works) – Railway stations – Large sports and community facilities (including sporting clubs, town halls, local community halls and club houses) – Clubs/hotels (extended trading hours, gaming rooms etc) – Service station/convenience stores – Hospitals – Places of Public Worship – All Council owned buildings (including major alterations & additions to existing building) – Unusual developments (arcades, brothels, amusement centres, upgrade of Department of Communities and Justice properties) – Any other development type that council deems necessary that may have an impact upon community safety
Adjoining Councils – Inner West, Randwick City, City of Sydney, Georges River, Sutherland Shire and City of Canterbury Bankstown		• Major development located within the vicinity of the Council boundary. • Development that is likely to have an impact on the adjoining Council area – e.g. traffic generation. Note: Only adjoining Local Government Authorities (Councils) will be notified not individual residents in the LGAs.
Botany Historic Trust		• Development relating to a significant heritage item identified in Bayside Local Environmental Plan 2021.
Department of Climate Change, Energy, the Environment and Water	*Commonwealth Environment Protection and Biodiversity Conservation Act 1999*	• Development which have, may have, or likely to have, a significant impact on a matter of national environmental significance which are: – declared World Heritage areas; – declared RAMSAR wetlands; – listed threaten species and ecological communities; – listed migratory species;

Public Authority or State Government Dept or Agency	Legislation/Study	Development Application Note: This list is a guide only.
		– nuclear actions; and – the environment of Commonwealth marine area.
NSW Department of Communities and Justice		• Large scale residential development; • Major transport or infrastructure; and • Significant commercial developments; residential subdivision or redevelopment applications.
Port Authority of New South Wales	*Ports and Maritime Administration Act 1995*	• Any development application proposing a new structure within 10 metres either side (horizontally or vertically) of the “line of sight” (as detailed in Appendix 6 of the DCP) are to be referred to Port Authority of New South Wales for review and comment, to ensure that the proposed development does not impact on the Vessel Traffic Service system.
NSW Ports		• Development in the vicinity of the Port and its main transport routes (road and rail); • Large scale residential development; • Major transport or infrastructure; and • Significant commercial developments; residential subdivision or redevelopment applications.
Division of Minerals and Energy (within Department of Industry, Science and Resources NSW)		• Development in the vicinity of pipelines. Note: The owner/operator of the pipeline also needs to be notified.
Principal of the Local School and General Manager Asset Management, NSW Department of Education.		• Development in the vicinity of a school. • Development containing 50 or more dwellings.
APA Group planningnsw@apa.com.au Freecall 1800 103 452		• Development within the zone of influence for the High Pressure Gas Pipeline.

9.3 Landscape Plan Requirements

Development Type	Documentation to be Submitted	To be prepared by
New Residential Dwellings, Secondary Dwellings, Ancillary Buildings, First Floor Additions, Alterations and Additions **Swimming Pools**	• Landscape Plan; which shall include the following information: – Shall derivate from the site plan. Include ground level proposal with location of windows in the ground level. Must be on scale and include the north point. – landscape area calculation, (including provision of soft and hard surface treatments), – Existing trees to be retained and trees to be removed, – Proposed planting layout with a plant schedule specify species, common name , pot size, expected matured height and width (All developments shall aim to include one canopy tree in the front setback and one in the rear courtyard on scale with the proposed built form), – Screen planting to ensure privacy and amenity – Fences and gates – Cloths drying area, – Location of all stormwater elements. Includes pipes and pits, rainwater tank, any on site detention, infiltration trenches, etc. – Finishes and levels of outdoor areas	• No specific professional is required. Draftsperson, architect or landscaper can prepare this plan. • Refer to compulsory information needed in to be included in landscape plans for these type of developments.
Multi Dwelling Housing & Residential Flat Buildings	• Landscape Plan • Landscape Documentation DA checklist (available in landscape technical specification)	• AILA Registered Landscape Architect, or eligible to become an AILA Registered Landscape Architect.
Industrial Development	• Landscape Plan • Landscape Documentation DA checklist (available in landscape technical specification)	• AILA Registered Landscape Architect, or eligible to become an AILA Registered Landscape Architect.
Commercial / Mixed Use Development	• Landscape Plan • Landscape Documentation DA checklist (available in landscape technical specification)	• AILA Registered Landscape Architect, or eligible to become an AILA Registered Landscape Architect.
Child Care Centres, Community Centres and Related Buildings (e.g. schools, churches)	• Landscape Plan • Landscape Documentation DA checklist (available in landscape technical specification)	• AILA Registered Landscape Architect, or eligible to become an AILA Registered Landscape Architect.
Car Parks	• Landscape Plan	• Landscape Architect
Third Party Advertising Signage	• Landscape Plan • Detailed perspective sketches and/or photo montages	• Landscape Architect
Development adjoining Wetland Zones or Natural Areas	• Flora & Fauna Assessment of Significance Species Impact Statement • Refer to Part 3M – Natural Resources	• Ecological Consultant – professionally trained, qualified and experienced.
Development adjoining Biodiversity Mapping	• Biodiversity Management Plan	• Landscape architect, Horticulturalist, Ecologist, or other professional with suitable knowledge. - • (or other suitable professional.)

