



Planning &
Environment

Bayside West Precincts

Finalisation Report



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Contents

Executive Summary	5
Executive Summary	6
1. Background	8
1.1. Background	9
2. Consultation Overview	10
2.1. Introduction	11
2.2. Public exhibition	11
2.3. Additional consultation	12
2.4. Online Survey	13
2.5. Support for the project	15
3. Response to community submissions	16
3.1. Introduction	17
3.2. Traffic impacts	17
3.3. Parking	19
3.4. Pedestrian and cycle connectivity	20
3.5. Public transport	21
3.6. Height and scale of proposed development	23
3.7. Zoning, FSR and heights controls	24
3.8. Urban design	27
3.9. Open space	29
3.10. Protection of wetlands and market gardens	31
3.11. Social impacts	31
3.12. Community consultation	33
3.13. Social infrastructure	34
3.14. Cooks Cove	35
3.15. Other matters	36
3.16. Changes in precinct boundaries and planning controls	37

3.17.	Ethane pipeline	37
4.	Bayside Council's submission	40
4.1.	Introduction	41
4.2.	Infrastructure delivery and funding	41
4.3.	Transport	43
4.4.	Open space	44
4.5.	Vegetation protection	46
4.6.	Built form and character	46
4.7.	Environmental impacts	48
4.8.	Heritage	49
4.9.	Further consultation with Council	50
5.	Other agency submissions	51
5.1.	Introduction	52
5.2.	Department of Primary Industries	52
5.3.	Department of Education	53
5.4.	State Emergency Services	54
5.5.	NSW Land and Housing Corporation	55
5.6.	Office of Environment and Heritage	55
5.7.	Sydney Airport	56



Executive Summary

Executive Summary

The Department of Planning and Environment (the Department) has undertaken detailed investigations into the opportunities and constraints of the Arncliffe, Banksia and Cooks Cove Precincts. Based on these investigations, the Department have prepared the following:

- *Bayside West Precincts 2036* - a land use and infrastructure plan for Arncliffe, Banksia and Cooks Cove (previously exhibited as a Land Use and Infrastructure Strategy (LUIS)).
- The Arncliffe and Banksia rezoning.

The rezoning of the Cooks Cove Precinct is subject to a separate assessment and approval process to be progressed by Bayside Council.

The draft LUIS (now *Bayside West Precincts 2036*) and Arncliffe and Banksia rezoning were publicly exhibited between 27 November 2016 and 28 February 2017. The community, government agencies and other organisations were provided the opportunity to comment on these documents. A total of 198 submissions were received during the exhibition period.

This Finalisation Report (the report) has been prepared to provide responses to issues raised in submissions and includes:

- A summary of the number, type and issues raised by submissions;
- Detailed responses to issues raised in the submissions by the community, organisations, agencies and Bayside Council; and
- Changes made to the Arncliffe and Banksia rezoning in response to public submissions.

There was a range of views expressed in community submissions received, with some property owners and residents supporting the rezoning, while others raised concerns about road and public transport capacity, loss of local character, loss of views, urban design quality of new development, school capacity and lack of open space. Responses to these common concerns are presented in this report.

There was also a substantial number of submissions commenting on the future redevelopment of Cooks Cove. While *Bayside West Precincts 2036* includes a future planning vision and nine planning principles for Cooks Cove, rezoning and redevelopment of this area will be subject to assessment by Bayside Council and these submissions were supplied to Council.

There were 46 submissions from developers and property owners seeking an increase in maximum building height and/or floor space for specific sites. Many of the submissions did not contain sufficient detail and justification for the request in uplift to be assessed. The Department considers

that the exhibited Arncliffe and Banksia rezoning is the correct balance between increased density and feasibility of redevelopment.

Bayside Council provided a detailed submission which raised similar issues to the community with roads, public transport, open space and infrastructure provision their main concerns. However, Bayside Council was largely supportive of the Arncliffe and Banksia rezoning. The Department will continue to work with Bayside Council to address their concerns and assist them in the development of other planning documentation.

Bayside Council are in the process of preparing a Development Control Plan (DCP) for the Arncliffe and Banksia Precincts. The DCP will provide design guidelines for new developments within the Precincts, such as urban design principles for street network and design, through site links, active frontages, building and landscape setbacks, street wall heights and the open space network. It will be the responsibility of Council to make the DCP for the Arncliffe and Banksia Precincts.

The following key changes to the exhibited Arncliffe and Banksia rezoning have been made:

- A site on the corner of Arncliffe Street and Burrows Street has been rezoned to RE1 Public Recreation to provide a new park for the community.
- An area west of Arncliffe station will be deferred from the rezoning of the Arncliffe and Banksia Precincts. This area will be the subject of further investigation to consider opportunities for greater master planning and high quality urban design outcomes.
- A small area south of Banksia railway station on the Princes Highway, bordered by B4 mixed use zones on either side, was changed from a B6 Enterprise Corridor zone to a B4 Mixed use zone, to address fragmentation, and to provide a continuous extension of the Banksia town centre.
- Fix errors in the exhibited draft height and FSR maps.



1. *Background*

1.1. Background

The Arncliffe and Banksia Precincts were designated as Planned Precincts in 2014 and Cooks Cove later in 2015. Planned Precincts are areas with good access to existing or planned transport infrastructure and that have the potential to provide for significant growth in housing and jobs with a focus on providing priority infrastructure, including schools, parks, transport, hospitals and road upgrades. The purpose of the Planned Precincts Program is to ensure that these precincts are strategically planned and that the required infrastructure is delivered in a coordinated manner. It is a NSW Government led program based on collaboration with local councils and local communities.

In collaboration with Bayside Council (previously Rockdale City Council), the Department have developed a detailed land use and infrastructure plan for the Bayside West Precincts (*Bayside West Precincts 2036*). This area includes the Arncliffe Precinct, Banksia Precinct and the Cooks Cove Precinct. Figure 1 depicts the location of the three (3) precincts.

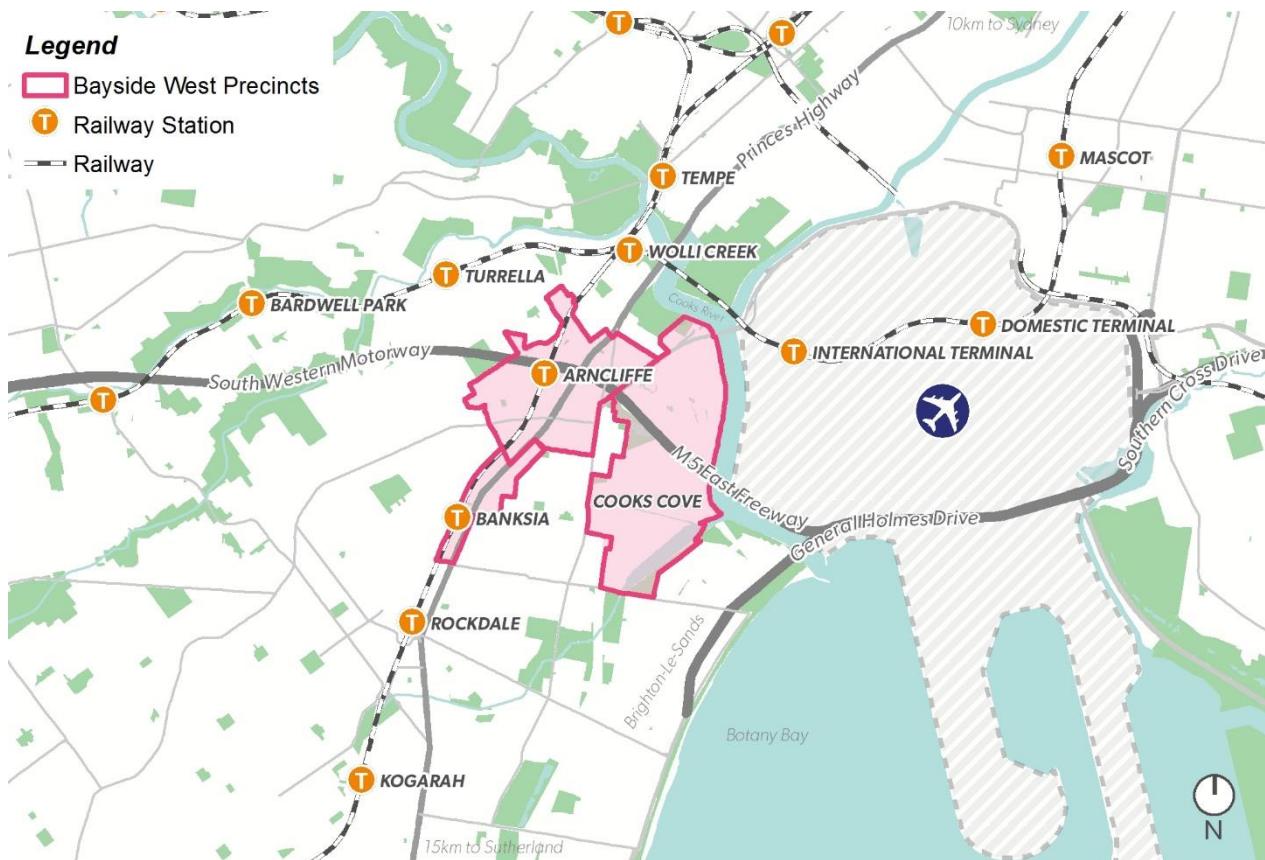


Figure 1 Arncliffe, Banksia and Cooks Cove Precincts Location Map

Bayside West Precincts 2036 aims to create connected town centres for Arncliffe and Banksia, better transport connections, more housing choices, a vibrant Princes Highway corridor and new areas of open space. A rezoning proposal for the Banksia and Arncliffe Precincts have also been prepared. The rezoning of the Cooks Cove Precinct is subject to a separate assessment and approval process that would be managed by Bayside Council.



