

# Part F

## Specific Land Uses and Specific Sites

### Exhibition version – March 2019

Note:

Changes to the DCP are shown as:

- ~~Strike through~~ is deleted text.
- underlined is added text



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# F1 Signage

Signage can be undertaken without consent if it complies with the provisions in *State Environmental Planning Policy No 64 – Advertising and Signage* (SEPP 64), *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP), and the LEP. Other signage must have consent and will be assessed against the provisions of the LEP, this DCP, SEPP 64 and the Transport Corridor Outdoor Advertising and Signage Guidelines - Assessing Development Applications under SEPP 64 (NSW Department of Planning July 2007).

The following roads and transport corridors are subject to the Guidelines:

- Airport and East Hills Railway Line;
- Bankstown Railway Line;
- Canterbury Road/New Canterbury Road;
- Enfield Freight Railway Line;
- Georges River Road/Punchbowl Road;
- King Georges Road/Wiley Avenue; and
- M5 Motorway.

Signage is defined in the LEP. This chapter should be read in conjunction with the Part B – General Controls.

## F1.1 General Objectives

- O1 To ensure that signage communicates in an appropriate manner and location, and does not contain offensive or objectionable content.
- O2 To ensure signage is of high quality design and finish, does not contribute to visual clutter, or have adverse impact on vehicular or pedestrian safety.
- O3 To encourage imaginative and innovative signage that adds vitality and interest to streets in Canterbury.
- O4 To ensure changes to existing signs are consistent with requirements that apply to new signs.
- O5 To ensure signs contribute to the safety, legibility and amenity of Canterbury, and its natural and built environment.

## F1.2 Design Controls

### F1.2.1 Signage Analysis and Strategy

#### Controls

- C1 Provide a signage analysis and strategy with any development application for signage, demonstrating that the proposed signage is integrated with the design of the building, and is compatible with the immediate and surrounding locality.
- C2 Consider future signage when designing new commercial and industrial buildings.
- C3 The design and placement of signage is to consider the following criteria:
  - (a) Character of the area
    - i. Is the proposal compatible with the existing or desired future character of the area of locality in which it is proposed to be located?
    - ii. Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?
  - (b) Special areas
    - i. Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, or residential areas?
  - (c) Views and vistas
    - i. Does the proposal obscure or compromise important views?
    - ii. Does the proposal dominate the skyline and reduce the quality of vistas?
    - iii. Does the proposal respect the viewing rights of other advertisers?
  - (d) Streetscape, setting or landscape
    - i. Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
    - ii. Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
    - iii. Does the proposal reduce clutter by rationalising and simplifying existing advertising?
    - iv. Does the proposal screen unsightliness?
    - v. Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
    - vi. Does the proposal require ongoing vegetation management?
  - (e) Site and building
    - i. Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?

- ii. Does the proposal respect important features of the site or building, or both?
  - iii. Does the proposal show innovation and imagination in its relationship to the site or building, or both?
- (f) Associated devices and logos with advertisements and advertising structures
  - i. Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?
- (g) Illumination
  - i. Would illumination result in unacceptable glare?
  - ii. Would illumination affect safety for pedestrians, vehicles or aircraft?
  - iii. Would illumination detract from the amenity of any residence or other form of accommodation?
  - iv. Can the intensity of the illumination be adjusted, if necessary?
  - v. Is the illumination subject to a curfew?
- (h) Safety
  - i. Would the proposal reduce the safety for any public road?
  - ii. Would the proposal reduce the safety for pedestrians or bicyclists?
  - iii. Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

### F1.2.2 General Design and Siting Controls

#### Controls

- C1 Signage is not permitted to project above the predominant building scale. In particular do not interrupt any views, vistas or skylines, interrupt pedestrian movement, or cause overshadowing.
- C2 Signage shall complement the streetscape, landscape or building.
- C3 Relate signage to the architectural lines and detail on a building façade, or in the absence of architectural detail or decoration, relate to the design lines of adjoining buildings. Do not obscure significant features such as doors, windows and architectural detailing.
- C4 Landscape features, landscaping and architectural features are to be used to blend signage in with the surroundings and integrate with the building or site.
- C5 Signage is not to dominate in terms of scale, number, proportion and form or any other attributes.
- C6 The amount of signage may be limited due to the cumulative impact on a locality or a building.

- C7 Design and place signage so that it does not have any detrimental effect on occupants of residential properties.

### **F1.2.3 Appearance and Maintenance**

#### **Controls**

- C1 A high standard of design and presentation is to be achieved.
- C2 Signs must be professionally sign written and of durable materials.
- C3 Design signs for easy maintenance.
- C4 Repair and remove unsafe or unsightly signage.
- C5 Remove signage that is no longer necessary or unsightly to avoid clutter.