9.3.1 Land Use Categories

Land use category	Land uses
Critical Uses and Facilities	• Community facility that may provide an important contribution to the notification or evacuation of the community during flood events but excluding counselling services, community development centres, libraries, museums, galleries, visitor information centres, and the like); • Emergency services facility; • Hospital; • Residential care facility.
Sensitive Uses and Facilities	• Telecommunications facility; • Seniors housing; • Child care centre; • Correctional centre; • Detention facility; • Educational establishment; • Function centre; • Health services facility but excluding a hospital; • Hospital; • Hotel and motel accommodation; • Liquid fuel depot; • Place of public worship; • Residential care facility; • Retirement facility; • Public utility undertakings which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events; • Electricity generating works; • Respite day care centre; • Shopping centre; and • Theatre.
Subdivision	Subdivision of land that involves the creation of new allotments, with potential for further development.
Residential	• Camping ground/caravan park site – long-term sites only[1]; • Health consulting rooms; • Home business; • Residential accommodation including Attached dwellings, Backpackers accommodation; • Bed and breakfast accommodation; • Boarding houses, Dual occupancies, Dwelling houses, Group homes, Family day care home, or home based care home, Farm stay accommodation; • Group homes, Hostel, Multi dwelling housing, Residential flat buildings, Serviced apartments, Rural workers dwellings, Secondary dwellings, Semi – detached dwellings, Shop top housing; and Utility installations (other than critical utilities).
Commercial or industrial	Abattoir; Amusement centre; Amusement park; Boat building and repair facilities; Bulky goods salesroom or showroom; Business premises; Commercial premises;

[1] As defined by the Local Government (Caravan Park and Camping Grounds) Transitional Regulation 1993

	Community Facility Depots; Freight transport facilities; Heavy industry storage establishments; Heliports; Highway service centre; Hotel; Industries; Industrial retail outlet; Industrial training facility; Junk yard; Medical Centre; Mortuaries; Motel; Motor showroom; Entertainment facilities; Passenger transport facilities; Place of public worship; Plant hire; Recreation facility(indoor, major or outdoor); Registered club; Restaurant; Restricted premises; Roadside stall; Rural industry; Sawmill; Service station; Sex services premises; Shop; Storage premises; Transport depot; Truck depots; Vehicle body repair workshop; Vehicle repair station; Veterinary hospital; and Warehouse or Distribution centre; Waste or resource management facilities; Wholesale supplies
Recreation or Rural Uses	• Air transport facilities; • Agriculture; • Animal boarding or training establishment; • Extractive industry; • Farm building; • Forestry; • Helicopter landing site; • Mine; Open cut mining; • Plant nursery; • Recreation areas and minor ancillary structures (e.g. toilet blocks or kiosks); • Stock and sales yard; and • Turf farming.
Concessional Development	In the case of residential development: • An addition or alteration to an existing dwelling of not more than 10% or 20sqm (whichever is the lesser) of the habitable floor area which existed at the date of commencement of this Plan; • The construction of an outbuilding with a maximum floor area of 20sqm; or • Rebuilt dwellings which substantially reduce the extent of flood affectation to the existing building. In the case of other development: • An addition to existing buildings of not more than additional 10% or 50sqm of the floor area which existed at the date of commencement of this DCP (whichever is the lesser); • Rebuilding of a development which substantially reduces the extent of flood effects to the existing development; • A change of use which does not increase flood risk having regard to property damage and personal safety; or • Subdivision that does not involve the creation of new allotments with potential for further development.

9.4 Late Night Trading Plan of Management Requirements

A Plan of Management should be in the form of a separate attachment with an application and should be accompanied by a signed declaration from the licensee/manager that they have read and understood the Plan of Management.