○ 2. Consultation Overview

2.1. Introduction

The Department engaged in an extensive program of consultation throughout the preparation and exhibition of both the draft LUIS (now known as *Bayside West Precincts 2036*) and the Arncliffe and Banksia rezoning. The consultation process is described in detail in a separate consultation report available on the Department's website:

<http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Bayside-West-Precincts/~media/87B2D901E7E5480AAC24761DE905BA19.ashx>.

The details of the consultation program undertaken, and the outcomes are set out in this report.

2.2. Public exhibition

The draft LUIS, Arncliffe and Banksia rezoning and associated technical studies were publicly exhibited between 27 November 2016 and 28 February 2017.

Letters notifying the community of the public exhibition were distributed to 7,000 properties in and adjacent to the precincts and 9 government agencies, including Transport for NSW, Roads and Maritime Services, Office of Environment and Heritage and Department of Primary Industry (Water and Fisheries). Four 'pop-up' information events at key community sites and 3 workshops were held during the exhibition period. Around 500 community and other stakeholders attended at least one of these sessions.

A dedicated Bayside West Precincts page was established on the Department's website, and additional hard copies of the exhibition material were made available at Council libraries.

2.2.1. Submissions overview

A total of 198 formal submissions were received during the exhibition period. Where individuals or groups made more than one submission, these were collated and considered as a single submission. There were no form letters submitted however ten (10) submissions were identical.

Submissions were received from the following:

- 11 submissions were received from Government agencies, Bayside Council and regulatory organisations;
- 38 submissions focussed specifically on issues regarding the Cooks Cove precinct and associated developments (e.g. relocation of Kogarah Golf Course);

- 46 submissions were from developers or property owners who were seeking changes in proposed zonings or planning controls to increase the density of residential development on specific sites; and
- 103 submissions were received from individuals or community organisations.

2.2.2. Submission location by area

Of the 103 individual/community submissions received, approximately 70% were from residents/organisations within Arncliffe and about 20% were from residents/organisations within Banksia.

The remainder of the submissions were largely from neighbouring suburbs including Wolli Creek, Rockdale, Tempe, Turrella, Marrickville and Kogarah.

2.2.3. Issues raised in submissions

The views represented in the 98 individual/community submissions were varied. However, the following key issues were common throughout. Traffic was the predominant issue with 54% of submissions raising this concern, followed by public transport capacity (42%). Other concerns raised in submissions related to the height and density of new development proposed (37%), open space availability (34%) and the loss of local character (36%). It is noted that many submissions raised multiple issues and therefore totals do not equate to 100%.

2.3. Additional consultation

After considering the issues raised in the submissions, the Department undertook further consultation with a specific group of local community members from Arncliffe Heights (located in the western section of the Arncliffe Precinct) to better understand the key issues raised, including loss of views, height transition and loss of local character.

The Department also attended a community meeting at Rockdale Town Hall on 17 April 2018 to better understand the requested changes to parts of the Princes Highway sought by land owners. This is addressed in more detail at Section 3.7.

2.4. Online Survey

2.4.1. Introduction

A survey was developed to seek community feedback about the draft LUIS and Arncliffe and Banksia rezoning. The survey was available on the Department's website for the duration of the exhibition period and promoted to the community through a media release, social media campaign, direct email to over 330 subscribers; and a mailout to 7,000 landowners within the precinct boundary.

Survey participants were asked to rate, on a sliding scale, how they felt about some aspects of the draft plans. Participants also had the opportunity to provide "free form text" comments. "Free form text" comments were also reviewed and where they raised additional issues, they have been addressed. A total of 896 people responded to the survey during the exhibition period. Not all survey participants answered every question and therefore the number of responses for each question was less than 896. A summary of the survey participants includes:

- Approximately 32% of participants were interested in the Banksia Precinct and 60% were interested in the Arncliffe Precinct. About 8% did not express a specific interest in either precinct.
- The majority of all survey participants, were between 25 and 54 years of age, which account for approximately 73%.
- Approximately 44% of survey participants were from Arncliffe, 14% from Banksia and 21% from surrounding suburbs. Five percent (5%) declined to identify where they were from and another 14% were from outside the local area.
- Approximately 50% of survey participants were male and 46% were female, with 4% declining to declare their gender.
- Approximately 89% of survey participants used English as their first language. The remaining 15% used Cantonese, Mandarin, Arabic, Macedonian or Greek as their first language.
- Approximately 42% of survey participants worked in the Sydney CBD, 13% worked locally and 28% worked in other suburbs.

2.4.2. Arncliffe

Survey participants were asked about changes in Arncliffe town centre along Firth Street, including improved landscaping; allowing cafes, shops and restaurants beneath residential buildings, and the development of 8 to 12 storey buildings. Over 90% liked the idea of improved landscaping along Firth Street and about 70% liked the idea of cafes, shops and restaurants beneath residential

buildings. Only about 38% supported the development of 8 to 12 storey buildings, with about 10% neutral on higher buildings.

Survey participants were then asked whether the proposed changes in Arncliffe would make it better for local business, a better place to live, and easier to find a somewhere to live in the local area. Between 55% and 68% of participants agreed that the proposed changes would make Arncliffe a better place for local businesses, to live and to be able to find accommodation.

2.4.3. Banksia

Survey participants were asked to respond to a series of questions about the potential town centre development along Hattersley Street in Banksia. Between 48% and 64% of participants agreed that proposed changes would be positive. Between 13% and 17% neither agreed or disagreed, with the remainder (20% to 36%) disagreeing that the changes in the Banksia town centre would be positive.

Survey participants were then asked whether they liked 'cafes, shops and restaurants below residences' and 'residential buildings 8 to 12 storeys high'. About 62% of participants liked the idea of cafes, shops and restaurants below residences and 22% expressed a dislike. Only 30% liked the concept of residential buildings 8 to 12 storeys high, with 57% disliking the idea.

2.4.4. Princes Highway

Survey participants were asked two questions about improving the streetscape and increasing pedestrian areas along the Princes Highway. They were also asked whether buildings up to 13 storeys high should be permitted along Princes Highway. Over 82% of participants responded positively to the concept of improved space and streetscape along Princes Highway. However, only 38% liked the idea of buildings up to 13 storeys high along the Princes Highway, with 14% neither liking or disliking it.

Survey participants were then asked whether the proposed changes along the Princes Highway would make it better for local businesses; a better place to live, and if it would make it easier to find a somewhere to live in the local area. Just over 50% of participants agreed that the proposed changes would make the Princes Highway a better place for local businesses and for people to live. About 25% to 30% disagreed that the proposed changes would make Princes Highway a better place. About 44% of participants agreed that it would be easier to find somewhere to live with the proposed changes, whereas 38% disagreed with this statement.

2.4.5. Open space

Survey participants were asked a series of questions about open space including whether parks and playgrounds should be upgraded; open space linkages between town centres and stations should be

improved, and better ground floor design for buildings should be incorporated providing openings to adjacent parks. Over 76% of survey participants liked the idea of upgraded parks and improved open space linkages between the town centre and stations. Over 73% of participants also agreed improved open spaces and playgrounds would make it a better place for families, workers and the community.

2.4.6. Community facilities

The survey included a question about how the Precinct Support Scheme (PSS) funding could be used. A shortlist of potential projects was provided, and participants were asked to rank their preference as to which one the money should be spent on. Survey participants could also nominate other potential community projects. The four projects identified in the survey and the percentage of survey participants that ranked them as their first or second choice were:

- A Woorona Park upgrade (58%);
- A new cycle path along the Cooks River (54%);
- A Marinea Street Reserve upgrade (49%); and
- Extensions to the Eve Street cycle way (39%).

Other potential community facilities identified by survey participants included dog parks; a swimming pool; community gardens; alternative pedestrian and cycle paths; upgrades to Arncliffe Park, Gardiner Park and Cahill Park; new parks; additional lighting and security cameras; commuter parking; bike lockers at stations, and improved streetscapes.

2.5. Support for the project

The submissions received in support of the plans for the Bayside West Precincts included:

- Support for the proposed land use zones and the proposed increase in density; and
- Support for the future redevelopment of the Cooks Cove Precinct.



○ **3. *Response to community submissions***

3.1. Introduction

This section provides a response to issues raised in the 98 community submissions received. The response is set out by the key issues raised as follows:

- Increased traffic generation and congestion
- Inadequate car parking
- Loss of open space
- Public transport capacity
- Inadequate cycle and pedestrian paths and links
- Potential loss of wetlands
- Excessive heights and scale of proposed development
- Insufficient local school capacity
- Development of the Cooks Cove Precinct

3.2. Traffic impacts

Issues raised

One of the most common concerns raised was traffic congestion, particularly during peak periods. Submissions noted that the proposal would result in a considerable rise in traffic volumes on the local and regional road network, and would exacerbate existing congested roads.

Particular concerns were raised about the following:

- the existing congestion along Arncliffe Road, particularly in the morning peak.
- traffic and parking issues in Charles, Kyle and Duncan Streets in Arncliffe.
- the existing congestion and intersection performance along M1 Princes Highway.
- the existing congestion of the local and arterial road network.
- the adequacy of the proposed intersection upgrades to alleviate existing traffic congestion.
- further investigation of traffic management is required around the Cahill Park neighbourhood.

Council's submission also raised a number of traffic issues that are addressed in Section 4 of this report.

Response

The rezoning proposal enables higher density urban development within a 10-minute walk of Banksia and Arncliffe Stations and would provide future residents with alternative options for travelling to work, shops and services by means other than driving. The precincts are well serviced by public transport with:

- existing train services on the T4 Illawarra Railway Line and the T2 Airport Railway Line which links the stations to the Sydney CBD, western Sydney and Southern Sydney; and
- existing bus services located east of the railway line providing connections to Central Sydney, Bondi Junction, and Randwick (routes 442, 400 and 410).
- existing bus services located west of the railway line which meanders through the residential areas (route 473).

