



# PART 4

## General land use



# Part 4 General Land Use

## Contents

- 4.1 Introduction
- 4.2 Early Education and Child Care facilities
  - 4.2.1 Building Setbacks
  - 4.2.2 Provision of Parking
  - 4.2.3 Signage
  - 4.2.4 Management of Operations
- 4.3 Places of Public Worship
  - 4.3.1 Locational and Site Requirements
  - 4.3.2 Bulk and Scale
  - 4.3.3 Building Design
  - 4.3.4 Solar Access
  - 4.3.5 Energy Efficiency
  - 4.3.6 Traffic, Access and Parking
  - 4.3.7 Amenity Impacts
  - 4.3.8 Open Space and Landscaping
  - 4.3.9 Site Facilities, Services and Signage
  - 4.3.10 Safety and Security
  - 4.3.11 Management of Operations
- 4.4 Sex Services Premises
  - 4.4.1 Location of Premises
  - 4.4.2 Layout of Premises
  - 4.4.3 Parking and Access
  - 4.4.4 Hours of Operation
  - 4.4.5 Size of Premises
  - 4.4.6 Noise
  - 4.4.7 Signage
  - 4.4.8 Health and Safety Requirements
  - 4.4.9 Management of Operations
- 4.5 Restricted Premises
  - 4.5.1 Location of Premises
  - 4.5.2 Layout of Premises
  - 4.5.3 Parking and Access
  - 4.5.4 Display of Goods and Signage

#### 4.6 Tourist and Visitor Accommodation

##### 4.6.1 Backpackers Accommodation

##### 4.6.2 Bed and Breakfast Accommodation

##### 4.6.3 Hotel and Motel Accommodation

##### 4.6.4 Serviced Apartments

##### 4.6.5 Short Term Rental Accommodation

#### 4.7 Boarding Houses

#### 4.8 Vehicle Repairs, Sales and Hire Premises

##### 4.8.1 Vehicle body repair workshops and vehicle repair stations

##### 4.8.2 Vehicle and Hire Premises

#### 4.9 Telecommunications Facilities

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## 4.1 Introduction

This part contains objectives and design controls for the protection of the environment and applies to specific land uses.

Note: Where reference is made to a published Australian/New Zealand Standard it is the most recent version.

## 4.2 Early Education and Child Care Facilities

The aim of this part of the DCP is to support the planning controls provided within the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and achieve appropriate development of child care centres within each land use zone.

### Objectives

- (a) Ensure that child care centres are compatible with neighbouring land uses.
- (b) Ensure that child care centres integrate into existing residential environments and are unobtrusive in terms of size, bulk and height.
- (c) Ensure that child care centres are appropriate for the surrounding built form and natural landscape.
- (d) Ensure that child care centres will have minimum impact on surrounding land uses.
- (e) Ensure the health, safety and wellbeing of children and staff in child care centres.

### 4.2.1 Building Setbacks

#### Objectives

- (a) Ensure the height and scale of a child care centre relates to site conditions, complements the prevailing character of the streetscape and minimises any adverse amenity impacts upon the surrounding properties.
- (b) Ensure the appearance of the development enhances the streetscape.

#### Controls

1. The child care centre should comply with the relevant setback controls as stipulated in this DCP as follows:
  - i. Within a residential zone, setbacks for dwelling houses; and
  - ii. Within a commercial / industrial zone – setbacks will be considered on a merit basis.

## 4.2.2 Provision of Parking

### Objectives

- (a) Ensure the adequate provision of car parking.

### Controls

1. On-site car parking is to be provided in accordance with the requirements in Section 3.13 – Parking Access and Transport of this DCP and must be provided either at-grade or as basement parking.

## 4.2.3 Signage

### Objectives

- (a) Complement and enhance the predominant character of the locality.
- (b) Not obscure the view of attractive landscapes, streetscapes, or significant buildings.
- (c) Not adversely affect the safety of traffic or pedestrians.

### Controls

1. For child care centres in residential zones, advertising should be limited to not more than one sign per child care centre which:
  - i. Has a maximum area of 0.5m<sup>2</sup>; and
  - ii. Serves only to identify the name and phone number of the child care centre and the hours of operation.
2. For child care centres in all other zones, compliance should be achieved with Council's signage requirements.

## 4.2.4 Management of Operations

### Objectives

- (a) Ensure clear and suitable operational measures and practices are in place for the on-going management of child care centres.
- (b) Provide certainty for both the consent authority and the local community about the ongoing management practices to be employed to manage neighbourhood impacts.

### Controls

1. An application for child care centres must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

## 4.3 Places of Public Worship

### 4.3.1 Locational and Site Requirements

#### Objectives

- (a) Ensure that the design and location of places of public worship do not adversely impact on the amenity and character of the surrounding area or neighbouring properties.
- (b) Ensure where places of public worship are proposed in a residential zone that any impact is no more than what would be anticipated by the most intensive permissible residential activity.
- (c) Ensure that places of public worship are located on sites of sufficient size to accommodate buildings, parking areas, landscaped open space and other associated facilities.
- (d) Ensure the most suitable location is achieved on the site, by consideration of the physical constraints of the site.
- (e) Prevent unacceptable impacts on the amenity of residential areas by encouraging the location of larger places of public worship in non-residential zones.
- (f) Ensure that the road access to places of public worship is sufficient to cater for anticipated traffic with minimal impact on existing roads.

#### Controls

##### Locational Requirements

1. Places of public worship must be located on sites of sufficient size to accommodate all proposed buildings, parking areas, outdoor areas etc.
2. The proposed development must maintain the general amenity of the area.
3. The proposed development must optimise the use of surrounding and potential infrastructure, with a particular emphasis on public transport.
4. Large scale places of public worship should be located a minimum of 250 metres away from any other existing or approved large-scale place of public worship.
5. Places of public worship must not be located on lots with a frontage to a road with a carriageway width less than 10 metres.
6. Places of public worship must not be located on lots where access is via a cul-de-sac.