### **F1.2.4 Wording and Content**

#### **Controls**

- C1 Where the text of an advertisement is in a language other than English, include an English translation of a sufficient size to be legible to the public.
- C2 Signage is not to include offensive or objectionable material in the content of an advertisement (such as discriminatory messages, promotion of unlawful or anti-social behaviour, encouraging excessive consumption of alcohol, pornography, or offensive language).
- C3 The size of the name or logo, of the owner or leasee of signage, shall be a maximum of 0.25m<sup>2</sup>, and placed only within the advertising display area.
- C4 When a business or organisation offers a product or service, the name of the business or organisation should have greater dominance than the product or service.

## **F1.3 Siting Controls**

### **F1.3.1 Residential Zones**

#### **Controls**

- C1 Locate all signs wholly within the property.
- C2 Signage content can only indicate the purpose for which the property is lawfully used.
- C3 Signage is to be affixed to the wall of the dwelling or a fence.
- C4 Freestanding signs are only permitted in relation to a non-residential use where the signage suits the character of the building or the locality, such as a doctor's surgery or place of worship.



### F1.3.2 Business Zones

#### Controls

- C1 Signage types permitted in business zones include:
- (a) Fascia sign;
  - (b) Return-end of awning sign;
  - (c) Under awning sign;
  - (d) Above awning vertical sign;
  - (e) Blade sign (wall, ceiling, or hanging);
  - (f) Colonnade fascia sign; and
  - (g) Vertical banner sign.
- C2 Signage shall complement the spatial qualities and respond to the different functions of the various parts of a business centre.
- C3 Affix signage to the building.
- C4 Roof signs are not permitted.
- C5 Signage is not to restrict the view into the main sales area of the shop.
- C6 Under awning signs should not at any point be lower than 2.6m from natural ground level.
- C7 Under awning signs are limited to one sign per tenancy.
- C8 Other signs less than 2.6m above the ground level are not to project more than 0.5m from the wall.
- C9 Above awning signs are not to be obtrusive or dominate the building façade. Signs have a maximum advertising area of 2.2m<sup>2</sup>, do not exceed 1.5m in height, and are not more than 2.4m above the awning.
- C10 Conceal or integrate the light source to any illuminated signage within the sign. Illuminated signage is only permitted where it does not compromise residential amenity or result in unacceptable glare (Refer to F1.4.1).
- C11 Signage is not to face directly into land that is residentially zoned (for instance at the boundary of a business zone).

### F1.3.3 Industrial Zones

#### Controls

- C1 The total signage area on each site is not to exceed 1m<sup>2</sup> per 2m of road or access frontage for premises with a single frontage, and 0.5m<sup>2</sup> per 2m for premises with two frontages.

- C2 Buildings or sites having multiple occupants are to be identified at the entrance by no more than two signs or directory boards within the front setback, identifying the names and activities of the occupants. Signs for each occupant are to be of a uniform size, shape and presentation.
- C3 Small shops and other similar uses within the industrial zones are to also comply with the controls for the business zones.

#### **F1.3.4 Open Space Zones**

##### **Controls**

- C1 Ensure there will be no detrimental visual impact on open space or any related buildings.
- C2 The wording and advertising content of signs must relate to the open space or the activities taking place there.

#### **F1.3.5 Heritage Items**

##### **Controls**

- C1 Signage on a site containing a heritage item are permissible only with development consent. In assessing such proposals, their compatibility with the character of the heritage item will be considered.
- C2 The size and number of signs will not be allowed to dominate the item.
- C3 Provide signage that reflects the period and character of the item.

### **F1.4 Performance Controls**

#### **F1.4.1 Illuminated Signs**

##### **Controls**

- C1 Brightly illuminated signs (and some illuminated signs altogether) may not be compatible with heritage items or significant streetscapes.
- C2 Signage shall be located so that it is not close to, or directly visible from, the windows of habitable rooms of residential properties.
- C3 Minimise the spill effects or escape of light beyond the subject sign. The lighting intensity of signage must be capable of modification or control after installation.
- C4 Council may impose a curfew on sign illumination between 11pm to 7am, or restrict illumination to hours of operation where it is considered that residential properties maybe adversely impacted.
- C5 Conceal or integrate the light source to any illuminated signage within the sign.

**F1.4.2 Vehicular and Pedestrian Safety****Controls**

- C1 Signage is to be designed and located so as to preserve vehicular and pedestrian safety.
- C2 Design and place signage so it does not get confused with traffic signs, or instructions given by traffic signals or other devices. Signs with red, green and yellow lights will not be permitted on main roads or near traffic signals.
- C3 Flashing signs in all areas are prohibited.
- C4 Place signage so that it does not block the view of traffic signals or traffic signs, or distract drivers.
- C5 Design and place freestanding signs so that they do not create a safety risk to pedestrians and motorists.