9.4.1 High Impact Premise

At minimum, a Plan of Management for a High Impact Premise should include:

a) Site and Locality Details

i. A description of the primary use of the premises as well as any secondary/ancillary uses (e.g. retail liquor sales, place of public entertainment, outside trading areas, gaming areas etc). This may be in the form of a floor and/or site plan that indicates the use of all areas within the building or site;

ii. Identification of any 'active areas' adjacent to the boundaries of the site used in association with the use of premises (e.g. outdoor seating, footway dining, queuing areas, parking etc);

iii. A floor plan that indicates the proximity of external doors, windows and other openings to residential and other sensitive land uses;

iv. Details of the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time. If applicable, details of the capacity of the space to host performance, creative or cultural uses including the location and dimensions the space, stage audience (standing or seating area);

v. The location of waste storage areas;

vi. Location of air conditioning, exhaust fan systems and security alarms;

vii. A site context plan that provides empirical details of on-site and off-site car parking within 100 metres radius of the site, including a description of the availability of public transport in the locality during the proposed trading hours. This should also include routes to taxi ranks or possible taxi pick-up and drop-off areas;

viii. Identification of the most commonly used pedestrian routes to and from the premises, including any "safety corridors";

ix. A summary other late night trading premises that operate beyond midnight within a 200 metre radius of the premises, indicating the nature of their use, their trading hours and distance from the premises.

b) Operational Details

i. An overview of the organisation, providing details about the company/licensee/proprietor that includes information regarding:

- the number and type of staff (including security);
- other similar premises within the company's portfolio (if relevant);
- any Liquor Licenses for the premises;
- a description of any actions that the proprietor/licensee has taken to cooperate with NSW Police, the local community and incorporated resident groups regarding the management of the premises;
- existing or planned membership of a local liquor Accord within the Bayside LGA.

ii. Details of any complaints associated with the operation of the premises must be recorded in a Complaints Register which includes (at minimum):

- Complaint date and time;
- Name, contact and address details of person(s) making the complaint;
- Nature of complaint;
- Name of staff on duty; and

- Action taken by premises to resolve the complaint.

iii. For uses that include performance, creative and/or cultural programming, additional detail that should be provided include:

- A description of the music, visual, performance, creative and cultural events that may be staged at the premises;
- Description of the equipment required to present the performance, creative or cultural use;
- Arrangements for booking and promoting performance, creative and cultural uses;
- Procedures for notifying neighbours about the nights when operating hours are extended to provide for performance, creative and cultural uses (such as major events).

c) Hours of Operation

i. For existing premises seeking a renewal or extension of trading hours, a schedule of the current trading hours showing the range for each day.

ii. A schedule of the proposed operating hours for each day of the week for all areas of the premises (e.g. courtyards, rooftop, balcony, footway, gaming room etc.) showing the range of hours proposed for each day in the format above; and

iii. If applicable, a schedule of proposed entertainment hours for each day of the week in the format above.

d) Noise mitigation and management

i. The identification of all likely noise and vibration sources associated with the operation of the premises, such as:

- Live entertainment and amplified sound;
- external (outside) areas such as courtyards, rooftops, balconies, designated smoking areas, etc;
- patrons leaving and entering the premises;
- the operation of mechanical plant and equipment;
- waste disposal, including the sorting and collection of bottles etc;
- in stand-alone gyms in buildings with residential accommodation, background music, air conditioning and the use of exercise machines and free weights.

ii. Details of all on-site and off-site noise and vibration attenuation measures related to the use and operation of the premises.

iii. A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (e.g. Australian Standards, Protection of the Environment (Operations Act) 1997, EPA Industrial Noise Guidelines, etc.);

iv. Details of how management will address complaints relating to noise, and any noise control strategies that will be implemented to minimise the potential for complaints (e.g. Liaison with neighbours and local police, maintaining a complaint register etc);

v. Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies or designated smoking areas etc; and

vi. Details of any noise limiting devices to be installed.

e) Safety and security

i. Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering and leaving the premises will minimise disturbance to the neighbourhood;

ii. Any provisions that will be made to increase security in times where higher than average patronage is expected (e.g. during public entertainment, peak periods on weekends, New Years Eve, following large sporting events in the locality, during special events and functions etc.);

iii. Details of emergency and evacuation procedures in accordance with the relevant Australian Standard and provide details of staff training in those procedures.