## Site Requirements

7. The minimum allotment size for a new place of public worship is 800m<sup>2</sup>.
8. The minimum allotment width for a new place of public worship is 20 metres (measured at the front building line) and 15 metres for a corner allotment.

### **4.3.2 Bulk and Scale**

#### **Objectives**

- (a) Ensure places of public worship are compatible with the prevailing character and amenity of the locality of the development.
- (b) Ensure allotments are of sufficient size to provide for buildings, setbacks to adjoining land, pedestrian access, set-down and pick-up areas, car parks, driveways, vehicle manoeuvring areas, open spaces and landscaped areas.
- (c) Ensure the design of places of public worship satisfies the needs of visitors and staff, and provides a safe environment and easy access for people.
- (d) Ensure places of public worship do not adversely impact on the living environment or residential amenity of adjoining dwellings and the surrounding area.

#### **Controls**

##### Building Scale

1. The maximum site coverage for places of public worship located within a residential zone is 40%. Site coverage is defined in the Georges River LEP 2020 as:  
*“site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:*
  - (a) *any basement,*
  - (b) *any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,*
  - (c) *any eaves,*
  - (d) *unenclosed balconies, decks, pergolas and the like.”*
2. Any spire, tower or similar structure must be considered on the basis of the form, bulk, scale and height and its relationship with the prevailing character of the locality.

##### Setbacks

3. The minimum setback from the principal street frontage in residential zones is 6 metres.

Note:

An increased setback may be required depending on the proposed location of parking and access to the site or where located on classified roads.

4. Where a place of public worship is to be located immediately adjacent to a property used primarily for residential purposes, a buffer of a minimum of 3 metres must be provided to the side boundaries and a minimum of 6 metres to the rear boundary. This setback area shall be landscaped and shall not be used for parking areas, outdoor assembly areas or the like.
5. The minimum setback requirements for industrial zones are stated in the relevant Chapters of this DCP.
6. The minimum setback requirements for business zones are stated in the relevant Chapters of this DCP.

### 4.3.3 Building Design

#### Objectives

- (a) Ensure that places of public worship have high architectural quality.
- (b) Ensure that façade design and building footprint integrate into the overall building form and enhance the existing and desired street character.
- (c) Encourage active building frontages.
- (d) Ensure that front fencing achieves an attractive streetscape and incorporates open style construction such as spaced timber pickets or wrought iron.

#### Controls

##### General Design

1. The design of the development must consider the amenity of the surrounding locality, especially sites within or near residential localities.
2. Any place of public worship within or in close proximity to a residential neighbourhood must be well designed and incorporate high quality external materials and finishes as well as suitable landscape treatment around the perimeter of the site.

##### Façade Design

3. Development must articulate the façade to achieve a unique and contemporary architectural appearance that:
  - i. Unites the facade with the whole building form;
  - ii. Ensures the facade has an appropriate scale and proportion that responds to the use of the building and the desired contextual character; and

- iii. Combines high quality materials and finishes.
4. Development must provide an active frontage to the street.

#### Front Fences

5. The maximum fence height for a front fence is 1.5 metres.
6. The external appearance of a front fence along the front boundary of an allotment or facing an arterial road must ensure:
  - i. The section of the front fence that comprises solid construction must not exceed a fence height of 1 metre above natural ground level; and
  - ii. The remaining height of the front fence must comprise open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.
7. Front fences along an arterial road must not be made of chain wire, metal sheeting, brushwood, electric fences or noise attenuation walls.

### **4.3.4 Solar access**

#### **Objectives**

- (a) Ensure that solar access to neighbouring dwellings is not significantly impacted by the place of public worship development.

#### **Controls**

1. At least one living area of dwellings on an adjoining allotment must receive a minimum of three (3) hours sunlight between 9.00am and 3.00pm at the mid-winter. Where this requirement cannot be met, the development must not result in additional overshadowing on the affected living areas of the dwelling.
2. A minimum of 50% of the required private open space for each dwelling on an adjoining allotment must receive at least three (3) hours of sunlight between 9.00am and 3.00pm at the mid-winter. Where this requirement cannot be met, the development must not result in additional overshadowing on the open space.
3. Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on neighbouring properties.

### **4.3.5 Energy Efficiency**

#### **Objectives**

- (a) Ensure the design, construction and occupation of places of public worship incorporate energy efficiency measures.

## Controls

1. Places of public worship must make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities, including:
  - i. Good orientation and natural light to rooms;
  - ii. Achieving appropriate separation distances between buildings to provide natural light to rooms;
  - iii. Limiting building depth to provide natural cross-ventilation and natural light;
  - iv. Minimal use of mechanical ventilation;
  - v. Use of sun shading devices;
  - vi. Reducing stormwater run-off and promoting the use of recycled water; and
  - vii. Ensuring the development adapts to the existing topography by avoiding excessive cut and fill.

### 4.3.6 Traffic, Access and Parking

#### Objectives

- (a) Ensure the location and size of places of public worship maintain the existing environmental capacity and service levels of streets.
- (b) Ensure that the surrounding street network and intersections continue to operate effectively and within design parameters.
- (c) Encourage intensive trip generating places of public worship in locations most accessible to public transport (bus and rail).
- (d) Ensure that all on-site parking areas are adequate, easy to use, efficient and well designed.
- (e) Minimise the impact of on-street parking on local streets.
- (f) Avoid places of public worship locating within close proximity to another existing or approved place of public worship unless it can be demonstrated that the cumulative impacts relating to traffic generation and on-street parking are within acceptable limits for the area.
- (g) Ensure that pedestrian safety is maintained and protected.
- (h) Minimise the impact upon the amenity of the neighbourhood.