A review of traffic and transport in the precincts identified a series of local and regional road improvements required to support the future growth of the precincts (refer to Appendix A of *Bayside West Precincts 2036*) and supplement major road investment. Regional road improvements would be partially funded through the Special Infrastructure Contribution (SIC) plan which has been developed in parallel to the rezoning proposal. Local road improvements would be funded through Bayside Council's Section 7.11 (formally Section 94) contribution plan which currently being developed. Both contribution plans would contain thresholds or triggers for the implementation of the road improvements to ensure they are delivered in line with major increases in population.

The F6 extension (Stage 1), a southern connection from Arncliffe to President Avenue at Kogarah, is currently being investigated by the NSW Government to connect the M5 to the southern suburbs of Sydney and the Illawarra. This proposed road connection would further reduce through traffic in the precincts

Access from Arncliffe Street to the Princes Highway was identified by a number of respondents as a major issue in the AM peak. The proposed road improvements – intersection upgrades at Allen and Burrows Streets, included in the regional infrastructure upgrades identified at Appendix A of *Bayside West Precincts 2036*, will address access to the Princes Highway from Arncliffe Street. The northern access to the Princes Highway from Arncliffe Street via Brodie Spark Drive is outside the precinct area and no road improvements are proposed in this area as part of the 2036 Plan. Bayside Council has recognised traffic issues at this location and will investigate additional works to address congestion.

The parking and traffic issues identified in Charles, Kyle and Duncan Streets were reviewed. It is recommended to consider realigning Charles Street to create a north-south connection with Duncan Street – with improved potential to redirect local traffic off parallel trunk roads. Further parking improvements would be the responsibility of Bayside Council to manage as the precincts are delivered. Local area traffic management such as for Cahill Park neighbourhood are a responsibility of Bayside Council.

3.3. Parking

Issues raised

Parking was raised in submissions in conjunction with traffic impacts. The key concern was that existing parking issues would be exacerbated by the proposed rezoning and that there was insufficient on-street parking to cater for current demand. Other submissions suggested that a resident parking scheme should be introduced to reduce parking demand.

Response

There are no changes proposed to the on-site parking rates currently specified in the existing Rockdale Development Control Plan (DCP) 2011 (Parking rates for multi dwelling residences are shown in Table 1). Council’s existing DCP rates are to be adopted for any new development in the Arncliffe and Banksia Precincts. It is considered that these on-site parking rates are adequate to accommodate parking demand. The rezoning is focussed in areas near existing railway stations to encourage increased patronage of the existing public transport infrastructure. The rezoning will also improve opportunities for people to work close to home and close to public transport. The growth of local jobs should also promote greater self-containment and less reliance on private cars and the road network.

Table 1 – Multi Dwelling Housing/ Residential Flat Buildings/Shoptop Housing on-site parking rates (Rockdale DCP 2011)

Type of Use	Car parking rate	Bicycle parking rate	Motorcycle parking rate
Multi Dwelling Housing/ Residential Flat Buildings/ Shoptop Housing	<ul style="list-style-type: none"> • 1 space for studio, 1 and 2 bedrooms apartments • 2 spaces for 3 bedrooms apartments or more • Visitor parking: 1 space for every 5 dwellings 	1 space for every 10 dwellings	1 space for every 15 dwellings

The number of on-street parking locations is likely to increase with redevelopment of the precincts as a result of multiple lots, each with their own access, being amalgamated and a single or dual access servicing the new larger lot and development. This would create more opportunities and street frontage for the provision of on-street parking.

However, it is recognised that there would also be increased demand for on-street parking with the increase in population from the rezoning. Bayside Council would be responsible for specifying and approving on-street parking and monitoring demand for parking as development of the precincts occurs. Any resident parking schemes are the responsibility of Bayside Council.

3.4. Pedestrian and cycle connectivity

Issues raised

Many submissions identified that existing pedestrian and cyclist facilities and routes were inadequate and identified the need for new and improved facilities. Specific issues identified in submissions included:

- Safety of pedestrians and cyclists trying to cross the Princes Highway and Forest Road.
- The need for improved local and regional connections to cycle paths.
- Need for improved pedestrian access to and from railway stations and schools.
- Need for a pedestrian and cycleway along the Cooks River foreshore.
- Need for a pedestrian and cycleway connection to the airport.
- Need for a pedestrian and cyclist connection from the Cooks Cove Precinct to Wolli Creek Railway Station.
- Need for review of the proposed cyclist and pedestrian routes.

Response

Bayside West Precincts 2036 seeks to improve connections for pedestrians and cyclists through the following initiatives:

- The Department has contributed \$3 million to Bayside Council through the Precinct Support Scheme funding to develop a Public Domain Plan and Technical Manual that will deliver street works and guide any future development applications in Arncliffe town centre and along the Princes Highway.

- Funding towards a new shared pedestrian and cycle path following the Cooks River, through the Cooks Cove area. This link will provide the missing link to the Botany Bay to Homebush Bay regional cycle network. The location for this path will be subject to detailed design as part of future investigations.
- Funding towards improved pedestrian and cycling crossings across Marsh Street and Princes Highway to provide better access between Cooks Cove and the Wolli Creek railway station.
- Footpath connections throughout the Precincts so that they are safe, well-lit and have pedestrian crossings at key locations.
- Funding towards a new pedestrian and cycling connection along a section of the heritage listed Southern and Western Suburbs Ocean Outfall Sewer.
- New on-road cycleways connecting the railway stations to the Eve Street Cycleway and Wolli Creek to form part of a new east-west cross regional route.
- Funding towards the construction of a new pedestrian and cycling connection across the Cooks River between Cahill Park and Tempe Recreation Reserve.
- Improving the existing north-south on-road cycleway between Banksia and Arncliffe stations.

The Plan will inform updates to the Rockdale Development Control Plan 2011 and relevant Section 7.11 Development Contributions Plan by Bayside Council to ensure the upgrades proposed for pedestrian and cycling infrastructure are provided for as the area develops. Bayside Council will undertake further investigation and consultation to identify needs, optimal routes and funding for pedestrian and cyclist routes in the precincts.

3.5. Public transport

Issues raised

Limited bus options and the existing overcrowding of peak train services were raised by many respondents as reasons for not increasing the density of development in the precincts. Specific issues that were raised include:

- Peak period trains on the T4 Illawarra Railway Line were already overcrowded and would not be able to cater for the substantial increases in population that rezoning would enable.
- Peak period trains on the T2 Airport Railway Line were approaching full capacity and would not be able to cater for the substantial increase in population that rezoning would enable.

- Public transport options for Cooks Cove were limited to buses because of the distance of the development to nearby railway stations.
- Public transport improvements should be clearly identified.
- Additional bus and train services are required to service the predicted increase in population.

Response

As part of the planning for Bayside West, the capacity of the existing public transport services for the Precincts has been reviewed with regard to State future planning for public transport (*NSW Future Transport 2056*). The traffic and transport assessment identifies that a review of current public transport services, operating procedures and potential upgrades to rail infrastructure is a key requirement to support growth.

Transport for NSW is currently investigating opportunities to increase available rail capacity for southern Sydney, including for the Arncliffe and Banksia Stations. The increased capacity would assist in accommodating increased travel demand resulting from the proposed growth.

Transport for NSW, Roads and Maritime, the Greater Sydney Commission and Department of Planning and Environment are working together to coordinate land use and transport planning so new transport meets the needs of customers including residents, workers and industry. This process will consider which transport mix would best respond to long term growth challenges.

Bus services changes are recommended for consideration as part of the Transport Plan that would assist with capacity issues:

- a new route between Bondi and Miranda;
- extensions to routes 422 and 425;
- increasing bus frequencies in response to demonstrated demand; and
- investigate needs for bus priority infrastructure.

The privately-delivered planning proposal for Cooks Cove will need to consider bus improvements to ensure continued bus customer service outcomes, such as consideration of constructing a new bus stop on Marsh Street to cater for the Cooks Cove Precinct.

3.6. Height and scale of proposed development

Issues raised

A large number of submissions considered the proposed heights and density to be excessive and inconsistent with the character of the surrounding area. Key concerns were:

- The proposed 8 to 22 storey heights are too high.
- Maximum building heights should be limited to four (4) storeys.
- Maximum building heights should be reduced at interfaces with residential areas that are not proposed to be rezoned.
- The buildings would adversely affect surrounding residential amenity.
- The buildings would cause unacceptable overshadowing of neighbouring properties and public open space.
- Existing views from some residential areas would be adversely impacted.
- The topography of the precincts was not considered in sufficient detail when determining maximum building heights.
- Schools should not be surrounded by high rise development.

Response

In response to concerns raised about the height and density of buildings from the proposed rezoning of land, the Department has undertaken further investigations to assess specific issues raised in submissions and to review the proposed maximum building heights and FSRs. This included sourcing more accurate topographical data to model the impact of proposed maximum building heights on overshadowing and views.

In the Arncliffe Precinct, buildings up to 22 storeys high have been limited to the area between the railway line and Princes Highway and on the eastern side of the Princes Highway north of the Forest Road and Princes Highway intersection. The rezoning provides a graduated development density and height to surrounding suburban areas not proposed to be rezoned.

In the Banksia Precinct the area between Banksia Railway Station and on both sides of the Princes Highway has been proposed for buildings six to eight storeys in height. The remainder of the rezoning would limit buildings to 4 storeys.

The Department recognises that local residents have raised concerns about the height of buildings especially west of Arncliffe Railway Station where buildings up to 8 storeys would be allowed. Some of the proposed rezoning areas will interface with existing residential and commercial areas that are not proposed to be rezoned as part of the current rezoning proposal. In response to specific issues raised by residents west of the Arncliffe Railway Station in their submissions, the Department held an additional workshop on the 7 June 2017 with invited residents from Arncliffe Heights.

Based upon the feedback from the workshop and further investigation of the impacts of the proposed rezoning in the western area of Arncliffe, this area has been deferred from the rezoning proposal.