iv. Liaison that will be undertaken with other licensees or operators of late trading premises in the locality/area to improve security at night;

v. Details of signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises;

vi. Details of measures that will be implemented to ensure that neighbourhood amenity and safety is protected. At a minimum this should include:

- Emergency procedures;
- Crowd control;
- Search procedures;
- Maintenance of an incident register;
- Monitoring of patron behaviour;
- Monitoring of numbers of patrons within the premises;
- Recording of complaints and reporting of incidents to Police;
- Membership of the proprietor/licensee to a local Liquor Accord and a demonstrated commitment to the strategies and principles;
- Dress codes;
- Staff security training;
- Distinctive security attire;
- Availability of cloak rooms;
- Internal and external security patrols;
- The location, design and type of footpath and external lighting that will be installed;
- Measures to prevent glass drinking receptacles being carried from the premises by patrons;
- Measures to ensure safe capacities (e.g. electronic counting of patrons, occupancy limits, signage); and
- Actions to be taken during “wind down” periods prior to closing time;

vii. If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded. This description may address such matters as:

- the use of temporary ropes and bollards;
- maximum queue numbers;
- actions taken to minimise loitering;
- actions ensuring the fast and efficient movement of a queue;

viii. If applicable, methods employed to implement harm minimisation and the responsible service of alcohol (RSA) requirements of the Office of Liquor gaming and Racing such as:

- employee training and awareness regarding RSA and harm minimisation;
- approaches that will be used to manage intoxicated and/or disorderly persons;
- promotion of non-alcoholic beverages;
- display of the premises’ house policy;
- assisting patrons in accessing safe transportation from the premises (e.g. arranging taxis, public transport timetable information)
- encouraging responsible drinking;
- actions taken to discourage drug use and to manage drug related incidents.

f) Well Managed Late Night Premises

i. Details of all measures that will be taken to ensure that amenity impacts that may result from the operation of the premises are minimised. This should identify (where relevant) any measures taken to ensure that the operation of the premises will not materially affect the amenity of the neighbourhood

by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;

ii. A waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas etc.

iii. Details of methods and provisions that will increase patron awareness of responsible disposal of cigarette butts.

iv. If the premises has gaming machines, details of where gaming areas will be located in order to not be viewable from the street (e.g. away from the street frontage, not at ground level if multiple floors, appropriate screening); and how these areas will be patrolled;

v. A statement that addresses how the premises/use will impact/ contribute on the mix of uses in the area/locality during both day and night trading hours;

vi. Details of methods that will increase patron awareness of public transport availability (e.g. signage, availability of timetables) as well as a description of any other measures that will assist patrons in using public transport (eg. provision of a shuttle service, taxi assistance etc.).

vii. Any other measures that will be undertaken to ensure that amenity impacts that may arise from the operation of the premises are addressed.

9.4.2 Low Impact Premise

At minimum, a Plan of Management for a Low Impact Premise should include:

a) Site and Locality Details

i. A description of the primary use of the premises as well as any secondary/ancillary uses (e.g. retail liquor sales, place of public entertainment, outside trading areas, gaming areas etc). This may be in the form of a floor and/or site plan that indicates the use of all areas within the building or site;

ii. Identification of any ‘active areas’ adjacent to the boundaries of the site used in association with the use of premises (e.g. outdoor seating, footway dining, queuing areas, parking etc);

iii. A floor plan that indicates the proximity of external doors, windows and other openings to residential and other sensitive land uses;

iv. Details of the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time. If applicable, details of the capacity of the space to host performance, creative or cultural uses including the location and dimensions the space, stage audience (standing or seating area);

v. The location of waste storage areas;

vi. Location of air conditioning, exhaust fan systems and security alarms;

vii. A site context plan that provides a description of the availability of public transport in the locality during the proposed trading hours, location of taxi ranks or possible taxi pick-up and drop-off areas and identification of the most commonly used pedestrian routes to and from the premises, including any “safety corridors”;

viii. A summary other late night trading premises that operate beyond midnight within a 200 metre radius of the premises, indicating the nature of their use, their trading hours and distance from the premises;

ix. If applicable, details of the capacity of the space to host performance, creative or cultural uses including the location and dimensions the space, stage audience (standing or seating area).

b) Operational Details

i. An overview of the organisation, providing details about the company/licensee/proprietor that includes information regarding:

- the number and type of staff (including security);
- other similar premises within the company's portfolio (if relevant);
- any Liquor Licenses for the premises and if so, existing, or planned membership of a local liquor Accord within the Bayside LGA.