## Controls

### Traffic Management

1. Development must not result in a street in the vicinity of the development site exceeding the environmental capacity maximum. If the environmental capacity maximum is already exceeded, the development must maintain the existing level of absolute delay of that street.
2. Development must not result in a street intersection in the vicinity of the development site to have a level of service (LOS) below Level B. If the existing level of service is below Level B, the development must maintain the existing level of absolute delay of that street intersection.
3. Worship services shall not commence until thirty minutes have elapsed following the completion of any preceding service. This requirement may be imposed as a condition of development consent.
4. All vehicles must be able to enter and leave the site in a forward direction.
5. A clear distinction must be made between vehicle traffic and pedestrian movements, both on site and off site. Measures should be implemented to separate these two movements and reduce potential conflict through design and management practices.

Note: Refer to the Roads and Traffic Authority – Guide to Traffic Generating Developments (Section 4.2 Impact of traffic efficiency) for further details regarding level of service (LOS) including Level B.

#### Car Parking

6. The car park, manoeuvring areas and the set-down and pick-up areas must be located separately behind the front building line.
7. On-site car and bicycle parking is to be provided in accordance with the requirements in Section 3.13 - Parking Access and Transport of this DCP and must be provided either at-grade or as basement parking.

### **4.3.7 Amenity Impacts**

#### **Objectives**

- (a) Ensure places of public worship do not adversely impact on the amenity of adjoining residential development and the surrounding area.
- (b) Ensure the ongoing operation and management of places of public worship maintain residential amenity.

#### **Controls**

##### Noise

1. The location and design of places of public worship must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land.
2. The design of the proposed place of public worship should minimise the projection of noise from the various activities anticipated to occur within the site. Adjoining and nearby residents should not be exposed to unreasonable levels of noise arising from the proposed use.
3. The noise impact statement must measure the noise readings over a 15 minute period and must provide details of all modelling assumptions including: source noise data, noise monitoring positions, receiver heights and locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted and modelling input and data.
4. The maximum height for any noise attenuation walls and fences along the side and rear property boundary is 2 metres.
5. Noise from all plant and equipment (including air conditioning and mechanical ventilation) or any other continuous noise source must comply with the EPA Industrial Noise Policy.

#### Visual privacy

6. The location of windows, doors or balconies within a place of public worship must be located to avoid overlooking the private open space of adjoining residential uses.
7. Landscaping must be used to reduce the impact of overlooking where it cannot be avoided.

### **4.3.8 Open Space and Landscaping**

#### **Objectives**

- (a) Provide useable open space on the site.
- (b) Improve the visual appearance of the development and provide shade for parking areas.
- (c) Screen the development from adjoining properties and to ensure maximum privacy for these properties and their uses.
- (d) Maximise porous landscaped buffer areas and encourage deep soil planting and high quality landscaping.

#### **Controls**

##### Open Space

1. The location and design of open space areas on the site is to consider the potential impact on the amenity of nearby residents (including how often and the type of activities which will occur) and measures to mitigate and manage the impacts of noise on adjoining properties.

#### Landscaping

2. For all new developments and significant modifications to existing developments, a Landscape Plan prepared by a suitably qualified landscape designer who is eligible for membership of the Australian Institute of Landscape Architects (AILA) or Australian Institute of Landscape Designers and Managers (AILDM) is to form part of the submission requirements.
3. The landscape plan is required to accurately show all existing landscape features such as trees, bushland and natural rock formations, contour lines and relevant spot heights. Trees, landscape features and buildings located within 3 metres of the boundary in adjacent sites are also to be accurately shown.
4. The landscape plan must clearly show the layout of proposed buildings, features, car parking areas, and numbers, species and layout of proposed planting (including deep soil planting).
5. New car parking areas are to be furnished with canopy trees. For every ten parallel spaces in a row parking arrangement a canopy tree must be provided. Planting hole dimension is 2m x 2m minimum area. Protective furnishing must be provided to the tree surround.
6. Screen planting shall be provided in the required setback areas between the road and car park areas, and in the rear and side setbacks to adjoining residential properties.
7. A maintenance plan for the ongoing horticultural care of planting material must be provided as part of the landscape plan.

#### Deep Soil Zones

8. Development for the purpose of places of public worship must provide deep soil zones in the required setback areas around the boundary of the site.
9. The deep soil zones must be landscaped by way of deep soil plantings and canopy trees.
10. Council will determine the minimum width for deep soil zones for places of public worship in the business zones based on the setbacks of the street and the surrounding buildings.

### **4.3.9 Site Facilities, Services and Signage**

#### **Objectives**

- (a) Ensure consideration is given to the provision of services to the development.

- (b) Ensure the design, construction and operation of kitchens and food premises achieve satisfactory standards of hygiene.
- (c) Ensure the design, construction and operation of facilities and infrastructure achieve satisfactory standards.
- (d) Regulate advertising signs to protect the visual amenity of the area.

## Controls

### Site Facilities

- 1. Development must ensure the following facilities are not visible from the street, neighbouring properties and any nearby public open space areas:
  - i. Waste storage area.
  - ii. Storage of goods and materials.
  - iii. Any clothes drying area.
- 2. The design, location and screening of waste and recyclable receptacle areas must be to the satisfaction of Council.

### Food Premises

- 3. The design, construction and operation of an area within the place of public worship used for food preparation must comply with or be consistent with the *Food Act 2003* and Regulation 2010 and relevant Australian Standards.

### Signage

- 4. All signage relating to the proposed place of public worship is to comply with Section 3.18 - Advertising and Signage of this DCP.
- 5. Signage is to be provided in a prominent location which is readily seen which details:
  - i. The maximum capacity of the assembly area (as conditioned in any development consent).
  - ii. Requirement that all attendees leave quietly and respect neighbouring properties.

## 4.3.10 Safety and Security

### Objectives

- (a) Ensure that the siting and design of the development contributes to personal and property security.