The western area of Arncliffe will be the subject of further investigation to consider opportunities for greater master planning and high quality urban design outcomes. The Department will work closely with Bayside Council throughout its comprehensive local environmental plan (LEP) review to further investigate the area west of Arncliffe Station for rezoning.

Assistance will be provided to the Council through a recent \$2.5million offer by the NSW Government to support the Council's strategic LEP review, with a commitment that the area be rezoned on or before 2020.

3.7. Zoning, FSR and heights controls

Issues raised

A number of submissions requested that the Department consider changes in the proposed zoning, FSR and/or heights for specific sites. These requested changes are summarised in Table 2 and generally include an increase to the FSR controls, an increase to the maximum building height controls and a change in proposed zoning. All the requested changes are for large lots or amalgamated smaller lots where multiple buildings would be able to be constructed. These sites are located along or near the Princes Highway.

Accompanying the majority of the requests were preliminary site layouts which were used to justify the request for changes in zoning, FSRs and/or maximum building heights. Where there were multiple buildings proposed on a site, the preliminary site layouts suggested that the increase in maximum height only applied to one or two of the buildings, rather than all the buildings. However, it is recognised that if increased FSRs and building heights are allowed for a site or area, it would be difficult to ensure that these new controls would only apply to one or two buildings rather than all buildings unless additional more complex planning controls were included.

Also, many of the requested changes were in areas where an Enterprise (B6) zoning had been proposed. Many of the submissions suggested that the Enterprise zoning was not economically feasible and would not result in the redevelopment of this land.

Table 2 – Requested changes in zoning, FSR or building height control

Address	Summary of issue	Exhibited Zone	Exhibited Height	Exhibited FSR	Requested Zoning	Requested Height	Requested FSR
299-307 Princes Highway Banksia	Wants to build serviced apartments on unused hotel land.	B6	18m	1.5	B4	31m	2.5
52-54 Eden St Arncliffe	Increase FSR and building heights	B4	31m	2.5	B4	70m	4
4-20 Booth St Arncliffe	Increased height and FSR	R4	22m	2	R4	28m	3
3-17 Booth Street and 79-93 Bonar Street	Increase in FSR	R4	22m	2			3
240-264 Princes Highway Arncliffe	Increased height and FSR	B6	18m	1.5	B4 or B6 with "shop top housing"	31m	2.5
381-391 Princes Highway, Rockdale	Change in zoning from Enterprise to Mixed Use	B6	18m	1.5	B4	28m	2.5
272 - 288 Princes Hwy Banksia	Change in zoning from Enterprise to Mixed Use	B6	18m	1.5	B4	31m	2.5
130 - 140 Princes Highway, 2-22 Wickham Street and 1-13 Charles Street, Arncliffe	Increased height and FSR - large site development	R4 and B4	26.5m & 31m	2.2 & 2.5	R4	Max 70m	3.65
96 - 102 Princes Highway, Arncliffe	Increased height and FSR	B4	31m	2.5	Mixed use	37m	3.5
235-253 Princes Highway & 6-10 Hattersley Street, Arncliffe	Increased height and FSR + shop top housing	B6	18	1.5	B6 with "shop top housing"	40m	3.5
345 Princes Highway Banksia	Increased height and FSR for site and whole town centre	B4	28m	2.5	Mixed use	31m	3

Address	Summary of issue	Exhibited Zone	Exhibited Height	Exhibited FSR	Requested Zoning	Requested Height	Requested FSR
96-102 Princes Highway, Arncliffe	Increased height and FSR + height bonus for design excellence	B4	31m	2.5	Mixed use	37m	3
Station St Arncliffe	Increase FSR	B4	22m	2		22m	3
137a Princes Hwy, Wolli Creek	Increase FSR	B4	31m	2.5	Mixed use	31m	4
1-17A Marinea Street, Banksia	Similar zoning to Princes Highway	R3	12m	1.2	B6	18m	1.5
282 Princes Highway Banksia	Change from Enterprise to residential zoning	B6	18m	1.5	Mixed Use		
North of Banksia Train Station	Change from Enterprise zoning to Mixed use	B6			Mixed use or residential		

Response

The Department's response to rezoning in the Princes Highway Corridor is consistent with Bayside Council's *Princes Highway Corridor Strategy 2013*. The changes to land use zoning and built form controls are proposed to maintain the employment function of the corridor, respond to the changing structure of employment uses and accommodate the demand for new residential and mixed-use areas in accessible locations.

Importantly, consistent with the more recent *Greater Sydney Region Plan* and *Eastern City District Plan*, the *2013 Strategy* also emphasises the importance of revitalising the Princes Highway enterprise corridor and promoting the employment function of the corridor through broadening the mix of land uses along the Princes Highway in suitable areas. This will set up the evolution of the economic and employment profile for the corridor to better meet the needs of a growing community.

The Department presented at a community meeting at Rockdale Town Hall on 17 April 2018, attended by around 100 people. The purpose of the meeting was to discuss the concerns of landowners who submit that changes to land use zoning and built form controls are further required (more than those proposed by the Department) along parts of the Princes Highway to allow residential uses and increased densities in the existing employment corridor.

On 23 May 2018, Council resolved that it will initiate a review of the B6 Enterprise Corridor zone along parts of Princes Highway as part of a wider review for the preparation of Council's new Bayside Local Environmental Plan and Bayside Development Control Plan.

Council's resolution identified a number of technical investigations that would be undertaken by Council as part of the review, including traffic and transport, built form analysis, open space and market demand investigations. Council resolved to write to all relevant owners in the investigation area to advise them of Council's resolution.

The Department supports Council's position. Assistance will be provided to Council through a recent \$2.5million offer by the NSW Government to support Council's strategic review of its LEP to align with the priorities of the Eastern City District Plan.

On this basis, no extension to the precinct boundaries or increase in FSR or maximum building heights from that contained in the Arncliffe and Banksia rezoning have been undertaken. Property owners and developers can submit planning proposals seeking changes to planning controls where general consistency with *Bayside West Precincts 2036* can be demonstrated.

3.8. Urban design

Issues raised

Some respondents raised concerns about the urban design aspects of new developments. Key concerns were:

- The heritage character of shopfronts in Banksia.
- Loss of trees along the railway line at Banksia.
- Potential of repetition of urban design mistakes made in Wolli Creek.
- The appearance and quality of new developments.
- Energy performance of new buildings.
- Waste management including reducing waste, vacuum systems for building, waste collection and bins.

Response

Heritage and trees

The area of Banksia impacted by the proposed rezoning does not contain any heritage items apart from Banksia Railway Station. The current development along the Princes Highway and adjacent

roads in Banksia is characterised by predominately modern commercial buildings, with some older buildings interspersed. Shop fronts and streetscapes with heritage character are generally found further south and west of the railway station - these are outside the areas currently proposed for rezoning.

Trees along the railway line in Banksia are generally within the rail corridor and therefore would not be affected by the rezoning proposal.

Urban design quality and sustainability

Design excellence is a key consideration for future development in the Arncliffe and Banksia precincts. A new clause is introduced to the Rockdale LEP 2011 that requires future development in the precincts to exhibit design excellence. All new residential development would be designed and assessed against a set of criteria to ensure the highest standard of architectural, urban and landscape design is delivered. A Design Review Panel (with members approved by the Government Architect's Office) would be convened to ensure that all new developments over three storeys meet the urban design standards required by the LEP. For residential developments over 12 storeys in height, a higher level of design excellence would be achieved through a mandatory design competition.

It is also noted that the western area of Arncliffe has been deferred from the rezoning and will be the subject of further investigation to consider opportunities for greater master planning and high quality urban design outcomes.

Sustainability performance criteria have been proposed by Bayside Council (refer Section 4) for all new development in the precinct. The Department supports their inclusion in the DCP and associated local development guidelines.

Waste management

One respondent suggested that vacuum waste management systems for buildings should be investigated and potentially mandated for all new development.

Other respondents identified waste minimisation and the plethora of bins outside residential blocks on garbage collection day as an issue.

Waste management and approval of individual buildings is the responsibility of Bayside Council and these issues would be addressed in the DCP.

3.9. Open space

Issues raised

A large number of submissions raised concerns there would be insufficient open space to cater for the new population and/or there would be a substantial loss of existing open space with the Cook Cove development and the associated changes in land use in Barton Park.

Response

'Open space' may include private and public open space, roof gardens, pedestrian access and dedicated land. Improving access to existing open space was a key recommendation of the Open Space and Recreation Needs Analysis undertaken by Urbis on behalf of the Department, Urban Growth and Council in 2015. This analysis found that in 2011 the Rockdale LGA had an open space provision rate of 3.7 hectares per 1,000 people, with 91% of residents being able access to local, district and regional open space.

The Department commissioned the preparation of a Green Plan for the Arncliffe and Banksia Precincts, prepared by AECOM. The Green Plan provides:

- A vision statement and guiding principles which build upon and synthesise previous planning strategies with major community needs.
- Investigation of opportunities for possible future open spaces and embellishments to existing open space.
- Identification of a new tree canopy strategy focusing on public land.

Through the precinct planning process, a vacant site was identified next to Arncliffe Station on the corner of Burrows Street and Arncliffe Street. The site has the potential for the provision of a new park located in the centre of the Arncliffe Precinct, near Arncliffe Station. During consultation of the Bayside West Precincts, more than three-quarters of the survey respondents said they wanted more and improved open space. That finding was a key driver to deliver a new park in a convenient and accessible location.

The new recreational park will be at least 7,000sqm, and will be available at the end of existing leases by 2020. The Green Plan includes indicative concept plans for the Burrows Street Park. However, this park will be master planned in collaboration with Bayside Council and the local community to ensure it meets local needs. The new park could include embellishments such as a community facility, connection to Wooroona Reserve, kick about space, children play area, park benches, barbeque facilities and landscaping for community enjoyment. Community input will play a key part in

designing the park. It is proposed that Special Infrastructure Contribution (SIC) funds will contribute towards land acquisition and embellishment of the new park.