**F1.4.3 Signage on Parked Vehicles****Controls**

- C1 Advertising signs on parked vehicles such as cars, trucks and trailers, are prohibited where:
  - (a) The vehicle is unregistered
  - (b) The primary purpose of the vehicle is for advertising purposes.



## F2 Child Care Centres

This chapter provides controls for child care centres and applies in addition to State and Federal legislation and guidelines. Child care centre are defined in the LEP.

This chapter should be read in conjunction with the Part B – General Controls and Chapter F1 Signage.

### F2.1 General Objectives

- O1 To accommodate the increasing demand for child care places in Canterbury, and in areas that are under supplied and where there is a need.
- O2 To provide a range of child care services that provide safe and acceptable quality of education and care, and centres that accommodate children with special needs.
- O3 To ensure child care centres are compatible with the context, particularly the residential environment, in terms of built form, building design and the amount of landscaped area provided.
- O4 To ensure the amenity of adjoining neighbours is maintained and is not detrimentally affected by noise or other impacts from child care centres, particularly from clustering.
- O5 To ensure child care centres are located with adequate, convenient and safe parking (for staff and drop offs) that does not impact on the neighbourhood.

### F2.2 Compliance with Licensing Requirements

#### Controls

- C1 Before submitting a development application, it is recommended that applicants contact the relevant licensing authority (NSW Department of Education and Communities) to determine the requirements for licensing so that these can be incorporated into the design of the child care centre. Applicants will be required to lodge a statement with the development application that the proposal will comply with the Education and Care Services National Regulation and the National Quality Standard.

## F2.3 Location and Demand Analysis

### Controls

- C1 A location analysis is required to be lodged with a development application for a new childcare centre or alterations and additions to an existing childcare centre. The location analysis is to be in the form of a map that indicates the following within a 750m radius:
- (a) All existing child care centres, including the capacity of each centre;
  - (b) Schools;
  - (c) Parks; and
  - (d) Community facilities.
- ~~Note: To assist with the preparation of the location analysis a map of all existing child care centres within Canterbury is available at Council's Customer Service Counter.~~
- C2 A demand analysis identifying the need for the child care centre and additional childcare places in the proposed location supported by demographic and statistical analysis is to be lodged with the development application.
- C3 Child care centres are not to be located within 400m walking distance of an existing child care centre (measured via footpath).
- C4 In circumstances where a child care centre complies with the 400m walking distance requirement but is located in close proximity to an existing children's centre, the following additional controls apply:
- (a) The concentration of the child care centres must not have an adverse impact with respect to noise, loss of privacy, traffic generation and on street parking; and
  - (b) New child care centres must not be located on land adjoining land on where an existing child care centre is located.
  - (c) A demonstrated need for additional child care places in the location, supported by demographic and statistical analysis, can be shown.
- C5 Child care centres should be located on corner sites, where possible.
- C6 Child care centres are generally not supported within a cul-de-sac or dead end street.
- C7 Child care centres are to be located close to, or adjacent to, community focal points such as neighbourhood centres, community buildings, parkland, sports ground and schools, wherever possible.
- C8 Proposals to locate a child care centre on, or adjoining, industrial land may need additional environmental analysis and associated testing in order to determine any conflicting land uses.

- C9 Child care centres will not be permitted on major roads, or within 30m of a major road.

## F2.4 Minimum Dimensions

### Controls

- C1 The minimum required site frontage for a child care centre development is 20m.
- C2 Council may be prepared to consider sites with a frontage between 15m and 20m if the following conditions are met:
- (a) The children's centre allocates a minimum of 25% of the places to 0-2 year olds;
  - (b) The applicant can demonstrate that sufficient on-street parking or convenient long stay off street parking is available;
  - (c) The applicant complies with the parking/traffic requirements of this DCP;
  - (d) The site frontage width can accommodate the parking spaces required for the drop off and pick up of children as outlined below; and
  - (e) The proposed centre is likely to have minimal effect on the amenity of adjoining residential properties.
- C3 Child care centres are generally not supported in two (2) storey buildings.

## F2.5 Residential Zones

### Controls

- C1 Child care centres are not permitted to contain a residential component.
- C2 Child care centres located in a residential zone must be residential in external appearance and finishes and must be consistent with the nearby residential streetscape.
- C3 Child care centres in residential zones are limited to a maximum of 40 children.

## F2.6 Car Parking

### Controls

- C1 Refer to Part [B2-B1](#) – Transport and Parking of this DCP for parking provision rates for child care centres.
- C2 All car parking is to be behind the front building line.