- (b) Ensure development is integrated with the public domain, contributes to an active pedestrian-orientated environment including locating building entrances and exits clearly visible from the street.
- (c) Maximise natural surveillance so that people feel safe at all times.
- (d) Minimise the potential for intruders to enter buildings and private open space.
- (e) Encourage building designs, material and maintenance programs that reduce the opportunities for vandalism and graffiti.

## Controls

### Entrances, Fences and Natural Surveillance

- 1. The front door of the place of public worship building should be clearly visible from the street, with a direct external entry path to the foyer of the building to avoid potential hiding places.
- 2. Windows on the upper floors of a building should, where possible, overlook the street.
- 3. Fencing located forward of the front building line is to be a maximum of 1.5 metres in height above ground level, with a maximum height of 1 metre being of solid construction and the remaining height must comprise an open style construction such as spaced timber pickets, wrought iron, or lattice.

### Security and Lighting

- 4. A security alarm system is to be installed in the place of public worship.
- 5. All windows and doors on the ground floor should ordinarily be made of toughened glass to reduce the opportunities for 'smash and grab' and 'break and enter' offences, with the exception of special features such as stained glass windows. Where possible, such special features should be above ground floor level.
- 6. Access to a basement car park must only be available to the public during operating hours and via a security door or gate with an intercom, code, or card lock system.
- 7. Unless impractical, access to an outdoor car park should be closed to the public outside of operating hours via a lockable gate.
- 8. Lighting must be provided to the following areas of a building to promote safety and security at night:
  - i. External entry path, foyer, driveway and car park to a building,
  - ii. Main building entrance (this may be in the form of motion sensitive lighting or timer lighting).
- 9. A pedestrian entry path and driveway to a car park that are intended for night use must be well lit using a vandal resistant, high mounted light fixture.

10. The lighting in a car park must conform to Australian Standards 1158.1, 1680, and 2890.1.
11. Any security camera must be directed only to the place of public worship and not neighbouring sites.

### **4.3.11 Management of Operations**

#### **Objectives**

- (a) Ensure clear and suitable operational measures and practices are in place for the ongoing management of places of public worship.
- (b) Provide certainty for both the consent authority and the local community about the ongoing management practices to be employed to manage neighbourhood impacts.

#### **Controls**

1. An application for places of public worship must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.
2. The hours of operation of places of public worship, public access to places of public worship, and the size and frequency of special occasions or events may be limited where there would be unacceptable impacts on neighbouring residential properties.

## **4.4 Sex Services Premises**

### **4.4.1 Location of premises**

#### **Objectives**

- (a) Ensure sex service premises are sensitively located so that they do not cause offence to the community at large or any adverse environmental impacts.

#### **Controls**

1. The siting of a sex services premises must be in accordance with Clause 6.18 of the Georges River LEP 2020.

### **4.4.2 Layout of premises**

#### **Objective**

- (a) Ensure that the layout of sex services premises is designed to minimise the impact and "presence" of the development in the locality.

### Controls

1. Sex services premises must be located either one level above or below street/ground level where located within a business zone.
2. Premises must be designed so that there is only one (1) visible entrance to the premises. This entrance must be illuminated and access to the premises provided so that people visiting the sex services premises do not have to wait on the footpath.
3. No objects, products, or goods related to the restricted premises will be visible from outside the premises.

### 4.4.3 Parking & access

#### Objectives

- (a) Ensure that any development provides adequate car parking facilities for the traffic it is likely to generate.
- (b) Ensure access to premises is not predominantly through residential areas wherever possible.

#### Controls

1. Car parking provision, layout and design is to be in accordance with the general requirements of Section 3.13 – Parking Access and Transport of this DCP.
2. Parking areas are to be well-lit and signposted.
3. The location of a proposed sex service premises is to be carefully considered so that if possible, immediate access to premises is not predominantly through a residential area.

### 4.4.4 Hours of operation

#### Objective

- (a) Ensure that sex service premises operate at times where they will have least impact on the community and the environment.

#### Control

1. Council will exercise its discretion in relation to permitted hours of operation of sex services premises in the circumstances of the case, taking into consideration the nature of adjoining land uses, hours of operation / use of those premises and possible conflicts with such uses.

#### 4.4.5 Size of Premises

##### Objective

- (a) Limit the social and environmental impact of sex service uses in any locality.

##### Control

1. Sex service premises must not contain more than six (6) separate rooms (including any room used as an office) for the purposes of prostitution. Rooms having an area exceeding 18m<sup>2</sup> will be considered as two (2) rooms for the purposes of this Plan.

#### 4.4.6 Noise

##### Objective

- (a) Minimise any noise transmission from sex service premises to adjacent and nearby properties.

##### Controls

1. The use of sex service premises shall not give rise to:
  - i. Transmission of vibration to any place of different occupancy;
  - ii. A sound level at any point on the boundary of a site greater than the background levels specified in Australian Standard 1055, "Acoustic – Description and Measurement of Environmental Noise"; or
  - iii. An "offensive noise" as defined in the Noise Control Act 1975.

#### 4.4.7 Signage

##### Objective

- (a) Ensure that advertising of premises is discreet and does not cause offence to the general public.

##### Controls

1. Only one (1) discreetly located external sign will be permitted on premises having a maximum area of 0.9m<sup>2</sup>.
2. Wording must be limited to the name of the business operated. No provocative images or wording will be permitted.

3. A clearly visible street number should be displayed on the premises to avoid disturbance to surrounding premises arising out of confusion as to the location of the premises.
4. Signs may be externally lit by spotlights only. Internally illuminated signs are not permitted.
5. No "chain" bulb or "flashing sign" type lighting on premises is permitted.

NOTE: Advertising premises specifically for purposes of prostitution is an offence under the *Summary Offences Act 1988*.