Based on feedback from the community and Bayside Council the following additional open space works are provided for in *Bayside West Precincts 2036*:

- The Department has committed to upgrading two parks and a revamp of the Arncliffe town centre through the Precinct Support Scheme funding. The funding will see a \$4.5 million upgrade to Arncliffe Park and \$2.5 million allocated for Gardiner Park improvements, these include the installation of synthetic playing fields which are much needed by the local sporting community and lighting and safety upgrades.
- Wooroona Reserve, Marinea Reserve and Marsh Street Reserve have been identified as parks to be improved.
- The Department will provide funding towards the integration of the heritage Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) into the pedestrian network which could include the creation of a linear park.
- The Plan has also identified opportunities to improve physical and visual connections to these new and existing open space areas. This includes planning for new pedestrian connections throughout the Precincts and implementing improvements to existing walking and cycling links which would improve access to local, district and regional open spaces.
- Eden Street Park – a new park (up to 0.4ha) could be provided close to the Arncliffe town centre, to the east of the railway station, between Eden Street and the Princes Highway as part of any future redevelopment of the social housing estate.
- Allen Street Park – a new park (up to 0.5ha) could be located adjoining the boundary with Wolli Creek incorporating the heritage listed Southern and Western Suburbs Ocean Outfall as part of any future development of the Ford Service Centre. This park could provide playground facilities and passive recreation opportunities.

The proposed development of the Cooks Cove Precinct and any subsequent changes in open space due to the development of this precinct is subject to assessment by Bayside Council.

The Department will work with Bayside Council and the community on the design and delivery of open space in the precincts using Precinct Support Scheme funds, other funding sources (such as Section 7.11 contributions) and/or developer agreements.

3.10. Protection of wetlands and market gardens

Issues raised

A substantial number of submissions expressed concern that existing wetlands and the heritage listed market gardens in Barton Park, would be impacted by development of the Cooks Cove Precinct and the associated changes such as the relocation of Kogarah Golf Course. Wetlands identified in submissions as being potentially impacted include the Eve Street, Spring Street and Landing Lights wetlands.

Response

The development of the Cooks Cove Precinct and any associated changes to Barton Park including the wetlands and the heritage listed market gardens are the responsibility of Bayside Council to assess potential impacts and make recommendations.

State Regional Environmental Policy 33 - Cooks Cove identifies the wetlands and market gardens as environmentally sensitive areas which should be protected. There is also other legislation, policies and guidelines which provide protection to the wetlands and market gardens such as the *Threatened Species Conservation Act 1995* and the *Heritage Act 1977*.

All submissions which have raised impacts on and the protection of wetlands and market gardens have been provided to Bayside Council for their consideration in any development applications or planning proposals relating to Cooks Cove.

3.11. Social impacts

Issues raised

Key issues raised include:

- The loss of local businesses and facilities used by elderly and less mobile residents.
- Construction impacts.
- Affordable housing needs to be provided.
- The approach to affordable housing targets across NSW and in Sydney is ad hoc and before any target is proposed for Arncliffe and Banksia, a coherent policy should be developed in conjunction with the community, government agencies and private developers.
- Loss of local character.

- Justification for why thousands of existing residents will need to move away to make way for others, and details on what arrangements are to be made to accommodate us in other suburbs.

Response

Affordable housing

Due to limited economic viability, it is not intended to mandate the provision of affordable housing within the Arncliffe and Banksia Planned Precincts. It has been decided to focus available NSW Government funds on the delivery of the infrastructure required to support the planned growth in the area. Bayside Council may consider inclusion in State Environmental Planning Policy 70 (Affordable Housing), a mechanism that allows specified councils to prepare an affordable housing contribution scheme for certain precincts, areas or developments within their local government area to support the provision of affordable housing. Council could consider this as part of their wider Local Environmental Plan review.

The NSW Land and Housing Corporation (LAHC) site on Eden Street within the Arncliffe Precinct also presents a unique opportunity to provide more social/affordable housing. There are currently 142 social housing dwellings on the site. The proposed rezoning could enable around 600 social, affordable and private dwellings on the site, as well as new open space.

Loss of local businesses

While there would be a temporary loss of some local businesses and services during the redevelopment of specific sites, overall the long-term expectation would be an increase in the number and type of businesses and services available for local residents. With an increased population there would be increased demand for the types of services currently available and opportunities for new businesses and facilities. The proposed “mixed use” zoning around the railway stations encourages the retention of the existing businesses and facilities and provides opportunities for new businesses to service the local area.

Changes in local character

There were conflicting opinions about the potential impacts of the rezoning on the local character of the area. Some respondents were against the rezoning because they were concerned that the perceived family orientated, village and heritage character of the local areas could be potentially lost. Other respondents considered local areas to be underdeveloped, dirty, crime-ridden and lacking a specific local character. While the local character of the areas away from the Princes Highway are generally suburban in nature, apart from buildings along Firth Street near Arncliffe Railway Station,

small pockets and individual buildings, there is no coherent heritage landscape, with buildings ranging from the turn of the 20th century to more modern structures from the past 40 years.

With the proposed rezoning there would be a change in the local character of the area, with an increase in population and a change in the size and architectural style of buildings. However, this change in the local character would be gradual as complete development of the precincts would occur over 20 years and would also involve positive changes such as increased open space, improved pedestrian linkages and greater opportunities for employment and establishment of a variety of local businesses.

Other mitigation measures such a design excellence clause in the LEP, and local and regional infrastructure upgrades would ensure that any negative impacts on the local character of the proposed rezoning are minimised.

Construction impacts

With redevelopment of the precincts some construction impacts will be unavoidable. However, substantial development of the precincts would be very unlikely to occur at the same time and consequently significant construction impacts would not be expected. Bayside Council would be responsible for including construction mitigation measures in development approvals and the monitoring and enforcement of mitigation measures during construction.

3.12. Community consultation

Issues raised

Key consultation concerns raised were:

- The extent of consultation for rezoning of this scale has been inadequate.
- Many local residents were unaware or have only recently become aware of the rezoning process.
- The consultation period should have been extended because of the Christmas period.
- The exhibition material was complex and not appropriate for consultation.
- The local community is culturally diverse and the consultation should have taken this into account.
- The survey asked leading questions and appeared biased.
- Conflicting FSRs presented in different planning documents.

Response

The Department considers the consultation measures undertaken for the precincts to be satisfactory. The draft LUIS and Arncliffe and Banksia rezoning were placed on exhibition for three months and this duration was considered adequate for the local community to familiarise themselves with the proposed changes and to lodge submissions.

Complexity of information

The complexity and detail of the documentation and information prepared to support the Arncliffe and Banksia rezoning must meet certain statutory and policy requirements. Wherever possible this has been presented in a format which can be understood by the community, however for some aspects this is not entirely possible. Summary documents that were less technical were also prepared and used to support the community consultation. Similarly, the Department offered translations of all documents if requested and key communications material was produced in common local languages including Arabic, Chinese, Greek and Macedonian.

Survey

The survey was designed to provide community feedback to the Department on certain aspects of the draft planning. While the survey questions were focussed, there were opportunities in the survey for the respondent to provide “free form text” which many respondents used to comment on other aspects of the draft documentation. The community also had the opportunity to make a formal detailed written submission in addition to the survey.

Mapping

The Department acknowledges that there were some discrepancies in the FSRs and maximum building heights shown in the Arncliffe and Banksia rezoning documentation. The difference between the FSRs and building heights was minor, confined to specific areas and has been corrected in the final plans.

3.13. Social infrastructure

Issues raised

Key issues raised included:

- Lack of capacity of regional social infrastructure including hospitals, emergency services and other services to handle increased population growth.
- Lack of capacity of local social infrastructure including community centres and libraries.

- Local schools and particularly Arncliffe Public School are already at capacity and cannot cope with the precinct's increased population.

Response

Community services

The Social Infrastructure Study for each precinct considered existing social infrastructure in the area, such as medical centres and hospitals, aged care facilities, libraries, preschools and schools. It assessed the needs of the new community in the precinct, and the capacity of existing community infrastructure. A summary of the findings is provided in *Bayside West Precincts 2036*.

To accommodate the growing communities of the Bayside West Precincts, additional social infrastructure is required to support the population needs. Future local community facilities can be accommodated in the increased development capacity of sites throughout the Precincts and will be subject to future planning by Bayside Council.

The Department is satisfied with the analysis and recommendations of the Social Infrastructure Study for each precinct. They are found to be appropriate for rezoning purposes and have been incorporated into the precinct planning where required. Funding for social infrastructure would be provided via Section 7.11 contributions, Special Infrastructure Contributions and the Precinct Support Scheme.

Schools

The Department of Education (DoE) submission advised that increases in future enrolments generated by the precinct redevelopments would be considered during the preparation of school cluster plans for the district. DoE noted the potential provision of land at Cooks Cove for a new school and the need for this would be determined in the school cluster planning process. It would also require the consideration of environmental issues such as aircraft noise, contamination, flooding and traffic. DoE's submission is discussed in greater detail in Section 5.

The Draft SIC provides funding for the Department of Education to provide for additional student spaces to support the growing population.

3.14. Cooks Cove

Issues raised

Many of the submissions raised issues on the Cooks Cove Precinct including:

- Support for the development of the Cooks Cove Precinct including the relocation of the Kogarah Golf Course.
- Opposition to Cooks Cove Precinct redevelopment due to potential impacts on wetlands, open space, heritage listed market gardens, traffic and other environmental features.

Response

Cooks Cove is one of the three Bayside West Precincts. Precinct planning for Cooks Cove is limited to improvements to pedestrian, cycling and vehicle connections and leveraging off the publicly accessible riverfront. The planning undertaken in *Bayside West Precincts 2036* will ensure Cooks Cove is well connected to the local catchment to support this Precinct for any future planning.

The planning for Cooks Cove does not include a rezoning stage and future development at Cooks Cove is subject to assessment by Bayside Council. All submissions relating to Cooks Cove, Barton Park and associated wetlands have been provided to Council for consideration.

3.15. Other matters

Issues raised

Key concerns raised include:

- The rezoning proposal is driven by developers and has been instigated by the NSW Government on behalf of the developer's lobby.
- The Department is an unelected body and has no rights to rezone land. These changes were not flagged before the last State election and people should have a right to vote on them.
- The rezoning should be postponed until local government elections are held in September 2017.

Response

The Arncliffe and Banksia Precincts were nominated as Planned Precincts by the former Rockdale Council in 2013. Cooks Cove Precinct was nominated as a Planned Precinct by the former Rockdale Council in 2015. While the NSW Government accepted the nomination of these areas as Planned Precincts, they did not originally nominate them for consideration. Since the nomination of Arncliffe and Banksia as Planned Precincts there has been a State election and a local government election. For the Cooks Cove Precinct, there has been a State election since its nomination. While it is

recognised that local government elections were scheduled in September 2017, residents still had the opportunity to lobby their local council administrator.

The Department is a NSW Government agency with the responsibility of developing and implementing planning and land development policies of the elected NSW Government. The Planned Precinct process has been developed to ensure that any major rezoning proposals have merit, comply with regional and State plans and policies, and most importantly, infrastructure requirements are identified and coordinated across local government and all State government agencies.

3.16. Changes in precinct boundaries and planning controls

Issues raised

There were a number of submissions which suggested that the Arncliffe Precinct boundary be modified including:

- Expanded to include additional commercial premises on the northern side of Wollongong Road. The current boundary has a small number of properties on the northern side of Wollongong Road identified for rezoning.
- Expanded to include 14-22 Loftus Street, Turrella.
- Expanded to include 85-105 Wollongong Street, Arncliffe.

Response

Due to various constraints, particularly traffic and transport capacity limitations, the precinct boundaries have not been modified to include additional areas.

3.17. Ethane pipeline

Issues raised

APA, a pipeline, energy supplier and manager, identified that the Moomba-Sydney Ethane Pipeline is located immediately north of the Arncliffe Precinct and within the Cooks Cove Precinct. They requested that the potential hazards associated with the failure of the pipeline be considered before rezoning any land.

Response

The development of the Cooks Cove Precinct and any hazards associated with the ethane pipeline is the responsibility of Bayside Council to assess.

APA have identified that any land within 590 metres of the Moomba-Sydney Ethane Pipeline located within a rupture zone. This distance is determined by the design criteria and maximum operating pressure of the pipeline. It does not consider any mitigating circumstances such as the pipeline protection measures, lower operating pressures, topography or existing development. Areas of the northern section of the Arncliffe Precinct are within 590 metres of the Moomba-Sydney Ethane Pipeline, with the closest location in the Booth Street area, being approximately 220 metres from the pipeline. APA has recommended that a Safety Management Study (SMS) be undertaken to quantify the risks and identify potential mitigation measures to minimise any unacceptable risks. The Department's hazard guideline, specifically for land use planning, namely HIPAP No. 4 - Risk Criteria for Land Use Planning, establishes a process and risk criteria for land uses near hazardous facilities.

A SMS which complies with *AS2885.3 Safety Management Study* was undertaken in June 2017 with representatives from the Department and APA. Outcomes from the study included:

- The ethane pipeline is in excellent condition and was built to a higher standard than would be currently required;
- APA's procedures, plans and program to monitor, manage, maintain and protect the pipeline are appropriate and compliant, all required audits and reviews have been undertaken;
- Apart from a 300-metre length of pipeline in Kogarah Golf Course, the pipeline has been classified as being in close proximity to higher density residential areas. This classification requires APA to more actively monitor, manage, maintain and protect the pipeline in comparison to less developed areas. APA has indicated that it will reclassify the remaining 300 metres of pipeline;
- The proposed rezoning areas are not over or adjacent to the ethane pipeline and consequently there would be no direct impacts or risks on the ethane pipeline as a result of the rezoning;
- The permissibility of sensitive land uses such as schools or nursing homes in the potential area of impact of a full-bore rupture of the pipeline should be reviewed; and
- More detailed consideration and assessment of the ethane pipeline would be required for the development of the Cooks Cove Precinct.

The Department also undertook an assessment of potential individual and societal risks associated with the rezoning and the Ethane pipeline. This was undertaken using the methodology and risk

criteria detailed in Hazardous Industry Planning Advisory Paper No 10 - Land Use Safety Planning (DPE, 2011). The assessment concluded that the rezoning would be below recommended risk criteria for individuals and societal risk and no additional planning controls would be required.





4. Bayside Council's submission

4.1. Introduction

Bayside Council raised a number of issues in their response to the exhibition of the Draft LUIS and Arncliffe and Banksia rezoning. Council's key issues include:

- Local and State infrastructure funding and delivery.
- Provision of open space.
- Transport strategy including public transport, pedestrians and vehicles.
- Built form and character including heritage considerations, minimum lot size and design excellence.
- Sustainability benchmarks for new development in the precinct.
- Impacts of the Cooks Cove development.
- Environmental considerations in new developments.

Overall Bayside Council was supportive of the draft LUIS and Arncliffe and Banksia rezoning. Council's main concerns were related to infrastructure and open space required to support development of the precincts and the design guidelines for future developments

These issues are discussed in the following sections.

4.2. Infrastructure delivery and funding

Issues raised

Council raised infrastructure issues relating to:

- The need for a detailed infrastructure plan that clearly identifies responsibility for providing infrastructure, including associated funding streams.
- Resources and time required for Council to complete a new Section 7.11 (formally Section 94) contributions plan and the adequacy of Council's existing contributions plan to raise levies for infrastructure associated with the proposal.
- Limitations of the existing practice note for Section 7.11 (formally Section 94) contributions plan and the \$20,000 per lot cap on Section 7.11 contributions, especially regarding urban renewal projects.
- Lack of information on the SIC and its impacts on development costs.
- The use and administration of the Precinct Support Scheme (PSS) funds.

Response

Infrastructure strategy

Council requested the formation of a working group of government agencies and Council to complete investigations into and planning of the infrastructure strategy. The Department has consulted and worked with relevant NSW Government agencies on the infrastructure strategy for the Precincts including undertaking further investigations, determining thresholds for delivery and developing detailed costs. A more detailed infrastructure strategy has been prepared and is used as the basis for determining the Draft SIC for the precincts. This enables Council to plan and fund its local infrastructure strategy. Based on the work already completed a more formal working group is not required.

Council is responsible for preparing and obtaining approval for their local infrastructure strategy and Section 7.11 contribution plan. The Department will continue to work collaboratively with Council to ensure a comprehensive and appropriate new Section 7.11 contribution plan is developed in a timely manner.

Section 7.11 contributions restrictions and caps

The Department notes Council's concern that the existing Revised Local Development Contributions Practice Note does not allow Council to use Section 7.11 contributions to fund social infrastructure capital works and the \$20,000 per lot cap on Section 7.11 contributions. Council's request that the Practice Note be modified as soon as possible to allow Section 7.11 contributions to fund social infrastructure capital works, including the removal of the \$20,000 per lot cap on Section 7.11 contributions is beyond the scope of this project.

However, the Department finalised a Ministerial direction and associated guidance to give effect to the Government's announcement of changes to the Section 7.11 infrastructure contributions cap. This clarifies arrangements for Section 7.11 contributions in transitional areas where Local Infrastructure Growth Scheme (LIGS) funding is currently in place. Changes were made to the Ministerial direction so that infrastructure is fully funded even in areas where LIGS funding is no longer available. The cap on contributions increased by \$5,000 on 1 January 2018 to \$35,000 in greenfield areas and \$5,000 to \$25,000 in infill areas, and from 1 July 2018, apply an annual \$5,000 increase to the caps each year for two years. The caps will be removed entirely in these areas on 1 July 2020. Other areas will no longer be able to apply for LIGS subsidies. Instead, contributions plans which propose rates above the cap will be able to seek assessment by IPART against the Department's Essential Works List, after which development will be able to charge the full apportioned amount.

Precinct Support Scheme (PSS) funds have been committed for social infrastructure capital works, including significant upgrades to Arncliffe Park and Gardiner Park, and the preparation of a Public Domain Plan and Technical Manual for the Arncliffe Town Centre and streetscape improvements.

Council also raised concerns that the high quality urban domain images presented in the draft documentation created community expectations that could not be achieved with the current allocation of Section 7.11 contributions. With the appropriate planning controls in place, a new Section 7.11 contribution plan, the new design excellence clause and a collaborative approach between developers and Council, these urban domain outcomes could be achieved.

4.3. Transport

Issues raised

Key issues raised include:

- An integrated holistic approach to traffic assessment and planning needs to be undertaken.
- The existing and known future rail and bus services do not provide adequate capacity to cater for population growth.
- Relevant NSW Government agencies and departments must actively participate in the development of any future precinct planning.
- The Department should include viable transport alternatives, including additional bus services. Such initiatives will, in the short to medium term provide current and future residents with an improved transport service until a longer-term solution is identified.
- The Department should engage with RMS to ensure intersection, road and pedestrian movement improvements proposed are supported by RMS and can be delivered.

Response

Scope of Transport Assessments

The Department has prepared separate transport assessments for the Arncliffe/Banksia Precincts and the Cooks Cove Precinct to respond to the different statutory pathways for the two areas. For Arncliffe and Banksia, these precincts are proceeding to rezoning, requiring a separate transport study. For Cooks Cove, further work is required by private industry to reach a level of assessment suitable for a rezoning, which is also dependant on investigations for the F6 extension. This would include more detailed traffic studies for the Cooks Cove redevelopment, to assess the cumulative impact of the redevelopment of Cooks Cove including the Arncliffe and Banksia Precincts.

Public Transport Congestion

The transport assessments indicated that the T4 Illawarra Railway Line and the T2 Airport Railway Line are capacity constrained.

Transport for NSW is currently investigating opportunities to increase available rail capacity for southern Sydney, including for the Arncliffe and Banksia Stations. The increased capacity would help to accommodate increased travel demand resulting from the proposed growth.

Several bus services are proposed in the transport plan for Arncliffe and Banksia to address capacity issues and improve service coverage. Further to these recommendations, TfNSW regularly reviews bus services to respond to growth, and will continue to do so as these precincts are delivered.

In the medium to long term, congestion increases on the rail network may result in demand shifting to parallel bus routes such as Route 422. Increases in service frequencies are proposed to the 422 to address these growths in demands.

RMS and TfNSW consultation

RMS and TfNSW have been consulted during the preparation of the transport studies. The input received has assisted in responding to submissions and the development of the Draft SIC.

4.4. Open space

Issues raised

Council identified the following issues regarding open space:

- A needs-based assessment for open space does not appear to have been undertaken.
- There is insufficient open space for the projected increase in population.
- The proposed reduction in open space from the Cooks Cove development and associated other modifications (e.g. relocation of Kogarah golf course) need to be considered.

Response

There have been 4 recent and relevant open space needs analyses undertaken including:

- *Green Plan Arncliffe and Banksia* (AECOM 2018) – prepared for the Department;
- *Open Space and Recreation Needs Analysis* (Urbis 2015) – prepared for the Department, the former Rockdale City Council and UrbanGrowth NSW;

- *Sydney's Open Spaces Vol 5: South Subregion Audit (2014)* – prepared by the Office of Government Architect (OGA); and
- *Open Space & Recreation Strategy (2010)* – prepared by the former Rockdale City Council.

Within the Arncliffe and Banksia Precincts, it is recognised that there is an existing lack of open space and provision of large new areas of additional open space is impractical due to the cost and availability of land and the footprint of existing development. To provide open space for residents in the Precincts, the Department has adopted the following approaches:

- The Department will deliver a new park next to Arncliffe Station on the corner of Arncliffe Street and Burrows Street. This park will be at least 7,000 square metres in size and includes recreation space, children's play areas, and off-leash dog area and opportunities for community facilities. The park will be masterplanned in collaboration with Bayside Council and the local community to ensure it meets local needs. It is proposed that Special Infrastructure Contribution (SIC) funds will contribute towards land acquisition and embellishment of the new park.
- The Department has committed to upgrading two parks and a revamp of the Arncliffe town centre through the Precinct Support Scheme funding. The funding will see a \$4.5 million upgrade to Arncliffe Park and \$2.5 million allocated for Gardiner Park improvements, these include the installation of synthetic playing fields which are much needed by the local sporting community and lighting and safety upgrades.
- Wooroona Reserve, Marinea Reserve and Marsh Street Reserve have been identified as parks to be improved.
- The Department will provide funding towards the integration of the heritage Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) into the pedestrian network which could include the creation of a linear park.
- The Plan has also identified opportunities to improve physical and visual connections to these new and existing open space areas. This includes planning for new pedestrian connections throughout the Precincts and implementing improvements to existing walking and cycling links which would improve access to local, district and regional open spaces.
- Eden Street Park – a new park (up to 0.4ha) could be provided close to the Arncliffe town centre, to the east of the railway station, between Eden Street and the Princes Highway as part of any future redevelopment of the social housing estate.
- Allen Street Park – a new park (up to 0.5ha) could be located adjoining the boundary with Wollie Creek incorporating the heritage listed Southern and Western Suburbs Ocean Outfall as

part of any future development of the Ford Service Centre. This park could provide playground facilities and passive recreation opportunities.

Precinct planning for Cooks Cove is limited to improvements to pedestrian, cycling and vehicle connections and leveraging off the publicly accessible riverfront to ensure Cooks Cove is well connected to the local catchment to support this precinct for any future planning. The planning for Cooks Cove is subject to assessment by Bayside Council. Additional community consultation would be undertaken by Council as part of any rezoning proposal and development application in relation to the redevelopment of Cooks Cove.

4.5. Vegetation protection

Issues raised

Council suggested that the draft documentation should have included a detailed flora and fauna assessment of the Cooks Cove Precinct and rezoning areas containing important vegetation as environmental conservation zones.

Response

Bayside West Precincts 2036 is supported by a number of technical studies and the identification of environmental conservation areas within the Cooks Cove Precinct would occur during the rezoning of the whole precinct when the full range of detailed issues would be considered such as the design and offset measures of the Cooks Cove redevelopment. Bayside Council is responsible for assessing the redevelopment of the Cooks Cove Precinct and therefore would be responsible for identifying areas with important vegetation that would be protected with an environmental conservation zoning.

There are other mechanisms and processes to protect important remnant vegetation such as the *Threatened Species Conservation Act 1995* and the *Fisheries Management Act 1994*.

4.6. Built form and character

Issues raised

Overall Council had no significant objection to the built form and character aspects of the proposed rezoning. However, Council requested further consideration to a number of matters including:

- Clarification of the mechanisms for assessing design excellence.
- Specification of minimum lots sizes to ensure that through site links do not result in excessively bulky buildings, poor design outcomes and excessive numbers of driveway accesses.

- Shared lot driveway accesses should be encouraged to minimise the loss of parking for driveway accesses.
- Access issues may result from the redevelopment of narrow lots in the Banksia Centre. Minimum lot sizes and minimum depth controls should be implemented to reduce the risk of access issues.
- Consideration should be given to changing the zoning and development controls for the Marinea Street and Arncliffe School Neighbourhood to provide a better transition to low density areas.
- Consideration of the implementation of such benchmarks as detailed in the *Parramatta Road Corridor Urban Transformation: Planning and Design Guidelines (Section 3.10 Sustainability and Resilience)* developed by UrbanGrowth NSW as part of the Bayside West Precincts.

Response

Design Excellence

Since the exhibition of the draft LUIS and Arncliffe and Banksia rezoning further consultation has been undertaken with Council and the Government Architects Office on an appropriate design excellence clause and process for the precincts. The new clause is included in the Arncliffe and Banksia rezoning package and further discussed in Section 3.8 of this report.

Planning controls

The proposed FSR and maximum building heights will influence minimum lots sizes. Additional minimum lot size provisions are not required. Other matter such as shared driveways will be considered by Council at the development application stage.

Proposed zoning and development controls for the Marinea Street and Arncliffe School Neighbourhood were reviewed and were found appropriate for the local context.

Sustainability target

The sustainability targets in the *Parramatta Road Corridor Urban Transformation: Planning and Design Guidelines (section 3.10 Sustainability and Resilience)* are based around minimising energy and water use, reducing the urban heat island affect and reducing the impacts of stormwater discharge. These types of targets are generally specified in either the DCP or associated technical guidelines and therefore are the responsibility of Council to draft, adopt and implement. The Department supports the inclusion of these types of targets in the DCP and associated technical guidelines.

4.7. Environmental impacts

Issues raised

The main environmental issues raised in Council's submission were:

- Make available additional information that appropriately and clearly addresses the responsibility of owners and proponents when it comes to the determination of contamination impact on a site.
- Issues guidance to owners and proponents in the Bayside West Precincts detailing the potential impacts of aircraft noise and air quality issues. This should include the type and level of information that may be required as part of any planning proposal or development application.
- Reviews the boundary of the Precinct, particularly around Arncliffe Park and addresses the likely measures which need to be implemented from a floodplain management point.

Response

Contamination, aircraft noise and air quality

The Department recognises that assessment and consideration of contamination, air craft noise and air quality are essential in any development applications in the precinct areas. The most appropriate mechanism for detailing assessment requirements for these issues is through the relevant State Environmental Planning Policies (SEPPs), such as the Remediation of Land SEPP 55; and the DCP (to be prepared by Council)

Adjustment of precinct boundaries to reflect stormwater catchments

Precinct boundaries have not been modified to reflect stormwater catchments as this would have implications for other aspects such as the Infrastructure Strategy and contributions plans. However, it is noted that the western area of Arncliffe, including the area adjacent to Arncliffe Park, has been deferred from the rezoning and will be the subject of further investigation to consider opportunities for greater master planning and high quality urban design outcomes.

The Department will continue to work with Council to identify an appropriate mechanism to enable stormwater improvements to be funded.

4.8. Heritage

Issues raised

Council raised the following issues with regards to heritage:

- Undertake a strategic approach to heritage that identifies the appropriate building interface between new buildings and heritage items.
- Consider the potential for the integration of pedestrian movement adjacent to heritage items. This would allow future residents to appreciate the items, but, more importantly, strengthen the items significance in the area.

Response

Building interfaces

Bayside West Precincts 2036 identifies three State heritage items in or adjacent to the development precincts, namely the Southern Suburbs Ocean Outfall Sewer (SWSOOS), Arncliffe Railway Station and the Market Gardens (Cooks Cove).

The section of the SWSOOS in the Arncliffe Precinct is a square concrete and brick above ground structure which has been modified and repaired over time. Currently it is partially covered with fill material. While it has undoubted heritage significance, it is a visually unattractive. The SWSOOS is located along the boundary of the Arncliffe Precinct. Different design and planning principles would apply to land either side of the SWSOOS and can be covered in the Bayside Council's DCP.

Arncliffe Railway Station is separated from potential development lots by roads and public domain areas. Active frontages have been specified for lots around Arncliffe Railway Station and this, combined with standard considerations for development adjacent to heritage items would provide opportunity for Council to develop a consistent and sympathetic approach to building interfaces around Arncliffe Railway Station.

Building interface requirements around local heritage items would be the responsibility of Council to develop and enforce in any future Development Control Plan.

Pedestrian access

The Department supports the concept of utilising pedestrian accesses adjacent to heritage items to improve the appreciation of such heritage items.

A through site pedestrian linkage between Arncliffe Street and Princes Highway has been identified along the SWSOOS corridor, including the potential for a linear park, within the Arncliffe Precinct and is subject to further investigation.

A number of new and upgraded through site pedestrian links around Arncliffe Railway Station have been identified.

Any pedestrian accesses around the Market Gardens would be considered as part of the Cooks Cove and Barton Park redevelopment.

4.9. Further consultation with Council

Subsequent to the exhibition of the draft documentation, further consultation has been undertaken with Council including a review of the proposed Arncliffe and Banksia rezoning. Based upon this review, an area of B6 Enterprise Corridor zoning south of the Banksia Railway Station along the Princes Highway has been amended to B4 Mixed Use.

This is on the basis that the land immediately north and south of the B6 Enterprise Corridor zoning has been rezoned to B4 mixed use zoning to ensure a continuous extension of the Banksia town centre. This would have potentially resulted in fragmentation of land uses, poor development feasibility and urban design outcomes.

No other areas were identified by Council as requiring a modification to their proposed rezoning.



5. Other agency submissions

5.1. Introduction

The Department consulted with various government agencies throughout the planning for the Arncliffe, Banksia and Cooks Cove Precincts. The Department also formally consulted nine government agencies during the exhibition of the draft LUIS and Arncliffe and Banksia rezoning. Submissions received from government agencies have been summarised and are discussed below.

5.2. Department of Primary Industries

Issues raised

The Department of Primary Industries (DPI) submission incorporated comments from:

- DPI Water
- DPI Fisheries

DPI (Water) raised concerns about locating a shared pedestrian and cyclist path along the banks of the Cook River estuary as it was contrary to DPI Water Guidelines for Controlled Activities on Waterfront Land (2012) (Guidelines) and the NSW State Rivers and Estuaries Policy. These guidelines and the policy recommend that a 40-metre-wide vegetated riparian zone should be established along watercourses.

DPI (Fisheries) noted that the Cooks River and Muddy Creek were designated as Type 1 key fish habitat and consequently DPI (Fisheries) were required under the Fisheries Management Act to ensure that there was no net loss of habitat. They recommended that a 40-metre-wide vegetated riparian zone should be established along watercourses, preferably consisting of saltmarsh and mangrove communities. They also recommended that Water Sensitive Urban Design (WSUD) principles and requirements be adopted in the design of any new developments in the precincts.

Response

The location, extent and design of any pedestrian and cyclist path along the Cooks River or Muddy Creek would be subject to separate approvals and assessment process. The rezoning and development of any foreshore land would be responsibility of Bayside Council and no foreshore land is included in the Arncliffe and Banksia rezoning. It should also be noted that pedestrian and cyclist pathways are permitted in riparian zones under *Controlled Activities on Waterfront Land - Guidelines for Riparian Corridors on Waterfront Land* (DPI 2012).

The Bayside Council's stormwater policy and requirements are detailed in Technical Specification – Stormwater Management (Rockdale City Council 2011). The technical specification is based upon

WSUD principles and would be used to guide and assess the design of new development in Arncliffe, Banksia and Cooks Cove Precincts.

Recommendation

The Department has provided Bayside Council with DPI's submissions to ensure that DPI's concerns are considered in any development of the Cooks River foreshore.

5.3. Department of Education

Issues raised

The Department of Education (DoE) estimates that the growth proposed in Bayside West would result in increased enrolments in government schools of 300 - 400 primary school students and 180 - 210 high school students. This would require up to 29 additional classrooms and associated facilities such as libraries, halls, sports grounds and canteens.

DoE is currently developing school cluster plans which would assess future government school demands and a strategy for their timing and delivery. This process would be used to determine the strategy for the potential increased demand from Bayside West Precincts.

DoE requested consideration of improved pedestrian and cyclist facilities to existing schools such as Athelstane Public School, Kyeemagh Infants School and Arncliffe West Infants School. It also suggested that road improvements be considered nears schools such as increasing the capacity and safety of intersections such as Wollongong Road/Athelstane Road and Wollongong Road/Dowling Street.

DoE also noted the potential development of Cooks Cove and the potential for provision of a new school within the precinct. However, notes that the school cluster plan is yet to be developed and other potential constraints to be considers. DoE proposes to work through these matters with the Department.

Response

The Department notes that the solution to cater for additional government school enrolments for the Precincts would be determined as part of the school cluster plan process for the area. DoE has already provided input into the development of the Draft SIC plan for the precincts and consequently funds would be available to deliver on the outcomes of the school cluster plan for the area. Specifically, the Draft SIC provides funds to provide for additional student spaces to support the growing population.

The provision of a school in Cooks Cove is not included in *Bayside West Precincts 2036* as it is acknowledged that the relevant school cluster plan has not been developed and further consultation with DoE is required.

Athelstane Public School, Kyeemagh Infants School and Arncliffe West Infants School are outside the Precinct area and consequently no specific pedestrian and cycle links to these locations have been considered. However, the improved pedestrian and cyclist links proposed as part of *Bayside West Precincts 2036* would improve access and safety for students from these schools.

The intersection of Wollongong Road/Dowling Street has been identified for an upgrade as part of local road improvements. Additional local road improvements would be considered during the investigations of additional areas in the precinct.

5.4. State Emergency Services

Issues raised

The State Emergency Service (SES) requested that further assessment of the Probable Maximum Flood (PMF) should be undertaken and used to inform planning controls and the viability of rezoning flood affected areas. The SES are particularly concerned about flooding impacts on the Cooks Cove Precinct and the “shelter in place” flood safety approach for the Cooks Cove Precinct. The SES requested a flood evacuation route up to the PMF be provided for Cooks Cove Precinct.

Response

For the Cooks Cove Precinct flood design criteria and mitigation measures such as evacuation routes would be determined by Bayside Council during the consideration of any urban development application for the precinct. SES’s submission will be provided to Bayside Council. The flooding assessment undertaken was a preliminary assessment to determine the viability of development in the Cooks Cove Precinct and was not intended to fully assess potential impacts and identify mitigation measures.

The flood assessment for the Arncliffe and Banksia Precincts conformed to recognised planning principles and assessed flood impacts up to the 0.5% AEP (equivalent to the 1 in 200-year flood). A floor level criteria for residential property of a minimum 500 millimetres freeboard above the 1% AEP flood level is considered reasonable and conforms to relevant flood mitigation guidelines.

The Department recognises that further flooding assessment and mitigation needs to be undertaken for the Cooks Cove Precinct and will be subject to assessment by Bayside Council.

5.5. NSW Land and Housing Corporation

Issues raised

NSW Land and Housing Corporation (LAHC) expressed support for the rezoning proposal, specifically regarding their site on Eden Street, Arncliffe. In a separate submission, LAHC proposed changes to the standard planning controls for the Eden Street site to cater for the specific requirements of social housing.

Response

The Department held further discussions with Council and LAHC regarding planning controls at the Eden Street site. Any site-specific development controls for the Eden Street site would be included in DCP controls. It will be the responsibility of Council to update and manage the DCP for the precinct.

5.6. Office of Environment and Heritage

Issues raised

The Office of Environment and Heritage (OEH) raised the following issues:

- Green and Golden Bell Frogs, other threatened species and Ecologically Endangered Communities (EECs) have been recorded in the Cooks Cove Precinct, Barton Park and associated wetlands. The assessment and protection of these species, communities and habitats needs to address any development assessment and Precinct Plans for Cooks Cove.
- Floodplain risk management needs to be addressed. For the Arncliffe and Banksia Precincts, studies already undertaken and the Rockdale City Council existing flood planning development controls are sufficient to manage flood risk. Further works need to be undertaken for the Cooks Cove Precinct.
- Climate change adaption measures should be included in the DCP. This includes consideration of the Urban Green Cover in NSW Technical Guidelines (OEH 201) and the Sustainability Priorities set out in the Eastern City District Plan.
- A full archaeological and cultural Aboriginal heritage assessment should be undertaken before the rezoning of the Banksia and Arncliffe precincts occurs. Options for conserving areas of heritage significance should be developed in consultation with the local Aboriginal community.

Response

The Department notes OEH's comments about the threatened species, communities and habitats in the Cooks Cove and Barton Park areas. Bayside Council is responsible for assessment of any redevelopment of Cooks Cove and any associated development, such as the relocation of the Kogarah Golf Course. The Department will provide Bayside Council with OEH's submission for their consideration.

The Department recognises that further flooding assessment and mitigation needs to be undertaken for the Cooks Cove Precinct and will be subject to assessment by Bayside Council. The Department concurs with OEH that the current flooding assessment and mitigation for the Banksia and Arncliffe Precincts is adequate. Additional drainage works have been identified in Appendix A of *Bayside West Precincts 2036* to address current flooding issues in the precincts. These could be funded through Section 7.11 contributions from new developments in the precincts.

The Department agrees that climate adaption measures could be included in the DCP. Bayside Council is responsible for approving the DCP and any climate change adaption measures in the DCP would require their concurrence and approval.

Aboriginal archaeological and cultural heritage assessments for individual sites would be required through the development application process.

5.7. Sydney Airport

Issues raised

The Sydney Airport Corporation Limited (SACL) raised the following issues:

- Support for the development of Cooks Cove including residential development and some aviation and airport related activities.
- Impacts of aircraft and airport noise on Cooks Cove Precinct.
- Airspace protection requirements around Sydney Airport.
- Pedestrian and cycle links between Cooks Cove and the airport.
- Landscaping and lighting plans for Cooks Cove to minimise risks to aircraft.
- Potential traffic impacts along Marsh Street.
- Consultation during the development of the Cooks Cove Precinct.

Response

SACL's submission primarily concerned the Cooks Cove Precinct and future potential development within this precinct. Bayside Council is responsible for assessment of any future development in the Cooks Cove Precinct and SACL's submission will be provided to Bayside Council for their consideration.

Some issues raised in SACL's submission also apply to the Arncliffe and Banksia Precincts including airspace protection requirements and noise impacts from aircraft and airport operations. These issues may require specific design responses for new developments in these precincts, such as height limitations or noise mitigation. Any new design responses in this regard would need to be included in the amended DCP for the precincts.