ii. Details of any complaints associated with the operation of the premises must be recorded in a Complaints Register which includes (at minimum):

- Complaint date and time;
- Name, contact and address details of person(s) making the complaint;
- Nature of complaint;
- Name of staff on duty; and
- Action taken by premises to resolve the complaint.

iii. For uses that include performance, creative and/or cultural programming, additional detail that should be provided include:

- A description of the music, visual, performance, creative and cultural events that may be staged at the premises;
- Description of the equipment required to present the performance, creative or cultural use;
- Arrangements for booking and promoting performance, creative and cultural uses;
- Procedures for notifying neighbours about the nights when operating hours are extended to provide for performance, creative and cultural uses (such as major events).

c) Hours of Operation

i. A schedule of the proposed operating hours for each day of the week including:

- All areas of the premises (e.g. courtyards, rooftop, balcony, footway, gaming room etc.).
- If the nature of an area changes (for example, a dining area becomes a dance floor after the kitchen closes), then this should be noted and operational hours for the different uses detailed.
- For existing premises seeking renewal or extension of trading hours, a schedule of current daily hours for all areas of the premises.
- If applicable, a schedule of proposed entertainment hours for each day of the week.

d) Noise mitigation and management

i. The identification of all likely noise and vibration sources associated with the operation of the premises, such as:

- Live entertainment and amplified sound;
- external (outside) areas such as courtyards, rooftops, balconies, designated smoking areas, etc;
- patrons leaving and entering the premises;
- the operation of mechanical plant and equipment;
- waste disposal, including the sorting and collection of bottles etc
- in stand-alone gyms in buildings with residential accommodation, background music, air conditioning and the use of exercise machines and free weights.

ii. Details of all on-site and off-site noise and vibration attenuation measures related to the use and operation of the premises.

iii. A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (e.g. Australian Standards, Protection of the Environment (Operations Act) 1997, EPA Industrial Noise Guidelines, etc.);

iv. Details of how management will address complaints relating to noise, and any noise control strategies that will be implemented to minimise the potential for complaints (e.g. Liaison with neighbours and local police, maintaining a complaint register etc);

v. Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies or designated smoking areas etc; and

vi. Details of any noise limiting devices to be installed.

e) Safety and security

i. A description of any arrangements that will be made for the provision of security staff. This is to include (but is not limited to) the following:
   - the number, hours and physical extent of security personnel that will be patrolling inside and outside the premises.
   - Details of CCTV surveillance camera installation that identifies both indoor and outdoor areas monitored by cameras, and camera technical specifications (e.g. recording capacity, frames per second etc.)

ii. Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering or leaving the premises will minimise disturbance to the neighbourhood, such as details of signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises.

iii. Liaison that will be undertaken with other licensees or operators of late trading premises and/or the Local Liquor Accord in the locality/area to improve security at night.

iv. Actions to be taken during 'wind down' periods prior to closing time.

v. If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will ensure that queuing is controlled in a manner that will neighbourhood and that the footpath will not be unreasonably impeded.

vi. If premise has a liquor license or applying for a new liquor licences, methods employed to implement harm minimisation and the responsible service of alcohol (RSA) requirements must be detailed.

vii. Details of emergency and evacuation procedures in accordance with the relevant Australian Standard and provide details of staff training in those procedures.

f) General amenity and management

i. Details of all measures that will be taken to ensure that amenity impacts that may result from the operation of the premises are minimised.

ii. A statement that addresses how the premises/use will impact/ contribute on the mix of uses in the area/locality during both day and night trading hours.

iii. A waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas etc.

iv. Any other measures that will be undertaken to ensure that amenity impacts that may arise from the operation of the premises are addressed.

9.5 Flood Prone Land Requirements

9.5.1 Land Use Categories

Critical Uses and Facilities	Sensitive Uses and Facilities	Subdivision
• Community facility that may provide an important contribution to the notification or evacuation of the community during flood events but excluding counselling services, community development centres, libraries, museums, galleries, visitor information centres, and the like; • Emergency services facility; • Hospital; • Residential care facility; • NSW State Emergency Service headquarters.	• Communication facility; • Seniors housing but excluding a residential care facility; • Child care centre; • Correctional centre; • Educational establishment; • Liquid fuel depot; and • Public utility undertakings which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events; • Electricity generating works; • Respite day care centre.	Subdivision of land that involves the creation of new allotments, with potential for further development or consolidation of two or more lots.

Residential	Commercial or Industrial	Recreation or Rural Uses
• Residential accommodation including Attached dwellings, Backpackers accommodation; • Bed and breakfast accommodation; • Boarding houses, Dual occupancies, Dwelling houses, Group homes, Family day care home, or home based care home, Farm stay accommodation; • Group homes, Hostel, Multi dwelling housing, Residential flat buildings, Serviced apartments, Rural workers dwellings, Secondary dwellings, Semi – detached dwellings, Shop top housing; • Utility installations (other than critical utilities)	• Abattoir, Amusement centre and Amusement park; • Boat building and repair facilities; Bulky goods salesroom or showroom; Business premises; • Commercial premises; Community Facility Depots; Freight transport facilities; • Entertainment facilities; • Heavy industry storage establishments; Heliports; Highway service centre; Hotel; • Industries; Industrial retail outlet; Industrial training facility; • Junk yard; • Medical Centre; Mortuaries; Motel; • Motor showroom;	• Air transport facilities; Agriculture; • Animal boarding or training establishment; • Extractive industry; • Farm building; • Forestry; • Helicopter landing site; • Mine; Open cut mining; • Plant nursery; • Recreation areas and minor ancillary structures (e.g. toilet blocks or kiosks); • Stock and sales yard; • Turf farming.

• Camping ground/caravan park site – long-term sites only(1); • Health consulting rooms; • Home business.	• Passenger transport facilities; Place of public worship; Plant hire; Recreation facility(indoor, major or outdoor); • Registered club; Restaurant; Restricted premises; Roadside stall; Rural industry; • Sawmill; Service station; Sex services premises; Shop; Storage premises; • Transport depot; Truck depots; • Vehicle body repair workshop; Vehicle repair station; Veterinary hospital; and Warehouse or Distribution centre; • Waste or resource management facilities.	

(1) As defined by the Local Government (Caravan Park and Camping Grounds) Transitional Regulation 1993

9.5.2 Flood Hazard Category

A Flood Hazard Map (for 1% AEP Flood Event) has been prepared for flood prone land based on the flood behaviour derived by flood modelling prepared by Council for each catchment.

The Flood Hazard Map is available at:
https://maps.bayside.nsw.gov.au/Intramaps98/?module=Flood

These hazard categories have been grouped into high and low hazards as follows.

- **High Flood Hazard -** This is defined as the area of land affected by the 1% AEP flood that is subject to hazard category H3 to H6.

  An area identified as high flood hazard is likely to have high flood damages and high risk to life or evacuation difficulties. In this area, there would be a significant risk of flood damage without strict compliance with flood-related development controls.
- **Low Flood Hazard -** This has been defined as the area of land affected by the 1% AEP flood that is categorised as having H1 and H2 hazard category. In this area, the risk to life and flood damage to the building is low, however it is unsafe for small vehicles.

The combined flood hazard curves presented in Figure 172 set hazard thresholds that relate to the vulnerability of the community when interacting with floodwaters. The combined curves are divided into hazard classifications that relate to specific vulnerability thresholds as described in Table 27.

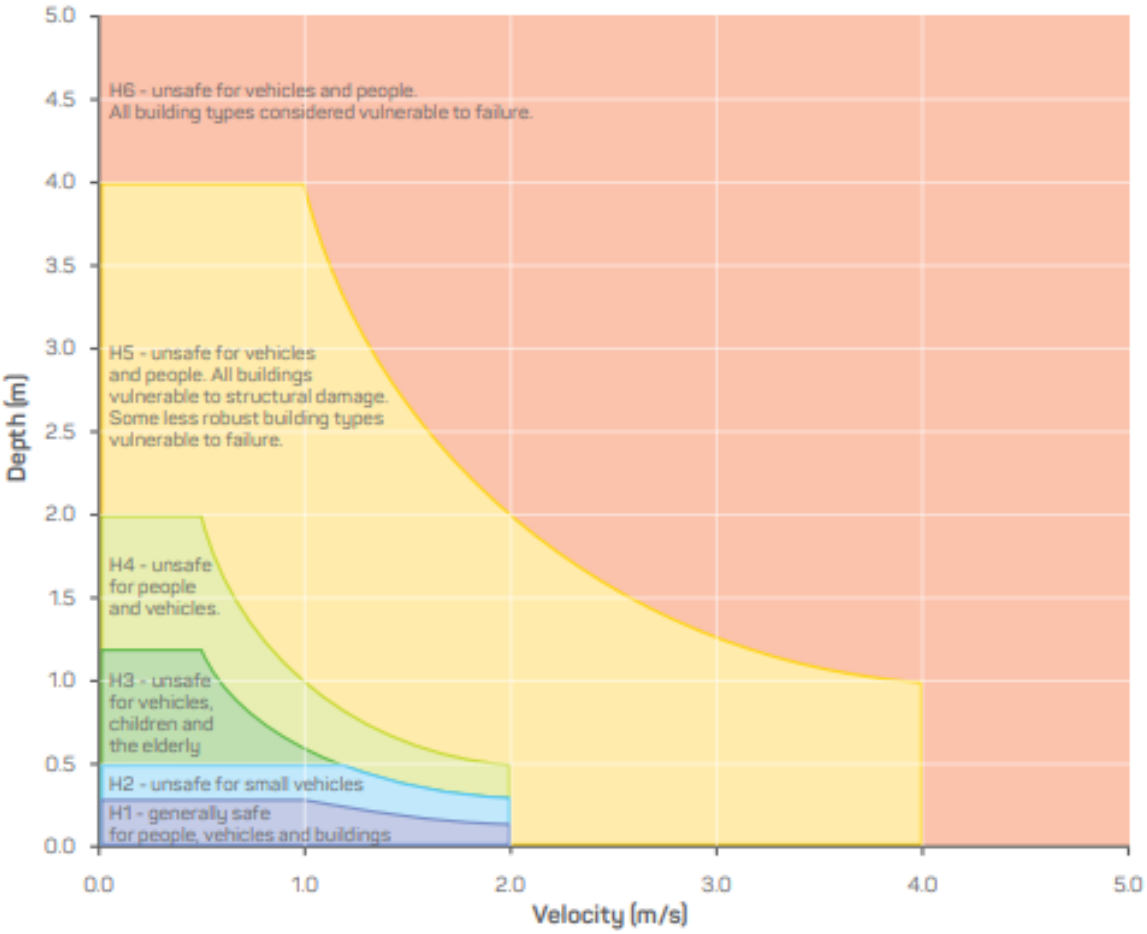


Figure 172: General Flood Hazard Vulnerability Curves (source: Australian Disaster Resilience Guideline).

Table 27: Combined Hazard Curves - Vulnerability Thresholds

Hazard vulnerability classification	Description
H1	Generally safe for vehicles, people and buildings
H2	Unsafe for small vehicles
H3	Unsafe for vehicles, children and the elderly
H4	Unsafe for vehicles and people
H5	Unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust buildings subject to failure
H6	Unsafe for vehicles and people. All building types considered vulnerable to failure

9.5.3 Flood Compatible Materials & Building Components

Building Component	Flood Compatible Material
Flooring and Sub-floor Structure	A. concrete slab-on-ground monolith construction B. suspension reinforced concrete slab.
Wall Structure	A. solid brickwork, blockwork, reinforced, concrete or mass concrete
Roofing Structure (for Situations Where the Relevant Flood Level is Above the Ceiling)	A. reinforced concrete construction B. galvanised metal construction
Doors	A. solid panel with waterproof adhesives B. flush door with marine ply filled with closed cell foam C. painted metal construction D. aluminium or galvanised steel frame
Wall and Ceiling Linings	A. fibro-cement board B. brick, face or glazed C. clay tile glazed in waterproof mortar D. concrete E. concrete block F. steel with waterproof applications G. stone, natural solid or veneer, waterproof grout H. glass blocks I. glass J. plastic sheeting or wall with waterproof adhesive
Insulation Windows	A. foam (closed cell types) B. aluminium frame with stainless steel rollers or similar corrosion and water-resistant material.
Nails, Bolts, Hinges and Fittings	A. brass, nylon or stainless steel B. removable pin hinges C. hot dipped galvanised steel wire, nails or similar.

9.5.4 Flood Assessment Reporting

Where a new development (building or earthworks) may impact on the flood behaviour (e.g. filling within the flood affected area or obstruction to the overland flow path) a qualified civil engineer is to be engaged to assess the flood impacts for the existing and proposed development and provide reasoning why the works will have less than or equal to 10mm on surrounding properties in the 1% AEP event and 50mm in

a PMF Flood event. Existing flood hazard shall be not be increased for any development for all flood events up to the PMF.