## 4.4.8 Health and Safety Requirements

### Objectives

- (a) Ensure sex service premises are operated in accordance with acceptable health and building standards.
- (b) Ensure sex services premises are operated in a manner, which will not assist the spread of communicable diseases.
- (c) Promote education of sex industry workers and their clients so as to minimise the risk of contracting sexually transmissible infections.
- (d) Ensure that reasonable working conditions are provided for sex industry workers.

### Controls

1. All sex services premises must be fitted with the necessary services and facilities required for Class 5 buildings (an office building used for professional or commercial purposes) under the Building Code of Australia.
2. All applications for sex services premises will be referred to the Police and Area Health Service for comment.
3. All Development Applications for sex services premises must comply with the requirements of the *Public Health Act 1991* and the requirements of the NSW Health Department.

## 4.4.9 Management of Operations

### Objectives

- (a) Ensure clear and suitable operational measures and practices are in place for the ongoing management of sex services premises.
- (b) Provide certainty for both the consent authority and the local community about the ongoing management practices to be employed to manage neighbourhood impacts.

## Controls

1. An application for sex services premises must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

## 4.5 Restricted Premises

### 4.5.1 Location of premises

#### Objectives

- (a) Ensure restricted premises are located at a reasonable distance from residential occupancies and other sensitive land uses.
- (b) Ensure safe access to restricted premises for staff and patrons.

#### Controls

1. No part of the restricted premises (other than an access corridor to the premises) is to be located within the following:
  - i. At ground floor or street level of a building or within 1.5m, measured vertically, above or below the ground floor or street level of the building; or
  - ii. Arcades; or
  - iii. Any thoroughfares open to or used by the public; or
  - iv. Within 100m walking distance of any residentially zoned land; or
  - v. Within 200m walking distance of any place of worship, school, community facility, child care centre, hospital, rail station, bus stop, taxi stand or any place regularly frequented by children for recreational or cultural pursuits.

### 4.5.2 Layout of premises

#### Objective

- (a) Ensure that the layout of restricted premises is designed to minimise the impact and "presence" of the development in the locality.

#### Controls

1. No internal rooms or spaces of the restricted premises, other than an access corridor to the restricted premises, are to be visible from a public place or shopping arcade.
2. No part of the restricted premises or building in which the premises will be situated, can be used as a dwelling unless separate access is provided.

### 4.5.3 Parking & access

#### Objectives

- (a) Ensure that any development provides adequate car parking facilities for the traffic it is likely to generate.
- (b) Ensure parking does not adversely affect the surrounding area, particularly residential properties.

#### Controls

1. Car parking provision, layout and design is to be in accordance with the general requirements of Section 3.13 – Parking Access and Transport of this DCP.

### 4.5.4 Display of Goods and Signage

#### Objective

- (a) Ensure that the display of goods and associated advertising of premises is discreet and does adversely impact the amenity of the surrounding locality including public domain.

#### Controls

1. Only one (1) sign is to be erected, displayed or exhibited to public view in the window or on a building (including the restricted premises), or in, outside or directly above an access way to the premises or brothel.
2. A sign relating to restricted premises should:
  - i. Not interfere with the amenity of the locality.
  - ii. Not exceed 600mm in height or width.
  - iii. Not contain neon illumination or flashing lights.
  - iv. Contain the following:
    - Display the name of the person who conducts the business at the restricted premises, or the registered name of the business carried out at the restricted premises.
    - Display the words 'RESTRICTED PREMISES' in capital letters not more than 50mm in height.
3. No objects, products, or goods related to the restricted premises will be visible from outside the premises.

Note: The abovementioned signage provisions are in addition to those provisions contained in Section 3.18 – Advertising and Signage. Where there is any inconsistency, this section will prevail.

## 4.6 Tourist and Visitor Accommodation

This section contains provisions that apply to alterations and additions, change of use to, or new visitor accommodation. Tourist and visitor accommodation includes the following:

- Backpackers Accommodation
- Bed & Breakfast Accommodation
- Motel & Hotel Accommodation
- Serviced Apartments
- Short Term Rental Accommodation

### 4.6.1 Backpackers Accommodation

#### Objectives

- (a) Ensure that backpacker accommodation is located within close proximity to public transport, services and facilities away from predominantly residential uses.
- (b) Ensure the design, development and management of backpacker accommodation provides a high standard of amenity for guests.
- (c) To protect existing residents from environmental impacts of backpacker accommodation.

#### Controls

1. Backpacker accommodation is to be located within 400m of public transport and within walking distance of facilities and services.
2. The number of people in shared or dormitory style accommodation will be determined by allocating a minimum of 3.25m<sup>2</sup> of floor area per person up to a maximum of 8 guests per room.
3. The maximum length of stay for guests is 28 consecutive days.
4. A site manager / resident caretaker must be on site at all times.
5. A staff room / site manager's office and sleeping room for the site manager / resident caretaker must be provided.
6. One communal area of at least 20m<sup>2</sup> with a minimum dimension of 3 metres is to be provided.

7. A combined kitchen / living area is to be provided, with a minimum size of 1m<sup>2</sup> per occupant.
8. Toilet facilities must be provided in a separate compartment from the showers / bathroom and provide adequate privacy.
9. A minimum of one male bathroom and one female bathroom is to be provided.
10. Provide adequate space and secure storage facilities for occupants / guests.
11. Developments are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbouring residents by locating:
  - i. The main entry point at the front of the site, away from side boundary areas near adjoining properties;
  - ii. Communal areas away from the main living area of bedroom windows of any adjacent buildings;
  - iii. Screen fencing, plantings and acoustic barriers in appropriate locations; and
  - iv. Double glazed windows or glass blocks where noise transmission could affect neighbouring properties.
12. An application for Backpackers Accommodation must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

## 4.6.2 Bed and Breakfast Accommodation

### Objectives

- (a) Ensure bed and breakfast accommodation is within close proximity to public transport, services and facilities.
- (b) Ensure bed and breakfast accommodation provides sufficient amenity for guests.
- (c) Ensure bed and breakfast accommodation is appropriately located so as to reduce adverse amenity impacts on the neighbourhood.

