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Sections 8.1 to 8.12 apply to Specific Non-Residential Development Types.

8.1 Extended Trading Hours

Section 8.1 applies to commercial premises approved by Council. Extended trading hours refers to hours outside of 6 am to midnight, daily.

The following matters need to be considered when assessing an application for extended trading hours:

- (a) Additional information to be submitted with the DA to include:
 - Detailed description of the activity and its potential impact on adjoining premises
 - Potential impact on the amenity of the area
 - Litter generation
 - Anticipated patronage numbers
 - Responsibilities of staff, staffing levels and qualifications (if relevant)
 - External and internal lighting
 - Security measures
 - Toilet facilities
- (b) Additional advertising requirements for extended trading hours DAs can be considered.
- (c) Referral of the DA to the NSW Police for comment and input.
- (d) Where appropriate, conditions of consent to include a requirement that the applicant/operator of the premises submit a quarterly report to Council addressing key areas of the business' operations eg. security measures and/or incidents etc. This will assist in the early identification of potential problems that may be associated with the premises, particularly for more contentious or suspect premises.

Council can request action, which would need to be reported in the next quarterly report. If the situation did not improve, warnings could be issued and ultimately approval for the premises would be revoked where conditions of consent were breached.
- (e) Option of time limited consent where Council can review the business' operation after a designated time period, at which time additional controls can be placed on the business if required or consent revoked if there were ongoing problems.
- (f) A regular overview to be provided to Council's Safety Committee of premises trading extended hours.

8.2 Commercial Use of Public Footways

Please refer to Council Code for Commercial Use of Public Footways (Appendix 3).

8.3 Child Care Centres

Clause 1.15 Savings and Transitional Provision does not apply to this Section 8.3 Child Care Centres

8.3.1 Land to Which This Section Applies

Child Care Centres are only permitted on land within Hurstville City Council that:

- (a) is 500sqm or larger; and
- (b) has a minimum street frontage (as measured for the depth of the parking and manoeuvring area at the front of the building) of:
 - (i) 18m where a separate entry and exit one way drive-through access is proposed.
 - (ii) 20m where an at grade single vehicular access point to the on-site car parking area is proposed to allow for the provision of two separate pedestrian paths (refer to indicative diagrams in section 8.3.10 Access and Parking).
 - (iii) 15m for development area D where parking is provided at basement level.
- (c) does not have any property boundary on a State Road; and
- (d) complies with the relevant locational criteria

8.3.2 Aims

The primary aims of this Section are to:

provide information for persons wishing to establish or modify a child care service;

adopt a positive, pro-active approach to planning child care centres - providing operators with a clear understanding of Council's requirements and why these requirements are important to the design of child care services;

clearly identify desired outcomes for specific requirements;

encourage the provision of high quality child care which meets the needs of the community;

recognise child care centres as important educational facilities, critical to the physical, intellectual, cultural, creative, sensory and emotional development of children;

minimise potential adverse impacts on the locality and broader environment as well as the natural and built environment, by providing effective control measures; and

ensure the integration of the facility within its environment is achieved so that the development reflects the existing streetscape and character of the locality.

8.3.3 Regulatory Authority

Child Care Centres must be licensed by the Department of Community Services. Contact details are:

Children's Services Adviser
Department of Community Services – South East Area Office
Level 4, 55 Renwick Street
REDFERN NSW 2016
Ph: 02 9245 1666

Nothing in this Section is to be taken as removing the need for compliance with the Children and Young Persons (Care & Protection) Act 1998 and the Centre Based and Mobile Child Care Services Regulation (No. 2) 1996.

A series of 'flags' have been included within relevant sections to indicate that legislative requirements pursuant to the Children and Young Persons (Care & Protection) Act 1998 and Centre Based and Mobile Child Care Services Regulation (No. 2) 1996 apply to that particular issue.

This Section in no way covers all areas of regulatory control. Applicants are advised to obtain the Act and Regulation and other preparatory material from the Department of Community Services prior to preparing detailed designs.

8.3.4 Related Child Care Operations

Several other forms of child care services are available in addition to centre-based child care services. These include Family Day Care, Home-Based Child Care and Mobile Child Care.

Mobile Child Care and Home-Based Child Care services require licensing from the New South Wales Department of Community Services. An adviser from this Department should be consulted to obtain the requirements for these services.

Family Day Care is coordinated by Hurstville City Council and Council's Community Services Department should be consulted in relation to providing this service.

A Development Application is not required for any child minding service not falling within the definitions contained within Council's Local Environmental Plan.

8.3.5 Guidelines and Controls

8.3.5.1 Locational Criteria

Objectives

- Quality child care facilities are located on appropriate sites.

- Minimise impacts from child care centres on surrounding residential areas.
- Sites used for the purposes of a child care centre are compatible with the environment in which they are situated.
- Due consideration is given to Section 79(c) of the EPA Act 1979 - the social and economic effect of that development in the locality.

| ISSUES | REQUIREMENTS |
|---|---|
| <p>General Preferences:</p> <p>The location of Child Care Centres in community focal points enhances accessibility to the broader population, and generally results in less impact than locating in a quiet residential environment.</p> | <ul style="list-style-type: none"> ➤ Child care centres should be located close to or adjacent to community focal points such as local shopping centres, community buildings (libraries, churches, halls etc.), parkland, sports grounds and schools (where there is no major traffic conflict). ➤ Sites less than 500 square metres will not be considered. ➤ Sites will not be considered for a child care centre use unless they have a minimum street frontage (as measured for the depth of the parking and manoeuvring area at the front of the building) of: <ul style="list-style-type: none"> (i) 18m where a separate entry and exit one way drive-through access is proposed. (ii) 20m where an at grade single vehicular access point to the on-site car parking area is proposed to allow for the provision of two separate pedestrian paths (refer to indicative diagrams in section 8.3.10 Access and Parking) (iii) 15m in residential development area D where parking is provided at basement level. If a proposal will result in an adjoining lot being left isolated, evidence must be submitted of negotiations with the owner and the issue will be considered as part of the assessment. ➤ Steeply sloping sites will not be considered due to issues relating to access. ➤ Child Care Centres are not permitted on sites with any property boundary to a State Road (as listed under Appendix 1) due to reasons of traffic safety and amenity impacts (including air quality and noise). |

| ISSUES | REQUIREMENTS |
|--|---|
| <p>Proximity to Undesirable or Hazardous Features:</p> <p>Proposals for child care centres which are <u>located away from:</u></p> <ul style="list-style-type: none"> - telecommunications towers - large over-head power wires - any other area which may reasonably be considered inappropriate if located near a child care centre, <p><u>will be favoured in terms of compliance with locational criteria.</u></p> | <ul style="list-style-type: none"> ▪ Approval is unlikely to be given for centres within 300 metres of any feature mentioned to the left column, unless the applicant can demonstrate evidence to support a variation to this requirement. ▪ Approval will not be given to a child care centre located closer than 55 metres to a LPG above ground gas tank or tanker unloading position. ▪ An analysis of any existing and/or potential site contamination is required to be submitted with any application for a child care centre. ▪ Where sites are, or may be contaminated, a report is to be submitted with the application prepared by a suitably qualified consultant. ▪ Approval will not be given to Child Care Centres located in cul-de-sacs or closed roads within residential area. Objective: To avoid adverse amenity impacts in cul-de-sacs or closed roads in residential areas. Due to their closed nature, cul-de-sacs are more adversely affected by the double traffic and parking impacts resulting from child care centres. Generally cul-de-sacs lack adequate space for pick up/drop off, resulting in queuing & traffic impact unless the property has a double street frontage with a drive through capability. ▪ Child Care Centres are not to be located on bushfire or flood prone land, or located adjoining injecting rooms, drug clinics and any other such uses that may be inappropriate next to children. ▪ Proposals for Child Care Centres must be accompanied by a Traffic Impact Statement provided by a qualified Traffic or Transport Consultant. ▪ Child Care Centres located within or adjoining a Light Industrial Zone or a Light Industrial use will be considered on their merits. Applicants are required to submit evidence that there will be no amenity impacts from existing or likely future industries. |

8.3.6 Cumulative Impacts from Centres within Residential Areas

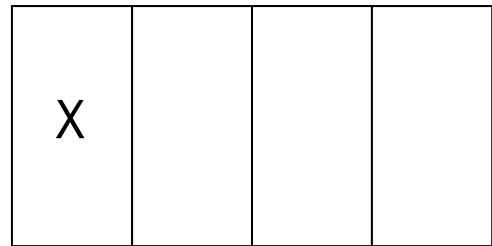
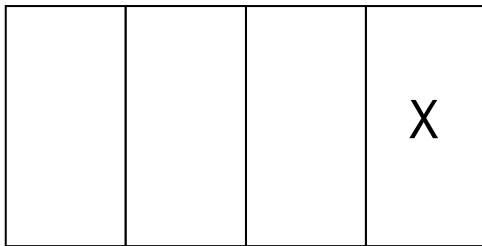
Objective

To ensure that potential cumulative impacts on residential amenity including traffic and parking, visual and acoustic privacy are minimised.

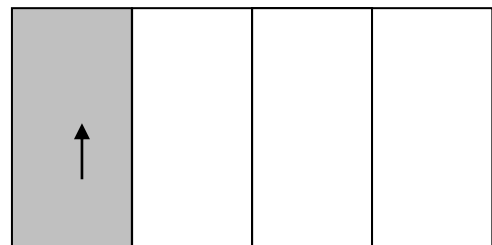
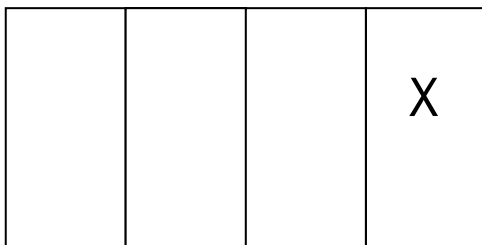
The following controls apply to child care centres proposed in residential zones only.

1. Only one child care centre is permitted at an intersection (see Diagram 1A)

Diagram 1A



X = Centres not permitted on the remaining 3 corner sites



Approved Child Care Centre

8. Controls for Specific Non-Residential Development Types

8.3 Child Care Centres

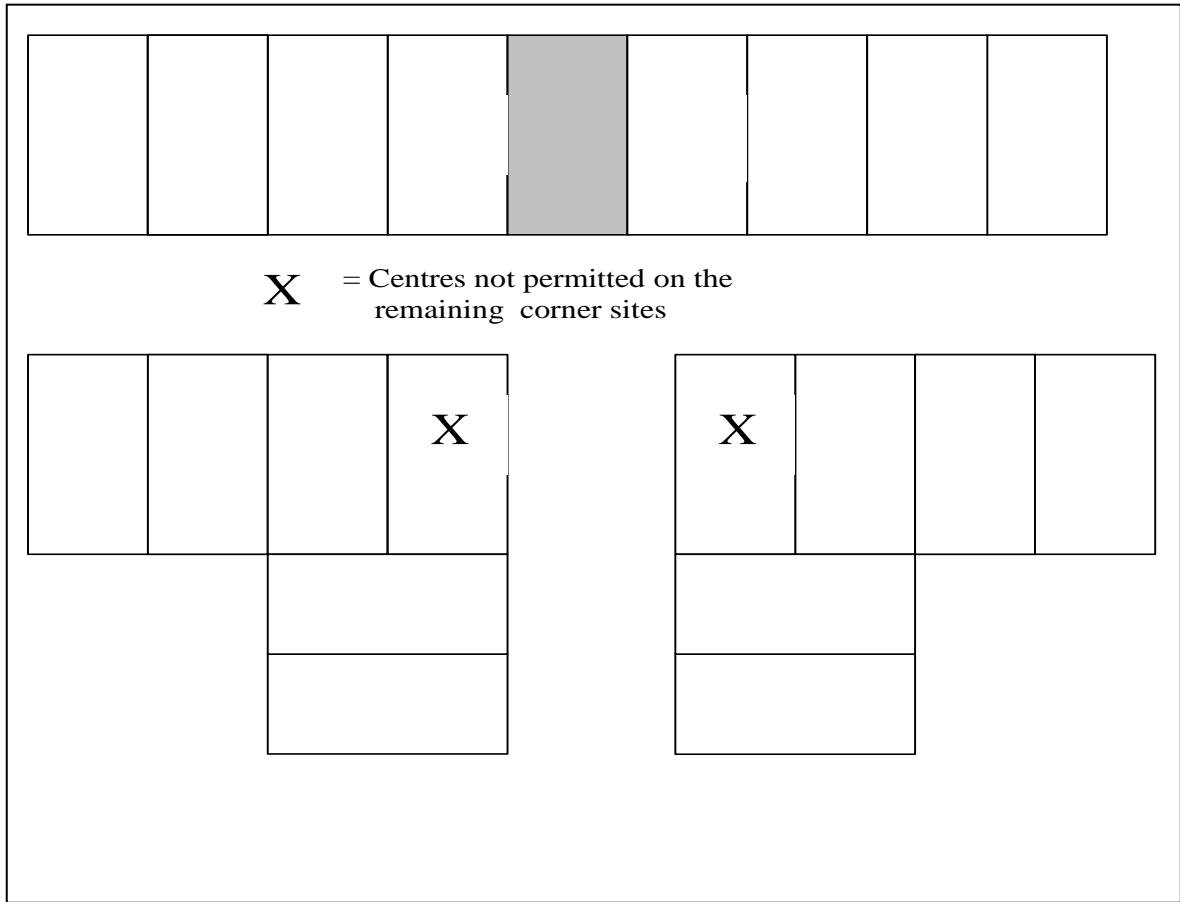


Diagram 1B

8. Controls for Specific Non-Residential Development Types

8.3 Child Care Centres

2. Child Care Centres shall not be located on land adjoining any other existing or approved Child Care Centres. (See Diagram 2).

| | | | | | |
|--|--|---|--|--|--|
| | | | | | |
| | | X | | | |

X = Centres not permitted on the land adjoining the approved centre

| | | | | | |
|--|---|---|---|--|--|
| | X | | X | | |
| | X | X | X | | |

← Approved Child Care Centre

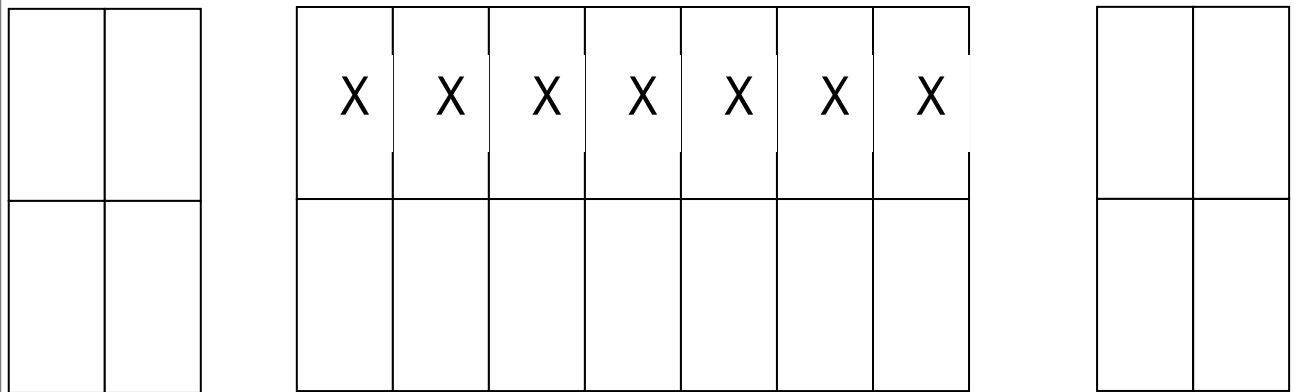
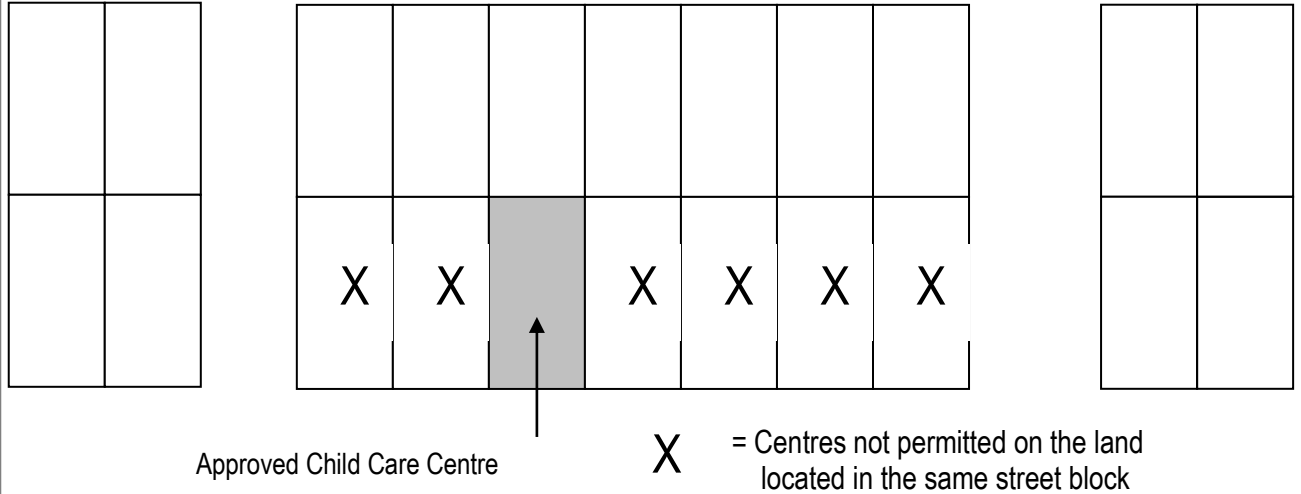
Diagram 2

8. Controls for Specific Non-Residential Development Types

8.3 Child Care Centres

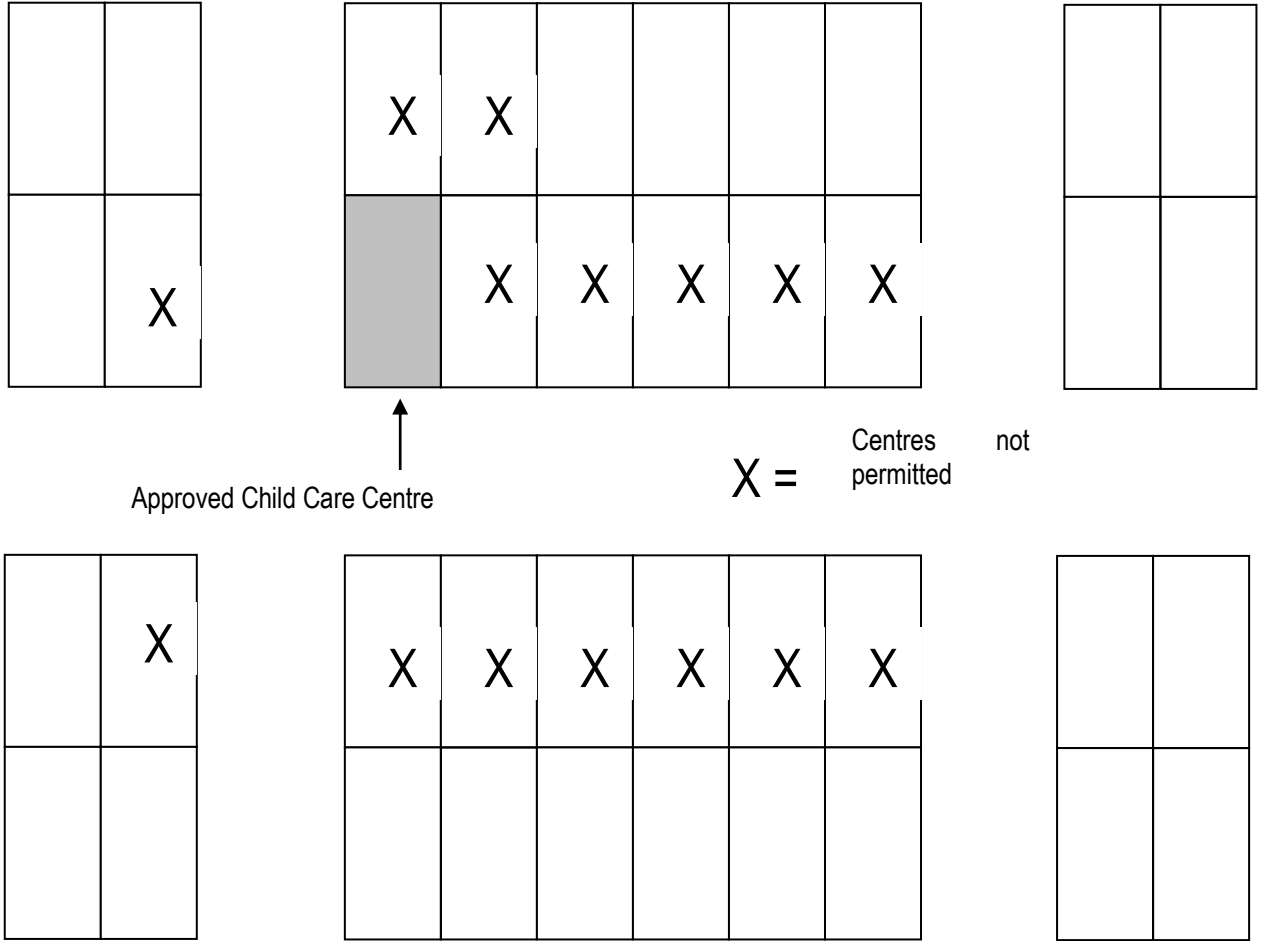
3. Only 1 Child Care Centre is to be located on each street block. A street block is defined as those properties on both sides of a street between intersections with cross streets. (See Diagram 3)

Diagram 3



4. Diagram illustrating all 3 of the above cumulative impact controls for child care centres

Diagram 4



5. The cumulative impacts of proposed child care centres within residential areas, especially traffic impacts, are required to be addressed in the statement of environmental effects submitted with the application.

8.3.7 Consideration of Provision of Child Care Centres within large Developments

Objectives

To encourage provision of child care facilities in appropriate developments in order to meet the demand for child care facilities and encourage their establishment in appropriate locations.

Requirements

Applicants for larger commercial and residential developments are required to demonstrate that they have considered the need for child care facilities and the option of including a child care centre within the proposed development.

8.3.8 Size of Centres and Child Age Groups

Objectives

- Ensure that Child Care Centres are of a manageable size of overall number of children and minimize adverse impacts on the amenity of the surrounding residential areas.
- To ensure that the number of spaces for 0-2 year olds reflects the demographics of the local government area.

Requirements

Capacity

- The maximum number of children to be accommodated in a child care centre within the Zone no. 2 Residential zone is as follows:
 - (i) Development Areas A, B and C: 40 children. Council will consider a variation to the controls under this Clause for Child Care Centres in residential zone development areas A, B and C where the site is located adjacent to a retail/commercial area or other non-residential zoning.
 - (ii) Development Area D: 60 children
- The maximum number of children to be accommodated within other zones where Child Care Centres are permissible will be considered on its merits. Consideration will be given to the likely impacts on adjoining lands, compliance with the objectives of this plan, compliance with the objectives of the adjoining land zones, and Hurstville LEP 1994.

Age groupings

The minimum number of places for children in the 0-2 year old age group is to be the same as the % of 0-2 year olds in the under 5 years old population as measured at the most recent census (at the 2001 census this was 33%). Where calculations produce a fraction their requirement is to be rounded to the nearest whole number.

8.3.9 Building Form and Appearance

Objectives

- Appropriate scale and building design that is sympathetic to the streetscape character.
- A high level of amenity to adjoining and surrounding properties.
- Buildings take into account the natural environment, topography, street hierarchy, urban form and adjoining development.
- Ensure no bright colours on building finishes.

Requirements

8.3.9.1 Height

- (a) For the Residential Zone, the maximum height is:
- (i) Development Areas A, B and C: One storey. A variation to this control will only be considered where the centre is located adjacent to commercial or other non-residential zonings and where the proposal complies with the building form objectives.
 - (ii) Development Area D: 2 storeys
- (b) Other zones where Child Care Centres are permissible
- Centres are restricted to a maximum height of 2 storeys (unless located within a large scale commercial / residential development as permitted under Hurstville LEP 1994).
- (c) Where a Child Care Centre is within a dwelling house, the maximum height is two storeys (with the Child Centre component a maximum of one storey).

8.3.9.2 Setbacks

Residential Zone

Front

- (a) The minimum setback to the primary street frontage is 5.5 metres and 6 metres in Area D (see Section 7.2)

- (b) On corner sites, Council will determine the primary frontage and the required front boundary setback will be to that primary frontage. A reduced setback may be allowed to the secondary frontage of not less than 2 metres.

Sides

Minimum setbacks as follows:

- (c) Development Areas A, B and C: 0.9m
(d) Development Area D: 0.9m for ground floor level, 1.5m for upper storey

Rear

Minimum rear setbacks as follows:

- (e) Development Areas A, B and C: 3m
(f) Development Area D: 6m
(g) Other zones where Child Care Centres are permissible

Setbacks are to be considered on their merits. Consideration will be given to the likely impacts on adjoining lands, compliance with the objectives of this plan, compliance with the objectives of the adjoining land zones, and Hurstville LEP 1994.

8.3.9.3 Relationships to Adjoining Properties

- (a) When considering the possible impacts on adjoining properties, particular consideration must be given to the location of:
- (i) active outdoor play areas;
 - (ii) classrooms and indoor play areas;
 - (iii) windows and doors, particularly those associated with indoor play areas;
 - (iv) verandahs;
 - (v) points of entry;
 - (vi) pick-up and drop-off points; and
 - (vii) any plant equipment which may be required within the context of the centre.
- (b) Openings such as windows and doors should not correspond with existing openings on adjoining properties. Particular consideration should be given to living areas of adjoining dwelling houses when selecting the location of classrooms and playgrounds.
- (c) Appropriate building orientation and good design will ideally eliminate the need for privacy

screens. Privacy screens will be considered where it is deemed to be in the public interest and where they complement the overall appearance of the building.

- (d) The impacts of privacy and overshadowing on adjoining properties must be considered. Proposals should comply with Section 5.4.14 Visual Privacy and Acoustic Amenity.

8.3.9.4 Solar Design and Energy Efficiency

- (a) The design of buildings should minimise the overshadowing of neighbouring private open spaces and/or windows to habitable rooms.
- (b) Where a new building is being constructed for a child care centre or alterations and additions proposed, the building must not unreasonably obscure sunlight to the windows of habitable rooms, solar collectors or rear yards of adjoining properties. Design should allow at least 3 hours of sunlight between 9am and 3pm midwinter (21 June) to adjoining private open space.
- (c) Where a new building is being constructed for a child care centre or alterations and additions proposed, shadow diagrams must be prepared and submitted showing the impact of a proposal on adjoining sites. Shadow diagrams need to illustrate the shadows cast at 9am, 12 noon and 3pm on 21 June, with particular emphasis on the impact on adjoining habitable rooms. Such diagrams must be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development.
- (d) Where adjoining development relies on solar access for heating or cooling systems, that access should be preserved.

8.3.9.5 Building Detail

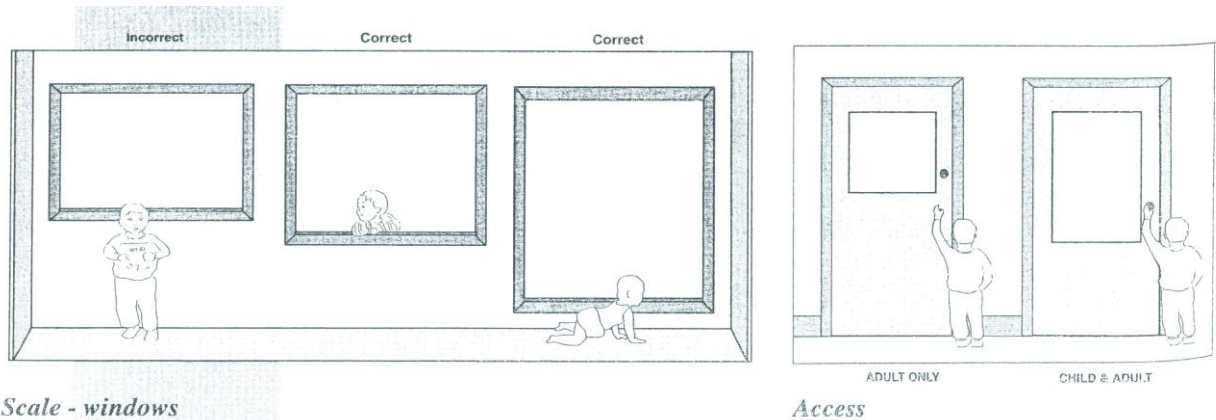
- v Regulatory controls apply.
- (a) Each application must outline a brief assessment of streetscape and the design principles used to improve the existing streetscape. New construction work must have appropriate regard to building form, proportions of openings, roof form, setbacks and height.
- (b) The design of the centre must allow for strong visual links between indoor and outdoor spaces. Windows and fixtures are to be provided at a scale appropriate to children. Full-length glass, with safety glass below 1000mm is encouraged particularly where play areas or gardens are located outside these windows.
- (c) Glazing materials used in any area of the premises of a service that is accessible to children must be selected and installed in accordance with the relevant provisions of AS 1288.
- (d) To the extent AS 1288 requires the use of safety glass in such an area, glass in a centre must be selected and installed in accordance with AS 2208.