Council flood models can be made available to a nominated engineer, subject to entering a Model and Data Licence Agreement and payment of the required fee as listed in Council's fees and charges: https://www.bayside.nsw.gov.au/sites/default/files/2021-12/Model%20and%20Data%20Licence%20Agreement.pdf

The flood impact assessment shall include:

1. Flood modelling of the 1% AEP and PMF events. Two-dimensional (2D) flood modelling software (such as TUFLOW) shall be used for the flood impact assessment.
2. Flood assessment reporting shall include but not limited to the following:

    - Qualifications and experience of the qualified civil engineer
    - Model source, set up and parameters, changes in model, assumptions, rainfall data, version of the software used
    - Survey plan
    - Plans of the proposed development
    - Maps showing flood extent, flood contour, flood depth, flood hazard (H1 to H6) and velocity of pre-development and post-development for the 1% AEP and PMF flood events
    - Development (earthworks or building) impact map showing the change between pre and post development flood levels
    - Flood modelling shall include following assumptions
        - blockage of stormwater network:
            - Stormwater pipes equal to or less than 450mm diameter shall be assumed as 100% blocked and pipes above 450mm shall be modelled as 50% blocked.
            - Inlet pits shall be modelled as 50% blocked.
            - Open channel shall be modelled as per Australian Rainfall and Runoff guidelines.
        - Climate change:
            - Climate change impact shall be modelled to manage the risk of future climate change on the development proposal for the life of the buildings/structures and to determine the post development flood impact elsewhere in the floodplain. Provide reasoning as to why the works will have no impact on flood levels considering future climate change (less than or equal to 10mm on surrounding properties in the 1% AEP event).
        - The following scenarios shall be modelled:
            - Scenario 1: Impacts of sea level rise in Year 2050 and 2100.
            - Scenario 2: Impacts of sea level rise combined with increased rainfall intensity in Year 2050 and 2100.

9.5.5 Flood Maps and Definitions

Council's online flood maps – refer to online maps available for Bayside LGA:
https://maps.bayside.nsw.gov.au/Intramaps98/?module=Flood

Council's website also contains a flood management page with details of the catchments and flood studies. Refer to the online maps available for Bayside LGA.

The NSW State Emergency Service (SES) Flood Data Portal contains links to Council flood studies and flood models. Refer to the SES Flood Data Portal website: https://flooddata.ses.nsw.gov.au/

Definitions:

Defined flood event The flood event selected as a general standard for the management of flooding to development. Aims to reduce the frequency of flooding but does not remove all flood risk; for example in selecting a 1% AEP flood as a DFE you are accepting that there is a 1 in 100 chance that a larger event will occur in any year. This risk is being built into the decision.

Habitable Floor Area

- in a residential situation: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom;
- in an industrial or commercial situation: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.

Hazard is a source of potential harm or a situation with a potential to cause loss. In relation to this plan, the hazard is flooding which has the potential to cause harm or loss to the community.

Freeboard is a factor of safety expressed as the height above the design flood level. Freeboard provides a factor of safety to compensate for uncertainties in the estimation of flood levels across the floodplain, such as wave action, localised hydraulic behaviour and impacts that are specific event related, such as levee and embankment settlement, and other effects such as "greenhouse" and climate change.

Floodway area: Land that is a pathway taken by major discharges of floodwaters, the partial obstruction of which would cause a significant redistribution of floodwaters, or a significant increase in flood levels. Floodways are often aligned with natural channels, are usually characterised by deep and relatively fast flowing water, and have major damage potential.

Flood Storage Area Those parts of the floodplain that are important for the temporary storage of flood waters. The loss of storage areas may increase the severity of flood impacts by reducing natural flood attenuation.

Flood Fringe Area The remaining land in the Flood Planning Area after the Floodway area and Flood Storage area have been defined.

Flood Planning Level The combination of the flood level from the defined flood event and freeboard selected for flood risk management purposes. Different Flood Planning Level may apply to difference types of the development.

Reliable access during a flood means the ability for people to safely evacuate an area subject to imminent flooding within effective warning time, having regard to the depth and velocity of flood waters, the suitability of the evacuation route, and without a need to travel through areas where water depths increase.

Qualified Civil Engineer is a civil engineer who is included in the National Professional Engineers Register, administered by the Engineers Australia.

9.6 Waste Minimisation and Management

All controls are outlined within Bayside Technical Specification Waste Management. All development within the Bayside LGA must comply with the drainage requirements of this Technical Specification.

9.7 Traffic, Parking and Access

All controls are outlined within Bayside Technical Specification Stormwater Management. All development within the Bayside LGA must comply with the drainage requirements of this Technical Specification.