### Controls

1. A maximum of six (6) visitors are permitted to stay at a bed and breakfast accommodation at any one time.
2. A maximum of three (3) bedrooms may be used for the purpose of bed and breakfast accommodation.
3. The maximum stay permitted is 3 months.
4. The main access point is to be located at the main street frontage of the property. Access points should be avoided at the boundaries of the property where any impact on noise or privacy could result for adjoining residences.

5. Outdoor recreational areas e.g. courtyards and gardens are to be located away from bedrooms and habitable rooms of adjoining residences.
6. An application for Bed and Breakfast accommodation must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

### 4.6.3 Hotel and Motel Accommodation

#### Objectives

- (a) Ensure the design, development and management of hotel and motel accommodation provides a high standard of amenity for guests.
- (b) Ensure that the amenity of the surrounding area is not unduly compromised.

#### Controls

1. The maximum permitted length of stay is 3 months.
2. Sleeping rooms are to provide a minimum of 5.5m<sup>2</sup> per occupant staying more than 28 consecutive days; or 3.25m<sup>2</sup> per occupant staying 28 consecutive days or less.
3. Where a hotel or motel is located within a building that includes residential flats, separate ground floor lobbies and access corridors are required for each use.
4. Provide adequate space and secure storage facilities for occupant's storage.
5. Buildings must be orientated and designed to minimise potential impacts on surrounding residential amenity.
6. An application for Hotel and Motel accommodation must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

### 4.6.4 Serviced Apartments

#### Objectives

- (a) Ensure that serviced apartment development provide a high level of amenity for guests.
- (b) Ensure that serviced apartment developments provide a high level of amenity for residents to ensure any future conversation to residential units is not compromised.
- (c) Ensure that the amenity of the surrounding area is not unduly compromised.

#### Controls

1. Serviced apartments are to be designed to provide a high level of amenity for guests as outlined below:
  - i. Solar and daylight access – Living rooms and private open spaces of at least 70% of serviced apartments must receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter.
  - ii. Natural ventilation – At least 60% of serviced apartments are to be naturally cross ventilated in the first nine (9) stories of the building. Serviced apartments at ten (10) storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate ventilation and cannot be fully enclosed.
  - iii. Floor to ceiling heights – Serviced apartments must have a minimum floor to ceiling height of 2.7m to habitable rooms and 2.4m to non-habitable rooms.
2. Where a development proposes serviced apartments in conjunction with residential apartments, the units to be provided as serviced apartments must not be located on the same floor as permanent residents.
3. The maximum period of occupation of a serviced apartment is three (3) months.
4. Each bedroom is to accommodate a maximum of two (2) people.
5. Sleeping rooms are to provide a minimum of 5.5m<sup>2</sup> per occupant staying more than 28 consecutive days; or 3.25m<sup>2</sup> per occupant staying 28 consecutive days or less.
6. Washing machine and clothes drying facilities are to be provided within the premises for the use of guests.
7. Provide adequate space and secure storage facilities for occupant's storage.
8. Development for serviced apartments is to provide a mix of apartment types.
9. Buildings must be orientated and designed to minimise potential impacts on surrounding residential amenity.
10. An application for serviced apartments must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

#### **4.6.5 Short Term Rental Accommodation**

Planning controls for the development of Short-Term Rental Accommodation are provided within the Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019, in particular Part 3 – Specific development controls.

### **4.7 Boarding Houses**

The State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) outlines provisions for boarding houses relating to the following:

- Density;
- Height;
- Landscaping and Private Open Space;
- Solar Access and Energy efficiency;
- Car parking; and
- Accommodation size and characteristics.

The ARHSEPP has a number of standards that cannot be used to refuse consent. The provisions in this section provide further guidance in addition to the ARHSEPP.

## Objectives

- Ensure an acceptable level of amenity and accommodation in boarding houses to meet the needs of residents and owners.
- Minimise the adverse impacts associated with Boarding Houses on adjoining properties and the wider locality.
- To ensure clear and suitable operational measures and practices are in place for the on-going management of boarding houses.

## Controls

### General

- Boarding Houses are to maintain a high level of resident amenity, safety and privacy by ensuring:
  - Communal spaces, including laundry, bathroom, kitchen and living areas are located in safe and accessible locations;
  - Bedrooms are located so that they are separate from significant noise sources and incorporate adequate sound insulation to provide reasonable amenity between bedrooms and external noise sources;
  - Structural fittings and fixtures for all internal rooms that enhance nonchemical pest management of the building, with all cracks and crevices sealed and insect screening to all openings; and
  - All appliances achieve an energy star rating of 3.5 or higher, unless otherwise legislated.
- Boarding houses are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbouring buildings by locating:
  - The main entry point at the front of the site, away from side boundary areas near adjoining properties;

- ii. Communal areas and bedroom windows away from the main living area or bedroom windows of any adjacent buildings;
  - iii. Screen fencing, plantings, and acoustic barriers in appropriate locations; and
  - iv. Double glazed windows where noise transmission affects neighbouring buildings.
3. An application for a boarding house must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.

#### Sleeping Room Requirements

4. The gross floor area of a bedroom is to be at least:
  - i. 12m<sup>2</sup> (including 1.5m<sup>2</sup> required for wardrobe space);
  - ii. 4m<sup>2</sup> when a second adult occupant is intended (which must be clearly shown on plans);
  - iii. 2.1m<sup>2</sup> for any ensuite (which must comprise a hand basin and toilet);
  - iv. 0.8m<sup>2</sup> for any shower in the ensuite;
  - v. 1.1m<sup>2</sup> for any laundry (which must comprise a wash tub and washing machine); and
  - vi. 2m<sup>2</sup> for any kitchenette (which must comprise a small fridge, cupboards and shelves and microwave).
5. Each bedroom must have access to natural light, from a window or door with a minimum aggregate area of 10% of the floor area of the room. Skylights are not to be the sole source of light.