- C3 All parking and manoeuvring areas are to be suitably signposted, drained and line marked.
- C4 Suitably signposted parking is to be provided on the street immediately in front of the centre, and on the same side of the street as the centre, for the dropping off and picking up of children. This may require the identification and signposting of 10 minute time restricted parking for 2 hours during peak periods (7.00-9.00am and 4.00-6.00pm).
- C5 The number of drop off/pick up spaces is to be in accordance with the following table:

Number of children	Number of drop off/pick up spaces to be provided
Up to 16	1
17-30	2
31-40	3

Table F.1: Number of Drop Off/Pick Up Spaces

## F2.7 Facilities and Layout

### Controls

- C1 Provide space and facilities, and design the internal and external layout, in accordance with the National Quality Framework and any associated requirements of the licensing authority.

## F2.8 Open Space

### Controls

- C1 Provide external open space that promotes a variety of learning, play and other developmental experiences.
- C2 Design and construct external open space that is safe, healthy and attractive, provide visual quality to the development, and screen activities to protect neighbour's amenity.
- C3 Provide a landscape proposal, prepared by a qualified landscape architect or persons with expertise in landscape design for children, that complies with the National Quality Framework for children's centres.
- C4 Where practical take advantage of existing site conditions, identifying both desirable and undesirable elements, and emphasise the natural rather than man-made environment.
- C5 Ensure that the external areas are free from contamination (including lead contamination).
- C6 The outdoor play space must not be occupied by any motor vehicles during operating hours.
- C7 Outdoor play areas between the front alignment of the building and the street will not be supported.



## F2.9 Landscape Plan Requirements

### Controls

- C1 A landscape plan is required for development of a new child care centre and may be required for alterations and additions to an existing child care centre. Include the following in the landscape plan:
- (a) Boundary security fencing minimum 1.8m high and that is non-climbable;
  - (b) Covered veranda and 50% of external ground area shaded;
  - (c) Disability access and ease of access from outdoor areas to toilets;
  - (d) An outdoor area for babies, separate from outdoor area for older children;
  - (e) Conceptual delineation of spaces into activity zones;
  - (f) Sandpit and shade structure, and access to sandpit for maintenance vehicles;
  - (g) Outdoor storage areas, shed, waste storage and handling facilities;
  - (h) Garden bed layout with planting details, surface materials, and soft fall areas; and
  - (i) Water play areas and a tap.

Note: Refer to Part B of this DCP for recommended Child Care Centre Planting Guide.

## F2.10 Staffing

### Controls

- C1 Staff ratios are to be in accordance with the National Quality Framework, details of staffing are to be included with the development application, including staff that will meet the needs of children with special needs and children from a culturally and linguistically diverse background.

## F2.11 Accessibility

### Controls

- C1 The building must provide for access for people with a disability, by a continuous path of travel from the street and or parking area into and within every room and outdoor area used by children and staff. Access should be designed in accordance with AS 1428.1 Design for Access and Mobility, and in all respects comply with Part D of the Building Code of Australia.

## **F2.12 Operating Hours**

### **Controls**

- C1 Where a child care centre is located in a residential zone, operating hours will be restricted to: Monday – Friday 7.00am – 7.00pm (excluding public holidays).

## **F2.13 Visual and Acoustic Privacy**

### **Controls**

- C1 Locate sleep rooms and play areas away from undesirable noise sources. The impacts of noise can be further reduced by barriers such as solid fencing and double-glazing.
- C2 An acoustic report from a suitably qualified acoustic engineer is to be provided with a development application for a new child care centre and is to include measures to minimise noise impacts on neighbouring properties:
- (a) Orientating the child care centre to have regard to neighbouring property layout, including locating playgrounds and playroom windows and doorways away from neighbouring bedrooms;
  - (b) Using double-glazing where necessary;
  - (c) Planting hedges along fence lines to create a play ground buffer zone; and
  - (d) Include fencing that minimises noise transmission and loss of privacy (such as lapped and capped timber fencing, cement block, brick).

## F3 Restricted Premises and Sex Services Premises

This chapter applies to any proposal to establish restricted premises or sex services premises with the exception of sex services premises that are a home occupation. Restricted premises and sex services premises are only permitted in certain zones under the LEP and Council approval must be obtained.

This chapter should be read in conjunction with the Part B – General Controls.

### F3.1 General Objectives

- O1 To ensure restricted premises or sex services premises are suitably located and protect the amenity of residential and other sensitive uses.
- O2 To ensure the design and operation of the premises are discreet, fit in with the character of the streetscape and do not adversely impact on the neighbourhood.
- O3 To require appropriate health and building standards are maintained.
- O4 To ensure that safe access to restricted premises or sex services premises is provided for workers and patrons.
- O5 To require that adequate parking is provided on site.

### F3.2 Location

#### Controls

- C1 Sex services premises must not be located adjoining or within 100m walking distance of other sex services premises.
- C2 Sex services premises must not be located adjoining or within 100m walking distance of any residentially zoned land.
- C3 Sex services premises must not be located adjoining or within 200m walking distance of any place of worship, school, community facility, child care centre, hospital, railway station, bus stop, taxi stand, or any place regularly frequented by children.
- C4 Sex services premises must not be located in the vicinity of licensed premises such as hotel, club or restaurant.
- C5 It is preferable that sex services premises are located above ground level, with discreet access from ground level. If located at ground level, it is not to be within a shopfront or at the street front of premises.

- C6 Provide a discreet, single access to sex services premises. Do not use a communal or shared access that provides access to another use.
- C7 Do not provide patron access to the restricted premises or sex services premises from a laneway.

### F3.3 Room Limitation

#### Controls

- C1 Sex services premises must not contain more than six separate rooms for the purpose of prostitution and associated activities, office and reception room. Rooms having an area exceeding 18m<sup>2</sup> will be considered as two rooms.

### F3.4 Car Parking

#### Controls

- C1 Provide one (1) car parking space per two (2) people working at the sex services premises at any time.
- C2 Potential patron parking in residential streets must be avoided.

### F3.5 Noise

#### Controls

- C1 The use of the sex services premises or restricted premises must not give rise to:
  - (a) A sound level at any point on the boundary greater than the background levels specified in Australian Standard 1055, "Acoustic Description and Measurement of Environmental Noise"; and
  - (b) An "offensive noise" as defined in the *Protection of the Environment Operations Act 1997*.

### F3.6 Signage

#### Controls

- C1 These controls should be read in conjunction with Chapter F1 Signage.
- C2 Only one (1) sign is allowed per premises, with a maximum size of 0.5m<sup>2</sup> and located on the wall adjacent to the entrance to the premises.
- C3 The signage wording is to be limited to the trade name of the business and the address of the premises. The signage must not refer to the nature of the business or advertise specific services.
- C4 Do not illuminate signage or place signage in windows.

### **F3.7 Restrictions on Operation**

#### **Controls**

- C1 The operation of a sex services premises or restricted premises must not cause a disturbance in the neighbourhood, including to any other premises that may be operating in the neighbourhood.



# F4 Telecommunications Facilities

This chapter applies to telecommunications and radio-communications facilities and their supporting infrastructure and ancillary development that is provided in accordance with the following legislation:

- *Radio-communications Act 1992*;
- *Telecommunications Act 1997*;
- Telecommunications Code of Practice 1997; and
- Telecommunications (Low-impact Facilities) Determination 1997.

Council does not have regulatory control over “low impact facilities”. The Commonwealth Low-Impact Facilities Determination (LIF Determination) exempts low impact facilities from State and Territory planning and environmental laws.

Generally, new or upgraded infrastructure does not require Council consent under the Commonwealth or State legislation such as the LIF Determination, *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and *State Environmental Planning Policy (Infrastructure) 2007*.

This chapter of the DCP aims to provide objectives and controls for the siting, design and installation of telecommunications and radio-communications facilities that require development consent.

## F4.1 General Objectives

- O1 To provide a balance between the needs of stakeholders, including: the community; industry; and local, state and federal governments.
- O2 To ensure the public and local communities have access to telecommunications technology.
- O3 To ensure telecommunications and radio-communications infrastructure are of good urban and industrial design.
- O4 To ensure infrastructure is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/conservation areas and cultural icons.

## F4.2 Site Requirements

### Controls

- C1 The preferred locations for telecommunications facilities are:
  - (a) Industrial areas;

- (b) Low-use open space; and
  - (c) Commercial centres.
- C2 Proposed development for telecommunications facilities are to consider the likely impact on sensitive land uses such as:
- (a) Sites where occupants are located for long periods of time (such as residences);
  - (b) Sites that are frequented by children (such as schools, childcare centres); and
  - (c) Sites where there are people with particular health problems (such as hospitals, aged care facilities).

Note: Further information can be found in the “NSW Telecommunications Facilities Guideline including Broadband” dated 2010 and published by the NSW Government (Planning).

### F4.3 Co-location

#### Controls

- C1 Co-locate facilities as much as possible.
- C2 Co-location may not always be a desirable option where:
- (a) Cumulative emissions are a consideration;
  - (b) It may be visually unacceptable;
  - (c) There are physical and technical limits to the amount of infrastructure that structures are able to support; or
  - (d) The required coverage cannot be achieved from the location.
- C3 Demonstrate a precautionary approach and effective measures to minimise the negative impacts of co-location.

Note: Co-location is the practice of locating a number of different telecommunications facilities, often owned by different carriers, on one facility or structure.

### F4.4 Visual Amenity

#### Controls

- C1 Design antennas and supporting infrastructure in such a way as to minimise or reduce the visual and cumulative visual impact from the public domain and adjacent areas.
- C2 Within the local context, the infrastructure design must take account of:



- (a) Colour;
  - (b) Texture;
  - (c) Form; and
  - (d) Bulk and scale.
- C3 Infrastructure must be:
- (a) Well designed;
  - (b) Integrated with the existing building structure unless otherwise justified in writing to Council;
  - (c) Unobtrusive where possible;
  - (d) Consistent with the character of the surrounding area; and
  - (e) Have concealed cables where practical and appropriate.
- C4 Infrastructure is to be removed when no longer being used.
- C5 Restore the site to its original or better condition (as conditioned by Council) following construction of the infrastructure.

## **F4.5 Physical Design Controls**

### **Controls**

- C1 Infrastructure must be of high quality design and construction.
- C2 Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures.
- C3 The plan for the facility must include measures to restrict public access to the antenna(s). Approaches to the antenna(s) must contain appropriate signs warning of EMR and providing contact details for the facility owner/manager.
- C4 The minimum requisites that shall apply where relevant are the Building Code of Australia for purposes of construction and the relevant exposure levels as directed by the Australian Communications Authority (ACA). The applicant must provide Council with certification about the standards with which the facility will comply.

## **F4.6 Heritage and Environment**

### **Controls**

- C1 Infrastructure proposed for areas of environmental significance (as defined in the Telecommunications – Low Impact Facilities Determination) require:

- (a) Development consent;
- (b) The applicant to have regard to avoiding or minimising the visual impact of any proposed facility on the heritage significance of any heritage items or conservation areas;
- (c) The applicant is to provide a statement of heritage impact; and
- (d) The applicant to have regard to avoiding or minimising the physical impact of any proposed facility on endemic flora and fauna.

#### **F4.7 Health Controls**

##### **Controls**

- C1 Demonstrate the precautions taken to minimise electromagnetic radiation (EMR) exposures to the public.
- C2 Provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA.
- C3 Provide a mapped analysis of cumulative EMR effect of the proposal.

#### **F4.8 Signage**

##### **Controls**

- C1 Provide a permanent and legible weatherproof sign that is publicly visible in the immediate proximity of the facility to identify the name and contact details of the operator or site manager.

# F5 Taxi Operations

This chapter applies to taxi operations being a type of transport depot as defined in the LEP. They are only permitted in zoned where transport depots are permitted.

This chapter should be read in conjunction with the Part B – General Controls and Chapter F1 Signage.

## F5.1 General Objectives

- O1 To ensure taxi operations are located and managed so as to minimise amenity impacts.

## F5.2 Location

### Controls

- C1 Taxi operations are not to be located within 100m of a residential zone or dwelling.

## F5.3 Car Parking

### Controls

- C1 Refer to Part ~~B2-B1~~ – Transport and Parking of this DCP for parking provision requirements for taxi operations.
- C2 The proposed development is to include a holding area to the satisfaction of Council for drivers waiting for the changeover to occur, and for the temporary parking of taxis during the changeover period.

## F5.4 Driver Facilities

### Controls

- C1 The proposed development is to include driver facilities, such as a lunchroom and toilets.



# F6 Amusement Centres

This chapter applies to amusement centres being a type of entertainment facility and is defined in the LEP.

This chapter should be read in conjunction with the Part B – General Controls and F1 Signage.

Note: An approval under Section 68 of the *Local Government Act 1993* is required to install or operate amusement devices.

## F6.1 General Objectives

- O1 To ensure amusement centres are located and operated in a manner that does not adversely impact on the amenity of the area or the community.
- O2 To ensure provision of an adequate standard of ancillary uses, such as access and car parking.
- O3 To ensure amusement centres are appropriately designed for safety and surveillance.

## F6.2 Location

### Controls

- C1 Consideration will be given to the suitability of the location of the proposed amusement centre development in respect to:
  - (a) Proximity of schools, churches, hotels, and other like uses;
  - (b) The nature of adjoining businesses or properties and the likelihood of any adverse effect upon them; and
  - (c) Security of the neighbourhood.

## F6.3 Area Requirement

### Controls

- C1 Maximum of one amusement machine for every 4m<sup>2</sup> of public floor area.

## **F6.4 Layout**

### **Controls**

- C1 The amusement centre is to be designed to include an open internal layout without separate rooms, partitions or divided off areas, for customers. The entire activity area must be readily visible to the public from the footpath.
- C2 Use an open plan layout for the amusement machines.
- C3 The premises are to be designed with sufficient area to contain all activities within the premises.
- C4 Provide sufficient seating within the amusement centres for the expected number of patrons.

## **F6.5 Visual and Acoustic Privacy**

### **Controls**

- C1 Noise levels on the premises are not to exceed 5dBA above the background noise measured at the boundary of the premises.
- C2 The activity areas and ancillary facilities are to be illuminated to an intensity that permits the entire area to be visible from any point, including the street frontage.

## **F6.6 Toilets**

### **Controls**

- C1 Provide male and female toilets for patrons of the amusement centre that are easily and directly accessible from the main area of activity of the centre.

## **F6.7 Operating Hours**

### **Controls**

- C1 Operating time is generally restricted to between the hours of 10.00 am and 8.00 pm. Any extension to closing time will be assessed on the merits of the individual proposals and the location, having regard to the closing times of surrounding hotels, clubs and small bars in the area.

## **F6.8 Operating Restrictions and Prohibitions**

### **Controls**

- C1 No person who is in control of an amusement centre shall permit the following persons to enter or remain.

- (a) Any person under the age of 12 years, unless accompanied by an adult; or
  - (b) Persons under the age of 15 years except:
    - i. When primary or secondary schools are not open; or
    - ii. Where the person submits satisfactory evidence that he/she is either not enrolled as a student at a primary or secondary school or if so enrolled, is absent from school with approval of the authorities.
- C2 Clearly display a sign on the shopfront window of the premises stating the above age entry requirements.
- C3 The proprietor or his nominee (who shall not be less than 18 years old) is to be on the premises at all times, and the name of the person on duty shall be displayed at all times.





## F7 Wills Oval

This chapter applies only to Wills Oval, a private oval at 17 Wardell Road, Earwood. The land is privately owned and zoned RE2 Private Recreation. Given that Council is unable to implement a Plan of Management over the land, specific controls are required to ensure development is in keeping with the recreational use of the land and its semi-public nature.

This chapter should be read in conjunction with the Part B – General Controls.

### F7.1 General Objectives

- O1 To retain the open character of the site and maintain and enhance views to, from and across the site.
- O2 To protect the amenity of the adjacent residential properties.
- O3 To ensure that sufficient parking facilities are provided on site, and efficient and safe access to and from the site is available.
- O4 To minimise traffic movement impacts on the road system and adjacent residential properties.
- O5 To ensure development is designed to withstand the effect of flooding.
- O6 To ensure new buildings are compatible with the character of the surrounding area.
- O7 To protect the environment of the Cooks River by minimising disturbance of acid sulfate soils.

### F7.2 Envelope

#### Controls

- C1 The existing sports playing area (or fields occupying a similar area in the same place) are to be retained.
- C2 The visual continuity of the Cooks River open space system is to be maintained.
- C3 Buildings are to be setback a minimum of 3m from the Lang and Wardell Road boundaries and are to be landscaped.
- C4 All parking demand generated by the use of the site is to be provided for within the site and is to be determined by a Parking Assessment Report.
- C5 Provide principal vehicular and pedestrian access from Wardell Road. The Lang Road entrance is to be used for emergency and pedestrian access only.

- C6 The site is identified as a 'flood planning area' in the LEP. The floor level of any new building should be a minimum of 100mm above the 1 in 100 year flood level.
- C7 The maximum height of any new building is limited to 6.5m measured from the existing ground level to the ceiling of the topmost floor.

### F7.3 Design

#### Controls

- C1 Use fencing that has at least 50% transparency and does not exceed 1.8m height around the site.
- C2 Do not place any buildings, other than ancillary sport associated structures such as scoreboards, sightscreens, goal posts and the like, outside the area shown by hatched shading on the site plan in Figure F.1 below.
- C3 Lighting provided on the site should not unreasonably affect the amenity of the adjacent residences.
- C4 Any noise generated from use of the site should not unreasonably affect the adjacent and nearby residents.
- C5 Design of any new building(s) should be complementary to the adjacent residential development in size, bulk, roofing profile and materials.
- C6 Any advertising signs to be provided on the site should comply with Chapter F1 of the DCP.
- C7 Any works that are below the ground surface or likely to lower the water table require an assessment of the risk of disturbance of acid sulfate soils. This assessment includes the submission of an Acid Sulfate Soils Management Plan.

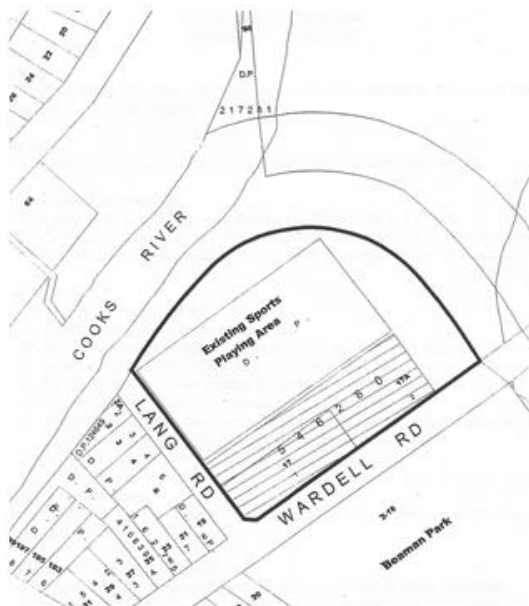


Figure F.1: Wills Oval

# F8 Non-residential Development in Residential Zones

This chapter applies to non-residential development in residential zones and should be read in conjunction with the Part B – General Controls and Chapter F1 Signage.

## F8.1 General Objectives

- O1 To reduce unreasonable amenity impacts on surrounding residents caused by non-residential uses.

## F8.2 General Controls

- C1 Non-residential development in a residential zone will be assessed for its impact on residential amenity.
- C2 Non-residential development in a residential zone will only be acceptable where adverse impacts on the amenity of residences in the immediate area (for example through traffic generation, parking demand, noise or any other form of pollution that is incompatible with residential uses) are avoided or minimised.
- C3 Council may impose conditions of consent to minimise any impact on residential amenity including limiting the scale of the development, restricting hours of operation or the like.

C4 Building design needs to be compatible with surrounding area.

C5 The non-residential component of buildings that adjoin residential zones should comply with the Building Height Plane.

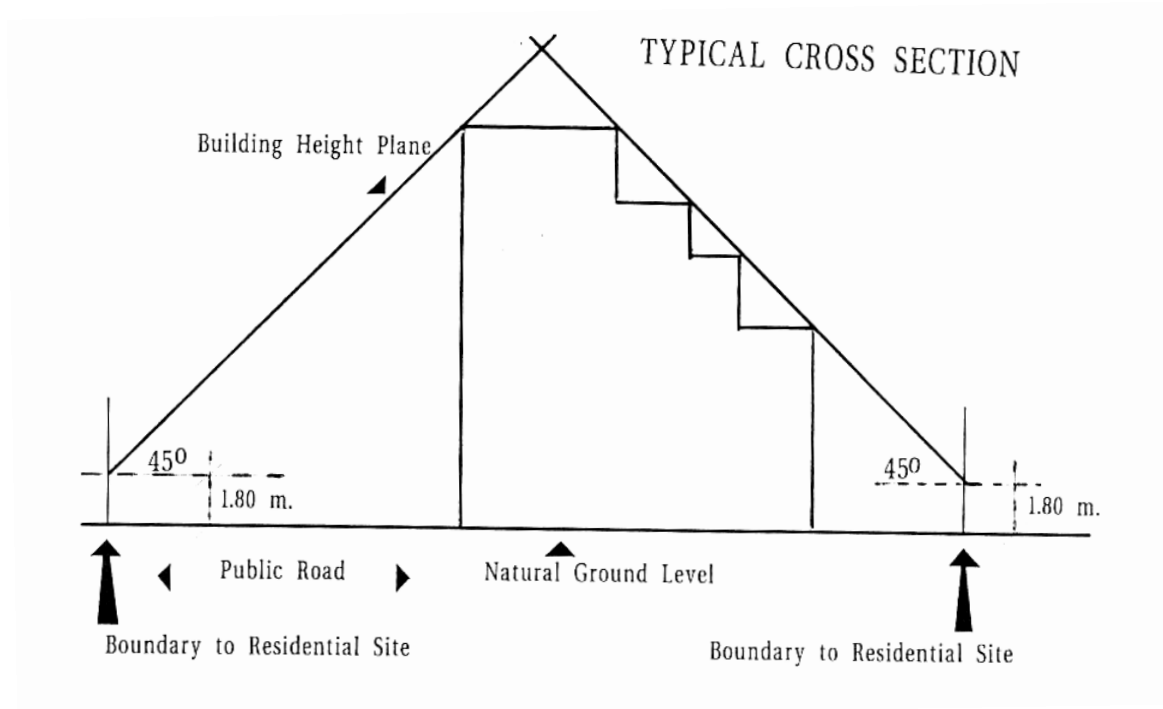


Figure F8.1: Building Height Plane



# F9 Massage Facilities

This chapter applies to proposed developments with massage facilities and the like and should be read in conjunction with Part B – General Controls and Part D – Business Centres.

## F9.1 General Objective

- O1 To ensure that proposed developments that include massage facilities operate as per applications submitted for development consent.

## F9.2 Submission Requirements

- C1 All applications for massage centres and the like are to be accompanied by documentary evidence of the relative qualifications of the operators.
- C2 Where there qualifications have been obtained from outside of Australia, the applicant is to:
  - (a) Provide documentation, in the form of a letter, from a reputable Australian organisation, that recognises those qualifications; or
  - (b) Where appropriate, refer their qualifications to the Australian Traditional Medicine Society for verification, at the applicant's cost, and that evidence of any verification given be submitted to Council.