In this clause:

- **AS 1288** means the standard published by Standards Australia under the title “Glass in Buildings Selection and Installation”, and numbered AS 1288, as in force on the commencement of the *Centre Based and Mobile Child Care Services Miscellaneous Amendments Regulation 1998*.
 - **AS 2208** means the standard published by Standards Australia under the title “Safety Glazing Materials for use in Buildings (Human Impact Considerations)”, and numbered AS 2208, as in force on the commencement of the *Centre Based and Mobile Child Care Services Miscellaneous Amendments Regulation 1998*.
- (e) All door handles are to be 1.5 metres above floor level.
- (f) Handles in child accessible areas are to be 700mm above floor level, including playroom to playground, children’s toilet and lockers.
- (g) All external doors must open out and hinge back against the wall.
- (h) Building materials and indicative colour schemes must be submitted with the Development Application.

8.3.9.6 Building Colours

No bright colours are permitted on building finishes. A schedule of colours and materials is



to be submitted with the development application for a child care centre and if acceptable this will form part of the development consent.

8.3.10 Access & Parking

Objectives

- Vehicular and pedestrian movements take place within a safe environment.
- Provide little or no congestion on adjoining streets and inconvenience to nearby residents.

- Parking does not significantly modify the visual quality and character in residential areas.
- Clearly communicated and legible vehicular and pedestrian entry points.
- To provide a reduced on site parking rate for Child Care Centres with a separate entry and exit one way drive-through configuration.

Requirements

8.3.10.1 Parking & Driveway

Staff parking

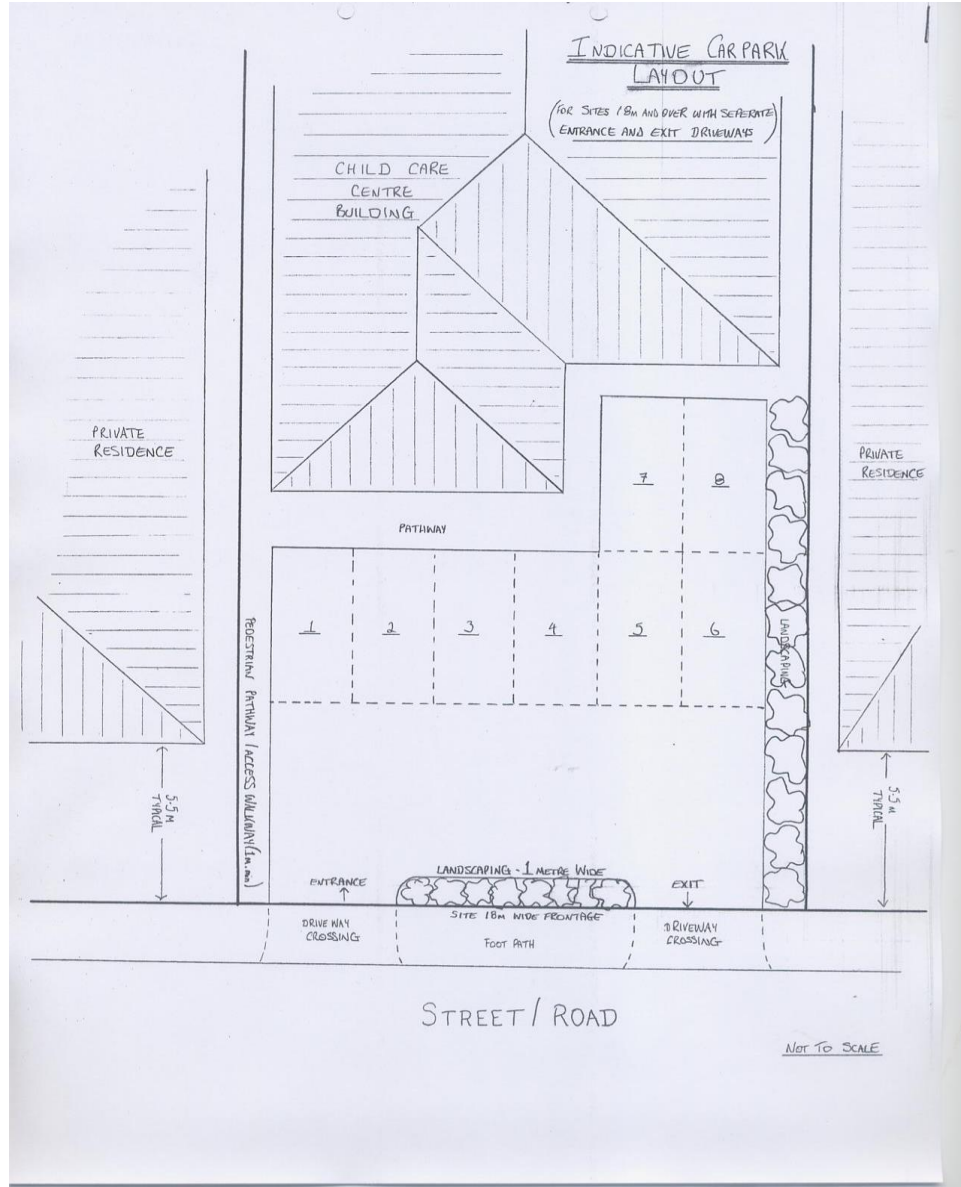
- (a) 1 space for every 2 staff members on site at any one time. On-site staff parking spaces are to be clearly marked and sign posted.

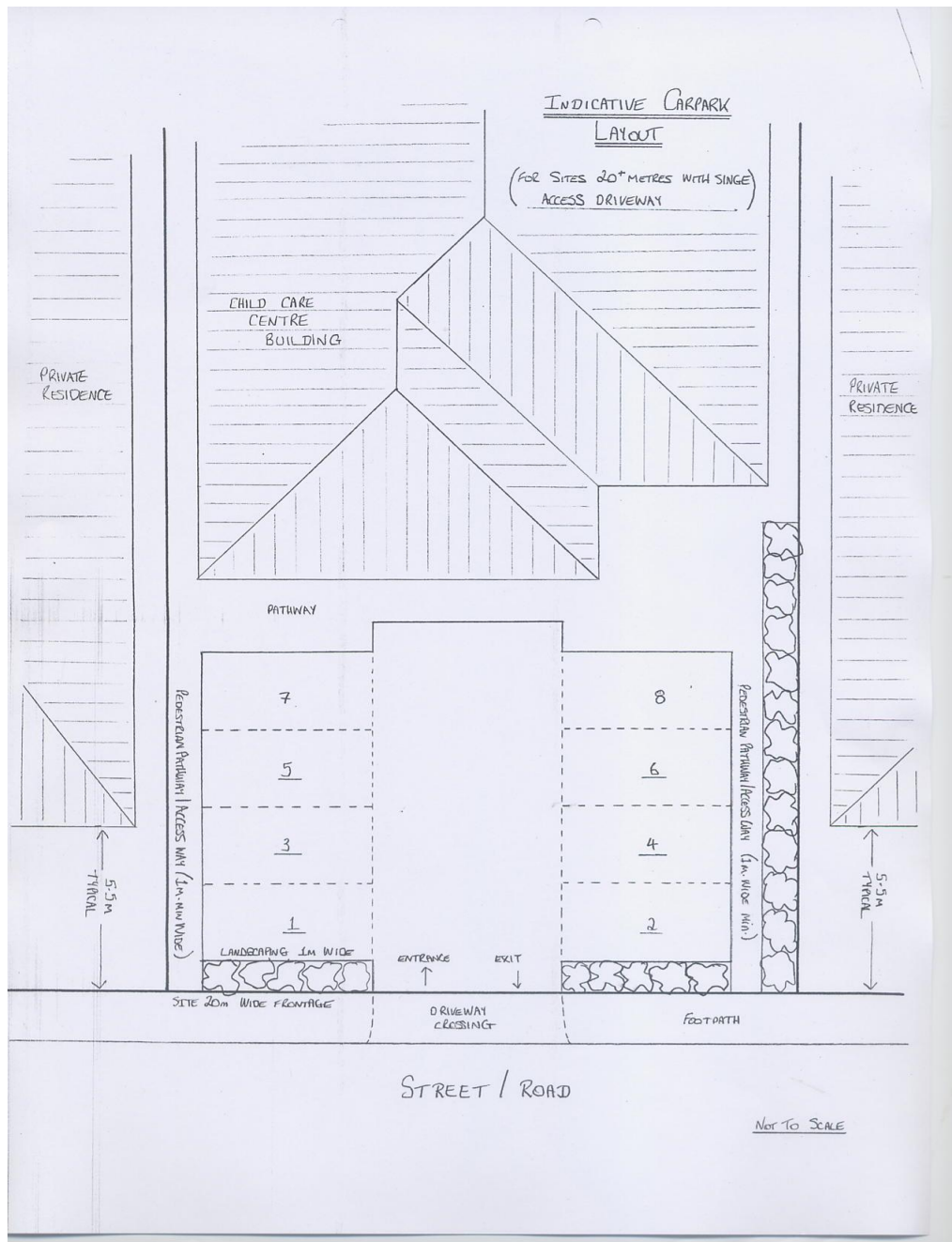
Parent parking

- (a) For proposals where no drive-through is provided (ie those involving single access driveways), 1 space per 10 children in the child care centre, as short-term drop off and pick up (to be used for a period of no more than 15 minutes by one vehicle).
- (b) For proposals where a separate entry and exit one way drive-through access is provided, 1 space per 15 children in the child care centre, as short term drop off and pick up (to be used for a period of no more than 15 minutes by one vehicle).

Note: Stacked parking arrangements will be permitted where no more than 2 vehicles are involved in total. For example, an arrangement of 3 sets of 2 stacked car is permitted.

- (c) Parking at a rate of 1 space for every staff member is encouraged and where the objectives for 'Access and Parking' are not compromised.
- (d) In special circumstances, Council may consider approving an application where pick-up and drop-off is not provided on the site, but only where it is satisfied that:
- (e) An alternative arrangement is available within the road reserve or on adjoining land; or traffic and parking in the street is such that on-site pick-up and drop-off is not necessary; and it is in the public interest to do so;
- (f) the subject site and general residential amenity is enhanced by doing so; and
- (g) all aspects of pedestrian safety have been satisfactorily dealt with.
- (h) The provision of car parking and driveways is to comply with Section 6.1 Car Parking.
- (i) Car entry and exit from the car parking site is preferred from two separate points to allow for a steady flow of traffic.





- (j) The car park must be sited so as to minimise wastage of space, eg. turning circles.
- (k) Parking patterns must allow for vehicles to be driven in a forward direction when entering and leaving the premises.
- (l) Provision must be made for bike racks. Where parking is provided at a rate less than 1 space for every staff member, bike racks are to be provided to complement parking spaces.
- (m) Driveway crossings associated with corner allotments must not be located closer than 9 metres to the property alignment adjacent to that intersection, to ensure appropriate viewing distances to the intersection and reduce conflict with turning vehicles.

- (n) Landscaping and paving design associated with driveways must achieve the following:
 - (i) a high level of pedestrian safety and visibility;
 - (ii) a level, hard surfaced, non-slip passage from vehicles to the main entry point;
 - (iii) satisfactory manoeuvrability for persons with disabilities and/or prams; and
 - (iv) clear delineation between the driveway and yard areas.
- (o) The use of pavers is encouraged and full details of colours and patterns must be provided with the landscape plan at the Development Application stage.
- (p) Where possible areas of permeable surfaces should be maintained and used for parking wherever practicable.
- (q) Driveway areas are to be appropriately drained to the satisfaction of Council's Engineering Department.
- (r) All garages and carports must be located behind the required front boundary setback.
- (s) Applications must include a "Neighbourhood Parking Policy" that details measures to be undertaken to encourage staff and parents to park responsibly and in a safe manner. This policy will include measures to ensure on-site staff parking spaces are occupied by staff before on street parking is used.
- (t) A physical demarcation is required to be provided between pedestrians and vehicular access ways to ensure pedestrian safety.
- (u) A "Motor Vehicle and Pedestrian Risk Assessment Report" prepared by a suitably qualified traffic consultant is required to be submitted with all applications for child care centres. The report is to address areas of potential conflict and safety measures including physical separation of pedestrians from vehicular turning and reversing movements and potential obstruction of the driver's line of sight by fencing and landscaping.

8.3.10.2 Traffic Considerations

- (a) Council will give due consideration to the impacts of the development on traffic and safety.
- (b) Applicants are advised to outline any initiatives within their proposals which alleviate traffic impacts on the local area, especially during peak times of 7.30 – 9.00am and 3.30 – 6.00pm.

8.3.10.3 Access for Persons with Limited Mobility

- (a) A 1m wide landscape strip is required to be provided along the front setback (excludes driveways and pedestrian paths.)
- (b) Access for persons with disabilities and limited mobility must be provided to the main entrance of the child care centre from the street alignment at a gradient of, no more than 1:14.

- (c) Where topography permits, 1 metre wide access ramps at a gradient of no more than 1:14 must be provided to playground areas. Large ramps across playground areas to achieve this access will not be permitted.
- (d) All proposals are to comply with Section 6.3 *Access and Mobility* and the Building Code of Australia with respect to access for persons with limited mobility.

8.3.11 Landscaping

Objectives

- Attractive landscaped centres providing visual links to nearby open space areas.
- Landscaping which provides innovative play opportunities, is harmless to children and attracts native animals and birds.
- Well defined play areas and functions within the playground.
- Planting which provides natural shade and a high level of interest in terms of branch and trunk formation.
- Landscaping which enhances the visual quality of the site, the street presentation of the property and visual attractiveness of the playground area and screening to adjoining properties.

Requirements

8.3.11.1 Tree Preservation and Planting

- (a) A 1m wide landscape strip is required to be provided along the frontage of the site (excludes driveways and pedestrian paths).
- (b) For centres in Zone no 2 Residential, any land within the site that is not required for car parking or other purposes is to be landscaped.
- (c) Screen planting is to be provided along the side boundaries.
- (d) Planting within the playground is to include attractive trees and shrubs which provide colour and texture in the garden. Designs must enable children to use gardens as active play areas and facilitate 'natural adventures' within the context of the playground.
- (e) A tree preservation order applies to the City of Hurstville. Council's Tree Preservation Officer will provide comments in relation to any significant tree on the site and these comments will be considered in the assessment of the application.

Tree retention and new planting must take into account:

- (i) complementing the built environment;
- (ii) effect on solar access, shading, wind deflection and temperature moderation;

- (iii) reduction of soil erosion;
- (iv) definition of play zones; and
- (v) incorporation as play or educational features.
- (f) Any poisonous, spiked or potentially dangerous plants and trees must be removed from the site prior to construction. Details of these plants/trees are to be provided with the Development Application. Any vegetation on the premises of a service that can be poisonous or lead to injury or severe discomfort must be identified and provision made to ensure that the vegetation is not accessible to children.
- (h) The landscaping within other zones where Child Care Centres are permissible will be considered on its merits. Consideration will be given to the likely impacts on adjoining lands, compliance with the objectives of this plan, compliance with the objectives of the adjoining land zones, and Hurstville LEP 1994.

8.3.11.2 Recommended Species List

Council has produced a recommended species list used with permission from a brochure entitled "The Low Allergen Garden" produced by The Asthma Foundation of NSW and Dr Diana Bass. Council accepts no responsibility for any plant or tree listed below; applicants are advised to also carry out their own investigations into appropriate plants for child care centres.

The recommended species list is included in Appendix 1 and is offered as a guideline only. Because growing conditions vary widely throughout New South Wales, you need to consult a local horticultural professional on the best plants to use in your area.

8.3.11.3 Drainage

- (a) The play space must be capable of rapid clearance of surface water. Conceptual drainage plans are to be outlined at the Development Application stage however, detailed requirements will be requested with the Construction Certificate.
- (b) Where on-site detention is required, exposed drains must be suitably covered to ensure that children cannot gain access to the drain.
- (c) Council's Engineering Division is to be consulted on appropriate drainage requirements.

Note: *Landscaped area* means that part of a site which is not occupied by a building and includes so much of that part as is used, or to be used, for swimming pools, recreation areas, lawns, gardens or the like, but does not include so much of that part as is used, or to be used, for driveways or parking areas.

8.3.12 Design and Spatial Requirements

Objectives

Internal Design

- Adequately addresses the experiential and developmental growth of children.
- Provides attractive and functional linkages between indoor and outdoor spaces.
- Enables 'lines of sight' and visual interaction with the outside environment from each classroom, providing a high degree of supervision throughout, both indoors and outdoors.
- Provides attractive areas for staff retreat, adequately removed from the children.
- Incorporates clearly defined play areas for quiet and active play (i.e. carpet/lino).
- Provides a large number of functional and practical play areas within each of the classrooms.
- Is attractive and requires minimal ongoing maintenance.

Outdoor Design

- Positively contributes to the physical, sensory, intellectual, creative and emotional development of each child.
- Suitably integrates with indoor play areas, allowing for attractive indoor and outdoor spaces.
- Incorporates adequate screening delineating several outdoor play areas - some for quiet play, some for active play, some for seating and some for shelter.
- Incorporates a variety of surfaces, suitable shading and allows for a range of varied play options.
- Allows for adequate supervision of the playground both from the yard area and indoors.
- Is safe, functional and incorporate undulations, natural shade an attractive landscaping.

Requirements

8.3.12.1 Indoor Spaces

- ∪ Regulatory controls apply.
- (a) A centre must have an area set aside for:
 - (i) administration, and
 - (ii) private consultation between staff of the centre and parents of children who attend

the centre, and

- (iii) respite of staff.
- (b) DOCS require Indoor Space (unencumbered indoor floor space) to be provided at a minimum rate of 3.25m^2 for every child licensed to be at the centre. In addition, Council has set the following rates:
 - 15 or more children = 3.5m^2 per child
 - 12-14 children = 4m^2 per child
 - 6-11 children = 4.5m^2 per child
- (c) For the purpose of calculating unencumbered indoor floor space, items such as any passage-way or thoroughfare, door swing areas, kitchen, cot rooms, toilet or shower areas located in the building or any other facility such as cupboards, are to be excluded.
- (d) The design of indoor play spaces should give particular attention to:
 - (i) child supervision;
 - (ii) security;
 - (iii) possible play corners and opportunity for varied play within the room;
 - (iv) well proportioned, high level windows to allow light deep into rooms;
 - (v) full length windows where appropriate to enable views for children
 - (vi) access routes to outdoor areas from other classrooms;
 - (vii) linkages between outdoor areas and verandahs;
 - (viii) relationship to toilets, nappy change and storage areas;
 - (ix) relationships with any required cot rooms; and
 - (x) expected amount of furniture.

8.3.12.2 Outdoor Spaces

- v Regulatory controls apply.
- (a) Outdoor play space is to be provided at a minimum rate of 7m^2 for every child licensed to be at the centre.

- (b) For the purpose of calculating useable outdoor space, items such as car parking areas, storage sheds and other fixed items that prevent children from using the space or that obstruct the view of staff supervising children in the space, must be excluded.
- (c) Outdoor space is to receive a minimum of 2 hours direct sunlight during the centre's operating hours.
- (d) Play spaces should be sited adjacent to one or two external walls of the centre and not include narrow or incidental boundary clearances (side setbacks) less than 2.5 metres in width.
- (e) Verandahs having a width of 2 metres or greater can be included in outdoor play space calculations.
- (f) A lawn space at least 15 metre long should be incorporated
- (g) Outdoor play areas must be readily supervisable and designed to allow for a wide range of effective outdoor play activities. Steep slopes are not appropriate.
- (h) Outdoor play space should generally include:
 - (i) an open area of 1/3 to 1/2 of the total playground area.
 - (ii) a quiet area of 1/4 to 1/3 of the total playground area.
 - (iii) an active area of 1/3 of the total playground area.
- (i) An area of 2.5sqm per child of outdoor play space is to be naturally or artificially shaded between 10am – 3pm. Applicants should contact the Cancer Council for a copy of the NSW Shade Guidelines to assist with selecting appropriate products and obtain current standards.
- (j) Sandpits are an important component of a playground and should be:
 - (i) located away from heavily trafficked areas;
 - (ii) of sufficient size to allow digging; having a depth of at least 600mm;
 - (iii) adequately drained;
 - (iv) totally shaded;
 - (v) appropriately covered to stop intrusion by animals during the night;
 - (vi) so that sand can be swept back into the pit; and
 - (vii) designed to remove all trip hazards.
- (k) Vehicles are not to occupy any of the outdoor play spaces at any time.
- (l) Applicants are advised to obtain current Australian Standards in relation to playgrounds to ensure compliance with respect to structures, heights, placements and surfacing.

- (m) Outdoor play areas are not to be located forward of the front building line.

8.3.12.3 Verandahs

- (a) If a verandah is provided, verandah areas are to be equal to 1.25 m² per child and covered with a UV protecting cover. Particular regard should be given to the overlooking of adjoining properties and the detailing of balustrades to prevent children climbing to dangerous heights.
- (b) Verandahs should have a width of 2.5 metres, however, a width of 2 metres will be considered as a minimum. Doors providing access to a verandah should be glass sliding doors to prevent injury from sudden opening.

8.3.12.4 Signage

- (a) Signage should complement the development and the streetscape of the locality.
- (b) External signs identifying the premises are to provide essential information only.
- (c) Signs are to be placed in a visible but unobtrusive location.
- (d) Roof, fascia or fence signs are not permitted.
- (e) Wall signs will be considered where they complement the design and proportions of the building facade and are moderately sized.
- (f) Signs should generally be proportionate to the size and width of the allotment and the building.
- (g) Large off-the-shelf aluminium signs are not encouraged, particularly in residential areas. Consideration will be given to such signs if the centre is located within a commercial area.

8.3.12.5 Entry and Security Requirements

- (a) Entry points within the centre must be legible and appropriately located. Particular consideration is to be given to child security, and offices should be located within view of the main entry.
- (b) All playgrounds must be fenced to ensure the safety of children.
- (c) Any gate or opening device within a playground fence is to be fitted with a childproof latch or self locking device.

8.3.13 Specific Requirements

Objectives

- Provide an adequate number of facilities and rooms.
- Provide appropriate facilities that comply with relevant standards.

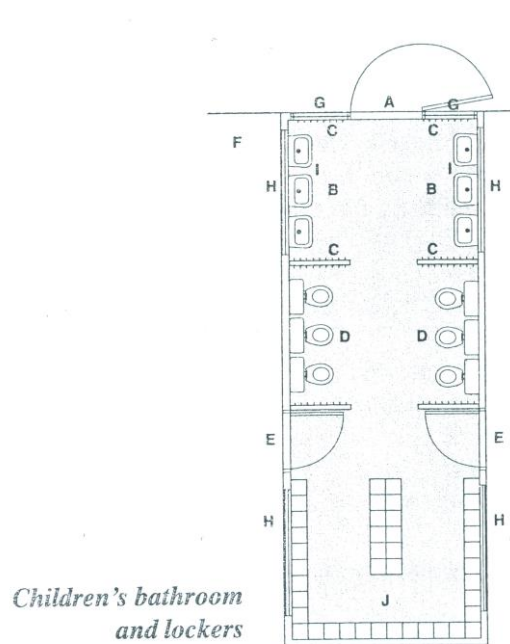
- Ensure room location relates to adjacent room functions.
- Enable equitable physical access.

Requirements

8.3.13.1 Toilet Facilities

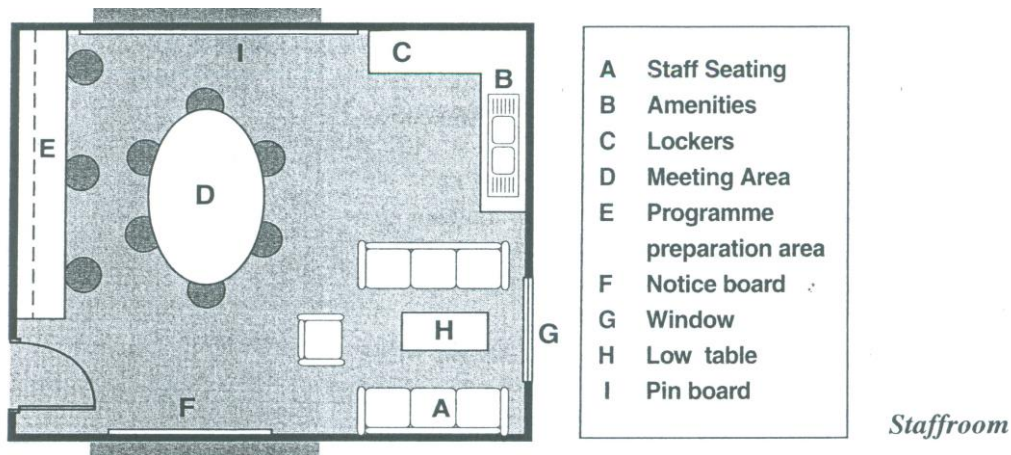
- v Regulatory controls apply.
- (a) Toilets are to be provided on the following basis:
 - (i) 1 toilet per 8 children; and
 - (ii) 1 junior toilet or 1 adult toilet with a firm step and a junior seat; and
 - (iii) 1 toilet suitable for a child with a disability; and
 - (iv) 1 toilet per 6 staff.
- (b) Toilets must be of an appropriate size for young children.
- (c) Hand basins are to be provided at the same rate as toilets.

1 hand basin is to be provided either with a firm step, or at a height so as to provide reasonable child access.
- (d) 1 staff shower is to be provided in centres which are licensed for 30 or more children and where possible should be provided within all centres.
- (e) A bathroom is to be no less than 12m², with an expansion of 2.5m² for each additional toilet required above a baseline figure of 3 toilets.



8.3.13.2 Staff Rooms and Office

- (a) A separate Staff Room is to be provided for each centre. The room is to be of sufficient size to contain a small sofa and a coffee table.
- (b) The Staff Room is to have the following dimensions:
 - (i) be no less than 12m²; and
 - (ii) provide an additional 2m² per staff over 6 staff.
- (c) Outdoor staff facilities should be provided. This may include a small sitting area or deck separate from the playground area.
- (d) An office must also be provided within the centre. This should be located adjacent to the main point of entry, and if necessary incorporate a window into an adjoining classroom.
- (e) An office must be able to accommodate:
 - (i) 2 desks; and
 - (ii) chairs; and
 - (iii) a cupboard; and
 - (iv) 2 filing cabinets; and
 - (v) a cot (in the event of a sick child needing to be isolated).



8.3.13.3 Cot Rooms

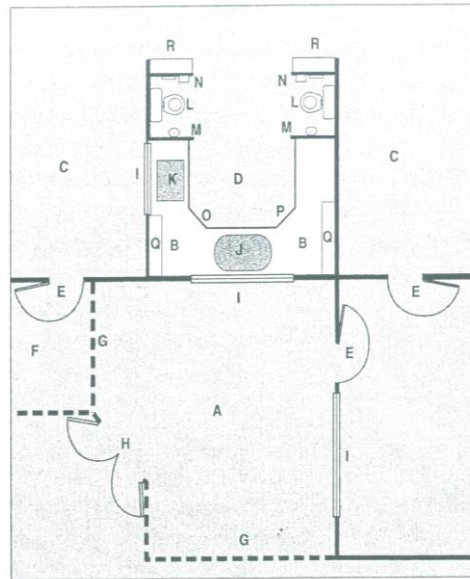
- u Regulatory controls apply.
- (a) A separate cot room or rooms must be provided which:
 - (i) includes one cot for every 2 children under 2 years of age;
 - (ii) is located in a cool, quiet area of the centre and must be capable of being dimmed from natural light;
 - (iii) is separate from play areas and incorporate viewing windows to enable supervision;
 - (iv) incorporates subdued colour schemes;
 - (v) is not sound-proofed; and
 - (vi) provide entry points wide enough to transport a cot.
- (b) A maximum of 5 cots per cot room must be provided in order to reduce disturbance of babies with different sleeping patterns.
- (c) A premise providing long day care services must provide an adequate number of beds or sleeping mats with waterproof covers and culturally appropriate forms of bedding for each child who is 2 or more years of age, who may wish or need to sleep at the premises on any one day.

8.3.13.4 Nappy Change Area

- u Regulatory controls apply
- (a) A separate nappy change room must be included for children under 3 years and needs to incorporate:

- (i) suitable storage within reach of staff to meet licensing standards;
 - (ii) nappy changing bench or mat with an impervious washable surface that is cleaned after each use;
 - (iii) sanitary facilities for the storage of soiled nappies pending laundering or disposal of the nappies;
 - (iv) adequate facilities for laundering the clothing;
 - (v) hand washing facilities in the immediate vicinity of the nappy changing area for use by staff;
 - (vi) wrist operated taps and a sanitary hand drying facility;
 - (vii) high child-proof cupboards;
 - (viii) a window into the playroom;
 - (ix) shelves or cubby-holes for nappies;
 - (x) a fixed nappy changing bench or mat (a minimum width of 800mm for babies and up to 1 metre for toddlers) with an impervious washable top for every 10 children or part thereof;
 - (xi) an infant bath that is age appropriate with temperature regulated hot and cold running water, in or adjacent to the nappy changing area; and
 - (xii) a sluice or contaminated waste disposal unit.
- (b) The nappy change area must be separate from the bottle preparation area.
- (c) Age appropriate nappy changing facilities need to be provided at the centre for any child with a disability.

Shared nappy change



- A Verandah
- B Change Station
- C Playroom
- D Nappy Change
- E Playroom doors
- F Verandah space (older children)
- G Low barrier
- H Low gate
- I Windows
- J Baby bath
- K Sluice sink
- L Children's toilet
- M Basin
- N Hand dryer
- O Under bench dirty nappy storage
- P – Underbench clean nappy storage
- Q – Overhead Shelf
- R - Storage

8.3.13.5 Storage

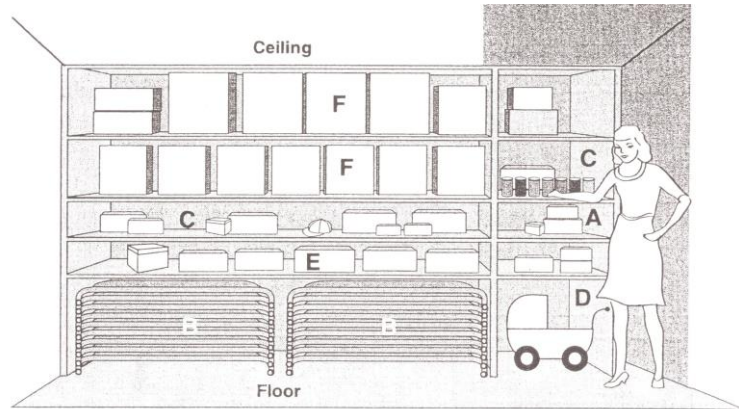
- υ Regulatory controls apply.
- (a) Storage needs to include the following:
 - (i) conventional cupboards and locker storage for staff and children;
 - (ii) store rooms;
 - (iii) eye-level cupboards in nappy change rooms, kitchens and bottle preparation areas;
 - (iv) under-stair storage cupboards where applicable;
 - (v) full length and full height cupboards along classroom walls;
 - (vi) drawers under small stages or raised floor areas;
 - (vii) in-floor storage with light-weight lids
 - (viii) pull-down ceiling storage;
 - (ix) storage under the building, accessed externally, for outdoor play equipment and the like; and

- (x) garden sheds in the rear yard.
- (b) Full length wall storage may assist in minimising noise from classrooms where they are located close to adjoining dwellings.

All storage areas must take into account:
 - (i) ease and practicality of accessing storage areas;
 - (ii) possibility of back injuries or falls while accessing storage areas;
 - (iii) possibility of children's hands or fingers being caught in latches or opening devices;
 - (iv) possibility of children accessing storage areas and becoming trapped;
 - (v) size and depth of the objects to be stored in these areas;
 - (vi) need for unique door designs and locking devices;
 - (vii) nature of the items to be stored;
 - (viii) any future plans for expansion of the centre; and
 - (ix) possible interference with play spaces and access routes.
- (c) Internal storage must make provision for storing chemicals and cleaning products, medications and disinfectants, located in cupboards with a child-proof latch.
- (d) A minimum storage area of 8m² for one playroom must be provided, and up to 16 m² where storage is shared between two playrooms.
- (e) Well-located outdoor storage for movable play structures is essential. Where topography permits, storage in sub-floor areas within the building envelope is strongly encouraged.
- (f) A space must be provided for children to store their personal belongings.
- (g) Garden and maintenance equipment must be stored separately.
- (h) Details of all storage areas must be shown on the DA plans lodged with Council.

Storeroom side view

- A Open shelving
- B Stacked beds
- C Preparation benches
- D Dolls storage
- E Small item storage
- F Large item storage



8.3.13.6 Laundry

v Regulatory controls apply.

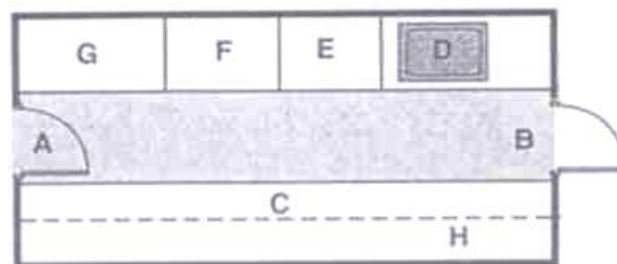
(a) Laundries are desirable within a child care centre, and when provided should include:

- (i) ready access to the nappy change room;
- (ii) a minimum of 10m² of available space
- (iii) closed storage area;
- (iv) bench space for folding;
- (v) private staff shower; and
- (vi) cleaners sink and storage area.

(b) The Child Care Centre must have safe, sanitary facilities for the storage of soiled clothes, linen and nappies before laundering or disposal.

Note: A centre must comply with clause F2.3 (c) (iii) of the Building Code of Australia. This states that Class 3 to 9 buildings that are used as an early childhood centre must, if accommodating children younger than 2 years old, be provided with a laundry facility comprising a washtub and space in the same room for a washing machine.

Laundry



8.3.13.7 Rubbish Removal

- (a) Adequate space for the storage of rubbish and recycling bins must be provided on the site.
- (b) A space of at least 3 metres by 1 metre must be provided. Bins should not be visible from the street or result in odours to adjoining sites.
- (c) Details of waste management are required to be submitted with the Development Application. This must outline how many times rubbish is collected, who collects rubbish, how long rubbish is stored within the centre, where rubbish is stored within the centre and how rubbish is moved around the site.

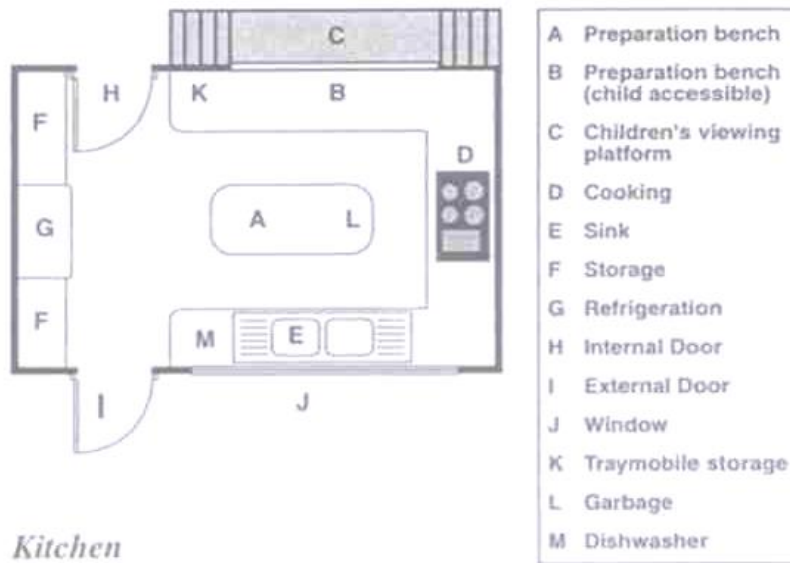
In addition to the above requirements, applicants are to comply with Section 6.9 Waste Management of this DCP.

8.3.13.8 Craft Preparation Facilities

- ⌞ Regulatory controls apply.
- (a) A sink for use in craft activities must be provided and is to be separate from any food preparation facilities.

8.3.13.9 Food Preparation Facilities

- ⌞ Regulatory controls apply.
- (a) A designated area for food preparation and storage must be provided. The area must be safe and hygienic.
- (b) Plans must demonstrate sufficient space for bench tops, whitegoods, food preparation and storage of non-perishable goods for the number of children they are cooking for.
- (c) Facilities in the designated area must include a stove or microwave, double sink, refrigerator, suitable disposal facilities and hot water supply.
- (d) Facilities separate from any nappy changing facilities must be provided for the preparation of bottles if children under 2 years of age.



8.3.13.10 Pools

Regulatory controls apply.

- (a) A centre must not have a swimming pool (within the meaning of the *Swimming Pools Act 1992*) where no swimming pool existed at the commencement of the *Centre Based and Mobile Child Care Services Miscellaneous Amendments Regulation 1998* and for which a licence is issued after the commencement of this Regulation.
- (b) Any swimming pool on the premises of a service on the commencement of this Regulation must be fenced. The fence must be in accordance with any applicable provisions of the *Swimming Pools Act 1992*.
- (c) Provision must be made to ensure that:
 - (i) paddling pools are emptied immediately after use and stored to prevent the collection of water, and
 - (ii) water containers which could constitute a drowning hazard are safely covered or are inaccessible to children, and
 - (iii) pool filters are inaccessible to children.

8.3.13.11 Heating and Cooling Equipment

Regulatory controls apply.

- (a) All heating and cooling units must be adequately secured and guarded to prevent injury to children through contact with hot surfaces or moving parts or the emission of any sparks or

flames.

- (b) The controls of all equipment that may be hazardous to children must be guarded to prevent access by children.
- (c) Fans must be placed in a position that is inaccessible to children.

8.3.13.12 Play Equipment

- u Regulatory controls apply.
- (a) Play equipment (whether fixed or not) used on the premises must not constitute a hazard to children.
- (b) Play equipment must comply with any relevant standards in force from time to time.
- (c) Play equipment must be safe and in good repair.

8.3.13.13 Hours of Operation

Objective:

- To ensure that the hours of Child Care Centres preserve the character and amenity of residential zones.
 - To enable extended hours of operation for Child Care Centres that meet the numerical and vehicular access requirements of this plan and minimize the associated amenity impacts.
- (a) Specific hours of operation are required to be submitted with the Development Application.
 - (b) For existing Child Care Centres in residential zones with a Street frontage of less than 18m (as measured for the depth of the parking and manoeuvring area of the front of the building) the approved or licensed operating hours of a child care centre must not extend outside the core hours of 7:30am to 6pm.
 - (c) For all new Child Care Centres and existing Child Care Centres in residential zones with an 18m or greater frontage (as measured for the depth of the parking and manoeuvring area of the front of the building) and separate one way drive-through vehicular access points, the approved or licensed operating hours of a child care centre must not extend outside the core hours of 7am to 6:30pm.
 - (d) Extensions to these core hours will be considered on merit where a centre is proposed in a business zone.

Extensions to the core hours for a centre proposed in a special use zone will depend on the predominant adjoining land use.

Where adjoining land is predominantly residential, core hours will not be extended; where adjoining land is predominantly commercial an extension to core hours will be considered on

merit.

8.3.14 Visual Privacy and Acoustic Amenity

Objectives

- Aural and visual privacy to adjoining properties.
- Residential amenity maintained to sites in proximity to a child care centre.
- Adequate visual and/or acoustic screening on the perimeter of the site.

Requirements

8.3.14.1 Visual Privacy

- (a) Provide screenings by trees, fencing and window coverings to minimise noise and overlooking impacts to adjoining properties.
- (b) Locate any play equipment at least 3 metres from any boundary with a residential property.

8.3.14.2 Acoustic Amenity

- (a) or traffic noise, the following criteria are recommended (measured as the maximum L₁₀ (1 hour)):
 - (i) Indoor noise levels must not exceed 48dB(A); and
 - (ii) Outdoor noise levels should not generally exceed a range of 55-60 dB(A) when measured at 1.5 metres above the ground level in the centre of any outdoor play area
- (b) Council requires a suitably qualified acoustic consultant to undertake an acoustic assessment, which is to include recommended noise attenuation measures.

Note: Noise readings (measured at any point on the boundary of the site between the proposed Child Care centre and adjoining property), should not exceed 10dBA above the background noise level during the hours of operation of the Centre. The noise readings are to be measured over a 15-minute period and are to be undertaken in accordance with the requirements of the NSW Department of Environment and Conservation.

No "offensive noise" as defined within the provisions of the Protection of the Environment Operations Act 1997, shall be emitted from the premises as a result of the use of activities associated with the site.

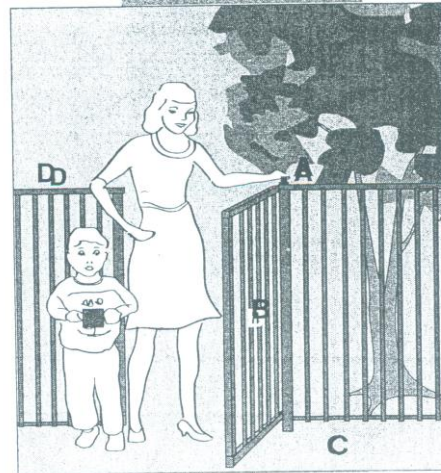
8.3.14.3 Fencing

- ∪ Regulatory controls apply.

- (a) Fencing must be designed appropriately, having regard to the site position within the street, existing landscaping and the building design and colour schemes.
- (b) Fences must be at least 1200mm high and width between fence posts are to be appropriately spaced to ensure there are no entrapment points refer to AS standard for fences. Designs must also reduce the ability for children to climb fences, and inhibit or impede intruders from entering the premises.
- (c) Outdoor play areas must be fully secured and fenced on all sides where necessary. Gates within perimeter and/or playground fences are to be at the same height as the fence and include a child-proof lock or latch.
- (d) Fences that enable children to see public areas are encouraged but must not allow children to climb or create possibilities of having limbs trapped in openings.
- (e) Any side of a stairway, ramp, corridor, hallway or external balcony at the centre that is not abutting a wall must be enclosed to prevent a child being trapped or falling through.
- (f) Age appropriate child-proof self-locking barriers must be provided at the top and bottom of stairs at the centre.
- (g) If a centre is adjacent to or provides access to any hazards, including water hazards, the centre must be isolated from such hazards by a fence that is at least 1500 mm in height or by an approved pool fence.
- (h) Fencing around large corner sites must be carefully designed. Where it is essential that side street boundaries be fully fenced, these are to be designed to enable landscaping along the boundary. This may be achieved by:
 - (i) combination brick and timber fences incorporating planter boxes;
 - (ii) fences with varied setbacks, enabling landscaping between the fence and the street;
 - (iii) fences designed in appropriate modules with capping in bricks or timber;
 - (iv) fences which are setback slightly from the boundary to enable mass planting to the street; and
 - (v) high quality fences which may be considered a landscape element in their own right.
- (i) Colour bond fencing will only be considered by Council where there is adequate justification that noise issues are addressed including submission of an acoustic report prepared by a suitably qualified person.

Fences and gates

- | | |
|---|--|
| A | Child proof catch |
| B | Gate |
| C | Fence safety issue - no foothold below 900mm |
| D | Fence height minimum 1200mm |



8.3.15 Centres within Dwelling Houses

Objectives

- Incorporating a centre and a dwelling house does not result in an overdevelopment of the site.
- Centres and dwelling houses stand alone in terms of the provision of facilities and open space areas.
- High quality building form, in keeping with the character of the area.

Requirements:

8.3.15.1 Dwelling Occupant

The residence shall be occupied by either the owner/operator or a member of staff.

8.3.15.2 Parking

A minimum of 2 car spaces must be provided on site for new dwelling houses. The parking space attached to the dwelling house is not to be a part of a stacked parking arrangement unless it involves a second space attached to the same dwelling house.

8.3.15.3 Building Form

- (a) Separate buildings on the one site are not encouraged.
- (b) Separate access to the dwelling house is to be provided. Additional access between the centre and the dwelling house is permissible however this should be designed to enable the access to be locked off either permanently or temporarily.
- (c) Where the two uses are integrated in a single storey dwelling house, the building must relate to the consistent style and form of the locality and street.
- (d) Where the two uses are integrated in a two-storey dwelling house, the building is to be of a

residential appearance incorporating the character and style of the locality and street. A clearly defined point of entry should be provided for both the dwelling and the centre. The Centre should be located on the ground level with the dwelling above.

- (e) Dwelling house design should be appropriate for a resident who has no involvement or interest in the function and management of the centre.

8.3.15.4 Private Open Space

A private courtyard is to be made available for use by residents of the dwelling house. This area must be separate from playground areas, be at least 50m² and accommodate items such as a compact clothesline, several seats and a barbecue structure.

Ideally, this courtyard should be located and designed so that the yard area receives 4 hours of sunshine between the hours of 9am and 3pm in midwinter.

8.3.15.5 Building Code of Australia Requirements

Very specific and stringent controls (particularly with respect to fire rating) apply to mixed use developments such as a child care centre and a dwelling house, particularly when the uses are mixed vertically in a two storey proposal. These controls are contained within the Building Code of Australia and may have significant construction cost implications.

Applicants considering incorporating a dwelling house with a centre are advised to consult Council's Building Surveyor or a professional consultant to clearly determine these requirements and resultant cost implications.

8.4 Food Premises

8.4.1 General Requirements

8.4.1.1 Approvals

- (a) All premises that manufacture, prepare, store or handle food must have development approval from Council.
- (b) Change of use from food shop to food shop requires a development application.
- (c) Prior to opening, the proprietor must provide evidence of compliance with clause 8 of Standard 3.2.2 of the Australia New Zealand Food Standards Code (refer to section 2.12(b)). Evidence can include training certificates otherwise they must complete Council's Basic Food Handling Course by contacting Council's Environmental Health Officer.

8.4.1.2 Inspections

- (a) Food premises must be registered with Council prior to the opening for business to enable regular inspections to be conducted by Council's Environmental Health Officer.
- (b) Each premise will be categorised as High, Medium or Low according to the health risk associated with food storage and preparation.
- (c) An annual fee will be charged for these inspections. Refer to Council's fee schedule for the current fee. It must be noted an additional fee for inspections resulting from non-compliance will be charged.
- (d) A discount on inspection fees of 50% will be offered to premises which demonstrate a history of compliance.

8.4.1.3 Food Watch Certificate Program

Premises which have demonstrated a history of compliance will be issued with a certificate acknowledging their achievement. Contact Council's Health Assessment Officer for further information.

8.4.1.4 Provision for Adequate Space

- (a) The minimum area of a kitchen and preparation area for a medium risk premises is to be 20% of the dining room area or 7.5m², whichever is greater.
- (b) The minimum area for dry goods store for all premises, including dry foods, packaging etc, is to be 5-10% of the dining room area.
- (c) The above requirements will ensure adequate space is provided for the correct storage of foodstuffs and equipment, preventing poor storage practices and layout of equipment.

8.4.1.5 Prevention of Contamination

- (a) No food is to be delivered when the premise is unattended. Deliveries must be left wholly within the premise, and not on the footpath or back dock.
- (b) Food is not to be stored on the ground this includes food stored in cool-rooms, freezers and storerooms. A space of at least 15cm between the food and the floor must be provided to discourage vermin and other contamination and enable effective cleaning.
- (c) No animals except assistance animals are permitted in food premises.
- (d) No bedding, lounges or the like are permitted in food preparation areas. Living and sleeping areas must be constructed to be physically separated from all food handling and storage areas.
- (e) For food display areas that are close to, adjoining or along Council's footpath area, food should be located a minimum of 750mm above the footpath level.
- (f) Smoking is not permitted in the preparation area or in an enclosed public space, such as the dining area. Refer to the *Smoke-free Environment Act 2000*. Signs, as prescribed in the *Smoke-free Regulation 2000*, must be displayed in smoke-free zones.
- (g) Adequate storage facilities, such as lockers or cupboards, must be provided for the storage of opened chemicals and personal belongings of staff, such as clothes and bags. Such items must be stored separately to prevent contamination of food and food contact surfaces.
- (h) Self serve units:
 - Must have signage requesting that utensils are to be used to handle food;
 - Must have protective barriers to prevent contamination, such as lids or sneeze guards;
 - Must have separate serving utensils for each food, stored so to prevent cross contamination. For example a utensil holder; and
 - Must be supervised at all times.
- (i) Raw foods must be stored below ready-to-eat or cooked foods to prevent contamination.
- (j) Food display containers/units must be constructed of a material that can be cleaned and sanitised. The material must have no cracks or crevices in which matter can collect and be constructed of a material that is durable and easy to clean, such as, plastic. Styrofoam and cardboard boxes are not acceptable.
- (k) Food utensils, storage containers and crockery must be clean, non-toxic, washable and in good repair.
- (l) Foods stored in containers must be covered with tight fitting lids, foil or plastic film.
- (m) Ready to eat food must be handled with tongs, gloves or other barriers.

Note: Single use items, such as disposable gloves must NOT be re-used. That is, once the glove is removed from the hand it must be disposed.

8.4.1.6 Food for Disposal

- (a) Returned, recalled or unsaleable stock must be separated and clearly labelled to ensure it is not sold or used.
- (b) Products returned by consumers must be safe and suitable for resale. For example, opened packages or foods that must be kept under temperature control cannot be ascertained to be safe, as foreign matter may have contaminated or the food may have been kept out of temperature specifications.

8.4.1.7 Temperature Control

- (a) A probe thermometer accurate to +/-1 degree Celsius must be provided at the premise where potentially hazardous food is handled.
- (b) Probes are to be cleaned and sanitised before and after use. Ensure they are calibrated regularly for accuracy.
- (c) All potentially hazardous food must be kept under temperature control which means below 5 degrees Celsius or above 60 degrees Celsius.
- (d) Deliveries of perishable stock must be placed under temperature control immediately.
- (e) Frozen food which has been thawed cannot be refrozen, due to the increase in microbial activity.
- (f) Appliances used for the storage of potentially hazardous foods must be capable of maintaining them under temperature control requirements as detailed in (c).
- (g) Sufficient storage facilities must be provided on the premises to ensure all potentially hazardous foods are maintained under temperature control.

8.4.1.8 Hygiene

- (a) Hand wash basins must be:
 - provided with a supply of soap and disposable towel at all times;
 - accessible and used solely for the washing of hands, face and arms; and
 - supplied with warm running water through a mixing spout to enable effective hand washing.
 - Hands must be washed whenever they are contaminated, for example:
 - after going to the toilet;
 - after handling garbage;
 - between handling raw and ready-to-eat food;
 - after smoking, sneezing, touching the face; and
 - contact with another person.

- (b) Cuts and abrasions must be completely covered with a waterproof bandage. If the dressing is on the hand a glove must be worn.
- (c) A food handler who is suffering or suspected of suffering from a food borne illness must cease handling food where there is a likelihood of contamination and inform the supervisor.
- (d) A food handler must take all practicable measures to ensure anything from their body does not contaminate food or surfaces that are likely to contact food. Such measures may include but are not limited to:
 - tying hair back or wearing a hat or hairnet;
 - not wearing nail polish or false nails;
 - wearing minimal jewellery;
 - keeping clothing and protective clothing such as aprons clean;
 - washing hands; and
 - handling food with clean utensils or other barriers.

8.4.1.9 Waste Disposal

- (a) Provision is to be made for adequate storage and pick up for the volume and type of garbage and recyclable material produced on the premises.
- (b) Provision is to be made for storage of garbage containers, containers for recyclable material and compactors in an external area of the premises or in a room specifically for that purpose (see section on garbage rooms and areas for construction requirements).
- (c) Garbage and recyclable material must not provide a breeding ground or attraction for pests. Facilities must be designed to be easily and effectively cleaned:
 - The bins and bin area are to be washed regularly with hot water and detergent. Wash water must not drain into street stormwater openings, but must be disposed of down a sink or sewer drain. All waste is to be bagged prior to disposal in the bin. Refer to Section 3.6 for construction requirements of garbage areas.
- (d) All waste is to be stored within the bin. Lids must be kept closed and no waste is to overflow. Recyclable material must be contained in a suitable receptacle. For example, paper in a hessian sack or wire cages and liquid or food waste must be placed in an impervious container.
- (e) Garbage/recycling bay areas should be fitted with a floor waste, containing litter baskets/filter traps approved by Council.
- (f) All crates are to be rinsed prior to storage in waste area to prevent attraction of pests.
- (g) An approved licensed trade waste company must collect liquid waste, such as oil. The area in which this is stored must be bunded to prevent spills escaping. A list of licensed companies is available from Council's Health Assessment Officer.
- (h) All crates and cardboard boxes are to be stored off the floor; boxes are to be broken up and stacked neatly.

- (i) When bins or lids are broken they must be replaced immediately. Lids must be tight fitting.
- (j) Bins in food preparation areas must be emptied regularly throughout the day and at the end of trade to prevent attracting and harbouring pests.

8.4.1.10 Pest Control

- (a) A regular pest control program must be undertaken by a licensed pest controller and records of the program maintained at the food premise.
- (b) Fly screens or other means must be provided to doors and openings and kept in good repair to prevent access of vermin.
- (c) All holes and gaps in walls, ceilings, walls and floors must be adequately sealed to prevent access of vermin.
- (d) Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage for vermin are not permitted to be formed in the construction of premises, nor in the installation of fittings and equipment, unless approved means of access are provided to such spaces or such spaces are completely sealed in an approved manner.
- (e) Insect control devices are to be installed so that the devices are not located directly over food preparation working areas, exposed food, clean equipment and unwrapped packaging material.

8.4.1.11 Domestic Kitchens

- (a) Domestic kitchens must comply with the requirements listed below as well as all other requirements detailed in this DCP.
- (b) A separate hand wash basin with an adequate supply of hot and cold water, soap and disposable towel must be provided within the kitchen.
- (c) Adequate storage and refrigeration facilities must be provided.
- (d) Animals and children must be excluded from the kitchen where food intended for sale is being prepared or stored.
- (e) Door and windows to the kitchen must be screened to prevent access of flies, cockroaches and rodents.
- (f) The kitchen must be clean and in good repair.
- (g) Food is only to be prepared and stored in an area approved by the Council.

8.4.1.12 Food Transport Vehicles

- (a) The area in the vehicle where food is stored, transported or displayed must be clean.

- (b) Personal belongings in a food transport vehicle must not be in contact with areas where food is located.
- (c) All potentially hazardous foods must be maintained at their required temperatures, which is less than 5° C degrees for chilled foods and greater than 60° C for hot food.
- (d) Food and utensils must be transported in clean, closed containers and stored correctly to prevent cross-contamination.
- (e) Frozen food must remain frozen until sold.
- (f) No animals are permitted in the vehicle.

8.4.1.13 Miscellaneous

- (a) The proprietor of a food premise must notify to the NSW Health Department of their contact details, nature and location of premise and update with any changes. This can be completed by logging onto the website www.foodnotify.nsw.gov.au
- (b) A food business must ensure that all staff handling food or supervising have adequate skills and knowledge of food safety and hygiene requirements commensurate with their work activities. This requirement may be satisfied through in-house training, attending courses or having operating procedures in place outlining the responsibilities of food handlers. Records of such training must be maintained as evidence that this has occurred.
- (c) Prior to opening the business, Sydney Water must be contacted to organise a Trade Waste Agreement and to discuss the requirements for the provision of grease traps. If no grease trap is required a letter from Sydney Water must be provided to Council detailing this. A copy of the Trade Waste Agreement must be provided to Council prior to opening.
- (d) Internal signage including menus and menu boards are to be in English but may include a translation in another language. Any translation must be accurate and complete.

8.4.2 Construction, materials & Finish

Refer to Appendix 2.2 for examples of a typical food preparation area.

8.4.2.1 Walls

(a) Construction

All walls must be of solid construction, to prevent access and harbourage of vermin.

(b) Finish

In all food preparation areas, walls are to be finished to a height of at least 2 metres above floor level and in accordance with Table 8.4.2 (1).

Table 8.4.2 (1): Suitability of wall surfaces for food premise areas

| Finish | Wet Areas | Food Preparation | Vegetable Preparation | Servery | Store room | Chillers/freezers | Bin Store | Eating areas | Comments |
|-------------------|-----------|------------------|-----------------------|---------|------------|-------------------|-----------|--------------|--|
| Stainless steel | √ | √ | √ | √ | √ | √ | √ | √ | Welded joints. Waterproof screw covers. |
| Ceramic tiles | √ | √ | √ | √ | √ | √ | √ | √ | Epoxy grout |
| Vinyl sheet | √ | √ | √ | √ | √ | √ | √ | √ | Heat welded joints |
| Painted plaster | | | | | √ | | √ | √ | Smooth finish |
| Feature brick | | | | | | | | √ | |
| Steel sheet | | | | | | | √ | | Welded or sealed joints. |
| Aluminium sheet | √ | √ | √ | √ | √ | √ | √ | √ | Welded or sealed joints. |
| Trowelled cement | | | √ | √ | √ | √ | √ | √ | Polished surface. |
| Wood panelling | | | | | | | | √ | Wood sealed |
| Painted brickwork | | | | | √ | | √ | √ | Flush joints and solid surfaces. |
| Concrete | | | | | √ | | √ | √ | Smooth finish, sealed joints. |
| Pre-formed panels | √ | √ | √ | √ | √ | √ | √ | √ | H bar joints mastic sealed. In wet areas/food preparation must be integrated into a dwarf wall or set on plinth. |

Note: The finishing materials outlined in the above Table are to be fixed so as to provide a smooth even surface to ensure ease of cleaning; be free of buckles, fixing screws, open joint spaces, cracks or crevices which may permit the access to vermin or the collection of liquids, food particles, grease or other refuse.

(c) Intersections

The intersection of walls with floors and exposed plinths are to be covered. Use of skirting boards is not permitted.

(d) Top edge of wall finishes

The junction between adjacent wall finishes is not to form a ledge upon which dust or grease can accumulate.

8.4.2.2 Floors

The following requirements ensure the floors are constructed of materials that can easily and effectively be cleaned and do not provide surfaces where debris can build up and collect. Floors must be appropriate for the area, able to be effectively cleaned, are non absorbent and laid according to the relevant standard.

8.4.2.2 (1) Construction

Floors are to be finished with surfaces as specified in Table 8.4.2 (2), together with the required slip factor.

Table 8.4.2 (2): Suitability of floor finishes for food premise areas

| Finish | | | | | | | | Comments | |
|-------------------------------------|-----------|------------------|-----------------------|---------|------------|--------------------|-----------|----------|---|
| | Wet Areas | Food Preparation | Vegetable Preparation | Servery | Store room | Chillers/ freezers | Bin Store | | Eating areas |
| Stainless steel non slip profile | √ | √ | √ | √ | √ | √ | √ | √ | Welded joints |
| Ceramic tiles | √ | √ | √ | √ | √ | √ | √ | √ | Epoxy grout |
| Quarry tiles | √ | √ | √ | √ | √ | √ | √ | √ | Sealed |
| Steel trowel case hardened concrete | | | √ | | √ | √ | √ | √ | Smooth sealed finish, no joints |
| Carpet / carpet tiles | | | | | | | | √ | |
| Wooden flooring | | | | | | | | √ | Sealed |
| Commercial-grade Poly vinyl sheet | √ | √ | √ | √ | √ | √ | √ | √ | Heat welded joints (not suitable adjacent hot fat appliances) |
| Commercial-grade Vinyl tiles | | | √ | √ | √ | √ | √ | √ | Laid over a solid impervious base or an approved underlay is acceptable providing they are laid strictly in accordance with the manufacture's specifications. |
| Plastic matting | | | | √ | | | | √ | For safety reasons. Must be easily cleaned and laid in sections that can be removed for cleaning. |
| Cork tiles | | | | | | | | √ | Sealed |
| Epoxy resins | √ | √ | √ | √ | √ | √ | √ | √ | |

8.4.2.2 (2) Finish

The floor finish is to be smooth and even, free of surface protrusions that will prevent easy cleaning, graded and drained.

8.4.2.2 (3) Tile joints

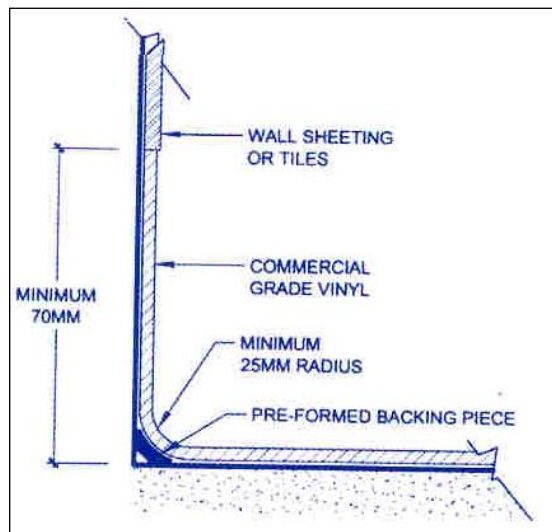
Floor tiles are to be butt jointed or alternatively the open joints are to be epoxy grouted.

Tiles are to be spaced not greater than 5mm apart.

8.4.2.2 (4) Floor Wastes

Floor wastes are to be provided in food preparation areas and are to be sufficiently and evenly graded so the water falls to the floor waste.

Floor wastes to be fitted with removable litter baskets.



8.4.2.2 (5) Coving

The intersections of floors with walls and exposed plinths are to be coved to assist with cleaning and prevent accumulation of dirt, grease etc. Refer to Figure 1 below.

Where commercial grade vinyl or similar sheeting is installed, and the sheeting turned up to form a cove, a solid preformed coving fillet is to be used to support the sheeting.

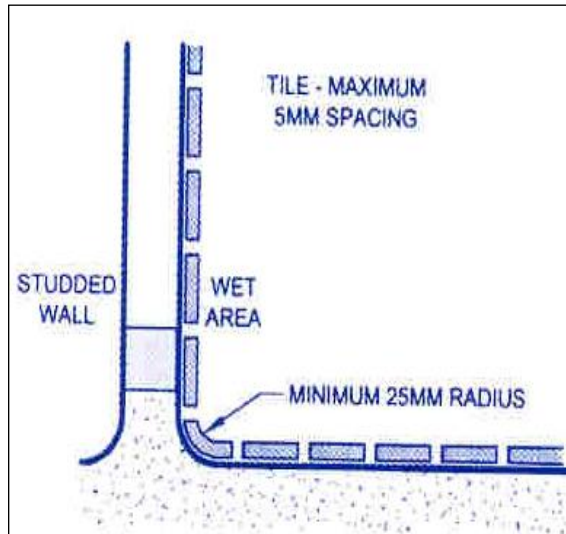


Figure 1: Coving methods

8.4.2.2 (6) Plinths

Refer to Section 8.4.8.4.

8.4.2.3 Ceilings

8.4.2.3 (1) Provision

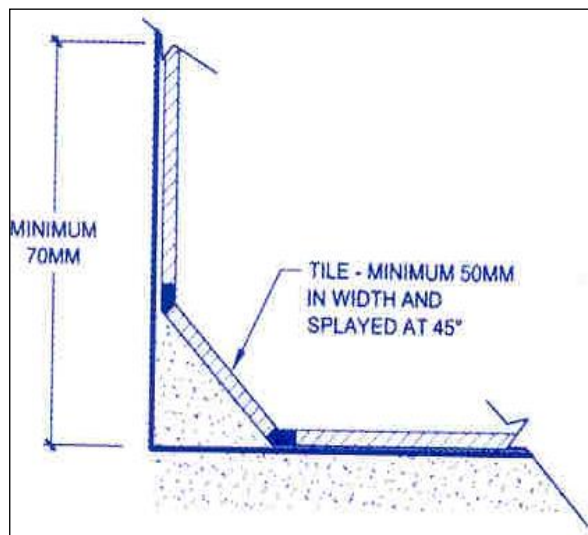
Ceilings are to be provided over food preparation, display and storage areas.

8.4.2.3 (2) Construction

Ceilings are to be constructed of a rigid smooth faced, non-absorbent material and could include fibrous plaster, plasterboard, fibrous cement, cement render or other approved material painted with a washable gloss paint of light colour such as white.

8.4.2.3 (3) Drop-in panels

- (a) Drop-in removable panel ceilings are not permitted over food preparation areas.
- (b) Panels in suspended ceilings over food preparation area shall be firmly sealed to the framework to prevent the ingress of dust and vermin.



8.4.2.3 (4) Finish

The surface finish is to be free of open joints, cracks, crevices or openings in which grease, vapours or vermin may collect.

8.4.2.3 (5) Intersections

The intersection of the walls and ceilings are to be tight jointed, sealed and dustproof. This requirement aims to prevent contamination from above food prep areas, provide a surface which is easy to clean and will not offer areas where vermin can hide and breed.

8.4.2.3 (6) Light Fittings

Light fittings are to be:

- (i) Designed and constructed to prevent contamination of food should the globe or tube shatter such as covers;
- (ii) Flush mounted and free from any protrusions that would harbour dirt, dust or insects or make the fitting difficult to clean;
- (iii) Comply with the requirements of the Building Code of Australia in regards to fire rated ceilings; and
- (iv) Comply with the requirements of AS 1680.2.4 Interior Lighting Industrial Tasks and Processes.

8.4.3 Window openings, Door openings & Serving Hatches

8.4.3.1 Splayed sills

All window sills are to be splayed inwards at an angle of 40° and finished with material matching the wall finish, with all vertical and horizontal edges rounded or bull nosed to a smooth even finish.

Ledges and sills are to be at least 300mm above sinks, benches, etc

8.4.3.2 Architraves

Window and door architraves are not permitted.

8.4.3.3 Finish

Door openings, serving hatches and the like are to be finished in the same material as the wall, returned to meet the door jam with the vertical and horizontal edges rounded or bull nosed to a smooth even finish. These requirements prevent points where dust and debris can collect and positioning them to prevent contamination of food contact surfaces.

8.4.3.4 Corner protection

Where door openings are likely to be damaged by trolleys or similar traffic, the vertical corners are to be protected in an approved manner in order to protect the walls and prevent cracking paint and other material from contaminating food preparation areas.

8.4.3.5 Vermin Proofing

All external door or window openings must have fly proofing.

8.4.4 Service Pipes

8.4.4.1 Concealment of pipes

Where possible, all service pipes are to be concealed in floors, plinths, walls or ceilings.

8.4.4.2 Pipe supports on brackets

Where it is not possible to conceal pipes or where it is contrary to the regulations of other authorities, such pipes are to be fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 150mm between the pipe and adjacent horizontal surfaces. This is to facilitate cleaning and to avoid providing harbourage areas for pests.

8.4.4.3 Sewerage pipes

The location of sewerage pipes in food preparation, storage or serving areas is not desirable;

however where circumstances will not permit an alternative position, cleaning eyes and access openings will not be permitted unless special precautions are taken to prevent likely contamination of the food in that area should any defect or chokage occur in the line.

Vermin Proofing

- (a) All holes through which service pipes pass must be vermin proof.

8.4.5 Garbage rooms and areas

8.4.5.1 Construction

Rooms used for the storage of garbage and rooms used for the washing and storage of garbage receptacles, are to be constructed of solid material and cement rendered and steel trowelled to a smooth even surface.

The floor of the room is to be of impervious material coved at the intersection with the walls graded and drained to an approved floor waste within the room. This is to prevent build up of waste and wastewater that will lead to foul odours.

Walls are to be finished with a smooth, impervious surface.

The room is to be ventilated, proofed against pests and provided with a hose tap connected to the hot and cold water supply.

External areas where garbage containers are stored are to be:

- (i) provided with a hose tap connected to the hot and cold water supply;
- (ii) paved with an impervious material;
- (iii) graded and drained to the sewer in accordance with Sydney Water and Council requirements; and
- (iv) the area must be designed to prevent stormwater contamination –covered, screened, bunded and located away from stormwater drains.

8.4.5.2 Garbage containers

Bins, hoppers and other containers for storing garbage or recyclable material must be:

- (i) constructed of impervious material such as metal or plastic for easy cleaning;
- (ii) have tight fitting lids or be kept inside pest-proofed areas; and
- (iii) bins that cannot be lifted for draining after cleaning are to have drainage bungs at the base.

8.4.6 Grease Arrestors

8.4.6.1 Grease arrestors

The installation of grease arrestors within kitchens and food preparation areas is not permitted.

Access to grease arrestors for emptying must not be through areas where open food is handled or stored or where food contact equipment and packaging materials are handled or stored.

8.4.6.2 Internal grease arrestor rooms

Where there is no alternative but to install the grease arrestor within the building, the following must be met:

- (i) the arrestor is to be installed in a separate room;
- (ii) the floor, walls and ceiling of the room are to be constructed of solid material sealed to prevent the escape of odours; and
- (iii) the door is to be self closing and fitted with rubber or other approved gaskets to provide a seal when closed; independent access to the arrestor for cleaning purposes is to be provided where practicable from outside the building.

Note: Contact Sydney Water for further information and advice on grease arrestors.

8.4.7 Cool-rooms and Freezers

8.4.7.1 Storage rack construction

Hanging bars and storage racks are to be constructed of galvanised pipe, angle iron, "T" iron, channel iron, flat metal or other approved materials, all of which should be treated to prevent corrosion.

8.4.7.2 Temperature Gauge

A temperature gauge is to be provided externally to each cool-room, chiller, freezer room or low temperature room.

8.4.7.3 Noise & vibration

The refrigeration equipment and all associated fittings are to be installed in such a manner that the refrigeration system is capable of operation without causing a noise or vibration nuisance.

8.4.7.4 Construction

- (a) Intersections between floors and walls and the vertical wall to wall must be covered. Edges are to be tight fitting and water repellent.
- (b) A concrete floor at least 75mm thick is to be provided in all low temperature rooms, graded to the doorway and finished so as to be impervious to liquids.
- (c) Floor drains connected directly to the sewerage service are not permitted within low temperature rooms. Where drainage is required a floor waste is to be located outside the low temperature room as close to the door opening.
- (d) Where inaccessible cavities are formed between the ceiling or wall, or between the low temperature room and other fixtures, such cavities are to be made proof against the access of vermin.

- (e) Adequate provision for the disposal of condensate shall be provided. If disposing to the sewer, then this must comply with the requirements of Sydney Water.
- (f) Dimensions of a plinth shall be identical to the external face of the cool-room.

8.4.7.5 Storerooms

- (a) Walls are to be of solid construction finished with an approved impervious material commensurate with use.
- (b) Floors are to be impervious and coved at intersections with walls and plinths.

8.4.8 Installation of Fixtures & Equipment

8.4.8.1 General

Fixtures, fittings and equipment are to be designed, constructed, located and installed so they are easily and effectively cleaned, and to enable surrounding surfaces to be easily and effectively cleaned.

Food contact materials are made of material that will not contaminate food.

Adequate fixtures, fittings and equipment must be provided for all operations of the business. For example, premises must be provided with the fixtures, fittings and equipment as given in Table 8.4.8 (1) must comply with AS 4674- 2004 'Design construction and fit out of food premises'.

Tanks used for the storage of live fish, lobsters or the like must be supported on framework or brackets. All tanks must be constructed and installed to ensure compliance with Section 8.4.8 - Installation of Fixtures and Equipment.

Table 8.4.8 (1): Fixtures, Fittings and Appliances

| Food Operation | Minimum fixtures, fittings or equipment necessary |
|------------------------------|--|
| Chilled storage | Cool-rooms and fridges of adequate capacity for the business |
| Preparation | Benches or work tables |
| Cooking and other processing | Exhaust ventilation, ovens/ stoves and other processing equipment |
| Hot storage | Hot boxes/ ovens capable of holding food at 60°C or above |
| Hot display | Display units that protect food from contamination and are capable of holding food at 60°C or above |
| Chilling | Refrigerators, cool-rooms that are capable of reducing the temperature of potentially hazardous food in accordance with the Food Standards |
| Chilled display | Display units that protect the food from contamination and are capable of holding the food at 5 °C or below |

8.4.8.2 Design, Construction and Installation of Fixtures, Fittings and Equipment

Fixtures, fittings and equipment are constructed and installed to enable cleaning and sanitising to be carried out easily and effectively. Refer to Table 8.4.8 (2) for details of specific requirements.

The refrigeration system is to be capable of maintaining the designed temperature at all times within the cabinet commensurate with its use.

False bottoms, cavities and similar hollow spaces under fittings are prohibited.

Table 8.4.8 (2): Specific requirements for fixtures, fittings and equipment

| Type of fixture, fitting or equipment | Requirements |
|--|--|
| Refrigerated counters | <p>A continuous top of stainless steel cast or welded in one piece, free of open or rough joints, cracks and crevices and rough surfaces preventing collection of food particles.</p> <p>Raised edge or lip is to be formed around each opening in the bar top to prevent material falling into the food wells.</p> |
| Counters and bars, food display units, bain-maries, window displays and self cabinets. | <p>All surfaces must be smooth, durable, impervious and free from cracks, crevices and cavities.</p> <p>The underside finish is to be of paint, clear lacquer or other smooth, durable impervious finish.</p> |
| Cupboards and cabinets | <p>Plywood, hardboard and similar materials used for backing are not permitted unless the rear face is finished with a smooth, washable surface.</p> |
| Doors for cupboards and cabinets | <p>Sliding doors are to be hung from the top of the door.</p> <p>Bottom guides or runners are to terminate not less than 25mm from each end of the door opening.</p> |
| Counters for food preparation in front of the customer | <p>Protective barrier must be provided as a physical barrier between the customer and the food.</p> |
| Food conveyors (dumb waiters) | <p>The compartment must be made of smooth impervious surfaces, free from crevices and open joints capable of holding food refuse and vermin.</p> <p>The walls of the shaft must be made of smooth material, free of crevices and cracks and coved at all edges to prevent harbourage of waste.</p> <p>Access must be provided for cleaning.</p> |
| Shelving | <p>Surface, including edges, must be smooth, durable, non-absorbent and free of cracks, crevices or cavities to enable easy cleaning. In wet areas, where direct contact with food may occur, shelving and supports are to be constructed only in stainless steel.</p> <p>All shelving must be at least 25mm clear of walls and vertical surfaces unless the joint is adequately sealed to prevent refuse collecting.</p> <p>The use of particle board or other absorbent material is not permitted unless the shelving is laminated on all surfaces with an approved impervious material.</p> |
| Benches and table tops | <p>Constructed of a rigid, smooth, non-absorbent durable material, free of cracks, crevices and cavities. Wet areas where direct contact with food may occur must be constructed of stainless steel.</p> |

8.4.8.3 Materials

Fixtures, fittings and equipment are to be designed and constructed of metal, plastic or sealed timber sheeting or other impervious material used in accordance with Table 8.4.8 (3).

Table 8.4.8 (3): Materials

| Materials | Application | Comments |
|-----------------------------------|--|---|
| Stainless steel | To be used if surface is in direct contact with food in wet areas. | Durable Withstands chemicals |
| Iron and mild steel | To be used where the surface does not come into direct contact with food. | Very susceptible to corrosion, this can be partly controlled by painting. Galvanised iron is not recommended for equipment since zinc is toxic, soluble in fruit acids and in both acidic and alkali detergents. Zinc wears off and exposed iron corrodes. |
| Copper and alloys (brass, bronze) | Unsuitable for general use in contact with food unless coated with tin. | Fairly resistant to corrosion and good heat conductor. |
| Aluminium | Suitable for cooking equipment if not in contact with corrosive acids or alkalis. | |
| Food grade plastics and laminates | Suitable for wide variety of uses. Laminated chipboard or other laminated absorbent materials are not to be used for shelving or surfaces where they may be affected by water. | |
| Sealed wood | Only to be used if sealed to be impervious to moisture and grease. Not to be used in contact with food or in areas cleaned frequently using water. | Must have no cracks or holes. |

8.4.8.4 Installation of Equipment

8.4.8.4 (a) General

Equipment is to be easily movable for cleaning; and built into walls with the enclosure completely vermin proof or butted against walls or other equipment and the joints sealed. Easily movable means that equipment can be moved by one person to enable cleaning. If the equipment cannot be moved easily then the clearance space must be provided, as detailed below, so that the surrounds and beneath the equipment can be cleaned without moving.

Table 8.4.8 (4): Space needed for Equipment

| Equipment Length | Space from walls or other equipment |
|------------------|-------------------------------------|
| 1200mm or less | 150mm |
| 1200-2400 mm | 300mm |
| 2400mm or more | 450 mm |

Where fittings abutt each other or walls any crevice formed is to be sealed and finished flush with a cover flashing or sealed in such a manner as to eliminate any open joint, space, crevice or cavity which will allow liquids, food particles, grease or other refuse to collect therein.

8.4.8.4 (b) Supports

Equipment and fixtures are to be supported on wheels, plinths, legs or brackets or framework as outlined in Table 8.4.8 (5). This includes stoves, fridges, cupboards, deep fryers and shelves etc.

Open ends of tubular steel used for legs and brackets must be permanently capped or sealed.

Table 8.4.8 (5): Supports for Equipment

| Support | Requirements |
|-------------------|---|
| Wheels or castors | <p>Wheels or castors must support the weight of the fully loaded equipment and enable it to be easily moved.</p> <p>There must be sufficient space to move the equipment to allow access to the floor beneath and the walls adjacent to the equipment for cleaning purposes.</p> |
| Plinths | <p>Plinths must be:</p> <ul style="list-style-type: none"> i) at least 75mm high ii) constructed of solid impervious material same as the flooring iii) finished level to a smooth even surface iv) rounded at exposed edges v) coved at the intersection of the wall and floor <p>Service pipes can be concealed in plinths provided that the surface finish of the plinth is restored.</p> <p>Fittings and equipment are to be effectively sealed to the plinths preventing floor washings and refuse from gaining access.</p> <p>Refer to Figure 2 below.</p> |

| Support | Requirements |
|-----------|--|
| Legs | <p>Supporting legs must be metal or moulded plastic that will be corroded by water or cleaning chemicals.</p> <p>Legs must be: Finished smooth, and free of cavities, crevices, ledges, recesses etc. that will permit the lodgement of dust and grease or provide areas inaccessible for cleaning.</p> <p>Legs must be designed and securely fixed so that there is a clear space between the floor and the underside of the fitting of not less than 150mm.</p> <p>Service pipes must not be located in the space beneath fittings unless they run vertically and a clear space of not less than 25 mm is provided between the service pipe and any adjoining service.</p> |
| Brackets | <p>Brackets must be metal that will not be corroded by water or cleaning chemicals.</p> <p>Pressed metal brackets having hollow backs must not be used unless any gap is completely filled.</p> <p>Supporting brackets must be securely fixed so that:</p> <ul style="list-style-type: none"> ▪ Cracks and crevices are not formed; ▪ a clear space between the floor and the underside of the fitting of not less than 150mm is provided. <p>Brackets must be:</p> <ul style="list-style-type: none"> ▪ finished smooth, and ▪ free of cavities, crevices, ledges, recesses, etc. that will permit the lodgement of dust and grease or provide areas inaccessible for cleaning. |
| Framework | <p>As above.</p> <p>In addition to the above, framework must be:</p> <ul style="list-style-type: none"> ▪ designed and fixed in such a manner that easy access is available for cleaning the framework and adjacent surfaces and ▪ designed to prevent access and harbourage of vermin. |

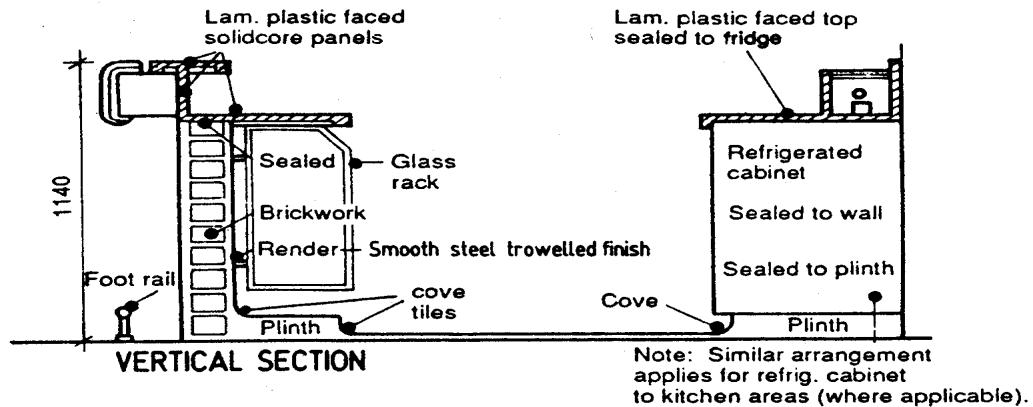


Figure 2: Plinth Arrangements

8.4.8.4 (3) Sealing of equipment bases

- (a) Equipment that is fitted directly to the floor or directly to plinths must be:
 - (i) Fitted with a base that will not corrode when in contact with water and cleaning chemicals; or
 - (ii) Installed in such a manner that a complete seal is made between the floor and the base of the cabinets and grease, dirt or water cannot penetrate beneath.
 - (iii) The seal between the floor and the metal base of a cabinet is to be of an approved silicone sealant laid on the floor in a continuous seam; and
 - (iv) Where the floor finish is of commercial-grade vinyl sheeting or similar material the floor covering outside of the cabinet is to be sealed to the floor, turned up and sealed to the base of the cabinet with a cove; and
 - (v) Where commercial-grade vinyl sheeting is turned up to form a cove, a fillet or backing piece is to be fitted to provide support.

- (b) Equipment that is placed on bench tops or other work surfaces is to be:
 - (i) easily movable by one person; and
 - (ii) sealed to the bench or counter top in such a manner as to eliminate any open joint, space, crevice or cavity.

8.4.8.5 Washing Facilities

8.4.8.5 (1) Cleaning Facilities

- (a) Premises must be provided with equipment for cleaning and sanitising as specified in Table 8.4.8 (6) and 8.4.8 (7).
- (b) All equipment in Table 8.4.8 (6) and 8.4.8 (7) must be connected to a continuous supply of hot and cold potable water.

Table 8.4.8 (6): Minimum requirements for Equipment in Premises

| Type of premises | Minimum facilities |
|--|--|
| Premises selling: Pre packaged food and drink; and/or uncut fruit and vegetables | Single bowl sink |
| All other premises | Double bowl sink; or Dishwasher/ glass washer and single bowl sink (where all food contact equipment will fit in the dishwasher); or A double bowl sink and a dishwasher/ glass washer (where some equipment has to be washed/ sanitised in the sink); or If preparing food by immersion in water a separate sink is required |

Table 8.4.8 (7): Facilities for Cleaning and Sanitising

| Cleaning and sanitising operations | Minimum facilities |
|---|--|
| Premises using equipment that is: to be washed in sinks; will not fit into a standard double bowl sink; and the equipment does not require sanitising. | Pot size sink adequate for largest equipment. Be constructed of stainless steel. |
| Premises using equipment that is: To be washed in sinks; will not fit into a standard double bowl sink; and the equipment does not require sanitising. | Double bowl sink adequate for largest equipment. Be constructed of stainless steel. |
| Premises where floors etc are wet washed. | Cleaners sinks or similar facility. |
| Premises where floors and/or equipment are to be hosed. | Hose connections. |

8.4.8.5 (2) Temperature Indicator

Each dishwashing and glass washing machine is to be fitted with a thermometer which is visible to the operator or a light that shows bright red when water temperature reaches 80°C.

8.4.8.5 (3) Rinsing Cycle

The rinsing cycles are to be operated at a temperature of not less than 80°C. This will ensure that the utensils are cleaned and sanitised. Refer to AS 2945 for details on length of cycles for varying time frames.

8.4.8.5 (4) Water Temperature

One bowl of each double sink or one compartment of each two compartment tub is to be supplied with hot water at a temperature of not less than 44°C, together with sufficient soap or detergent for effectively washing the eating and drinking utensils and the other is to be supplied with hot water at a temperature of 80°C, for the final rinsing of the eating and drinking utensils. Temperatures in excess of 80°C are necessary to ensure that equipment is sanitised.

8.4.8.5 (5) Hand Washing Facilities

(a) Hand wash basins:

- (i) are to be provided in sufficient number in close proximity to spaces where food is prepared and handled;
- (ii) are to be provided with hot and cold water provided through a single mixing spout;
- (iii) must not be obstructed; and
- (iv) provided with a towel dispenser that dispenses single use towels, as detailed in Figure 3 below.

(b) Air dryers installed as the sole means of drying hands are not permitted.

8.4.8.5 (6) Location of Hand Basins

(a) Hand wash basins should be of the freestanding type and are not to be installed under benches or similar fittings, or in toilet cubicles or immediately adjacent to toilets.

(b) It is recommended hand basins be located at the staff entrance to food handling areas.

8.4.8.5 (7) Capacity of Hot Water Systems

Hot water systems must be capable of supplying adequate hot water at minimum temperatures as outlined in this DCP at all times, especially at peak washing up periods.

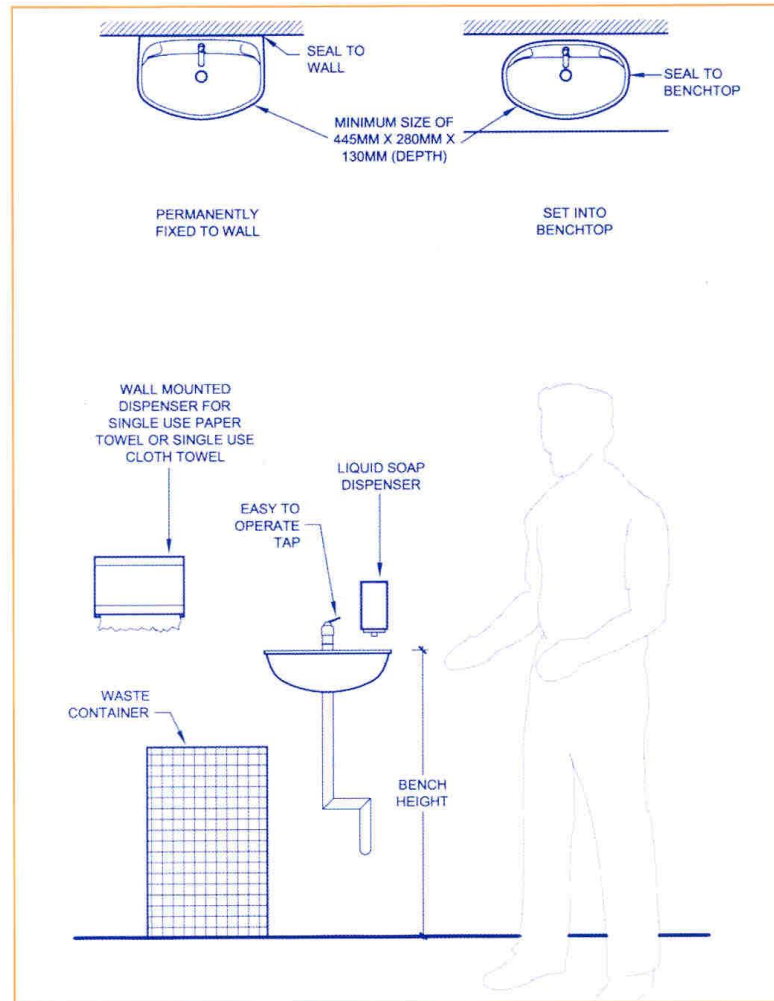


Figure 3 : Handwash basin layout

8.4.8.5 (8) Design

- (a) The distance between the spout and the base of the hand basin must be sufficient to allow the hands and arms to be washed under the running water from the spout.
- (b) A dispenser for single use towel must be available above the basin.
- (c) A receptacle for used towels must be provided.

8.4.8.6 Window Displays

If potentially hazardous food is displayed it must be maintained under correct temperature control and installed in accordance with AS/NZS 3500.2: 2003 *Plumbing and drainage- sanitary plumbing and drainage*.

8.4.8.6 (1) The display shelf

The window display shelf is to be of rigid smooth faced non-absorbent material, free of cracks or crevices - such as stainless steel or other approved material to enable effective cleaning.

8.4.8.6 (2) Coved intersections

Where wet foods such as meat, fish and the like are displayed, the display shelf is to be coved at all intersections and graded and drained in an approved manner to prevent build up of food matter and liquid.

8.4.8.6 (3) Waste discharge

An aerial disconnection is to be provided between the discharge waste pipe and the connection to the sewerage service.

8.4.8.6 (4) Supports

Display shelving is to be supported on approved wheels, legs, brackets, castors or framework or on solid construction.

8.4.8.7 Toilet Accommodation

8.4.8.7 (1) Staff toilet facilities

Adequate toilet accommodation must be provided for male and female staff during hours of operation in accordance with the Building Code of Australia.

8.4.8.7 (2) Air locks

- (a) Internal toilet compartments are to be entered through an air lock and be provided with self closing doors.
- (b) Internal toilets are to be provided with mechanical ventilation operable via the light switch should no natural ventilation be available.

8.4.8.7 (3) Hand washing facilities

Toilets are to have a hand wash basin provided with a supply of hot and cold water mixed through a common spout. A supply of soap and towel in a dispenser must be available at all times.

8.4.8.7 (4) General

- (a) No food or equipment is to be stored in the toilets.
- (b) Toilets intended for public and/or customer use must not be accessed through areas where open food is handled, displayed or stored.

8.4.8.8 Ventilation

8.4.8.8 (1) General Requirements

Ventilation is to be provided either by natural means or by an approved mechanical ventilating system in accordance with the Building Code of Australia.

8.4.8.8 (2) Kitchen exhaust ventilation

- (a) An approved mechanical ventilating exhaust system is to be installed in all commercial kitchens where cooking or processes that produce steam, smoke, odours, fumes or greasy air (or such other processes as may be specified) are carried out in the kitchen or in food preparation areas. Refer to Figure 4.
- (b) The mechanical ventilating exhaust system must also be installed where dishwashers and other washing and sanitising equipment vent steam into the area to the extent where there is, or is likely to be, condensation collecting on the walls and ceilings.
- (c) The exhaust hood must comply with AS/NZS 1668.1 and AS 1668.2.
- (d) All hoods must be fitted with approved grease filters which must be removed and cleaned regularly.
- (e) Regular cleaning of the entire exhaust ducting must also be conducted.
- (f) Cleaning receipts must be kept on site detailing what cleaning has been undertaken.
- (g) No shelves or equipment must be placed between the cooking equipment and the exhaust hood in order to maintain the flow of air and prevent condensation.

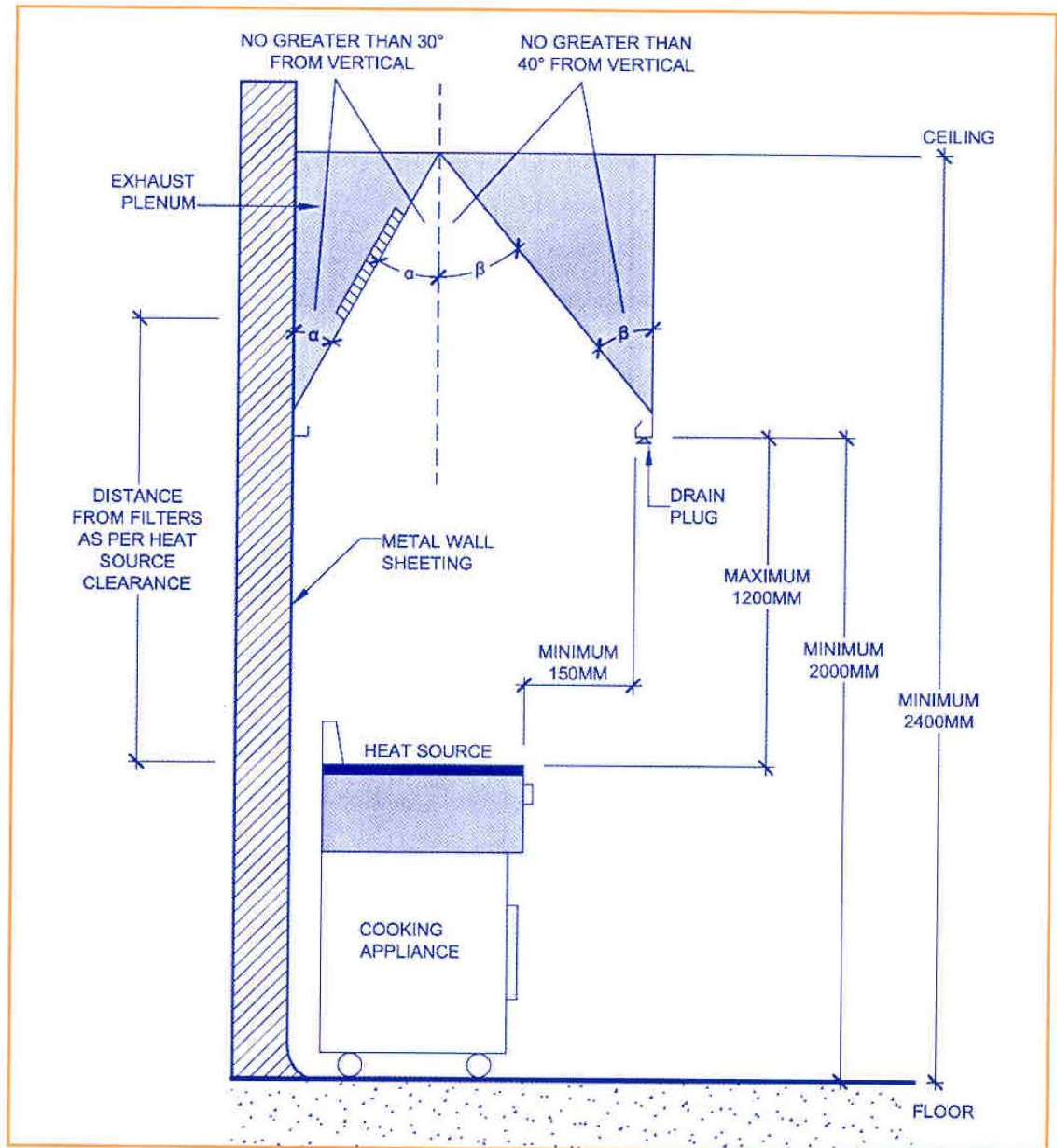


Figure 4: Mechanical exhaust ventilation system

8.4.9 Storage Facilities

8.4.9.1 General

There must be adequate storage facilities for the storage of items that are likely to be the source of contamination of food, including chemicals, clothing and personal belongings. These storage facilities must be located where there is no likelihood of stored items contaminating food or food contact surfaces.

8.4.9.2 Clothing and Personal Effects

Facilities for storing clothing and personal effects belonging to staff must be:

- (a) a change room; or
- (b) lockers/ cupboards in a change room; or
- (c) enclosed cupboards solely used for the storage of clothing and personal belongings located outside the food preparation, food storage and washing areas.

8.4.9.3 Cleaning Chemicals and Equipment

Facilities for storing chemicals and cleaning equipment must be:

- (a) a room designated for that use; or
- (b) enclosed cupboards dedicated for that use located outside of food preparation, storage and display areas; or
- (c) in a place physically separated from food storage, preparation or display.

8.4.9.4 Storage of Office Materials

Facilities for materials associated with the administration of the business must be:

- (a) a room designated for office use; or
- (b) enclosed cupboards, drawers or similar sealed storage dedicated for that use.

8.4.10 Fire Suppression Systems

Fires in cooking appliances, hoods and ductwork can quickly spread to involve the entire kitchen and restaurant.

Aims/Objectives

- To protect restaurants and commercial/retail kitchens (and the like) from the spread of fire.
- To have a system installed which will reduce the temperature of cooking oil and grease below its auto ignition temperature.

8.4.10.1 Application Configuration

Fire suppression installations are required to handle a single mesquite grill and hood to an entire kitchen full of cooking appliances. The type of suppression system is to be determined by the following:

- Size of duct, hood and plenum
- Number and size of appliances
- Number and size of suppression tanks
- Number and type of accessory devices needed

The size of the Suppression System must be determined prior to installation and the systems design must be submitted to Council, for approval, showing all food service facilities including grills, gas radiant charbroilers to chain broilers and mesquite wood cooking appliances. An example of suppression system design and installation is illustrated in Figure 5.

8.4.10.2 Typical Applications

The following uses will typically need a fire suppression system:

- Convenience Store
- Food Court
- Bar & Grill
- Fast Food Restaurant/Cafe
- Caterer's Kitchen
- Hospital
- Hotel/Convention Centre
- Institutions of Higher Education
- Sports Complex

8.4.10.3 Suppression System Design Criteria

- (a) Systems must suppress fires and rapidly cool hot surfaces to help prevent fire reflash.
- (b) Systems must be installed in stainless steel enclosures, be completely self-contained so that components can be installed out of sight so they do not interfere with the visual appearance or operation of the kitchen, and are protected against tampering or damage.
- (c) Systems must provide a Manual Activation Switch (operated by staff) and a Fuse Link Detection Device (positive activation upon exposure to heat).
- (d) System design must include a mechanical or electrical/gas shut off valve to shut off the fuel or power source upon detection of fire. The shut off valve is to have a clearly marked open/closed indicator.
- (e) Systems must be regularly serviced including piping and nozzles. Regulator pressure tests and hydrostatic tests of tanks are to be carried out in accordance with manufacturers recommendations.
- (f) To reduce the risk of grease vapour contamination, nozzles are to be designed with special blow-off caps
- (g) After activation of the suppression system all extinguishing agents must be capable of being completely removed from all surfaces and affected areas of the kitchen prior to its re-use.
- (h) Suppression systems will form part of the buildings Fire Safety Measures and must be included on the premises Fire Safety Statement, submitted to Council annually.

8.4.10.4 Required Fire Safety Measures

Every kitchen is to contain portable fire extinguishers and fire blankets as outlined in Part E1.6 of the Building Code of Australia and must be selected, located and distributed in accordance with Sections 1, 2, 3 & 4 of AS 2444.

In addition, where a kitchen exhaust hood is required, it is to comply with Paragraphs C3, C4 & C9 of Appendix C in AS 1668.2 and where grease vapour is present, it must also comply with Paragraphs C5 or C6 & C7 of Appendix C in AS1668.2 and with Section 11 of AS1668.1.

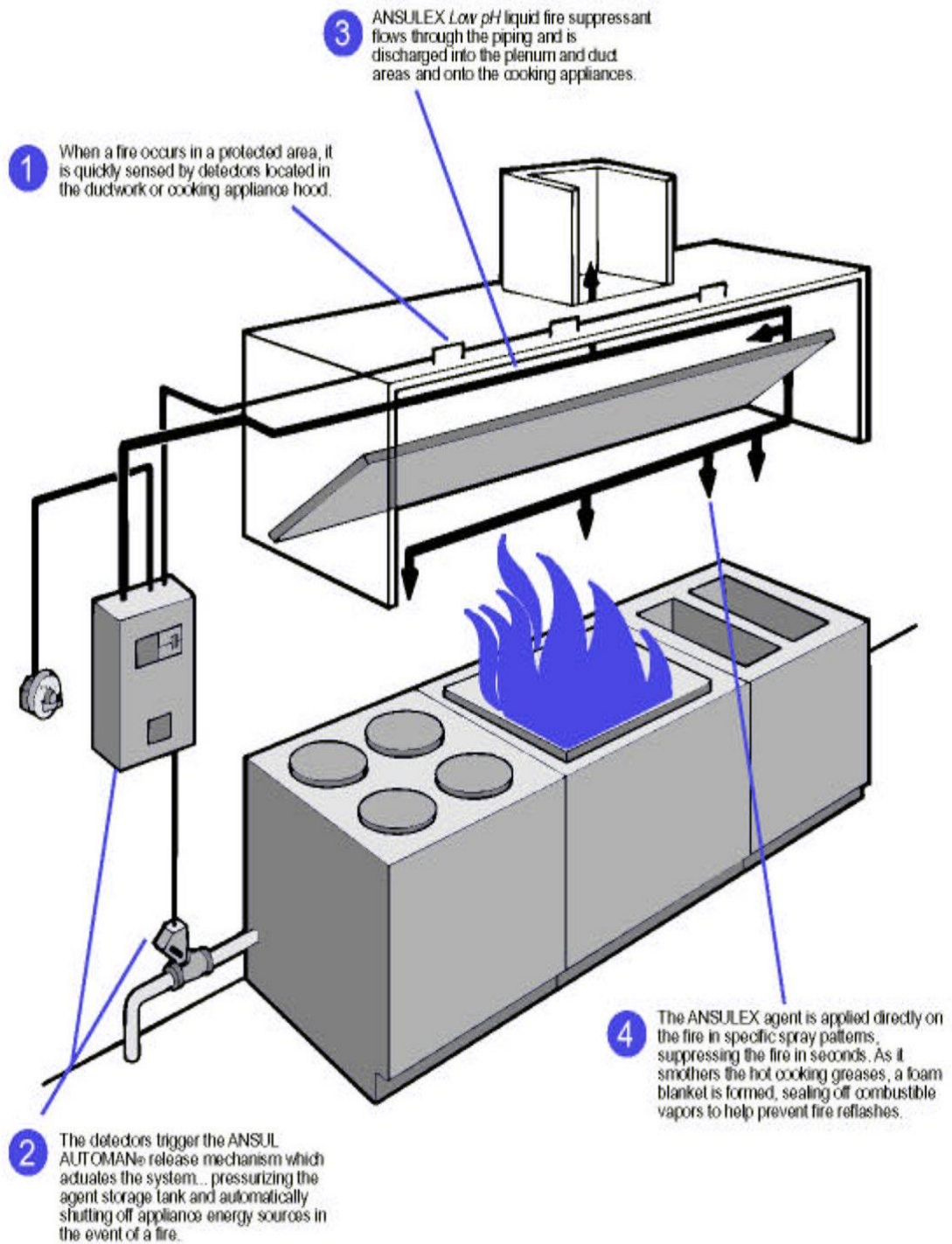


Figure 5: Example of Suppression System Design and Installation

8.5 Hairdressing, Beautician & Skin Penetration Premises

8.5.1 Development Controls

8.5.1.1 Development Approval

Objective

Ensure all hairdressers, beauticians and skin penetration businesses obtain development consent from Council.

Design Principle

A development application is submitted to Council in compliance with the controls in this DCP.

Design Solutions and Controls

- (a) All new hairdressers, beauticians and skin penetration businesses must submit a Development Application that complies with the controls in this DCP.

Note:

It is Council's policy that prior to the change of ownership of an existing business, the vendor or the purchaser must apply to Council for a pre-purchase inspection report. If the purchaser is applying for a pre-purchase report the vendor must sign the pre-purchase application sighting that they agree to release the report to the purchaser.

Once an application for a pre-purchase inspection report has been submitted to Council, a site inspection will be carried out by Council's Environmental Health Officer. Any items in need of attention will be made known to both the vendor and the purchaser prior to the business being sold. These items then become a matter for negotiation between the two parties. If alterations or additions (renovations) to the premises are proposed by the new owners, a development application with a plan showing the proposed and/or required changes to the building must be submitted to Council.

Appendix 2 of the DCP contains the pre-purchase inspection application form and shows the information to include on your plan of the premises which is submitted with a development application, if alterations and additions are proposed.

- (b) Mobile skin penetration businesses or operators are not permitted within Hurstville City Council. Skin penetration businesses must maintain a high standard of hygiene at all times to prevent the transfer of infections and viruses. A mobile business will have difficulty in complying with this DCP and associated legislative requirements.

Note:

A mobile skin penetration business or operator refers to those who treat clients in the client's home.

- (c) Businesses operating from residential properties must comply with the controls in this DCP, and operate from a room or rooms that are used solely for the treatment of clients, separate from the living areas of the dwelling.

8.5.1.2 Construction, Materials and Finishes

Objectives

Ensure all hairdressers, beauticians and skin penetration businesses are fitted out to enable easy and effective cleaning to prevent the transfer of bacteria and viruses.

Protection of the clients and operators health.

Design Principle

Compliance with minimum construction requirements that enables operators to maintain personal hygiene, cleaning and sterilisation of equipment.

Design Solutions and Controls

8.5.1.2 (1) General

- (a) In areas where skin penetration procedures, hairdressing and cleaning are conducted, the floors must be constructed of a smooth, impervious material, such as tiles or vinyl.
- (b) Fittings such as benches, shelving and furniture are to be constructed of smooth, impervious and durable materials to enable easy and effective cleaning.
- (c) Fittings that are butted against walls or other equipment must be sealed to prevent accumulation of debris and harbourage of vermin.
- (d) The intersection of floors with walls and plinths are to be coved.
- (e) Walls and ceilings must be an approved finish capable of being maintained in a clean and sanitary condition at all times. Approved finishes include painted plaster board, painted smooth cement render and painted smooth brick.
- (f) Sufficient cupboards or similar fittings must be provided for the storage of equipment and supplies to protect from dust and other contaminants.
- (g) A clear space of 150mm or more must exist between the floor and the underside of all fixtures and fittings that are not easily moveable, such as fittings on caster wheels, having a weight greater than 16 kg, or can't be moved by one person.
- (h) Adequate lighting must be provided.
- (i) The work area must be maintained in a clean and hygienic state at all times.
- (j) Carpet is only permitted in office or waiting rooms.

(k) An area separate from the treatment area, must be designated as the cleaning area. The area must be designed and laid out to prevent dirty instruments and equipment contaminating clean, sterile instruments and equipment.

(l) If colonic lavage is performed, the premises must include a toilet for the sole use of clients.

8.5.1.2 (2) Hand Wash Basins and Sinks

(a) Hand wash basins must be:

- (i) provided with a supply of hot running water, at least 40 degrees, and cold running water through a single outlet
- (ii) provided with liquid soap or detergent and single use towels
- (iii) located within each treatment area and must be accessible at all times
- (iv) used solely for the washing of hands and face
- (v) provided in each treatment area where separate treatment areas exist

(b) In addition to the hand wash basin, a double bowl sink, with hot and cold running water mixed to 40 degrees must be provided exclusively for washing equipment and instruments, and is to be located in the cleaning area.

(c) If food preparation and washing of eating and drinking utensils is to occur, a separate sink must be provided separate from the cleaning sink. This sink must be provided with hot and cold running water through a single mixing spout.

(d) All sinks and hand wash basins must be provided with a splash back of at least three hundred millimetres (300mm). The splash back must be constructed of a material that is durable, smooth, impervious to moisture and be easily cleaned, such as tiles or stainless steel.

(e) Toilets are to have a hand wash basin provided with a supply of hot and cold water mixed through a common spout. A supply of soap and towel in a dispenser must be available at all times.

8.5.1.3 Disposal of Sharps, Infectious and Non-Infectious Waste

Objective

Ensure sharps and waste are safely stored and disposed.

Design Principles

- Premises and treatment areas are kept safe, clean and free from waste and dangerous equipment
- Waste from procedures is disposed of safely from the treatment area and premises.

Design Solutions and Controls

- (a) Solid waste generated on site shall be collected, transported and disposed of by a licensed waste contractor. Records of solid waste disposal must be kept for one (1) year on the premises. Inappropriate disposal of waste such as illegal dumping of rubbish in public litter bins or taking home is an offence under the *Local Government Act 1993*.
- (b) If disposable sharps are used, an Australian Standards approved sharps bin is to be provided in each treatment area.
- (c) Once full, the sharps bin must be collected by a licensed waste transporter. Records of the hazardous waste disposal must be kept for three years on the premises, including the generation, storage, treatment or disposal of waste.
- (d) If sharps are disposed of at a hospital or medical centre, a letter from the hospital or medical centre, with the frequency of disposal and location of medical centre or hospital and their waste removal service provider, must be kept at the premises. This letter must be updated annually.
- (e) General waste must be placed in plastic lined receptacles with close fitting lids at the site of generation.
- (f) All sharps, including razor blades, must be disposed of immediately after use.
- (g) Do not force the sharps into the bin or overfill the bin, as this prevents closure and increases the risk of rupture.
- (h) Prior to disposal, the lid of the sharps bin must be secured.
- (i) Store the sharps containers out of reach of people, particularly children.
- (j) Do not remove sharps once placed in the container.

8.5.1.4 Linen

Objective

Ensure the cleanliness of treatment areas.

Design Principle

Linens used in treatment areas are to be clean and appropriately stored.

Design Solutions and Controls

- (a) A clean, single-use, disposable covering material or clean linen should be provided on treatment tables, chairs or beds and changed between clients.

- (b) Adequate receptacles for the storage of soiled linen, towels and clothing must be provided in the cleaning area. The receptacles must be constructed of smooth, durable and impervious material with close fitting lids.
- (c) All clean linen, towels and clothing are to be stored in an appropriate clean area (separate to cleaning area), such as a cupboard or drawer to prevent soiling and contamination.

8.5.1.5 Businesses in Residential Premises

Objective

Ensure the operation of businesses within residential premises is safe and clean for staff, clients and residents.

Design Principle

Procedures are undertaken in an appropriate and approved area of the residence.

Design Solutions and Controls

Businesses operating from within residential premises must comply with all requirements detailed in this DCP.

The approved treatment area must be used solely for skin penetration procedures.

8.5.1.6 Record Keeping

Objective

Ensure client details and procedures are recorded.

Design Principle

Details of clients and procedures are kept for an appropriate length of time and stored in an appropriate location for referral at a later date if required.

Design Solutions and Controls

- (a) Records of sterilisation must be maintained detailing the:
 - (i) time and date of sterilisation
 - (ii) length of time of autoclaving
 - (iii) temperature and pressure of autoclave
- (b) When sterilising off site, the following information is required to be recorded, in addition to the requirements of 2.5 (a):
 - (i) faults with cycle (if any)
 - (ii) the location of premises where sterilisation was completed
 - (iii) number of items processed

- (iv) method of sterilisation
 - (v) the operator who performed the sterilisation
 - (vi) a copy of printout from autoclave
- (c) It is recommended that records be kept of all procedures, including date, time and details of the procedure performed.

8.5.1.7 Business Registration

Objective

Ensure all hairdressers, beauticians and skin penetration businesses are registered with Council.

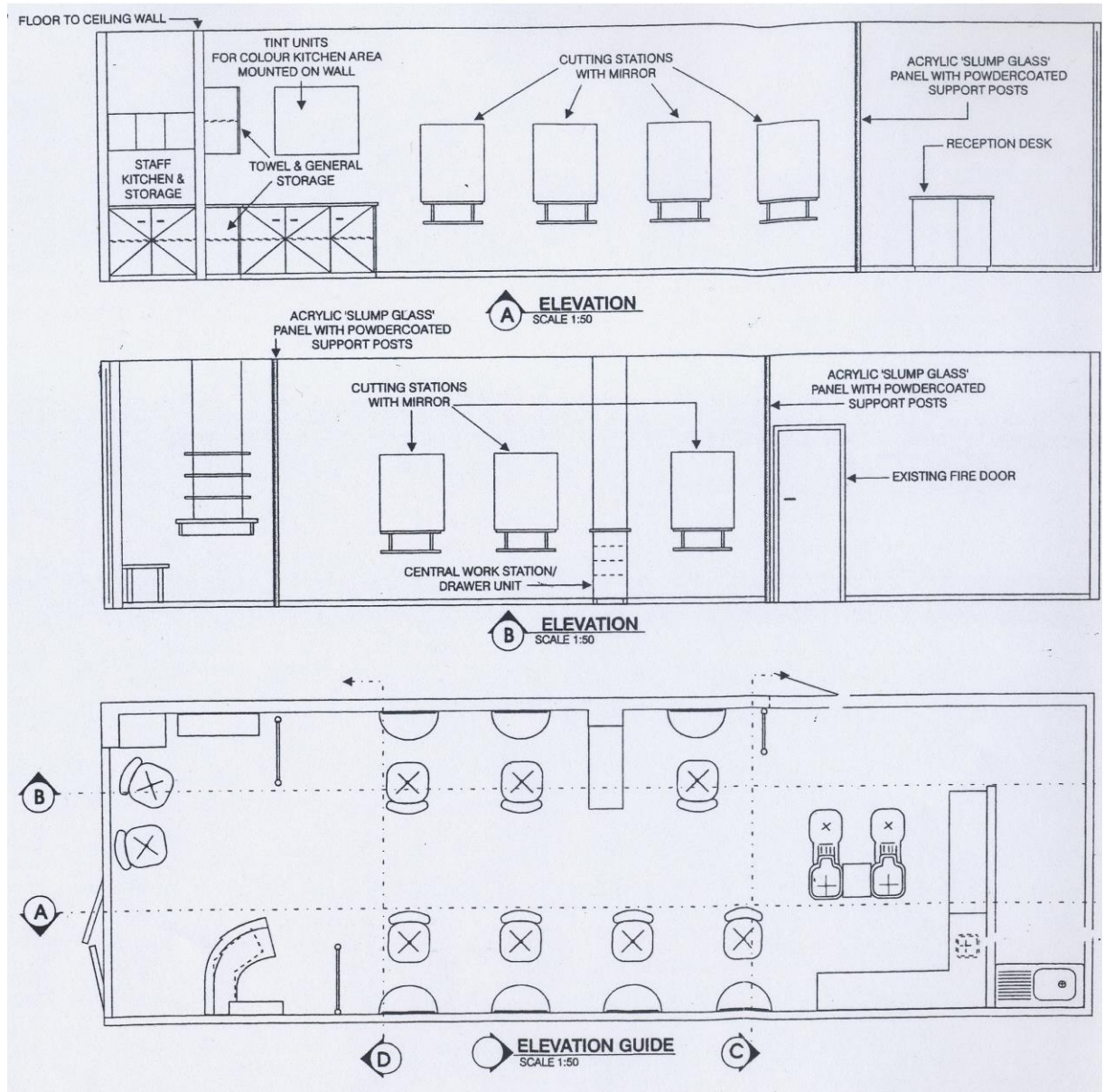
Design Principle

All hairdressing, beautician and skin penetration businesses must register with Council prior to opening for business.

Design Solutions and Controls

All hairdressing, beautician and skin penetration businesses must be registered with Council prior to carrying out any procedures. The registration form is contained in Appendix 2, or contact Council's Environmental Health Officer.

Appendix 1 Example of Plan



Appendix 2 Practice and Operational Guidelines

The following guidelines should be followed in day-to-day practice, where relevant, by hairdressing, beautician and skin penetration operators.

1. HYGEINE

It is important to ensure the safety and health of both the client and operator, when undertaking procedures involving skin penetration, and to ensure bacterial, fungal and viral infections, including HIV, Hepatitis B and C are not transmitted during the procedure.

General

- (a) Eating, drinking or smoking is not permitted in the treatment area.
- (b) Animals, except for assistance animals, are not permitted in the treatment area.
- (c) Broken skin or infections on exposed parts of the body of the operator must be kept covered with a waterproof plaster.

Gloves

- (a) Single use gloves must be worn during a skin penetration procedure, and must be discarded between each client or when changing activities.
- (b) Gloves are not to be re-used, and must be disposed once contaminated.
- (c) Sterilised gloves are to be worn if direct contact with sterilised equipment will occur during the procedure, e.g. body piercing.

Liquids, creams and gels

- (a) Any liquids or gels used should be measured and decanted into single use containers for each client.
- (b) Excess or unused liquids or gels must be discarded and not returned to original containers.
- (c) If stock cannot be decanted then single use applicators or spatulas are to be used, ensuring they are not re-used.
- (d) If re-useable containers are used they must be cleaned and sterilised after each use.

Hand Washing

Hands must be washed whenever they become contaminated, including:

- (a) immediately before and after attending a client
- (b) if the procedure is interrupted

- (c) after contact with any blood or body substance
- (d) before and after smoking, eating and drinking
- (e) after going to the toilet
- (f) prior to and after wearing gloves
- (g) after touching the nose or mouth
- (h) before and after treating wounds or handling soiled wound dressings

Nailbrushes should not be used as they may damage the skin and may provide possible infection sites.

If alcohol based hand creams are used they must be applied in the same circumstances as when hand washing is required.

Skin Preparation

- (a) Prior to commencing the skin penetration procedure, the skin must be wiped with a suitable antiseptic and allowed to air dry. Acceptable antiseptic solutions include:
 - 70% W/W ethyl alcohol
 - 80% V/V ethyl alcohol
 - 70% V/V isopropyl alcohol
 - alcoholic (isopropyl and ethyl) formulations of 0.5 –4% W/V chlorhexidene
 - aqueous or alcoholic formulations of povidine iodine (1% W/V available iodine)
- (b) Antiseptic should not be used after the expiry date.
- (c) Single use wipes are to be used on one client area and then disposed.

Protective Clothing

- (a) Operators must wear a clean washable garment, such as an apron or a uniform, when attending clients. This clothing protects the wearer's clothing and skin from contamination.
- (b) Protective clothing must be changed when soiled.
- (c) Protective clothing must be worn only in the work area. It must be removed when leaving the premises or when not performing procedures.
- (d) When undertaking colonic lavage a clean water resistant apron must be worn. Once soiled this apron must be cleaned.
- (e) Soiled linen must be removed from the treatment area after the client has left.

- (f) All linen, including towels, protective clothing and other washable fabrics must be washed with laundry detergent and water, rinsed and dried.

2. EXPOSURE TO BLOOD AND BODY FLUIDS

- (a) All workplaces must have a procedure in place for the management of exposure to blood and body fluids. Refer to the NSW Health Skin Penetration Code for Best Practice (2001).
- (b) A stocked first aid kit must be available on site at all times.

3. EQUIPMENT

General

- (a) Any article used to penetrate the skin of a person must be sterilised after every use and maintained in a clean and sterile condition, or discarded if designed for single-use.
- (b) All equipment that does not penetrate the skin must be cleaned and disinfected between clients.
- (c) All equipment, including benches, tables, used to carry out the procedure is to be washed with a hospital grade disinfectant.
- (d) Wax used for the purpose of hair removal must be disposed of immediately after the completion of the hair removal procedure.
- (e) Roll on wax applicators are not permitted as they encourage bacterial harbourage.
- (f) Ear piercing guns are to be used only for ear piercing.
- (g) Body piercing equipment is to be used only for body piercing.

Cleaning

- (a) Equipment must be cleaned prior to disinfection or sterilisation to remove all visible organic matter and residue, as they may inhibit the disinfection or sterilisation process.
- (b) Equipment designed not to penetrate the skin must be thoroughly cleaned prior to re-using. Thermal disinfection is then recommended. If this is not possible it must be cleaned with a 70% alcohol wipe or swab.
- (c) Items such as cleaning gloves, brushes and other equipment must be maintained in a clean and satisfactory condition. Damaged items must be replaced.
- (d) Cleaning equipment must be cleaned regularly and stored clean and dry.

Disinfection

- (a) All equipment must be cleaned prior to disinfection.

8. Controls for Specific Non-Residential Development Types

8.5 Hairdressing, Beautician & Skin Penetration Premises

- (b) Disinfection can be achieved by chemical or thermal methods. Refer to the NSW Health's Code of Best Practice for Skin Penetration.
- (c) Equipment that can be used after disinfection must be stored in a clean, dry and dust free environment.
- (d) Ensure the directions are followed for mixing and using disinfectants. If mixed incorrectly or stored for too long the disinfectant may become ineffective.

Sterilisation

- (a) All equipment used to penetrate the skin must be sterilised.
- (b) Equipment can be pre-sterilised and/or single use.
- (c) If contact occurs between a sterile and un-sterile item, both items are un-sterile.
- (d) The recommended method of sterilising is autoclaving. Refer to the Australian Standards for the requirements (AS 2182) and operating methods (AS 4815:2001) of the autoclave.
- (e) Ensure the autoclaves are loaded correctly to ensure that the trays allow a free passage of steam, minimise condensation and can be readily removed.
- (f) Correct packaging of equipment will allow aseptic removal from the steriliser and protection from contamination once removed.
- (g) Equipment and packing material must be dry and intact at the end of processing to ensure the equipment is sterile. If packaging is damaged, damp or moist the items must not be used but must be re-sterilised or disposed of.
- (h) The autoclave must be tested, serviced regularly and calibrated at least once a year by a qualified service technician. Ensure records of this are kept on site.
- (i) All sterile equipment must be used immediately on removal from its packaging or it must be re-sterilised prior to use.
- (j) Sterilised items should be stored separately to used items awaiting sterilisation.

Waste

- (a) Waste bags must be tied or sealed and left in a secure waste container for collection. The waste containers must have a tight fitting lid and be able to contain all waste.
- (b) Waste must be removed daily from the work area.

4. HAIRDRESSING & OTHER PROCEDURES WHERE SKIN IS NOT PENETRATED

Hairdressing and other procedures where skin is not penetrated, including certain beauty treatments, are not defined as skin penetration under the legislation.

The objectives of these guidelines area to ensure hygienic practices and procedures to prevent the transfer of skin infections, including herpes, tinea and staphylococcal infections, and to ensure hairdressers and beauticians implement infection control procedures when skin is accidentally cut, punctured or penetrated.

Hygiene

- (a) All razor blades are considered contaminated with blood or blood products after use. Single use disposable razors must be disposed of immediately after use. Safety razors must have the blade removed and the razor body thoroughly cleaned before it is used again.
- (b) No cut throat blades are permitted.
- (c) Equipment such as scissors, combs, hairbrushes, highlighting caps and rollers should be washed after use on each client using warm water and detergent and then rinsed and dried.

Cleaning and Disinfection

- (a) After cleaning, all equipment must be disinfected with hospital grade disinfectant mixed to the manufacturer's directions. Equipment must be cleaned prior to disinfection or sterilisation to remove all visible organic matter and residues. These must be removed as they may inhibit the disinfection or sterilisation process.
- (b) Equipment that can be used after disinfection must be dried and stored in a clean, dry and dust free environment.
- (c) Equipment should not be soaked in disinfectant unless specified by manufacturer's instructions. Chemical disinfectants have limited contact times and may become ineffective if left for long periods.
- (d) Fresh disinfectant should be prepared each time items are to be disinfected. Effectiveness of disinfectant is reduces as the number of items immersed increase.
- (e) Ensure the directions are followed for mixing and using disinfectants. If mixed in correctly or stored for too long the disinfectant may become ineffective.
- (f) Disinfectant must be within the expiry date.
- (g) Cleaning equipment, such as brushes and brooms, must be maintained in a clean and satisfactory condition at all times. Damaged items must be replaced.
- (h) Hairdressers may use reusable capes and gowns. If disposable neck towels are not used, linen must be washed after use on each client and adequate supplies of towels must be maintained.

8.6 Restricted Premises

This Section applies to development for the purpose of restricted premises (see definition in appendices).

8.6.1 Guidelines and Controls

The Council may consent to the carrying out of development for the purpose of a restricted premises only where the proposed site complies with the following objectives and development controls, (in addition to any other conditions which may be imposed by the Council).

8.6.1.1 Access, Design and Location Requirements

Objectives

- To ensure restricted premises are located at a reasonable distance from residential occupancies and other sensitive land uses.
- To exclude the location of restricted premises from ground floor or street level in a building.
- To ensure safe access to restricted premises for staff and patrons.

Development Controls

- (a) No part of the restricted premises (other than an access corridor to the premises) is to be located:
 - (i) at the ground floor or street level of a building or within 1.5 metres, measured vertically, above or below the ground floor or street level of the building, or
 - (ii) in arcades, or
 - (iii) in other thoroughfares open to the public or used by the public, or
 - (iv) within 100 metres walking distance of any residentially zoned land, or
 - (v) within 200 metres 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.
- (b) 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.
- (c) Patron access is not to be provided from a laneway.
- (d) No part of the restricted premises or building in which the premises will be situated, will be used as a dwelling unless separate access will be available to the dwelling.

8.6.1.2 Display of Goods and Signs

Additional provisions for advertising and signage and for the display of goods are required to ensure that their design and location take into consideration the specific characteristics of the restricted premises use.

The provisions in this Plan relating to advertising and signage are in addition to the provisions contained in *Section 8.6 – Advertising and Signage*. Where there is any inconsistency between Section 8.6 and this section relating to advertising and signage, this section will prevail.

Objectives

- To encourage appropriately designed and suitably located signs for restricted premises.
- To consider the amenity of surrounding development and the visual quality of the public domain.

Development Controls

- (a) No more than one 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.
- (b) A sign relating to restricted premises should:
 - (i) not interfere with the amenity of the locality,
 - (ii) not exceed 600 millimetres in height or width,
 - (iii) not contain neon illumination and not flash,
 - (iv) set out only:
 - the name of the person who conducts the business at the restricted premises or the registered name of the business carried on at the restricted premises; and
 - the words, 'RESTRICTED PREMISES' in capital letters not more than 50 millimetres in height.
- (c) No objects, products, or goods related to the restricted premises will be visible from outside the premises.

8.6.1.3 Car Parking

Objectives

- To ensure adequate parking is provided for people working on the site and patrons, and to ensure this parking does not adversely affect the surrounding area, particularly residential properties.

Development Controls

- (a) The construction of new premises for the purposes of a restricted premises must comply with *section 6.1 – Car Parking*.
- (b) For existing buildings, car parking must be made available in accordance with any relevant prior approval or development consent.

8.6.1.4 Extended Trading Hours

Compliance with Section 8.1 Extended Trading Hours if the restricted premises proposes to trade outside the hours of 6 am and midnight.

8.6.1.5 Variations to the Criteria

If there are circumstances when it is not relevant to comply with the controls in this Plan, applicants must provide a written submission clearly demonstrating compliance with the objectives of this Plan, and detailing the reasons why the control/s should be varied. The submission must also clearly demonstrate the reasons why the variation sought will not adversely impact on the local amenity.

Council gives no assurance that it will permit any variations to the development controls as specified in this Plan. Variations will only be approved in exceptional circumstances.

8.7 Advertising & Signage

8.7.1. Types of Advertisements & General Requirements

8.7.1.1 Aim

The primary aims of this Section are to:

- (a) Provide a consistent approach to the design and siting of advertising signs by encouraging coordinated signs of high quality design and materials;
- (b) Encourage advertising signs that:
 - (i) respect significant views, vistas and visually sensitive areas;
 - (ii) compliment the building or site on which they are located;
 - (iii) are designed to respect and not obscure important detailing or architectural features of buildings or streetscapes;
 - (iv) are compatible with the scale, character and amenity of surrounding development and the locality;
- (c) Ensure that advertising signs do not dominate the visual character of their location;
- (d) Provide reasonable and equitable rights to advertise;
- (e) Prevent excessive signage and visual clutter of the built environment through the rationalisation of advertising signs and by limiting the number of signs that may be erected on any one building or site;
- (f) Ensure that the location and design of advertising signs are consistent with road safety principles;
- (g) Ensure that signs do not affect the amenity of residents, and/or occupiers of a building by way of excessive shadow or light spill from illumination at night; and
- (h) Convey the advertiser's message and images without causing an adverse social impact upon the community, and without excluding any part of the community from being able to receive and understand the message or image.

8.7.1.2 Advertising Signs that are Prohibited

The following types of advertising signs are prohibited in the Hurstville City local government area:

- Advertising signs over 45sqm;
- Roof or sky advertising signs;
- Special promotional advertising signs;
- Building wrap advertising signs;
- Advertising signs within navigable waters (except a sign on a vessel that is ancillary to the dominant purpose of the vessel);
- Above awning signs;
- Advertising signs that project from a wall or are suspended from an awning at a height lower than 2.6m at any point above a footpath (except in the case of an under awning bracket sign or a drop awning sign); and

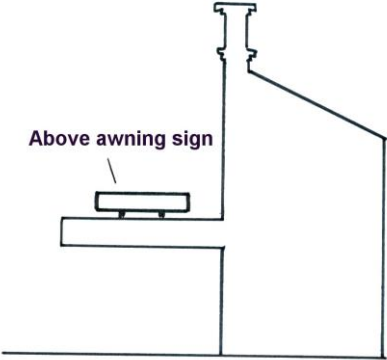
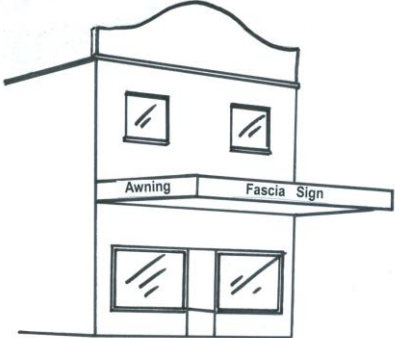

- Advertising signs or structures that do not comply with all the applicable requirements of the Building Code of Australia (BCA) and relevant Australian Standards (AS).

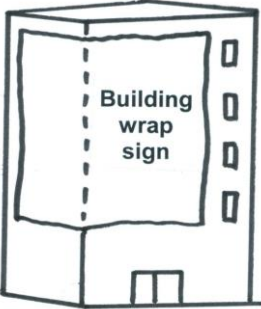
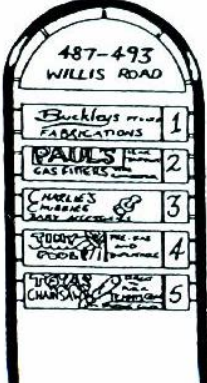
Advertising signs on land zoned Residential, Open Space or Waterways, or in the Foreshore Scenic Protection Area are prohibited, except for advertising signs identified as 'exempt development' in this Plan and the Hurstville LEP.

8.7.1.3 Sign Definitions and Requirements

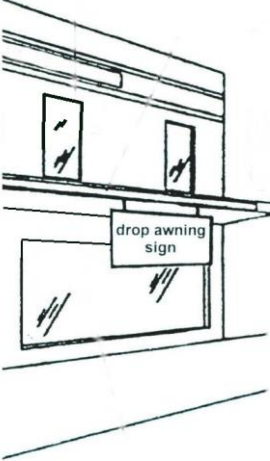
The following table provides a description of the different types of advertising signs, and lists the requirements that apply to each sign type. Signs that meet ALL the 'exempt development' requirements in the table do not need Council approval. Signs that require Council approval will be subject to a merit assessment based on the guidelines and controls contained in this DCP.

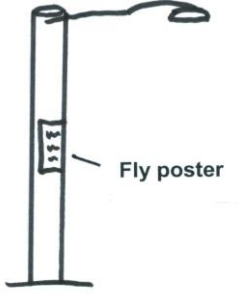
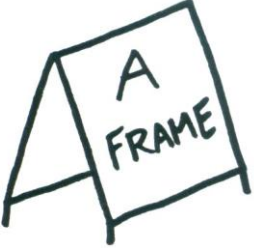

All signs that are identified as 'exempt development' in the table below must also comply with the Design and Siting Requirements of this plan.

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|--|
| <p>Above Awning Sign</p>  | <p>Any sign fixed to the upper side of an awning, excluding temporary real estate signs.</p> <p><i>Prohibited</i></p> <p><u>Advisory Note:</u> Council will only consider a single above awning sign for an individual premises where it is appropriately used as a focal point to advertise an arcade, plaza or the like, or to provide a corporate identity for a development that contains a range of tenancies. See 'Real Estate Sign' in this section for controls relating to real estate signs.</p> |
| <p>Awning Fascia Sign</p>  | <p>A sign on the fascia or return end of an awning.</p> <p>Exempt development if: within the perimeter of the fascia or return end of the awning sign flush with the fascia e.g. painted message relates to the use of the premises or its products or activities not illuminated only one sign per premises.</p> <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |
| <p>Billboard Sign (free standing)</p>  | <p>A sign used for the display of general advertising material not necessarily related to the place or premises on which it is located.</p> <p>Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP. Only permissible in Business and Industrial Zones.</p> <p><u>Advisory Note:</u> SEPP 64 should be consulted for additional requirements for the following types of advertising:</p> <ul style="list-style-type: none"> • Sign extends higher than 8m above the ground; • The display area of the sign is greater than 20m²; • The sign is within 250m of, and any part of the sign is visible from, a classified road, and either of the above applies. |

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|---|
| <p>Building Wrap Sign</p>  | <p>Advertising sign used for the covering or wrapping of a building or land, or a building that is under construction, renovation, restoration or demolition, but does not include a wall sign.</p> <p>Prohibited under SEPP 64.</p> |
| <p>Business Directory Board (multiple occupancy)</p>  | <p>Free standing advertising structure that is located within the property boundary of a multiple occupancy premises, and which identifies the names and activities of the occupants of the premises.</p> <p>Only permissible in Business and Industrial Zones. Exempt development if:</p> <ul style="list-style-type: none"> • maximum area does not exceed 4m² • maximum height of 4m above ground level • not illuminated • only one per premises. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |
| <p>Commercial Sign</p> | <p>An advertisement, which, in respect of any place or premises to which it is affixed, contains a reference to the identification or description of the place or premises, or the occupation or activities carried out, or the goods or services provided at the place or premises, or the name of the person carrying out the business, or particulars or notifications required or permitted to be displayed by or under any Act or any Act of the Parliament of the Commonwealth.</p> <p>Advisory Note: Please refer to Appendix 1 of this DCP for the complete statutory definition of "Commercial Sign."</p> <p><i>continued...</i></p> |

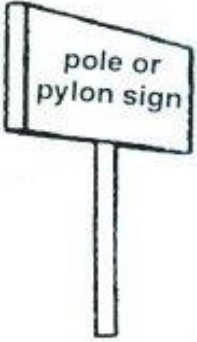
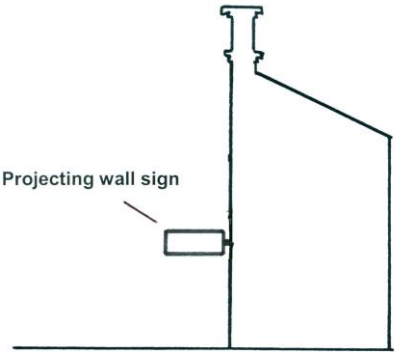
| SIGN TYPE | DEFINITION & REQUIREMENTS |
|------------------------------------|---|
| Commercial Sign (continued) | <p>Exempt development if:</p> <ul style="list-style-type: none"> located a maximum height of 3.1m above ground level, or below the first floor window sill level where there is no awning, whichever is lower not illuminated the building's street number is provided so that it is visible from the street, and the number/s is a minimum height of 7cm advertising structure type can be identified as 'exempt development' under the provisions of this table, <u>or</u> a wall sign that does not project more than 0.2m beyond the building alignment, and it will result in only one wall sign on the building elevation, and it has a maximum area of 0.75m² if located in a Business or Residential Zone, or a maximum area of 4m² if located in an Industrial Zone. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |
| Community Notice Sign | <p>A notice or display of public information erected by, or on behalf of a <u>public authority</u>, giving information or directions about services or events provided by that authority.</p> |
| | <p>Exempt development if:</p> <ul style="list-style-type: none"> Permanent fixed sign maximum area does not exceed 1.8m² maximum height does not exceed 3m above ground/footpath <p>Temporary sign</p> <ul style="list-style-type: none"> contains only public information about services provided by that authority displayed no longer than 7 days. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |

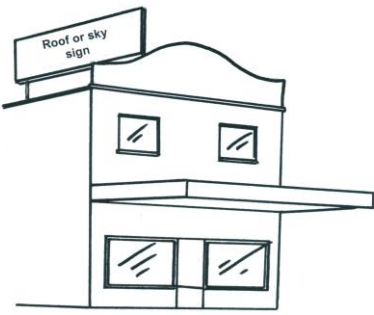
| SIGN TYPE | DEFINITION & REQUIREMENTS |
|--|---|
| Construction Sign | <p>During the construction of a building, the various firms who are involved in the construction may advertise at the site.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> • maximum area does not exceed 3m² • sign removed at the completion of building works • located within property boundaries • non-illuminated. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |
| Drop Awning Sign (weather protection sign / canvas blind) | <p>A sign displayed on a roll down blind, retractable sun/weather protection awning, or the like, that is attached to the under side or outer edge of the awning and is parallel to the kerb.</p> <div style="display: flex; align-items: center;">  <div style="margin-left: 10px;"> <p>Exempt development if:</p> <ul style="list-style-type: none"> • message relates to the use of the premises or its products or activities • the advertisement does not exceed a maximum coverage of 40% of the surface area of the blind or awning • the blind or awning is attached behind the fascia • the blind or awning is setback a minimum 0.6m from the line of the kerb • a minimum height of 2.3m from the footpath to the underside of the blind hooks and blind roller is provided, and any blind flap extends no more than 0.3m below the roller • only one sign per premises • non-illuminated. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> </div> </div> |
| Flag Pole Sign | <p>A sign in the form of a flag attached to a pole projecting vertically or at an angle from a building or site, but does not include a sign specifically defined elsewhere in this DCP.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> • erected by, or on behalf of Council. <p>Otherwise sign is prohibited.</p> |

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|--|---|
| Flashing Sign | <p>Illuminated (as to any part of the advertisement area) at frequent intervals by an internal or external (floor light) source of artificial light.</p> <p>Prohibited</p> |
| Fly Poster (bill poster)  | <p>A poster-type advertisement promoting any event, activity, product or service fixed to power poles, bus shelters or other public property, fences, buildings, shop fronts, shop front windows or hoardings.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> • does not contain a message or image relating to political elections • erected by, or on behalf of Council, in accordance with Council's Policy on Signs Attached to Power Poles. <p>Otherwise sign is prohibited.</p> <p><u>Advisory Note:</u> Office stationary materials such as coloured cardboard, office paper, and the like, with hand drawn messages are considered to be unauthorised fly-posters under this Plan, and are therefore <u>prohibited</u>.</p> |
| Free Standing Signboard (A-frame sign / sandwich board) | <p>A moveable freestanding sign displayed at ground level.</p> |
|   | <p><i>Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</i></p> <p>Permissible only in Council's General Business Zone and Business Centre Zone and in Council's City Centre Business Zone, <u>excluding shop fronts on Forest Road, Hurstville.</u></p> <p>Must comply with all of the following controls:</p> <ul style="list-style-type: none"> • If located on Forest Road, Hurstville (between Queens Road and The Avenue) the sign must be located wholly within the property boundaries and not on Council property. • Maximum width 0.6m • Minimum height 0.75m • Maximum height 1.1m • Must be attractive and professionally signwritten • Stability in wind gusts must be ensured by counter-weighting. Sign must be stable in wind gusts of 33m/sec (120 k/hour) • Only one sign per premise. <p><u>Advisory Note:</u> An application form must be submitted to Council for any free standing signboard that is proposed to be located on Council property.</p> |
| Illuminated Sign | <p>A sign illuminated by an internal or external source of artificial light (whether or not included in any other sign definition).</p> <p>Requires Council approval, unless replacing an existing approved sign, or unless a new under awning sign where there is no existing under awning sign on the premises, or not more than 1 under awning sign per 6 metres of an individual shop front.</p> <p>Must comply with the Design and Siting Requirements relating to illuminated signs.</p> |

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|--|
| Inflatable Sign | <p>A sign in the form of an inflatable structure.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> message relates to the use of the premises or its products or activities displayed within the premises which contains the business or product being advertised not illuminated displayed no longer than 28 days. <p><i>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</i></p> |
| Moving Sign / Video Sign / Electronic Message Board | <p>Any sign capable of having any part of its structure or message move or change by any source of power, excluding traffic information signs.</p> <p>Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |
| Newsagent Headline Placards | <p>Signs providing notice of news and entertainment headlines and the like, including magazine promotions.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> maximum width 0.6m minimum height 0.75m maximum height 1.1m contained in frames securely fixed to the facade of the premises not to project more than 75mm from the building facade not to project over windows not propped against the facade of the premises. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> <p>Advisory Note: For signs placed in windows, see requirements for “Window Signs.”</p> |

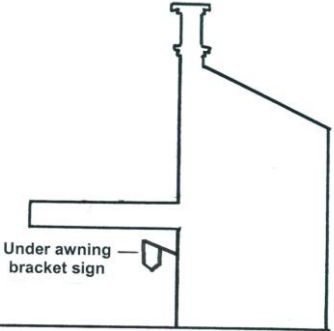
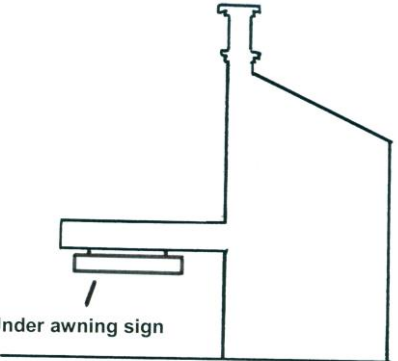


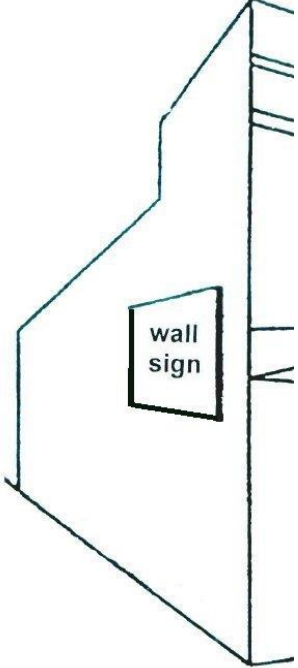
| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|---|
| <p>Pole or Pylon Sign (freestanding)</p>  | <p>A sign mounted on the ground on one or more supports such as a pole or pylon at ground level, which is independent of any building or other structure.</p> <p>Requires Council approval. Must comply with all of the following controls:</p> <ul style="list-style-type: none"> • Not to project over footpath or roadway • Maximum area 8m² • Maximum height 7.5m to the top of sign, above natural ground level • Where more than one pole or pylon sign is provided, they should have the same setback and be of uniform design and spacing • Message must relate to use of the premises. <p>Otherwise prohibited.</p> |
| <p>Projecting Wall Sign</p>  | <p>A sign attached to the wall of a building (other than the transform of a doorway or display window) and projecting horizontally more than 300mm from the facade.</p> <p>Requires Council approval. Must comply with all of the following controls:</p> <ul style="list-style-type: none"> • Maximum height of 3.1m above ground level, or below the first floor window sill level where there is no awning, whichever is lower. • Maximum area of 2m² • Erected at right angles to the building. <p>Otherwise prohibited.</p> |
| <p>Public Information Sign / Directional Sign / Traffic Sign</p> | <p>Sign erected for the specific purpose of: directing the public to buildings or places of tourist interest or recreational facilities; providing public information such as regulatory information, funding notification, and public notices; or providing the name and location of streets, parks, car parks, traffic hazards and signals, and the like.</p> |
| | <p>Exempt development if: erected by, or on behalf of Council or a public authority, including the Roads and Traffic Authority Complies with Council's Visual Standards Guidelines.</p> <p>Otherwise prohibited.</p> |


| SIGN TYPE | DEFINITION & REQUIREMENTS |
|--|--|
| <p>Real Estate Sign</p> | <p>A temporary sign that contains only a notice that the place or premises to which it is fixed is for sale or letting together with particulars of the sale or letting, and is removed no later than 7 days after letting or sale of the premises to which the sign relates.</p> |
| | <p>Exempt development if:</p> <ul style="list-style-type: none"> (a) removed no later than 7 days after letting or sale of the premises to which the sign relates (b) located wholly within the property boundaries (c) not illuminated (d) only advertise premises for sale or lease (e) only one sign per premises (f) not erected more than 28 days prior to the auction. <p><u>In the Residential zone</u> – maximum area of 2.5m² <u>In the Commercial/Industrial zones</u> – maximum area of 5m²</p> <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |
| <p>Roof or Sky Sign</p>  | <p>A sign attached to, painted on, or erected on or above the parapet or eaves of a building.</p> <p style="text-align: center;">Prohibited under SEPP 64</p> |

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|---|
| <p>Temporary Sign (special event)</p> | <p>An advertisement of a temporary nature which announces a local event of a religious, educational, cultural, political or recreational character or relates to any temporary matter in connection with such an event.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> • displayed on the property where the special event is to be held, except if erected by, or on behalf of Council or a public authority, where signs can be located elsewhere, including across a street • not illuminated • sponsors name or logo is subsidiary to message/announcement • not containing a message or image relating to political elections that is affixed to a power pole or the like • no general advertising apart from the name of the event sponsor(s) • displayed no longer than 28 days before the event and removed within 48 hours after the event. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> <p><u>Advisory Note:</u> Advertising signs for an activity or event of a civic or community nature that do not meet the exempt development criteria are prohibited under SEPP 64.</p> |
| <p>Top Hamper Sign (under awning wall sign)</p> | <p>A sign painted to or attached to the transom of a doorway or display window at ground floor level of a building.</p> <p>Exempt development if:</p> <ul style="list-style-type: none"> • message relates to the use of the premises or its products or activities • sign must be above the head of the doorway or window to which it is attached • not to project more than 0.2m beyond the building alignment • sign must be within the perimeter of the building walls • sign does not cover any windows or architectural features • not illuminated • one per shop front, showroom or the like. <p>Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |



| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|---|
| <p data-bbox="312 309 639 340">Under Awning Bracket Sign</p>  <p data-bbox="343 616 470 660">Under awning bracket sign</p> | <p data-bbox="767 309 1453 369">A sign suspended from a wall-mounted bracket or pole under awning level.</p> <p data-bbox="767 376 1045 407">Exempt development if:</p> <ul data-bbox="767 414 1453 649" style="list-style-type: none"> • maximum of two per shop front • message relates to the use of the premises or its products or activities • the base of bracket is a minimum of 2.3m above the ground • does not project more than 0.5m from the wall on which it is mounted. <p data-bbox="767 716 1021 750">Otherwise prohibited.</p> |
| <p data-bbox="312 900 550 967">Under Awning Sign (suspended)</p>  <p data-bbox="343 1310 502 1344">Under awning sign</p> | <p data-bbox="767 900 1453 963">A sign which is attached to and hangs below an awning, and is erected at right angles to the building wall.</p> <p data-bbox="767 974 1045 1005">Exempt development if:</p> <ul data-bbox="767 1012 1453 1355" style="list-style-type: none"> • message relates to the use of the premises or its products or activities • sign does not project beyond the awning • not lower than 2.6m above a footpath at any point • maximum length of 2.5m • maximum height of 0.5m • not closer than 0.6m to the kerb • structurally sound and securely fixed to awning • one sign per premises, or one sign per 6m of an individual shop front on larger premises. <p data-bbox="767 1388 1453 1489">Otherwise Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p> |

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|---|--|
| Wall Sign | <p>A sign attached or painted on the wall of a building (other than a ground floor display window) and projecting horizontally no more than 300 mm from the facade, but does not include a sign specifically defined or described elsewhere in this DCP.</p> |
|  <p>The diagram shows a side view of a building facade. A rectangular sign is mounted on the wall, labeled 'wall sign'. The sign is attached to the wall with visible fasteners. The building facade is irregular, with a sloped roofline and a vertical section where the sign is located.</p> | <p>Requires Council approval. Must comply with all of the following controls:</p> <ul style="list-style-type: none"> • Only one sign per building elevation • Not to project above or beyond the wall to which it is attached • Not to extend over a window or other opening, or architectural feature • Not to be located on a building wall if there is an existing building or business identification sign on the building elevation • Size, shape and location determined by facade grid analysis • Painted wall signs to be painted at least once every three years, or at the Council's discretion • Sign must not have an area greater than: <ul style="list-style-type: none"> 10% of the elevation, if the elevation is > 200m² 20m² if the elevation is greater than 100m² but < 200m² 20% for elevations of < 100m². <p>Otherwise prohibited.</p> <p>Advisory Note: Refer to 'Commercial Sign' for minor signs on walls.</p> |
| | |

| SIGN TYPE | DEFINITION & REQUIREMENTS |
|--|---|
| <p data-bbox="316 306 472 340">Window Sign</p>  | <p data-bbox="770 306 1452 371">A sign located on, or displayed in the window or glass entry doors of a building.</p> <p data-bbox="770 376 1046 409">Exempt development if:</p> <ul data-bbox="770 414 1452 712" style="list-style-type: none"> ▪ message relates to the use of the premises or its products or activities ▪ located on the <u>inside</u> of the window or glass door ▪ located at ground level, or above the awning on the first floor window only if it solely involves painted lettering on the glazed areas only ▪ at least 50% of the window or glass door area remains uncovered by advertising or any other obstruction ▪ not illuminated. <p data-bbox="770 745 1452 810">Otherwise Council approval is required, and will be based on a merit assessment in accordance with this DCP.</p> <p data-bbox="770 844 948 878">Advisory Note:</p> <p data-bbox="770 882 1452 947">No signs, including fly posters, can be posted on the outside of windows.</p> <p data-bbox="770 952 1452 1016">Office stationary materials such as coloured cardboard, office paper, and the like, with hand drawn messages are prohibited.</p> |

8.7.2 Design & Siting Requirements

8.7.2.1 All Advertising Signs

Objectives

- (a) To ensure the design and siting of proposed advertising signs compliments the character of an area and the site or building on which it is located, and does not impact adversely on the amenity or safety of the community.
- (b) To reduce the visual complexity of streetscapes by providing fewer, more effective signs.

Design Principles

Advertising signs:

- (a) do not dominate a building or its architectural features, and enhance any architectural details of a building;
- (b) are proportional to the size of the building or space to which it is attached;
- (c) do not lead to visual clutter through the proliferation of signs on a building or in adjacent areas; and
- (d) are compatible with the character of the area in which they are proposed.

Controls

In addition to the specific requirements detailed for each type of advertising sign in Section 8.7.2, the following controls need to be met.

8.7.2.1 (1) Zoning

The zoning requirements of the Hurstville LEP 1994 should be consulted to determine whether advertising is permissible. Additional information regarding the controls for advertising signs in the various zones are provided below.

Under the provisions of SEPP 64, if a property is located in the Foreshore Scenic Protection Area, only signs identified as 'exempt development' in this plan are permitted, regardless of land zoning.

Residential Zone

Advisory Note: Consideration must be given to any impact of the advertising sign on noise, visual amenity, or light spillage in residential areas.

Only advertising signs identified as 'exempt development' in the Hurstville LEP 1994 are permitted in the Residential Zone. Exempt development does not require Council approval. Please refer to section 8.7.1.3 to identify which advertising signs are exempt development. All other advertising signs are prohibited under the provisions of SEPP 64 – Advertising and Signage.

- (a) Signs are to be located wholly within the property, and can only indicate the purposes for which the land, building or work is used, unless existing use rights apply to the sign.

- (b) Signs are to be located unobtrusively, so as to appear an integrated part of the building or landscaping.

Business Zones

- (a) Advertising on or attached to buildings should align and relate to the architectural design lines on a building facade or, in the absence of architectural detail or decoration, relate to the design lines of adjacent buildings. This can be determined by using the Facade Grid Analysis Technique described below.
- (b) It should be noted that the Facade Grid Analysis Technique would be most appropriate for application in business centres such as Penshurst, Mortdale, and Forest Road, Hurstville, where traditional commercial buildings remain. Additionally, Council discourages advertising signs on a building facade that are displayed on or above first floor level.
- (c) The wording (or advertising content) on any sign should relate to the premises on which the sign is erected or the activities carried on or within the premises, except in the case of a Billboard Sign where it can be demonstrated that general advertising will have no detrimental impact on nearby residential areas or pedestrians, or cause a distraction to motorists.
- (d) Council will consider retractable awnings (incorporating advertising) that are attached to walls or fixed awnings to provide shade and other weather protection for shop fronts and seating areas.
- (e) Shop front windows should permit a view into the shop premises, including to the cash register from the street, for security reasons.

Light Industrial Zone

- (a) The total advertising area on each site is not to exceed 0.5m² per linear metre of road frontage for premises with a single road frontage and 0.25m² per linear metre for premises with two street frontages.
- (b) Buildings or sites having multiple occupants must be identified at the entrance by no more than two signs or directory boards within the front setback, identifying the names and activities of occupants. Signs for each occupant should be of a uniform size, shape and general presentation.
- (c) No sign is permitted to stand higher than the roof line of the building to which it is affixed.
- (d) The wording (or advertising content) on any sign should relate to the premises on which the sign is erected or the activities carried on or within the premises, except in the case of a Billboard Sign where it can be demonstrated that general advertising will have no detrimental impact on nearby residential areas or pedestrians, or cause a distraction to motorists.
- (e) Small shops, business premises and other similar uses located within this zone must also comply with the controls for the Business Zones.

Special Uses Zone

- (a) Signs must relate to the use of the building or site to which it is proposed to be erected or attached to. General advertising is not permitted.
- (b) The use of landscape features, landscaping and architectural features should be considered to ensure that signs blend with its surroundings and forms an integrated component of a site or building
- (c) The number of signs should be kept to a minimum, and where possible signs should be grouped together. Proliferation of advertising material is unacceptable.
- (d) Signs should be sufficient to identify the site and use of the land, including providing details of activities carried out, hours of operation or any other general information of interest to the general public.

Open Space Zones

Only advertising signs identified as 'exempt development' in the Hurstville LEP 1994 are permitted in the Open Space Zone. Exempt development does not require Council approval. All other advertising signs are prohibited under the provisions of SEPP 64 – Advertising and Signage.

- (a) Advertising signs must be low key in appearance through the use of appropriate shapes, colours and construction materials, and comply with Council's Visual Standards Guidelines.

8.7.2.1 (2) Context and Siting of Advertising Sign

- (a) The proposed advertising sign does not have any negative impacts on any views, vistas or skylines.
- (b) The proposed advertising sign is appropriate to the streetscape, setting or landscape, and not dominating in terms of its scale, proportion and form.
- (c) The size, height, shape and colour of the proposed advertising sign is compatible with the site and its locality, and any buildings on which the advertising is situated. Advertising signs should not be the dominant visual element on a building.
- (d) The cumulative impacts of multiple advertising signs in the vicinity, and the number of existing signs on the premises will be considered. Council may place limits on the maximum number of advertising signs allowed on any building or site.

8.7.2.1 (3) General Appearance, Content and Maintenance

- (a) Council discourages signs prone to deterioration and may request removal of redundant, unsafe, unsightly or objectionable signage.
- (b) Council may require provision for maintenance of signage and discourages signage on common boundaries where maintenance difficulties could occur.

8.7.2.1 (4) Traffic and Pedestrian Safety

- (a) The proposed advertising, whether illuminated or not, must not impact adversely on the safety for pedestrians, cyclists and on any public road.
- (b) Advertising signs must be securely fastened to the structure or building to which it is attached, and must comply with all relevant Australian Standards and Building Code of Australia requirements.
- (c) Free standing signboards must be located and designed so that they do not pose any safety risk to pedestrians or motorists.
- (d) Advertising signs must not be liable to interpretation as an official traffic sign or to be confused with instructions given by traffic signals or other devices, or block the view of traffic signals or signs.
- (e) Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to the Roads and Traffic Authority (RTA) for comment.

8.7.2.1 (5) Illumination and Electrical Wiring

- (a) The lighting intensity and hours of illumination must not unreasonably impact on any residential properties, adjoining or within the locality.
- (b) The lighting intensity of an advertising sign must be capable of modification or control after installation.
- (c) Illuminated advertising signs must minimise the spill effects or escape of light beyond the subject sign, and must not compromise safety for pedestrians, vehicles or aircraft.
- (d) Council may impose a curfew on sign illumination between 11pm to 6am the following day, or restrict illumination to hours of operation for late night trading premises, where it is considered that adjoining residential areas will be unreasonably impacted by the illuminated sign.
- (e) Illuminated advertising signs are generally inappropriate on sites fronting laneways, which serve as a buffer between residential, and business and retail areas.
- (f) Illuminated signs in residential zones will be considered on their merits, where it can be demonstrated that spillage of light into adjoining or nearby residential properties will be minimal.
- (g) Electrical wiring to illuminated signs or spotlights is to be concealed.

8.7.2.1 (6) Wording and Content

- (a) All advertising and signage must be displayed in English but may include a translation in another language. Any translated message must be accurate and complete, and using wording and/or numbering that is not larger than the English message.

- (b) Signs must be attractive and professionally signwritten.
- (c) Changes in the content or message of an advertising sign are allowed without the approval of Council provided that:
 - (i) the advertising sign structure is attached has been approved by Council;
 - (ii) the size and dimensions of the sign remain as approved, or are reduced;
 - (iii) there is no change to the intensity of, or hours of illumination;
 - (iv) moving or flashing messages or symbols are not proposed; and
 - (v) the message is not likely to cause distraction to motorists.
- (d) The name or logo of the person who owns or leases an advertisement or advertising structure must not be greater than 0.25m², and may appear only within the advertising display area.
- (e) Where a business or organisation offers a product or service, the name of the business or organisation should have greater dominance over the product or service advertising.
- (f) The wording and content of the advertising sign must not:
 - (i) offend nearby sensitive land uses (churches, schools, day care centres);
 - (ii) contain undesirable discriminatory advertising messages as specified in the Anti-Discrimination Act 1977;
 - (iii) encourage unlawful purchase, excessive consumption of alcohol; or
 - (iv) promote anti-social behaviour.

8.7.2.1 (7) Heritage Items

- (a) In all circumstances advertising signs on the site of a heritage item or draft heritage item under the Hurstville LEP 1994, or that is subject to an Interim Heritage Order under the Heritage Act 1977, or that is listed on the State Heritage Register under that Act, is permissible only with development consent. Advertising signs next to or in the vicinity of a heritage item should be designed and located in a manner which enhances and complements the item and streetscape, and does not dominate or detract from the heritage item.
- (b) Applications for such signage will be considered on the merit of each individual case.

8.7.2.1 (8) Signs on Parked Vehicles

Advertising signs on parked vehicles (cars, trucks, motorcycles, trailers etc.) are prohibited where the vehicle is unregistered or the principal purpose of the vehicle is for advertising purposes.

8.7.2.1 (9) Large Developments

Advertising signs to large commercial type developments and those that contain multiple tenancies should be the subject of a co-ordinated approach to the design and siting of signs. Only one directory board will generally be permitted for multiple occupancy buildings.

8.7.2.1 (10) New developments

For new buildings, the location, type and total number of advertising signs should be considered at the development application stage so that they can be integrated into the design of buildings. This information is to be included as part of any development application for a new building.

8.7.2.2 Facade Grid Analysis Technique

This DCP establishes a method by which applicants may determine the appropriate location of advertising signs on a building, and provides the framework within which applications for advertising signs will be assessed.

The technique to be used to determine the appropriate location and size of advertising signs on buildings is known as the **Facade Grid Analysis Technique**. The aim of this technique is to ensure that architectural details are not obscured and buildings not dominated by advertising signs. It provides the basis for the potential development of streetscape themes, and is an effective urban design tool for improving or reinforcing the amenity of a streetscape.

The technique was primarily tailored to traditional building facades, and therefore would be most appropriate for application in business centres such as Penshurst and Mortdale, where traditional commercial buildings remain. The principles of this technique can however also be applied to all building types, and to a series of buildings.

Advisory Note: Council discourages advertising signs on a building facade that are displayed on or above first floor level.

The method works as follows.

- (a) To identify advertising sign opportunities the building façade must be subdivided using the main design lines to form a series of panels. Building facades may easily be broken down into a grid based on the parapet, cornices, awnings, verandas, windows and door alignments. An example of this procedure is shown in Figure 2.

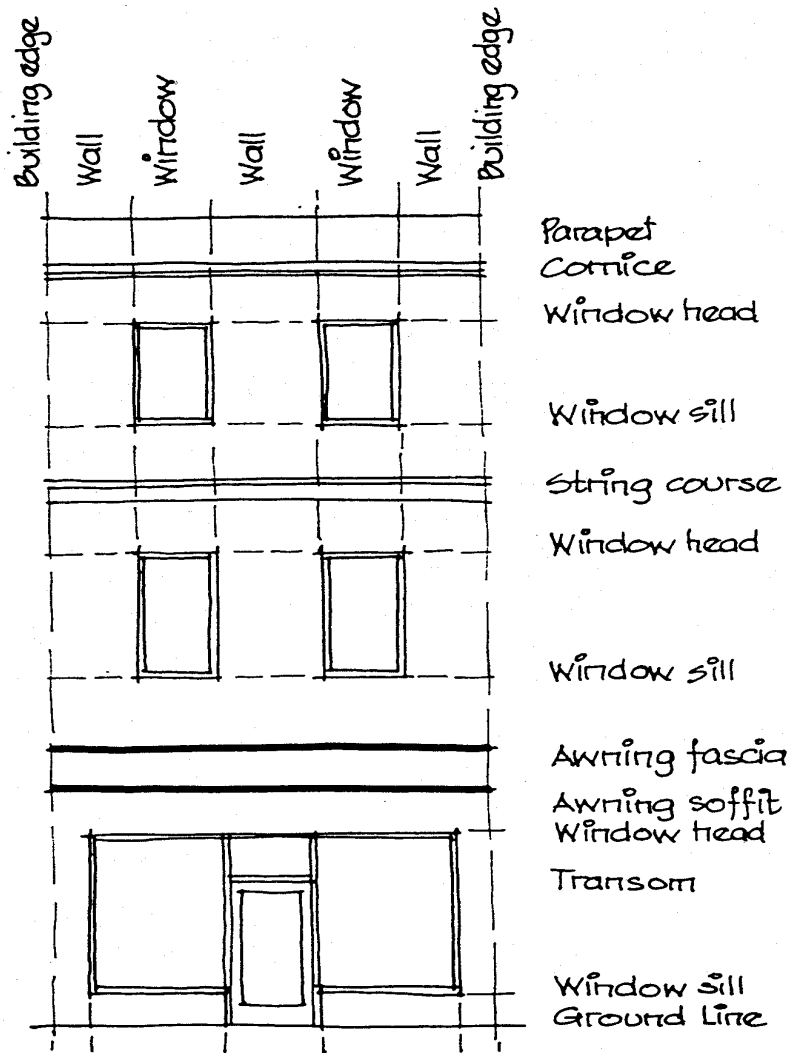


Figure 2: Establishing the Facade Grid

- (b) To identify possible sign panels the rectangles of the grid may be used separately or be joined together to form horizontal or vertical panels. Figure 3 shows examples of such panels.

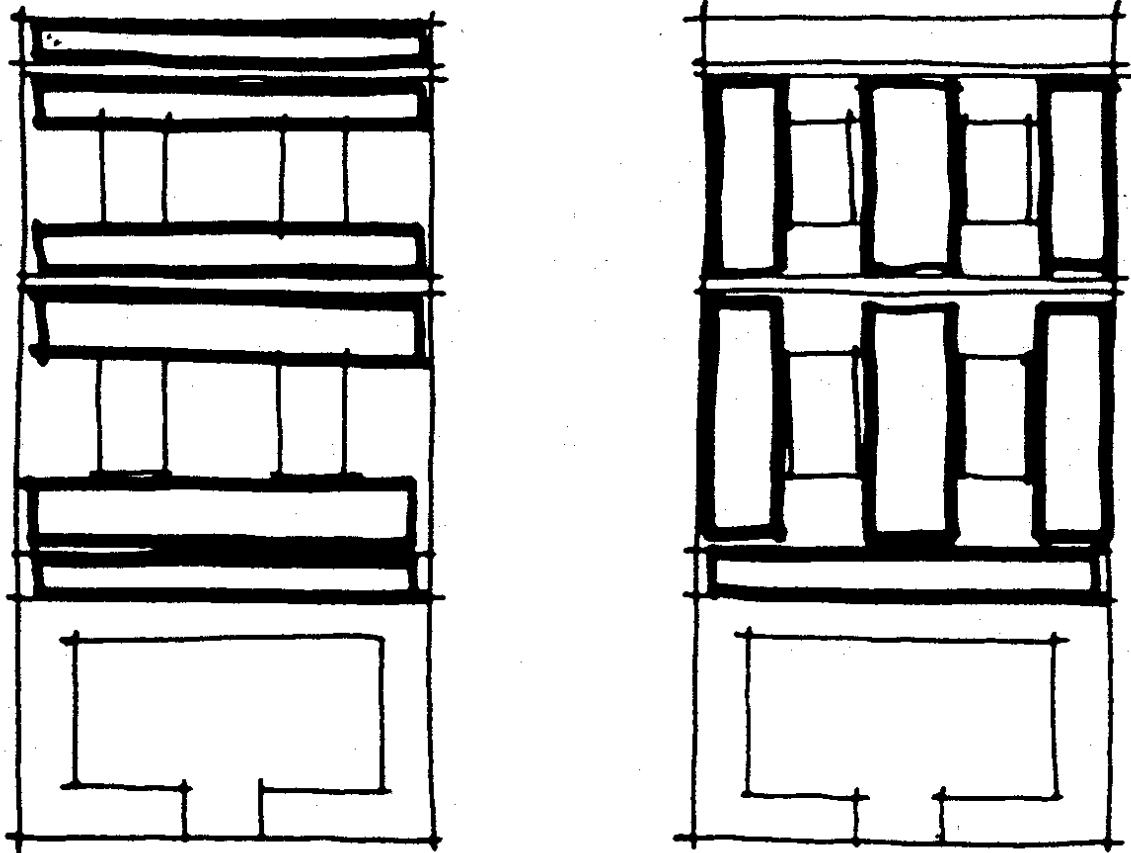


Figure 3: Horizontal or Vertical Panels

(not every panel identified should be used to display a sign)

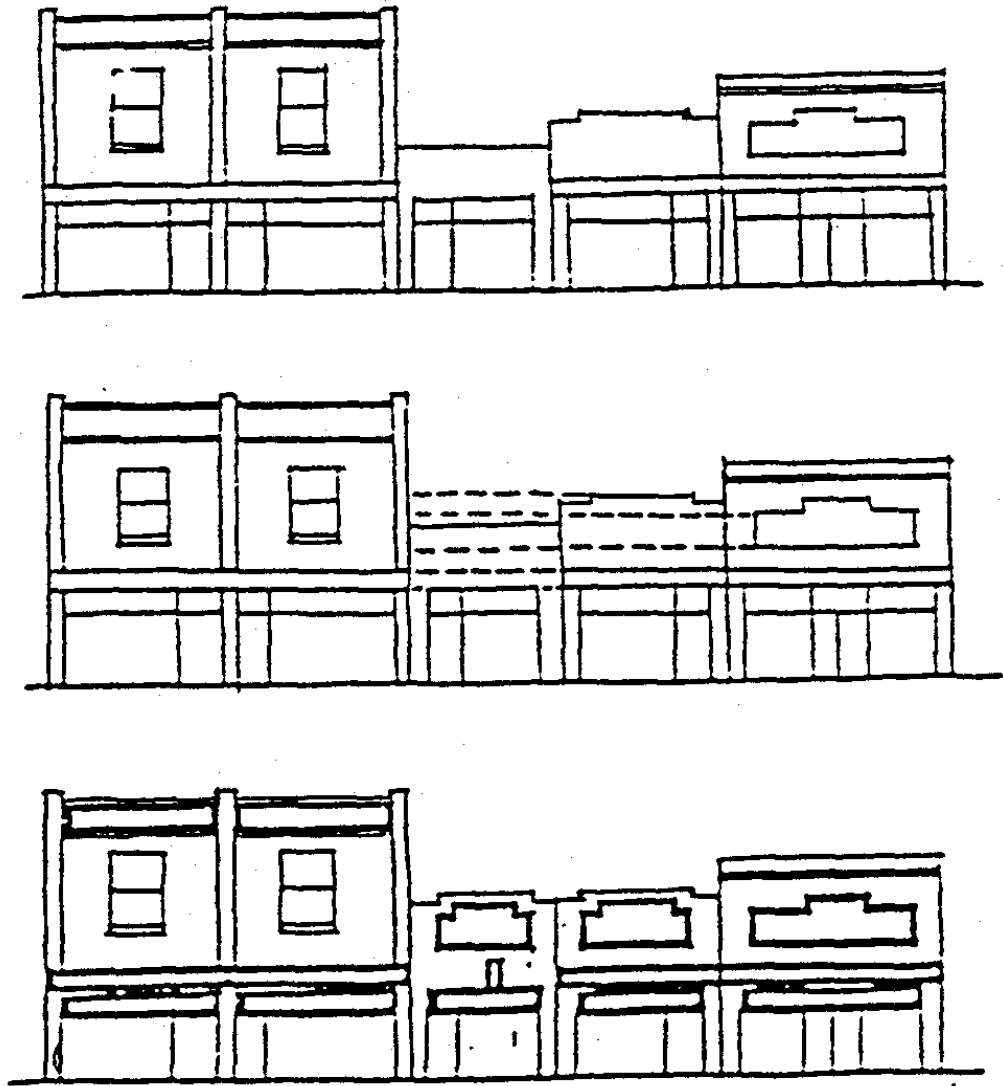
- (c) The scale of advertising signs should be compatible with the building they are on, as well as with nearby buildings, street widths and other existing signs. In most cases, appropriate dimensions are achieved by restricting signs to grid locations or panels. This ensures that the original architectural character (set the lines of awnings, windows and door openings, parapet lines and setbacks) remain dominant.
- (d) Not all panels identified should be utilised for advertising purposes, as this will lead to a proliferation of signs and conflict with the objectives of this DCP.
- (f) In deciding which panels are the most appropriate for advertising, the following matters should be considered:
 - (i) existing advertising;
 - (ii) the amenity of the streetscape; and
 - (iii) the guidelines, objectives and controls contained in this DCP.
- (g) Applying the technique to a series of buildings shows the possible panels for the streetscape and provides the basis for developing patterns and themes. Figure 4 shows how the technique produces a uniform and clean series of sign possibilities instead of a haphazard array.



Figure 4: Developing Patterns and Themes

- (h) (Figure 4 also shows that sign panels do not have to be rectilinear in design or contained in a perimeter margin unless these impose an architectural formality or introduce continuity with the surrounding area, which is presently lacking on a building.
- (i) Figure 5 shows how a variation of the technique can be used to help correct discontinuities in streetscape. The lines of adjacent buildings may be projected across the façade of the building, thereby defining horizontal panels in which signs may be located. This will achieve visual continuity with neighbouring buildings.

Figure 5: Encouraging Continuity in Streetscape



8.7.2.3 Advertising Opportunities from New Technologies

Objective

To provide sufficient flexibility in Council's controls to enable the assessment of advertising generated from new technologies.

Controls

- (a) Council will consider any proposal for an advertising sign generated by new technology on its merits.
- (b) Advertising signs involving animation, video screens and other forms of movement are generally inappropriate, where they are likely to adversely impact on residential areas or pedestrian amenity or safety, or are likely to distract motorists.
- (c) Advertising signs that cover glass facades, including the use of coloured films and the like, must comply with the controls relating to window signs.
- (d) Electronic message boards will be considered in business and industrial zones where they provide a net benefit to the community, or are directly associated with a community use or building.

8.8 Swimming Pools & Spas

8.8.1 General Information

This section supplements the statutory controls contained in Hurstville LEP 1994, the Swimming Pools Act 1992, and AS 1926 – Swimming Pool Safety. Where there is any inconsistency, the provisions of the Swimming Pools Act 1992 and its Regulation, and AS 1926 – Swimming Pool Safety will take precedence over the DCP Provisions:

8.8.1.1 Aims

The primary aims of this section are to:

- (a) Ensure that all swimming pools and spas meet the safety, health and location and noise requirements of the Swimming Pools Act 1992 and Swimming Pool Regulations, 1998.
- (b) Ensure all swimming pools do not adversely affect the amenity of the locality by their location, visual appearance, size or operation.
- (c) Ensure the public safety of children is private swimming pools, and
- (d) Maintain, where possible, existing trees that are subject to Council's tree Preservation Order.

8.8.2 Pool Siting and Noise Control

Objective

Ensure swimming pools do not adversely affect the amenity of the locality.

Design Principle

Swimming pools are located such that cut and fill is minimised and the visual impact on the surrounding area is reduced.

Design Solutions and Controls

8.8.2.1 Pool Siting

- (a) In-ground swimming pools shall be built so that the top of the swimming pool is as close to the existing ground level as possible. On sloping sites this will often mean excavation of the site on the high side to obtain the minimum out of ground exposure of the swimming pool at the low side.
- (b) Provided one point on the swimming pool or one side of the swimming pool is at or below existing ground level, then one other point or one other side may be up to 500 mm above existing ground level.

- (c) When consent is granted for a swimming pool having a height above natural ground level in excess of 500 mm, any landscaping treatment must be completed before the swimming pool is filled with water.
- (d) On steeply sloping sites, Council may consider allowing the top of the swimming pool at one point or along one side to extend up to 1000 mm above natural ground level, provided that the exposed face of the swimming pool wall is treated to minimise impact. The materials and design of the retaining wall should be integrated with, and compliment, the style of the swimming pool.
- (e) Filling is not permitted between the swimming pool and the property boundary.
- (f) The drainage of spill water from a swimming pool shall be designed so that it does not affect the natural environment of the subject site or adjoining properties.
- (g) Swimming pools are to be constructed so that the top of the bond beam is as close to ground level as possible.
- (h) Spas and swimming pools proposed to be constructed between the dwelling and the street will be considered by Council if the amenity of the area is not adversely impacted and the other requirements in this DCP are met.
- (i) Swimming pools are permitted on land affected by a foreshore building line subject to their design complementing the surrounding area and minimising visual impact from waterways.
- (j) The swimming pool edge must be at least 1.5 metres from side and rear property boundaries and a minimum of 1 metre from swimming pool fencing.

8.8.2.2 Noise Control & Nuisances

- (a) The position of the swimming pool in relation to neighbours and other residents must be considered to reduce noise associated with activities carried out in the swimming pool or from associated the swimming pool equipment, such as cleaning equipment.
- (b) Council may require mechanical equipment to be suitable acoustically treated so that noise to adjoining properties is reduced.
- (c) The construction, location and use of the swimming pool is to be such that no nuisance is caused to any neighbouring residents by reason of noise, drainage, illumination or for any other reason.

8.8.2.3 Heated Swimming Pools

Heated swimming pools must utilise energy for heating from renewable energy sources, such as solar heating, heat pumps and gas heating. Swimming pool covers should be used when the swimming pool is not in use.

8.8.2.4 Blow-up/Moveable Swimming Pools

A development application is required for all swimming pools and spas (whether temporary or otherwise) which have a depth greater than 300mm. Pools and Spas also require fencing where required by the Swimming Pools Act.

Council encourages property owners to consider neighbouring properties when using a temporary pool for issues relating to noise and privacy. Owners should have regard for pool safety and ensure supervision of children at all times. Please refer to Appendix 2 which contains additional information for pool owners.

8.8.3 Access to Swimming Pools

Objective

To ensure all swimming pools meet the safety, health, location and noise requirements of relevant legislation.

Design Principle

All swimming pools are to have safe and adequate access in accordance with legislative requirements.

Design Solutions and Controls

Safety and security measures for swimming pools must comply with Part 2 of the *Swimming Pools Act, 1992*, and AS 1926 – Swimming Pool Safety, including signage, access and fencing.

8.8.3.1 General

- (a) The child-resistant barrier must be maintained in a good state of repair to ensure it operates as an effective and safe barrier.
- (b) All doors and gates providing access to the swimming pool must be kept securely closed at all times when not in use.
- (c) A Resuscitation Notice must be clearly visible in the swimming pool area. The notice can be purchased from Council.
- (d) A spa pool is not required to be surrounded by a child-resistant barrier if access to the water in the spa pool is covered or secured by a child-safe structure (such as a door, lid, grille or mesh) that is fastened to the spa pool by a child-resistant device.

8.8.3.2 Dwelling Houses

- (a) All swimming pools must be surrounded by a child-resistant barrier that:
 - (i) separates the swimming pool from any residential building on the premises and from any place (whether public or private) adjoining the premises, and

- (ii) is designed, constructed, installed and maintained in accordance with the controls in Sections 8.8.3 and 8.8.4.
- (b)
 - (i) Existing swimming pools,
 - (ii) New swimming pools on a property being less than 230m²,
 - (iii) Existing and new swimming pools on properties with an area greater than 2 hectares,
 - (iv) New and existing swimming pools on waterfront properties,
 - (v) are not required to have the child-resistant barrier separating the swimming pool from any residential building on the premises so long as there is 'restricted access' to the swimming pool from the building.

8.8.3.3 Moveable Dwellings, Hotels and Motels

- (a) All swimming pools must be surrounded by a child-resistant barrier that:
 - (i) separates the swimming pool from any moveable dwelling, hotel or motel and from any place (public or private) adjoining the premises, and
 - (ii) is located immediately around the swimming pool, and
 - (iii) contains within its bounds no structure apart from the swimming pool and such other structures (such as diving boards and swimming pool filtration plants) ancillary to the swimming pool, and
 - (iv) is designed, constructed, installed and maintained in accordance with the controls in Sections 8.8.3 and 8.8.4.
- (b) Existing swimming pools:
 - (i) do not require a child-resistant barrier to be located immediately around the swimming pool, and
 - (ii) may contain within its bounds structures of the kind referred to in Section 8.8.2.3 (a) (iii).

8.8.3.4 Indoor Swimming Pools

Access to indoor swimming pools must at all times be by 'restricted access'.

8.8.3.5 Above Ground Swimming Pools

The walls of above ground swimming pools shall be an effective barrier if they higher than 1.2m and comply with Section 8.8.4.1.

8.8.4 Location of Fences and Gates

Objective

To provide safe and controlled access.

Design Principle

Fences and gates are located appropriately in relation to the swimming pool and surrounding buildings.

Design Solutions and Controls

8.8.4.1 Outdoor and Indoor Swimming Pools

The location of fencing for private swimming pools must comply with one of the following options:

Option A

- (a) No direct access to the swimming pool area from the building; and
- (b) Where the wall of a building forms part of the fencing of the swimming pool, it shall not be possible to gain access to the swimming pool area from the building (see example 3); and
- (c) Windows shall only be permitted in the wall of a building which forms part of the fencing of the swimming pool, where the height from the sill of the lowest opening panel of the window to the swimming pool surround is greater than 2.4 metres.

Option B

- (a) No direct access from the building to the swimming pool area; and
- (b) Where the wall of a building forms part of the fencing, a child-resistant openable portion of a window which complies with AS1926.1 is permitted.

Option C

- (a) Access from the building to the swimming pool area is permitted; and
- (b) Where the wall of a building forms part of the fencing, child-resistant doorsets and child-resistant openable portions of windows which comply with AS1926.1 are permitted.

See over for diagrams of these options.

8.8.4.2 Access to Swimming Pools for Moveable Dwellings, Hotels and Motels

Access is required to be restricted by a child safe regulation fence.

8.8.4.3 Spa Pool

A spa pool is not required to be surrounded by a child resistant isolated fence providing access is restricted to the spa by either being covered or secured by a child safe structure (door, lid, grille or mesh etc) that is fastened to the spa pool by a child resistant device.

Refer to Australian Standard 1926.1 for diagrams of options for fence location.

8.8.5 Design and Construction

Objective

To ensure swimming pools are appropriately fenced.

Design Principle

Fencing is designed and constructed to be an effective barrier to young children.

Design Solutions and Controls

8.8.5.1 Fencing

- (a) The effective fencing height shall be not less than 1.2 metres at any point along the fence length, on the outside of the fencing. Refer to Australian Standard 1926.1 for diagrams for effective fence height.
- (b) The fencing shall be free of sharp edges, sharp projections and similar hazards.
- (c) The height of any opening between the bottom of the fencing and the finished ground level shall not exceed 100 mm.
- (d) Horizontal rails (horizontal members) shall not be less than 900 mm apart.
- (e) The top surface of the highest lower rail shall be at least 1.1m below the top of the fence.
- (f) The clear space between any adjacent vertical rails such as palings, rods or wires, shall not exceed 100 mm at any point.
- (g) Refer to Australian Standard 1926.1 for diagrams showing spacing of accessible horizontal members, or projections or indentations.

8.8.5.2 Sloping Sites

Fences on sloping sites need special consideration. The maximum height for this type of fencing is 2 metres unless otherwise approved by Council. Refer to Australian Standard 1926.1 for diagram of perpendicular fencing dimensions on sloping ground.

8.8.5.3 Minimum Construction Using Gates

- (a) Gates must only swing outwards away from the swimming pool area.

- (b) All gates shall be fitted with a device that will return the gate to the closed position and operate the latching device from any position with a stationary start without the application of manual force.

8.8.5.4 Outside Surface

Projections from or indentations into the outside surface of the fencing, or any combination of projections and indentations:

- (i) must have a depth less than 10 mm, or spaced greater than 900 mm apart, and
(ii) the lower projections or indentations must be at least 1.1m below the top of the fence or gate. Refer to Australian Standard 1926.1 for diagram showing fence with horizontal members, projections or indentations not acting as a hold for climbing.

8.8.5.5 Perforated Fencing

- (a) Perforated material or mesh fencing, with apertures between 13 mm and 100 mm shall comply with one of the following:
- (i) the effective height shall not be less than 2.4 metres; and
(ii) the vertical section shall have an effective fencing height of not less than 1.8 metres, where a cranked top is provided as shown in figure 8. The cranked top shall have apertures less than 100 mm.
- (b) Mesh fencing shall include a strainer wire or rail at the top and the bottom of the fencing. Refer to Australian Standard 1926.1 for diagram showing a cranked chain wire or mesh fencing materials.

8.8.5.6 Latching Device

- (a) Gates shall be fitted with a self latching device that will automatically operate on the closing of the gate and will prevent the gate from being re-opened without being manually released.
- (b) Where the latching device or latch itself is located at a height less than 1.5 metres above finished ground level, the location of the device and its release is to be:
- (i) On the inner face of the fence or gate; and
(ii) Shielded by a circular area with a radius of 450 mm from the operating parts of the latch; and
(iii) In such a position that to release the latch from the outside, it will be necessary to reach over or through the fence at a height greater than 1.2 metres; and
(iv) At least 150 mm below the top of fencing where a hand hold is not provided or 150 mm away from the edge of any hand hole opening if provided. Where a hand hole in a fence or gate is necessary, the bottom of the opening shall be at least 1.2 metres above finished ground level and the shielding shall be extended up to a line through the top of the hand hole or 150 mm above the top of the latch, whichever is the higher.
- (c) Refer to Australian Standard 1926.1 for diagrams relating to latch shielding for gates of open construction.

8.8.5.7 Retaining Walls as part of Barrier

- (a) A retaining wall or other such barrier on the high side of the swimming pool shall be an effective barrier if:
- (i) it has an effective height of not less than 2.4 metres and an outside surface complying with section 2.4; and
 - (ii) it does not slope away from the swimming pool by more than 15°.
- (b) A retaining wall or other such barrier on the low side of the swimming pool shall be an effective barrier if it does not slope towards the swimming pool by more than 15° and complies with either of the following:
- (i) it has an effective height of not less than 1.2 metres and an outside surface complying with 8.8.5.4.; and
 - (ii) it has an effective height of not less than 2.4 metres if the outside surface does not comply with 8.8.5.4..

Refer to Australian Standard 1926.1 for diagram illustrating retaining wall or other such barrier.

8.8.5.8 Window as Barrier

The openable portion of the window shall be totally covered by bars or a mesh screen which complies with the test for strength and rigidity of fence opening and the strength test for fence components in accordance with AS 1926.1 (Refer to Australian Standard 1926.1 for diagram relating to height limitations or child resistant windows. The bars or screen shall be fixed to the building with fasteners that can only be removed by the use of a tool e.g. a key, screwdriver or spanner.

8.8.5.9 Balconies

Where a balcony projects into a swimming pool area and where the distance from the floor of the balcony to the swimming pool surround is less than 2.4 metres, and where windows and doors to the balcony do not comply with AS1926.1, the balcony shall include a balustrade which complies with the requirements for a fence in section 8.8.4.

Refer to Australian Standard 1926.1 for diagram relating to balcony projecting into swimming pool area.

8.8.6 Landscaping

Objective

- (a) To retain existing trees.
- (b) To ensure swimming pool areas are landscaped in accordance with Council's Landscaping Guidelines.

Design Principle

Landscaping enhances and is integrated with the design of the swimming pool.

Design Solutions and Controls

- (a) Tree and shrub planting is to be provided along the adjoining property boundary lines to achieve a reasonable level of privacy. Refer to Appendix 1 for recommended species to use.
- (b) Paved and other impervious areas are to be minimised and designed to provide stormwater and swimming pool overflow infiltration.
- (c) Swimming pools are to be designed to ensure the retention of existing trees.
- (d) Where a swimming pool is located close to an existing tree, elevated decks are preferred as the swimming pool coping to ensure minimal root damage.
- (e) Swimming pool water discharges must not in any circumstances be directed through bushland areas located on private or public land.
- (f) Council does not approve trees to be removed based upon leaf drop or lack of solar access to a swimming pool.

Note: Landscaped area means that part of a site area which is not occupied by any building and can include swimming pools, recreation areas, lawns, gardens or the like, but does not include driveways or parking areas.

This is a statutory definition contained in the *Hurstville Local Environmental Plan 1994* and must be complied with.

8.8.7 Complying Development

Objective

To reduce development assessment time for common development application types.

Design Principle

Relatively simple types of development are subject to defined standards or requirements and do not involve merit assessment.

Design Solutions and Controls

Swimming pools and spas are complying development in certain circumstances (Refer to section 2.1)

8.9 Radiocommunications & Telecommunications

8.9.1 How this Chapter of the DCP Relates to Other Plans/Legislation

8.9.1.1 Commonwealth Legislation

(a) Telecommunications Act 1997 (Commonwealth)

The *Telecommunications Act 1997* establishes a regime for Carriers' rights and responsibilities when inspecting, maintaining or installing telecommunications facilities.

This DCP clarifies the expectations of Hurstville City Council on carriers who operate under the Act.

(b) Radiocommunications Act 1992 (Commonwealth)

The *Radiocommunications Act 1992* regulates radiocommunications transmitters. It provides for the licensing of radiocommunications equipment and applies mandatory standards to its use.

This DCP clarifies the expectations of Hurstville City Council on carriers who operate under the Act.

(c) Telecommunications Code of Practice 1997

The *Telecommunications Code of Practice 1997* establishes obligations on carriers in land-access situations such as when inspecting land, installing low-impact facilities and maintaining facilities. It also requires carriers to comply with recognised industry codes and standards.

This DCP clarifies and standardises the expectations of Hurstville City Council in respect to land-access situations.

(d) Telecommunications (low-impact facilities) Determination 1997

The *Telecommunications (Low-impact) Facilities Determination 1997* exempts telecommunications infrastructure classified as "low impact" from compliance with state and local government regulations. This classification relates primarily to visual appearance and size, rather than emissions.

This DCP applies to both low impact and not-low-impact facilities. While the DCP does not have the authority to override the LIF Determination, it nevertheless provides advice to carriers about the expectations of Council and requests their voluntary co-operation.

(e) Code for the Deployment of Radiocommunications Infrastructure (ACIF, 2002)

This **Code (Appendix 27)** derives its authority from the *Telecommunications Act 1997* and applies only to telecommunications carriers and their infrastructure. It does not apply to other broadcasters, councils or other agencies.

It requires carriers to apply a precautionary approach to site selection and the design and operation of infrastructure; to consult with councils and communities regarding siting; to provide information to the public and to implement a complaints handling procedure. It applies to both low impact and not-low-impact facilities.

This DCP broadens the scope of the ACIF Code by applying consistently not only to carriers and their agents, but also to builders and operators of all EMR-emitting infrastructure, including those operating under the Radiocommunications Act 1992.

8.9.1.2 New South Wales legislation

(a) Environmental Planning and Assessment Act 1979

To meet Council's obligations to achieve environmental, economic and social sustainability.

(b) Local Government Act 1993

This DCP assists Council to fulfil its obligations under the *Local Government Act 1993* by having regard to the principles of ecologically sustainable development, including application of the precautionary principle.

(c) Department of Planning Draft Telecommunications Guidelines

The Department of Planning, Infrastructure and Natural Resources has introduced guidelines for councils in respect to telecommunications infrastructure. The purpose of these guidelines is to provide advice on appropriate and consistent planning controls for telecommunications facilities across the state. The guidelines also seek to promote an approach that provides for better information, education and communication.

This DCP employs the principles of good urban design outlined by the NSW Government.

8.9.1.3 Hurstville City Council legislation and policy

This DCP should be read in conjunction with the Hurstville *Local Environmental Plan 1994*.

8.9.1.4 Relevant Standards

Facilities are required under this DCP to comply with relevant Australian standards.

8.9.2. Objectives

The objectives of this plan are to:

8.9.2.1 Social

- Apply a precautionary approach to the deployment of radiocommunications and telecommunications infrastructure;
- minimise EMR exposure to the public;
- avoid community sensitive locations;

- ensure that the general public and local communities have access to telecommunications technology;
- achieve equity for the various stakeholders by endeavouring to balance their various needs;
- enable members of the public to adequately identify infrastructure and the agencies responsible for them; and
- provide mechanisms by which information can be disseminated to ensure that the community is adequately informed and empowered to participate in the planning/decision-making process.

8.9.2.2 Environmental

- Help implement principles of urban design in respect to telecommunications and radiocommunications infrastructure;
- promote good industrial design of infrastructure;
- provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons;
- minimise adverse impacts on the natural environment;
- assess whether the proposed infrastructure is consistent with the amenity of the area; and
- restore the site after discontinuation or removal of infrastructure.

8.9.2.3 Economic

- Identify the type of land use areas suitable for infrastructure in the Hurstville local government area;
- accommodate the planning requirements of new technology;
- provide equitable availability of locations to carriers;
- assess whether the proposed infrastructure is consistent with permitted development in adjacent areas;
- ensure reasonable access to telecommunications technology; and
- provide certainty for stakeholders and a consistent approach to the implementation/assessment of telecommunications infrastructure.

8.9.2.4 Administrative

- Ensure that Council obtains information about existing and proposed infrastructure to assist with strategic planning; and
- ensure that there is no financial cost to Council.

8.9.3 Design Controls

8.9.3.1 Visual Amenity

Carriers are to 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.

Within the local context, the infrastructure design must take account of:

- colour;
- texture;
- form;

- bulk and scale.

Infrastructure must:

- be well-designed;
- be integrated with the existing building structure unless otherwise justified in writing to Council;
- have concealed cables where practical and appropriate;
- be unobtrusive where possible, and
- be consistent with the character of the surrounding area.

Infrastructure must be removed when no longer being used.

The site must be restored following construction of the infrastructure.

Note: 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

8.9.3.2 Co-location

- Co-location is the practice of locating a number of different telecommunication facilities, often owned by different carriers, on one facility or structure.
- Co-location may not always be a desirable option where:
 - cumulative emissions are a consideration;
 - it may be visually unacceptable;
 - there are physical and technical limits to the amount of infrastructure that structures are able to support, or
 - the required coverage cannot be achieved from the location.
- Carriers should demonstrate a precautionary approach and effective measures to minimise the negative impacts of co-location.

8.9.3.3 Location

The applicant 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.

Preferred land uses (as determined by Hurstville City Council) include:

- industrial areas;
- commercial centres.

The applicant should demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas:

- Where occupants are located for long periods of time (e.g. residences);
- that are frequented by children (e.g. schools, child care centres), and
- where there are people with particular health problems (e.g. hospitals, aged care facilities).

Further information can be found in the ACIF Code at Appendix 2.

8.9.3.4 Heritage and Environment

Infrastructure proposed for areas of environmental significance (as defined in LIF Determination) require:

- development consent under the LIF Determination and Council's LEP;
- the applicant to have regard to avoiding or minimising the visual impact of any proposed facility on the heritage significance of adjacent/adjoining/surrounding heritage items;
- the applicant is to provide a heritage impact statement in accordance with *Hurstville Local Environmental Plan 1994*, and
- the applicant to have regard to avoiding or minimising the physical impact of any proposed facility on endemic flora and fauna.
- that if the carrier is required to notify the Environment Secretary of Environment Australia in accordance with s4.18(4) of the Telecommunications Code of Practice 1997, than Council should be forwarded a copy of this document along with any supporting studies accompanying this notification.

8.9.3.5 Facility physical design controls

Infrastructure must be of high quality design and construction.

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.

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(ies) owner/manager.

The minimum requisites that shall 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 must provide Council with certification about the standards with which the facility will comply.

8.9.3.6 Facility health controls

- The applicant is to demonstrate the precautions it has taken to minimise EMR exposures to the public.
- The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA.
- The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal (as per Appendix2 – Development Application Requirements).

8.10 Satellite Dishes

Please refer to Council's Satellite Dish Policy (Appendix 3).

8.11 Private Tennis Courts

Please refer to Council's Policy for the erection of Private Tennis Courts (Appendix 3).

8.12 Amusement Centres

This section applies to the establishment of Amusement Centres within the area of Hurstville City Council.

8.12.1 General Information

This increasing popularity and pressure for the establishment of amusements centre has brought about the need for Council to establish controls for the location, design and operation of such centres.

8.12.2 Objectives

- To ensure the orderly development and location of amusement centre
- To ensure the proper managements and operation of amusement centres
- To ensure that the amusement centres and the activities associated with them have the minimum adverse effect on the neighbourhood or surrounding area.
- To advise all interested parties of Council's controls for the establishment and operation of amusement centres.

8.12.3 Applications, Licensing and Fees

8.12.3.1 Development Applications

Information required with the development application shall include:

- (a) A locality sketch showing approximate distances to schools, churches, hotels, wine bars and the like.
- (b) Accurate floor plan and layout showing:
 - (i) Number and type of amusement machines
 - (ii) Layout of amusement machines
 - (iii) Toilet facilities and access thereto
 - (iv) Any portioned area and their proposed use
 - (v) Seating arrangements
 - (vi) Any additional ancillary uses
 - (vii) Entrances and exits.
- (c) Elevations of the façade of the building it is to be altered.
- (d) Daily hours of operations
- (e) Car parking layout
- (f) A detailed written submission including a Management Plan of the amusement centre and its patrons.

Development consent shall be limited to a period of twelve months to enable Council to consider any adverse effect on the adjoining neighbourhood. On expiration of the twelve months a new development application must be submitted to Council for consideration.

8.12.3.2 Licenses

All amusement centres shall be licence annually in accordance with section 68 of the Local Government Act 1993. The operator of the amusement centre shall make applications for a licence on the prescribed form to Council. Council will consider the operation of the amusement centre over the previous twelve months prior to the issue of further licences. Each amusement machines within an amusement centre shall be licensed

8.12.4 Other Relevant Policies and Codes

8.12.4.1 Design, Location and Operational Requirements

Location:

In accordance with Hurstville City Council Local Environmental Plan 1994, all amusement centres must be located within Zone 4(Light Industrial Zone). Amusement Centres are prohibited under all other zones with Hurstville City Council Local Environmental Plan 1994. The applicant will need to address Clause 16 of the Hurstville City Council Local Environmental Plan 1994 as follows:

Development in Industrial Zones:

- (1) *The Council may grant consent to the carrying out of development on land within Zone No. 4 for the purpose of shops (other than bulky goods salesrooms or showrooms) or for commercial purposes only where it is satisfied that :*
 - (a) *Where the proposed development may otherwise have been carried out within a business centre in the locality, suitable land for the development is not available in that business centre*
 - (b) *The proposed development is of a type appropriate to an industrial zone or to the general character of existing structures or uses within the industrial zones.*

Consideration will be given to the suitability of the location of the proposal in respect to:

- (a) Proximity of schools, churches, hotels, sex services premises, etc
- (b) Nature of abutting businesses or properties and the possibility of any adverse effect upon them
- (c) Security of the neighbourhood (refer to section 6.4 – Crime Prevention)

Note: Centres located on the first floor shall incorporate disabled access and a fire management plan in accordance with the Building Code of Australia. (Refer to clause 3 – Access and Mobility).

8.12.4.2 Design – Safety/Security, Amenities, Disabled Access

- (a) Lighting

Activities area and ancillary facilities shall be illuminated to an intensity that permits the entire are to be visible form any point including the street frontage.

(b) Layout

The building design and proposed payout of amusement machines and facilities must be of an open nature without any visually restrictive areas. Unobstructed access to exits by patrons should be available at all times.

(c) Noise

No noise in excess of 5dB above background noise shall be permitted to emanate from the premises.

(d) Ventilation

The building shall be adequately ventilated by natural or artificial means.

(e) Compliance with the Building Code of Australia

8.12.4.3 Machine Numbers

The number of amusement machines permitted shall not exceed the following:

- One (1) machine per four (4) square metres of public floor area

8.12.4.4 Management

- Provision of a Management Plan which incorporates hours of operation, no. of employees, noise, safety and security features i.e surveillance, lighting (external), signage, disabled access, any smoking areas and litter, alcohol, crime potential, maintenance policy, emergency control and evacuation plan, control of unsocial conduct, dealing with illegal activities upon the site, management of waste, complaints handling, liaison i.e. NSW Police etc.
- The proprietor of his nominee will be required to be on the premises at all times and shall have effective control over all activities within the premises.
- No gambling shall be permitted and no monetary prize shall be offered as a reward for skill in playing any machine
- No intoxicating liquor or any drugs shall be brought onto the premises and no person under the influence of intoxicating liquor or drugs shall be permitted to remain on the premises.
- No persons under the age of eighteen (18) years shall be permitted to enter or remain on the subject premises except:
 - At an hour or on a day when primary or secondary schools are not open, or
 - Where the person submits satisfactory evidence that he or she is either
 - Not enrolled as a student at any primary or secondary school, or
 - If he or she is enrolled, is absent from school with the approval of the school.

8.12.4.5 Car Parking and Off Street Loading

Refer to Section 6.1 Car Parking

8.12.4.6 Hours of Operation

The operational hours, dependent upon the amenity of the area, shall be regulated so that no interference occurs to schools or the neighbourhood. The establishment may be required to close prior to the closing of hotels, wine bars or bistros in the area. (Refer to Section 8.1 – extended trading hours)