#### Internal Communal Areas

6. A communal kitchen area is to be provided with a minimum area that is the greater of 6.5m<sup>2</sup> (total) or 1.2m<sup>2</sup> for each resident occupying a bedroom without a kitchenette.
7. The communal kitchen is to contain:
  - i. One (1) sink for every six (6) people, or part thereof, with running hot and cold water; and
  - ii. One (1) stove top cooker for every six (6) people, or part thereof, with appropriate exhaust ventilation.
8. The communal kitchen is to contain, for each resident occupying a bedroom without a kitchenette:
  - i. 0.3m<sup>3</sup> of refrigerator storage space;
  - ii. 0.05m<sup>3</sup> of freezer storage space; and
  - iii. 0.30m<sup>3</sup> of lockable drawer or cupboard storage space.

9. An indoor communal living area with a minimum area of 12.5m<sup>2</sup> or 1.25m<sup>2</sup> per resident (whichever is greater) and a minimum width of 3m. The communal living area can include any dining area, but cannot include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like.
10. Indoor communal living areas are to be located:
  - i. Near commonly used spaces, such as kitchen, laundry, lobby entry area, or manager's office; with transparent internal doors, to enable natural surveillance from resident circulation;
  - ii. Adjacent to the communal open space;
  - iii. To receive a minimum 2 hours solar access to at least 50% of the windows during 9am and 3pm on 21 June;
  - iv. On each level of a multi storey boarding house, where appropriate; and
  - v. Where they will have minimal impact on bedrooms and adjoining properties.

#### Communal Open Space

11. Communal open space is to be provided with a minimum area of 20m<sup>2</sup> and a minimum dimension of 3m.
12. Communal open space is to be located and designed to:
  - i. Generally be north-facing to receive a minimum 2 hours solar access to at least 50% of the area during 9am and 3pm on 21 June;
  - ii. Be provided at ground level and incorporate soft or porous surfaces for 50% of the area;
  - iii. To receive a minimum 2 hours solar access to at least 50% of the windows during 9am and 3pm on 21 June;
  - iv. On each level of a multi storey boarding house, where appropriate;
  - v. Be connected to communal indoor spaces, such as kitchens or living areas;
  - vi. Contain communal facilities such as barbecues, seating and pergolas where appropriate; and
  - vii. Be screened from adjoining properties and the public domain with plantings.

#### Private open space

13. 30% of all bedrooms are to have access to private open space with a minimum area of 4m<sup>2</sup> in the form of a balcony or terrace area.

#### Bathroom, Laundries and Drying Facilities

14. Communal bathroom facilities accessible to all residents 24 hours per day are to be provided with the following:
  - i. One (1) wash basin, with hot and cold water, and one (1) toilet for every 10 residents, or part thereof, for each occupant of a room that does not contain an ensuite; and
  - ii. Be provided at ground level and incorporate soft or porous surfaces for 50% of the area.
15. Laundry facilities are to be provided with the following:
  - i. One (1) 5kg capacity automatic washing machine and one (1) domestic dryer for every 12 residents or part thereof; and
  - ii. At least one (1) large laundry tub with hot and cold running water.
16. Drying facilities, such as clotheslines located in a communal open space are to be located to maximise solar access and ensure that the usability of the space is not compromised.

#### Fire Safety

17. Each sleeping room in a Class 3 building must be considered as a sole occupancy unit for the purposes of Section C and Part D1, D2 and F5 of the Building Code of Australia so as to ensure there is adequate fire safety in the building, and adequate sound insulation to provide reasonable amenity between sleeping rooms.

## 4.8 Vehicle Repairs, Sales and Hire Premises

### 4.8.1 Vehicle body repair workshops and vehicle repair stations

#### Definitions

Georges River LEP 2020 defines a **vehicle body repair workshop** as “a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration”.

Georges River LEP 2020 defines a **vehicle repair station** as “a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicles sales or higher premises”.

#### Objectives

- (a) Ensure environmental hazards are identified, controlled and minimised.

- (b) Ensure that sufficient car parking for both employees and customers is provided on site.
- (c) Ensure that there is sufficient storage for customers vehicles during service.

## Controls

### General

1. Vehicle body repair workshops and vehicle repair station are to demonstrate compliance with relevant design guidelines outlined in the current Environmental Protection Authority Guidelines.
2. No vehicles waiting to be serviced, repaired or collected can stand, or otherwise be stored, on any adjoining road.
3. When two (2) vehicles operate outside standard business hours, adequate on-site facilities must be provided for the storage of any damaged vehicles.
4. Vehicles, including tow trucks, must enter and leave the site in a forward direction so as not to disrupt the flow of on-street traffic.
5. All work must be confined to within the building. No work is to be carried out on cars in the car parking spaces or in the street.
6. Appropriate oil spill equipment must be kept on the premises and maintain at all times.
7. Where spray painting is proposed, spray painting booths must be provided in accordance with the relevant Australian Standards.
8. All driveways, circulation roadways, parking and vehicle storage areas are to be sealed.
9. If mechanical servicing is to be carried out, the servicing is to be carried out within work bays that are bunded and graded and drained in accordance with Sydney Water Requirements.
10. Any refuelling on site is to comply with WorkCover requirements and the Australian Institute of Petroleum Codes.
11. A Trade Waste Agreement shall be obtained from Sydney Water prior to commencement of works in the event wastewater (in addition to toilet facilities) is likely to be generated and discharged to the Sydney Water wastewater system.

### Gross Leasable Area

12. Single worker vehicle repair station must have a minimum gross leasable area of 100m<sup>2</sup> and a minimum gross leasable area of 50m<sup>2</sup> is required per additional employee.
13. Single worker vehicle body repair workshops must have a minimum gross leasable area of 200m<sup>2</sup> and a minimum gross leasable area of 100m<sup>2</sup> is required per additional tradesman employee.

### Storage

14. Storage bins for scrap body panels and motor parts must be provided and must be fully screened from public view.
15. Dangerous goods storage for paints and other items must be provided on site in accordance with the relevant Australian Standards.
16. The storage of tyres within the premises shall be in accordance with the NSW Fire Brigades Guidelines for the Bulk Storage of Rubber Tyres (December 2014).
17. Full compliance with AS1940 – Storage and Handling of Flammable and Combustible Liquids.

### Industrial / Residential Interface

18. If the site adjoins a residential zone or use, refer to the provisions prescribed in Section 9.2.11 - Industrial / Sensitive Land Use Interface of this DCP.

## **4.8.2 Vehicle and Hire Premises**

### **Objectives**

- (a) Promote high quality design, appearance and function of vehicle sales and hire premises.
- (b) Ensure that use of land for a vehicle sales or hire premises does not impair traffic flow or road safety.

### **Controls**

1. All parking and storing of vehicles (both customer and rental vehicles) is to be provided on site and complying with relevant Australian standards.
2. All driveways, circulation roadways, parking and vehicle storage areas are to be sealed.
3. The number of cars for sale or hire must not exceed one (1) for each 30m<sup>2</sup> of the site area.
4. High ceilings and adaptable open plan designs are required for new vehicle and hire premises.
5. Showrooms are to be sited towards the street with services and parking located to the rear.
6. Any refuelling on site is to comply with WorkCover requirements and the Australian Institute of Petroleum Codes.

7. A Trade Waste Agreement shall be obtained from Sydney Water prior to commencement of works in the event wastewater (in addition to toilet facilities) is likely to be generated and discharged to the Sydney Water wastewater system.
8. The storage of tyres within the premises shall be in accordance with the NSW Fire Brigades Guidelines for the Bulk Storage of Rubber Tyres (December 2014).
9. Full compliance with AS1940 – Storage and Handling of Flammable and Combustible Liquids.

## 4.9 Telecommunications Facilities

### Objectives

- (a) Apply a precautionary approach to the deployment of radiocommunications infrastructure;
- (b) Minimise the public's exposure to Electromagnetic Radiation (EMR);
- (c) Ensure that the general public and local communities have access to telecommunications technology;
- (d) Ensure telecommunications and radiocommunications infrastructure adopt principles of good urban design;
- (e) Ensure infrastructure is visually compatible with the surrounding character of the locality in a visual context with particular regard to heritage buildings / areas and cultural icons;
- (f) Minimise adverse impacts on the natural environment and the amenity of the area.

### Controls

#### Visual Amenity

1. Carriers are to design antennas and supporting infrastructure in a such a way as to minimise or reduce the visual and cumulative visual impact from the public domain and adjacent areas.
2. Within the local context, the infrastructure design must take account of:
  - i. Colour;
  - ii. Texture;
  - iii. Form; and
  - iv. Bulk and scale.
3. Infrastructure must:
  - i. Be well-designed;
  - ii. Integrated with the existing building structure unless otherwise justified in writing to Council;

- iii. Have concealed cables where practical and appropriate;
- iv. Be unobtrusive where possible, and
- v. Be consistent with the character of the surrounding area.

A discussion on facility design can be found in Low Impact Facilities for Better Visual Outcomes that can be accessed at [www.amta.org.au/mcf](http://www.amta.org.au/mcf)

4. Infrastructure must be removed when no longer being used.
5. The site must be restored following construction of the infrastructure.

#### Co-location

6. Co-location is the practice of siting a number of different telecommunication facilities, often owned by different carriers, in one location.
7. Co-location, may not always be a desirable option where:
  - i. Cumulative emissions are a consideration;
  - ii. It may be visually unacceptable;
  - iii. There are physical and technical limits to the amount of infrastructure that structure are able to support; or
  - iv. The required coverage cannot be achieved from the location.
8. Carriers should demonstrate a precautionary approach and effective measures to minimise the negative impacts on co-location.

#### Location

9. The carrier should demonstrate that, in selecting a site, it has adopted a precautionary approach in regards to minimising EMR exposures consistent with Section 5.1 of the ACIF Code.
10. The preferred land use is within Industrial zones.
11. The carrier should demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas:
  - i. Where occupants are located for long periods of time (e.g. dwellings);
  - ii. That are frequented by children (e.g. schools, child care centres); and
  - iii. Health care facilities (e.g. hospitals, aged care facilities, specialist medical centres).

#### Heritage and Environment

12. Infrastructure proposed for areas of environmental significance as defined in Telecommunications (Low-impact Facilities) Determination 2018 (LIF Determination) require:

- i. Development consent under the LIP Determination and Council's planning instrument and policies;
- ii. The applicant is to have regard to avoiding or minimising the visual impact of any proposed facility on the heritage significance of adjacent / adjoining / surrounding heritage items and conservation areas.
- iii. The application is to provide a heritage report / impact statement in accordance with Council's planning instruments and policies.
- iv. For proposals within heritage conservation and / or special character areas, consideration should be given to the impact of the proliferation of telecommunication facilities on the integrity of the heritage conservation and / or special character areas.

#### Facility Design Controls

13. Infrastructure should be of high quality design and construction.
14. Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under Section 5.2.3 of the ACIF Code.
15. The plan for the facility should include measures to restrict public access to the antenna(s). Approaches to the antenna(s) should contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner / manager.
16. The minimum requisites that should apply where relevant are the BCA for purposes of construction and the relevant exposure levels as directed by the Australian Communications Authority (ACA). The applicant should provide Council with certification above the standards with which the facility will comply.

#### Facility Health Controls

17. The applicant is to demonstrate the precautions it has taken to minimise (EMR) exposures to the public.
18. The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA.
19. The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal.