

# Development Control Plan 2015

Volume 5 – Commercial and Community Uses



**Wollondilly**  
Shire Council

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## PART 1 – PRELIMINARY

### 1.1 Introduction

This Volume provides controls for development for the purposes of commercial, community and other related land uses and any development ancillary to those uses and forms part of the Wollondilly Development Control Plan 2011.

### 1.2 Objective

The object of this volume is to ensure commercial and community development achieves the aims of Wollondilly Local Environmental Plan, 2011 by promoting economic activity and local job creation while ensuring developments achieve excellent planning outcomes.

### 1.3 Parts of this volume

The requirements contained within Part 2 apply to all development to which this plan applies.

Part 3 applies to the following specific land uses:

Land Use	Clause
Amusement centres	4.1
Bulky goods premises	4.2
Child care centres	4.3
Community facilities	4.4
Educational establishments	4.10
Entertainment Facilities	4.4
Function centres	4.4
Funeral chapels	4.12
Funeral homes	4.12
Health services facilities	4.11
Home occupation (Sex Services)	4.9
Home-based child care	4.5
Landscape and garden supplies	4.6
Place of public worship	4.4
Registered clubs	4.4
Restricted premises	4.7
Service stations	4.8
Sex service premises	4.9
Timber and building supplies	4.6

Part 4 applies to the following specific locations:

- Appin
- Bargo
- Belimba Park
- Picton
- Silverdale
- Tahmoor
- The Oaks
- Thirlmere
- Warragamba

## Part 2 – General Requirements for all Commercial and Community uses

### 2.1 Sustainability

#### Objectives

1. To ensure the application of Ecologically Sustainable Development (ESD) principles at all stages of development including demolition, construction and ongoing use over time.

#### Controls

1. Timber sourced from old growth forests may not be used in development subject to this volume.
2. Impacts to groundwater must be minimised by:
  - a) Ensuring no contaminated runoff enters the groundwater system; and
  - b) Retaining and protecting significant stands of native vegetation; and
  - c) Minimising cut and fill; and
  - d) Maximising landscaped areas that are deep soil and are hydraulically connected to the natural soil and groundwater system.
3. All development resulting in more than 200 square metres of new GFA must provide rainwater collection tank(s) to collect rainfall and runoff from roof areas. The minimum volume of the tank(s) shall be 1,000 litres per 100m<sup>2</sup> (rounded down to the nearest 100m<sup>2</sup>) of new GFA. Such tank(s) must have their overflows connected to a point for suitable integration with the natural or constructed stormwater drainage system.
4. Water from rainwater collection tank(s) must be used for at least one of the following:
  - a) Irrigation and maintenance of landscaped areas;
  - b) Cleaning and maintenance of built development;
  - c) Toilet flushing;
  - d) Laundry purposes; or
  - e) Car washing.
5. All plumbing fittings connected to potable water supply must be Triple A or higher rated devices.
6. Connection to recycled water is required if serviced by a dual reticulation system. Such water shall be used for all of the purposes listed above at control 4. The requirement to provide water tank(s) shall be waived if the development is connected to a recycled water system.
7. Commercial developments where the project costs are more than \$500,000 and that result in more than 100m<sup>2</sup> of new GFA must install a photovoltaic system to complement consumption of electricity from the grid system. The capacity of the system must be no less than 5kW per 100m<sup>2</sup> of new GFA. Details of the system shall be provided to the consent authority prior to the granting of any development consent.

### 2.2 Setbacks

#### Objectives

1. To establish a desired relationship between the street and footpath, public spaces, private spaces and buildings,
2. To create and maintain a streetscape character appropriate for towns and villages, and
3. To provide continuity in the streetscape.

### Controls

- The following setbacks apply for development under this volume:

Zone	Front Setback (m)	Side Setback (m)	Rear Setback (m)
B1	0	0	0
B2	0	0	0
B4	0	0	0
R2	Consistent with surrounding development	0.9	Consistent with surrounding development
R3	Consistent with surrounding development	0.9	Consistent with surrounding development
R5	Consistent with surrounding development	0.9	Consistent with surrounding development
IN2	Consistent with surrounding development	0.9	Consistent with surrounding development
IN3	Consistent with surrounding development	0.9	Consistent with surrounding development
RE1	0	0	0
RE2	Consistent with surrounding development	0	Consistent with surrounding development

- Laneways, alcoves, recesses or other narrow spaces are not permitted.

### 2.3 Building Design

#### Objectives

- To achieve safe, attractive, equitable and functional buildings.
- To enhance and protect the public space adjacent to commercial premises.
- To preserve the broader rural village character of the towns and their centres.

#### Controls

- Buildings on sites adjoining public open space must not cast a shadow onto more than one third of that open space between the hours of 10am and 2pm during the winter solstice (measured at ground level).
- Colourbond materials shall not be used in the external construction of buildings within the Business (B) Zones unless they account for less than 25% of each front elevation.
- External materials used for newly constructed or extended commercial buildings within the business (B) zones shall be consistent with the materials used in adjoining commercial development or shall have a superior quality external finish.
- Shipping containers shall not be used for storage within developments for commercial or community purposes.
- Building designs must ensure that main entry and exit points are readily identifiable to intending patrons.
- All building facades visible from a public place must be designed to reduce bulk and enhance the appearance of the building using appropriate architectural features, articulation and finishes.
- Commercial developments must have active frontages for the majority of the total frontage of the development to public spaces including roads and reserves. An active frontage must have a minimum of 75% glazing area which must be transparent.

8. All facades must be designed in accordance with Crime Prevention through Environmental Design including allowance for casual surveillance of streets and other public places.
9. There must be a universally accessible continuous path of travel to connect the public footpath to all car parking areas and the main public entry and exit point of a building.
10. Other uses within a basement car parking area (like switch rooms and waste storage areas) must be physically separated from vehicle and pedestrian movement.
11. The applicant for any proposal for mixed use development shall demonstrate, to the satisfaction of the Consent Authority, that the development provides adequate amenity to any proposed and/or existing residential use.
12. Building services, fittings and utilities (including, without limitation, downpipes, conduits and vents and air conditioning units and components) must be integrated with the features of any facade fronting public open space or a public street.
13. Building lights shall illuminate buildings and signs from the top-down rather than the bottom-up to reduce light spill into the night sky.
14. Lift towers and overruns, satellite dishes, motor rooms and service plants, air conditioning units, antennae, telecommunications devices, vent pipes and the like must not be visible from any publically accessible place.
15. Security shutters and roller doors on primary facades to a public street are not permitted unless they are open form or transparent. Security devices must be integrated within the design of the shop front structure.
16. The design and siting of Automatic teller machines (ATM's) must allow for queuing of users without obstructing the free movement of pedestrians and others within the public footpath and must be structurally protected to prevent ram-raid opportunities
17. Commercial and community buildings constructed within a rural or residential zone must be designed to compliment the character of the established built form of the locality. Building and infrastructure that contrast with the established built forms in the locality shall not be used in any rural or residential zone.
18. Commercial and community building developments that will result in an increase in floor area greater than 400m<sup>2</sup> shall provide amenities for the changing of infants and shall accommodate for both male and female parents/guardians undertaking this activity.

## 2.4 Open space

### Objectives

1. To provide a variety of open spaces integrated with, and enhancing, the design and function of buildings such as verandahs, courtyards, balconies and roof top gardens,

### Controls

1. Communal Open Space must be provided for developments exceeding the thresholds tabulated below at the rate provided in the table:

Use	Threshold (m <sup>2</sup> )	Rate
Office Premises	250	8 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Retail Premises	900	4 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Community Facilities	250	16 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Food Premises	500	4 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Health Services Facilities	250	4 m <sup>2</sup> per 100 m <sup>2</sup> of GFA

2. Communal open space for residential development on the same or adjoining land can not be counted towards open space required by this clause. Public open space on land immediately adjoining the commercial development site may be considered as an offset to the provision of Communal Open Space within a development site providing it is suitably embellished.
3. Communal Open space shall be no narrower than 3 metres in each and every direction.
4. Communal Open space must be located and designed to be compatible with any nearby residential uses. There must be no direct line of sight to residential private open spaces and windows.
5. Communal open space must be suitably embellished for outdoor eating and must be provided with waste management facilities.
6. Communal open space must be sited and designed to achieve a minimum of 3 hours of solar access (measured at ground level) to at least 50% of its area between the hours of 9:00am and 3:00pm on the winter solstice.

## 2.5 Outdoor eating and seating

### Objectives

1. To encourage aesthetically attractive, comfortable, convenient and safe outdoor furniture for seating and eating areas ancillary to nearby premises or for general public use,

### Controls

1. A minimum 1.8 metres wide linear unobstructed pedestrian movement pathway must be maintained through the public footpath at all times.
2. Outdoor seating and eating areas operating outside daylight hours must be provided with lighting to the relevant Australian Standard.
3. Portable heating devices that are gas powered and must be fitted with safety devices that automatically shutdown the device when tilted.

**NOTE:** *Where the use of a public road reserve is proposed for commercial activities separate approval is required from Council and/or NSW Roads and Maritime Services. Where Council approval is required reference should be made to Council's policies relevant to use of public spaces for commercial activities.*

## 2.6 Landscaping

### Objectives

1. To achieve landscaping that is integrated with the design, layout and scale of development and is sensitive to site attributes, streetscape, views and vistas.

### Controls

1. Landscaping around the external perimeter of new commercial buildings with a GFA greater than 1,000m<sup>2</sup> must be provided at the rate of at least 20m<sup>2</sup> of consolidated / continuous planted area for every 500m<sup>2</sup> GFA and address the street frontages.
2. Landscaping for new commercial developments shall be in the form of garden beds and achieve the following:
  - a) Use at least 50% native vegetation;
  - b) Use only low maintenance vegetation;
  - c) Reduce or eliminate the need for fencing;
  - d) Use only vegetation that will not damage infrastructure; and

- e) Provide adequate landscaped area for plants when fully grown.
- 3. All plant species in landscaping must be non-toxic and low-allergen.
- 4. Contiguous landscaping areas with an area greater than 50m<sup>2</sup> shall be provided with an automatic irrigation system(s).

## **2.7 External storage**

### **Objectives**

- 1. To ensure wastes are stored in a safe location that does not distract from the aesthetic qualities of commercial developments.

### **Controls**

- 1. There shall be no storage of goods or waste in areas that are visible to the public or patrons of facilities.

## **2.8 Public realm**

### **Objectives**

- 1. To create and maintain a consistent character for each town and village centres through the development of a public realm strategy addressing on-street parking, public footpath, public / street furniture, signage and street trees.

### **Controls**

- 1. All works within the public domain must comply with Council's adopted Design and Construction Specification, Plans of Management and any other strategy adopted by Council for public spaces.
- 2. Where a driveway crosses a public road frontage and is 5 metres or wider the vehicle lanes on the driveway must be separated to provide a pedestrian refuge within the footpath.
- 3. Where on street parking is not already provided (including paved shoulder and kerb and guttering) along the full frontages of the site it shall be installed prior to the occupation of any development subject to this volume.

## **2.9 Access and Traffic Generation**

### **Objectives**

- 1. To provide the opportunity to access development sites by the widest feasible variety of transport modes,
- 2. To ensure delivery areas are suitable isolated from patron traffic to promote pedestrian safety.

### **Controls**

- 1. Service and delivery vehicles must have a separate access for developments with a GFA greater than 500m<sup>2</sup>. This access may not be shared with the access to be used by patrons of the development.
- 2. Commercial premises must be provided with a minimum of one (1) loading / unloading space with sufficient capacity for the site.



3. Premises exceeding the thresholds provided below must provide secured storage areas for bicycles, skateboards, prams and the like at the specified ratio. The secured area must be either within the main building or within a shed or similar structure protected from the weather and located to provide appropriate casual surveillance.

Use	Threshold (GFA m <sup>2</sup> )	Rate
Office Premises	500	2 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Retail Premises	750	0.5 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Community Facilities	200	2 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Food Premises	500	1 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Health Services Facilities	400	0.5 m <sup>2</sup> per 100 m <sup>2</sup> of GFA

4. Premises exceeding the threshold in (3) above must provide showering amenities and personal storage lockers for staff for the storage of clothing and other personal items.
5. Where secured storage areas are required the minimum dimensions shall be 2 metres wide in each and every direction.
6. Sites located on a shared pathway route adopted by Council must construct the section of the pathway within the appropriate frontage(s) of the site and connect to the existing pathway network where required by the Consent Authority.
7. Bicycle racks shall be provided for any retail development subject to this plan with a GFA greater than 500m<sup>2</sup>. Bike racks shall be provided at the rate of 1 bicycle “space” per 100m<sup>2</sup> of retail GFA.
8. Where new public roads are created street lighting shall be provided in accordance with relevant Australian Standards.
9. Where existing public roads adjoining commercial developments are not provided with adequate street lighting, additional lighting shall be provided in accordance with relevant Australian Standards.

## 2.10 Parking and Manoeuvring

### Objectives

- (a) To achieve vehicle parking and manoeuvring spaces that do not dominate the streetscape, and
- (b) To ensure developments accommodate parking demands of private land uses within private property.

### Controls

1. The construction of vehicle parking and manoeuvring areas must comply with Council's adopted Design and Construction Specifications.
2. Vehicle parking that is located within the front setback it must be physically separated by permanent safety structures from road pavement and must not detract from the aesthetics of the streetscape.
3. Where security doors or gates are proposed to control access to vehicle parking an intercom system must be provided to facilitate access. Such doors and gates must also be positioned to ensure vehicles stand clear of the public footpath and any specified pedestrian access while the doors and gates are opening.
4. All above ground parking areas with more than 12 parking spaces must be landscaped including shade trees provided at the rate of one (1) canopy tree for every four (4) car parking spaces of part thereof. Shade trees must be located to provide shade to parked vehicles.

5. Manoeuvring space must be sufficient to permit all vehicles to enter and leave a site in a forward direction in accordance with relevant Australian Standards.
6. Parking areas must be linked via a pedestrian path with the nearest public footpath.
7. Parking spaces adjoining pedestrian accesses must be provided with wheel stops or upright kerbs.
8. Parking areas for developments that operate outside of daylight hours must be lit in accordance with relevant Australian Standards.
9. Multi-unit complexes must provide a consolidated car parking area for patrons. At least 50% of the parking spaces must be not reserved for any particular tenancy or unit.
10. Parking must be provided at the rate tabulated below. The amount provided shall be the sum of all component uses in a mixed use development. The number of spaces shall be rounded up to the nearest whole number of spaces.

a) Numerical Parking Rates

Land use	Minimum Car Parking Requirement
Bowling Green	30 spaces for first green + 15 spaces for each additional green
Child care premises	1 space for every 4 children in attendance. The number of children shall be determined in accordance with the numbers licensed by the NSW Government.
Car tyre retail outlets	The greater of: 3 spaces per 100 m <sup>2</sup> of GFA, or 3 spaces per work bay
Crematoria	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Education establishments – Schools (no students over 16 years of age)	1 car parking space per full time equivalent staff member; and 1 car parking space per 100 students; and 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces
Education establishments – Schools (with students over 16 years of age)	1 car parking space per full time equivalent staff member; and 1 car parking space per 30 students; and 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces
Education establishments – Tertiary Institutions	1 car parking space per 5 seats or 10 spaces per 100m <sup>2</sup> of GFA, whichever is the greater. 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces
Exhibition Homes	Two (2) car parking spaces per exhibition home in a separate car park in addition to parking required for the ultimate residential use.
Food and Drink Premises	The greatest of: 12 spaces per 100 m <sup>2</sup> of GFA; or 1 space per 5 seats (internal and external); or 1 space per 2 seats (internal); and  Where a drive through is proposed queuing area for 12 cars.

Land use	Minimum Car Parking Requirement
Function centres	15 spaces per 100m <sup>2</sup>
Funeral chapels	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Funeral homes	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Garden Centres	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Golf courses	50 spaces per 9 holes
Gymnasium	4.5 spaces per 100m <sup>2</sup> GFA
Hardware and Building Supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Health services facilities – health consulting rooms	3 car parking spaces per consulting room; and 1 car parking space per 2 employees.
Health services facilities – medical centres	4 spaces per 100 m <sup>2</sup> GFA; and 1 space for each full time staff member; and 1 space should be designated for servicing/ emergencies
Highway Service Centres (includes a truck stop)	1 truck parking space and 1 car parking space per motel unit
Home based child care Home business Home industries Home occupations	One (1) car parking space per staff member other than permanent residents in addition to parking required for the residential use. Additional parking for patrons depending on the nature of the development and its location in the road network.
Home occupation – sex services	No more than 2 spaces beyond the minimum required for the residential use.
Kiosks	2.5 car parking space per 100m <sup>2</sup> of GFA.
Landscape and garden supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Landscaping Materials Supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Markets	3 spaces per stall
Mortuaries	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Motor showroom	0.75 spaces per 100 m <sup>2</sup> site area + 6 spaces per work bay (for vehicle servicing facilities)
Neighbourhood Shops	2.5 car parking space per 100m <sup>2</sup> of GFA.
Office and Business premises	2.5 car parking space per 100m <sup>2</sup> of GFA.
Paintball	10 spaces per paintball field
Place of public worship	1 car parking space per 6 seats. 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces.
Plant Nurseries	Whichever is greater of 15 spaces or 0.5 spaces per 100m <sup>2</sup> of site area.
Pubs	1 space per 2 m <sup>2</sup> of public bar area, plus 1 space per 5m <sup>2</sup> of lounge, beer garden, auditorium, billiard room, plus parking space for other uses in accordance with this table.
Recreation Facilities (indoor)	3 spaces per court or alley or lane

Land use	Minimum Car Parking Requirement
Respite Day Care Centres	One (1) car parking space per staff member other than permanent residents in addition to parking required for the residential use. Additional parking for patrons depending on the nature of the development and its location in the road network.
Restricted premises	2.5 car parking space per 100m <sup>2</sup> of GFA.
Retail premises	2.5 car parking space per 100m <sup>2</sup> of GFA.
Road side stalls	4 spaces
Rural Supplies	5 spaces
Service stations	6 spaces per work bay; and 5 spaces per 100 m <sup>2</sup> GFA of any convenience store; and the greater of 15 spaces per 100 m <sup>2</sup> GFA of any food premises; or 1 space per 3 seats of any food premises.
Sex service premises	2 car parking space per room where sex services are provided.
Shopping centres	
GFA ≤ 10,000	6.1 spaces per 100 m <sup>2</sup> of GLFA
10,000 < GFA ≤ 20,000	5.6 spaces per 100 m <sup>2</sup> of GLFA
20,000 < GFA ≤ 30,000	4.3 spaces per 100 m <sup>2</sup> of GLFA
GFA > 30,000	4.1 spaces per 100 m <sup>2</sup> of GLFA
Timber and building supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Timber Yards	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Vehicle repair stations	4 car parking spaces per service work bay for up to 2 bays, plus 6 car parking spaces per service bay for each additional bay.
Video Store	6 spaces per 100m <sup>2</sup> GFA
Wholesale supplies	One (1) space per 50m <sup>2</sup> of GFA

**b) Other Development**

Development for purposes not listed above shall be provided by car parking at similar rate to other comparable developments having regard to the nature of the particular proposal and its location in the road network.

Development that shall be assessed on this basis includes, but is not limited to:

- i. Amusement centres
- ii. Bulky good premises
- iii. Cellar Door premises
- iv. Cemeteries
- v. Charter and Tourism Facilities
- vi. Community facilities
- vii. Drive In Liquor Store
- viii. Emergency Services Facilities
- ix. Entertainment facilities
- x. Environmental Facilities
- xi. Exhibition Villages
- xii. Health services facilities – hospitals
- xiii. Information and Education Facilities
- xiv. Leisure Centres
- xv. Markets (Temporary)
- xvi. Public Administration Buildings

- xvii. Recreation areas
- xviii. Recreation Facilities – Major
- xix. Recreation Facilities – Outdoor
- xx. Registered clubs
- xxi. Research Stations
- xxii. Veterinary hospitals

11. Car parking areas shall be designed, embellished and located to minimise adverse visual impacts in the locality.
12. Large developments for retail (or mixed use including retail) that give rise to a need for 200 or more car parking spaces shall provide one (1) space for Seniors and one (1) for parents with prams for each 100 spaces (rounded down) required by this volume. Such spaces shall measure no less than 2.8m x 5.5m and shall be signposted and marked with line marking paint. They shall be located to minimise travel distance to the entry points for the facility. The spaces required by this clause are not in addition to the spaces that are otherwise required by this plan.

### **2.11 Waste Management**

#### **Objectives**

1. To ensure appropriate waste storage and collection facilities,
2. To minimise risk to health and safety associated with handling and disposal of waste and recycled material and ensure optimum hygiene,

#### **Controls**

1. A completed Site Waste Minimisation and Management Plan (SWMMP) complying with the template in Appendix A of the NSW Office of Environment and Heritage's Model Waste must accompany an application for commercial buildings greater than 500m<sup>2</sup> in GFA or any commercial development that is likely to produce hazardous waste products.
2. There must be convenient access from each tenancy and/or larger waste producing area of the development to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).
3. Every development must include adequate waste/recycling storage area(s) to accommodate all relevant waste management processes and storage.
4. Special arrangements for storage, collection and disposal of medical and hazardous waste must be detailed in the Site Waste Minimisation and Management Plan (SWMMP).
5. Waste/recycling storage areas must not be visible from outside of the building or by patrons.

### **2.12 On-site waste water and stormwater management**

#### **Notes**

The following documents will be used by Council (without limitation) in assessing any development application:

- Managing Urban Stormwater: Soils and Construction (Volume 1 – The Blue Book provides guidance during the construction of urban subdivisions and is available from Landcom. Volume 2 provides guidance for erosion and sediment control for a range of other activities)
- [www.environment.nsw.gov.au/stormwater/publications.htm](http://www.environment.nsw.gov.au/stormwater/publications.htm)
- Model Code of Practice for erosion and sediment control (A resource guide for local Councils – Landcom)
- Managing urban stormwater: harvesting and reuse  
[www.environment.nsw.gov.au/stormwater/publications.htm](http://www.environment.nsw.gov.au/stormwater/publications.htm)

- Australian Runoff Quality [www.ncwe.org.au/arq](http://www.ncwe.org.au/arq)

**Objectives**

1. To minimise the impacts of urban development on the environmental values of waterways, groundwater systems and bushland areas,

**Controls**

1. On sites without reticulated sewer, provision shall be made for the disposal of treated effluent in a manner that minimises the risk to the natural environment and to human health.
2. All stormwater management systems shall comply with Council`s Design & Construction Specification.
3. For developments providing more than 1000m<sup>2</sup> of new GFA, a detailed stormwater treatment assessment shall be provided detailing how the development will result in improved stormwater quality and will achieve the principals of Water Sensitive Urban Design.

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## Part 3 – Specific Land Use Controls

### 3.1 Amusement centres

#### Objectives

1. To mitigate potential adverse social impacts from amusement centres.

#### Controls

1. Amusement centres that provide gambling opportunities must also provide entertainment activities that are not related to gambling of any type. Gambling must occupy an area no more than 50% of the area used for non-gambling entertainment activities.

### 3.2 Bulky goods premises

#### Objectives

1. To ensure that general retailing is not inappropriately carried out as bulky good retailing.

#### Controls

1. Any ancillary items to be sold in conjunction with the nominated bulky goods must not be greater than 30% of the available display space.

### 3.3 Child care centres

#### Objectives

1. To ensure traffic circulation system and availability of a variety of transport modes allow safe drop off and collection of children.

#### Controls

1. If there is a footpath/cycle way/share way within 100m of the proposed development then the development then a link from the development to that network must be provided in the form of a concrete share way in accordance with Council's Design Speciation and with a width no less than 2.0 metres.

### 3.4 Community facilities, Entertainment Facilities, Function centres, Places of Public Worship and Registered Clubs

#### Objectives

1. To provide for access to the site by a variety of modes of transport including pedestrians, cyclists, public transport, service and emergency vehicles,
2. To encourage safe, efficient and coordinated, universally accessible circulation network to, from and within the site for staff and patrons,
3. To provide facilities that contribute positively to the neighbourhood in terms of design, bulk and car parking provision.

#### Controls

1. The sites for these facilities must satisfy the following criteria:
  - a) Be located within 400 metres of public transport that is accessible for pedestrians via a universally accessible path of travel; and
  - b) Have at least one (1) frontage to a public street
2. Bulky buildings shall be sited and provided with architectural treatments to ensure it is compatible with the streetscape.

3. The main entry / exit areas must have adequate dimensions to ensure patrons do not overflow onto the public footpath and road reserve and suitable to accommodate people gathering informally. For buildings with a capacity greater than 200 patrons (as determined by the Building Code of Australia) a foyer must be provided with a minimum size of 20m<sup>2</sup> per 100 patrons.
4. A concrete shared pathway no less than 2.0 metres wide must be constructed in the footpath reserve for all street frontages of the site and must be connected to any existing footpath/cycle way/share way network within 100m of the development.
5. Spaces external to the building and within the development site which are likely to be frequently used by staff or patrons are to be provided with lighting in accordance with the relevant Australian Standards and designed so as to not spill light and glare onto adjoining private property.
6. The building must be designed to be low maintenance and to accommodate a wide variety of uses and crowd sizes.

### 3.5 Home-based child care

#### Objectives

1. To ensure the risk of bushfire to home-based child care is appropriately mitigated.

#### Controls

1. Home-based child care located within bushfire prone areas must operate in accordance with a bushfire risk management plan. This plan is to be based on an early exit strategy and must avoid staying and defending.

### 3.6 Landscape and garden supplies, Timber and building supplies, Wholesale Supplies

#### Objectives

1. To encourage premises which are compatible with the streetscape and minimise any impacts on the amenity of the locality.

#### Controls

1. Goods displayed externally must be maintained in good order and a tidy manner as viewed from any public place and must not obstruct or occupy any space required for parking and manoeuvring, pedestrian movement, loading and unloading.
2. Application of water, fertilisers, pesticides and the like must be contained wholly within the goods display and storage areas to protect the amenity of customers and neighbours and people using adjoining and nearby public spaces.

### 3.7 Restricted premises

#### Objectives

1. To ensure that restricted premises are discreet, sensitively located and are not prominent within the locality.

#### Controls

1. The location of restricted premises (other than an access corridor to the premises) must not be located 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.
2. Restricted premises must not be located less than 200 metres from the nearest boundary of any allotment developed for the purposes of a school, community facility, childcare centre, medical centre, place of public worship, hospital or any use specifically indented to attract children.



3. 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 retailing premises.
4. No objects, products or goods related to the restricted premises may be visible from outside the premises

### **3.8 Service stations**

#### **Objectives**

1. To ensure service stations are compatible with surrounding land uses in terms of traffic.

#### **Controls**

1. The design and orientation of all lighting must ensure no adverse impact on approaching vehicles or neighbouring properties in term of glare and light spill.
2. Tankers must be able to enter and leave the site in a forward direction and be able to deliver fuel to a site without reversing. Parking is prohibited in areas where tanker access and egress is impeded. Tankers must be able to be positioned so as they do not obstruct other vehicles while servicing the site.

### **3.9 Sex service premises, Home occupations (sex services)**

#### **Objectives**

1. To ensure that the safety of all staff and visitors is maintained when approaching, entering and leaving the premises,
2. To ensure that the nuisance to neighbouring properties is minimized through the clear numbering of premises,
3. To ensure that the premises maximizes the safety and security of visitors and staff.

#### **Controls**

1. Premises must be clearly numbered, with the number clearly visible from the street.
2. Sex-related products, signage, workers or performers must not be displayed in any area visible to the public domain.
3. The interior of any sex services premises must not be visible from any place in the public domain.
4. Where the interior of a sex services premises may be visible from neighbouring buildings, adequate measures must be taken to screen the interior of the building, for example using blinds, obscured/opaque glass, screens etc.
5. A security system, including a duress system linked to a central base and monitored at all times, must be provided and made available to all staff.

### **3.10 Educational establishments**

#### **Objectives**

1. To provide for access to and within the site by a variety of modes of transport including pedestrians, cyclists, public transport, service and emergency vehicles,
2. To ensure traffic circulation system and availability of a variety of transport modes to allow safe drop off and collection of students, staff and visitors.

**Controls**

1. Secure storage must be provided for bicycles, skateboards, scooters and the like in addition to any requirements under Part 3 of this volume. Such storage must be provided at the rate of 20m<sup>2</sup> per 100 students. The storage space must be no narrower than 2 metres in each and every direction.
2. Bus stops for schools must ensure that the bus can fully leave the travel lane during loading and unloading of passengers.
3. If there is a footpath/cycle way/share way within 100m of the proposed development then the development then a link from the development to that network must be provided in the form of a concrete share way in accordance with Council's Design Speciation.

**3.11 Health services facilities**

**Objectives**

1. To encourage safe, efficient and coordinated, universally accessible circulation network to, from and within the site for staff, patients and visitors,

**Controls**

1. A concrete shared pathway no less than 2.0 metres wide must be constructed in the footpath reserve for all street frontages of the site and must connect to any existing pathway network within 100m of the site.
2. Spaces external to the building and within the development site which are likely to be frequently used by staff, visitors or patients are to be provided with lighting in accordance with the relevant Australian Standards for public places and designed so as to not cause light spill and glare onto adjoining private property.

**3.12 Funeral chapels and Funeral homes**

**Objectives**

1. To ensure funeral homes do not have unreasonable adverse impacts on the amenity of adjoining development and the general locality,

**Controls**

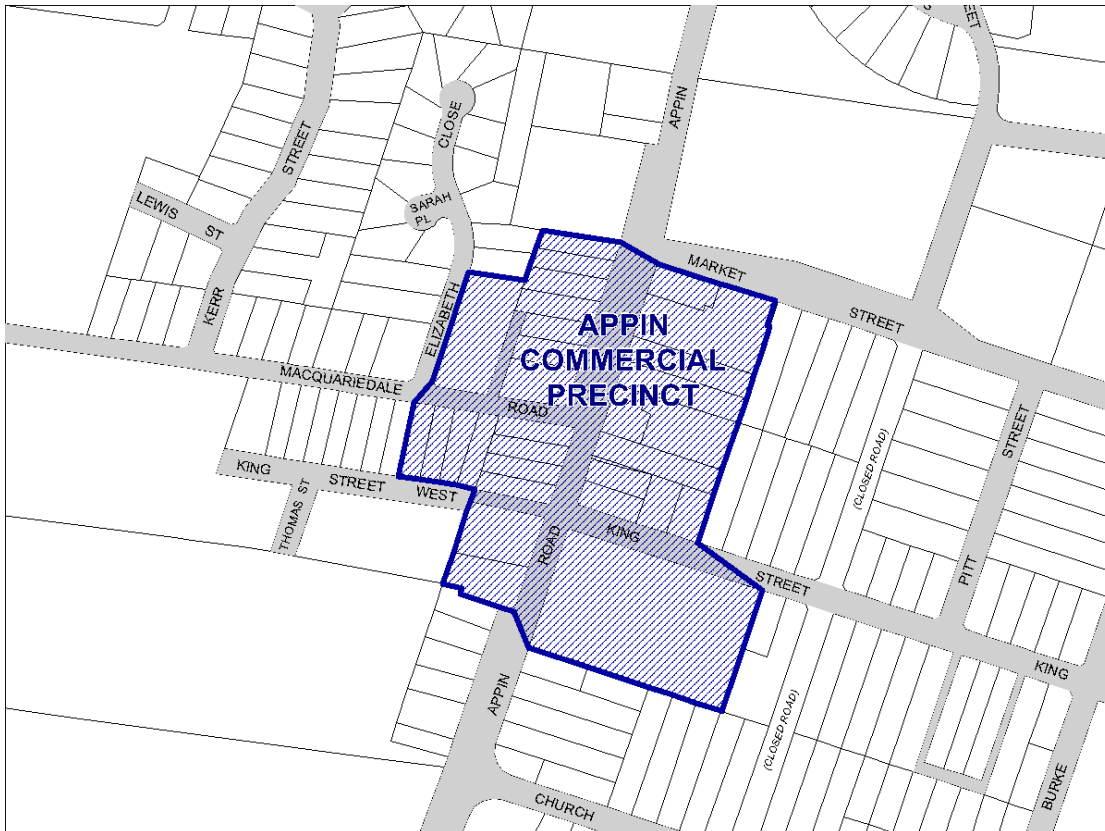
1. The main entry / exit areas must have adequate dimensions to ensure patrons do not overflow onto the public footpath and road reserve and suitable to accommodate people gathering informally.

## Part 4 – Controls for Specific Locations:

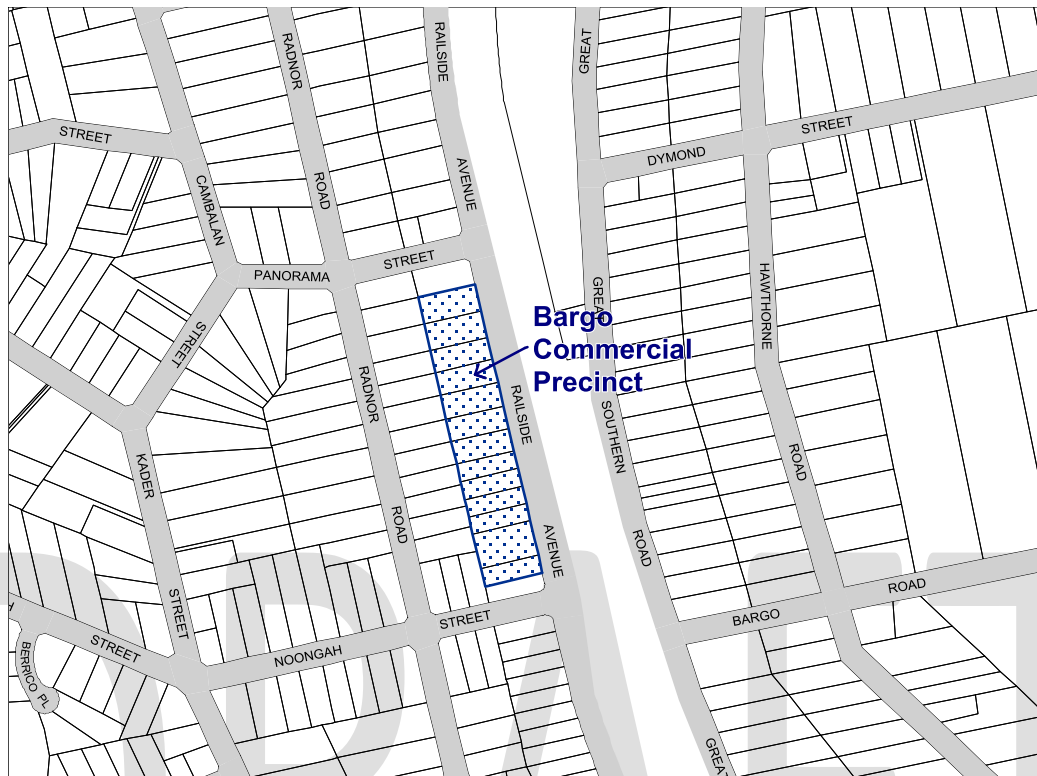
### 4.1 Maps and Definitions

1. In this section Commercial Building refers to any building for which the construction or use is subject to this volume.
2. A reference to a map in this part is a reference to one or more of the maps below:

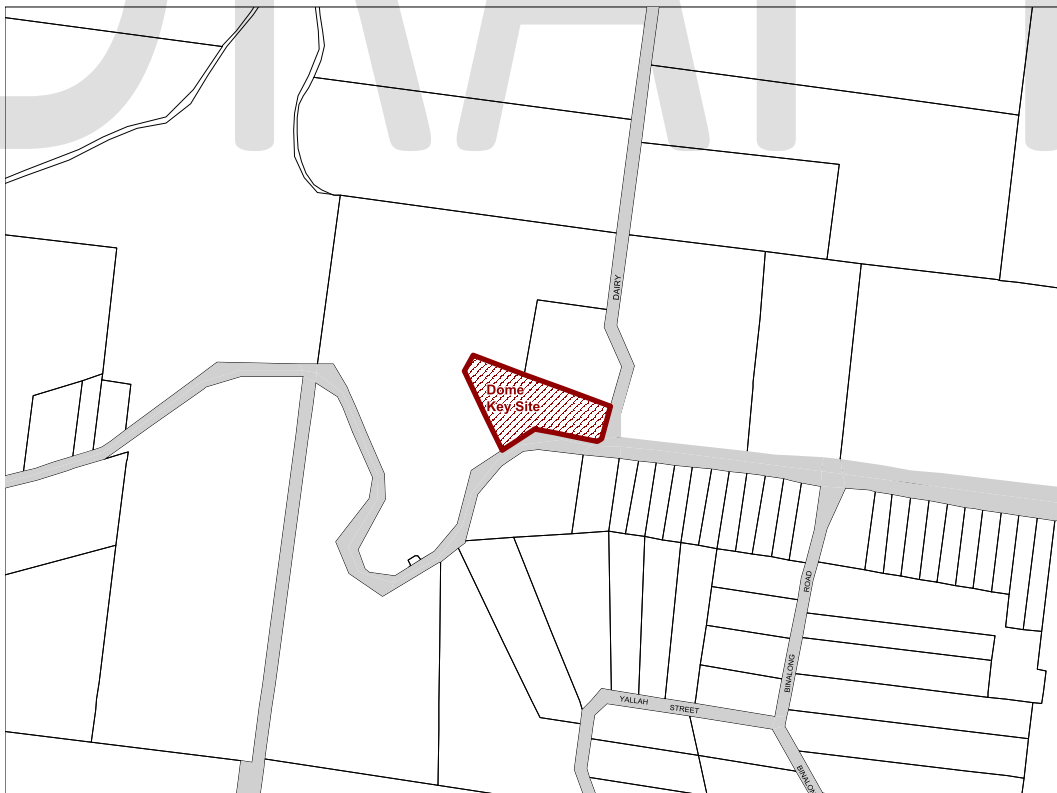
#### 5.1.1 Appin



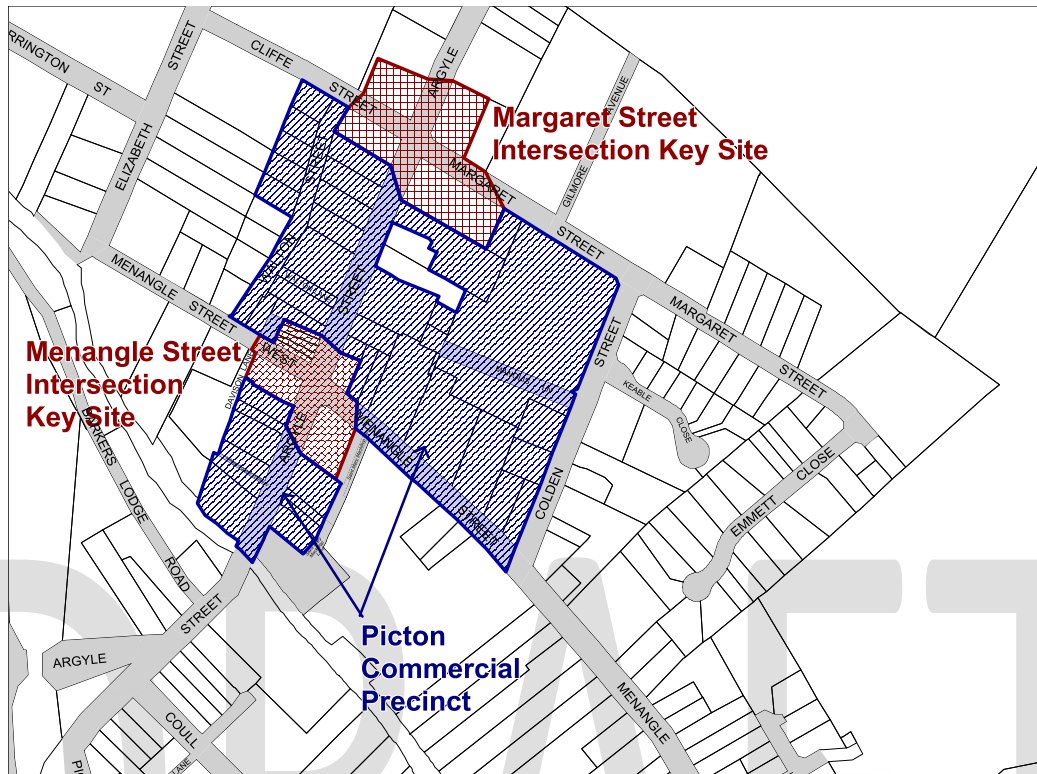
**5.1.2 Bargo**



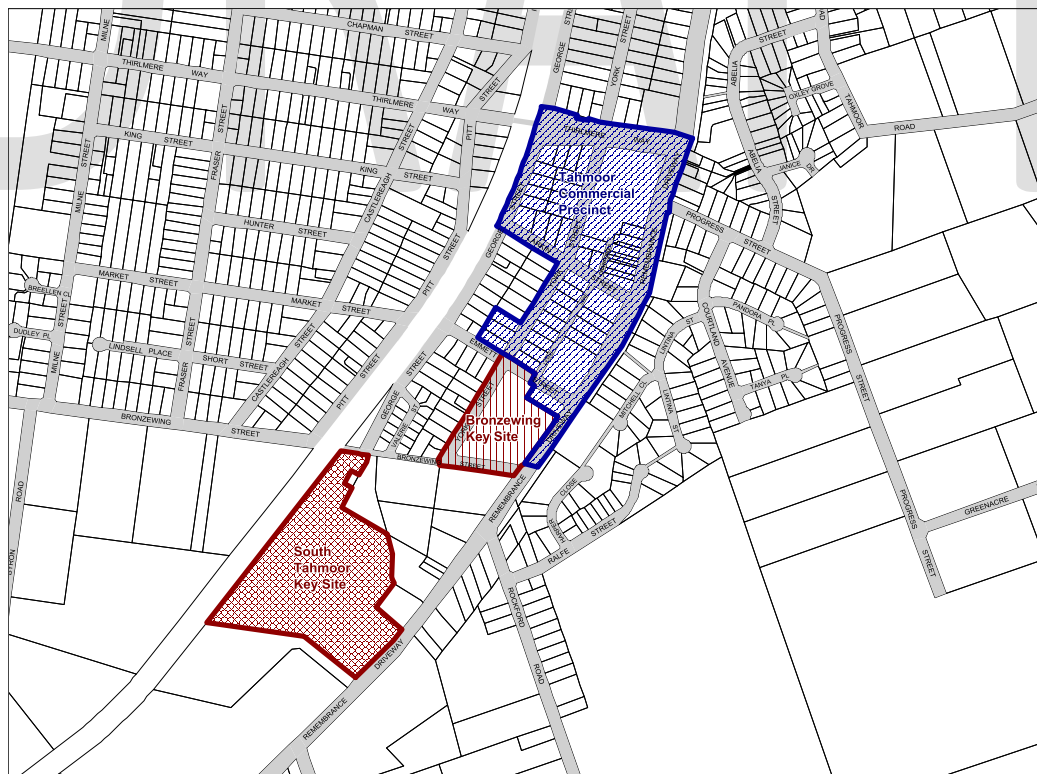
**5.1.3 Belimba Park**



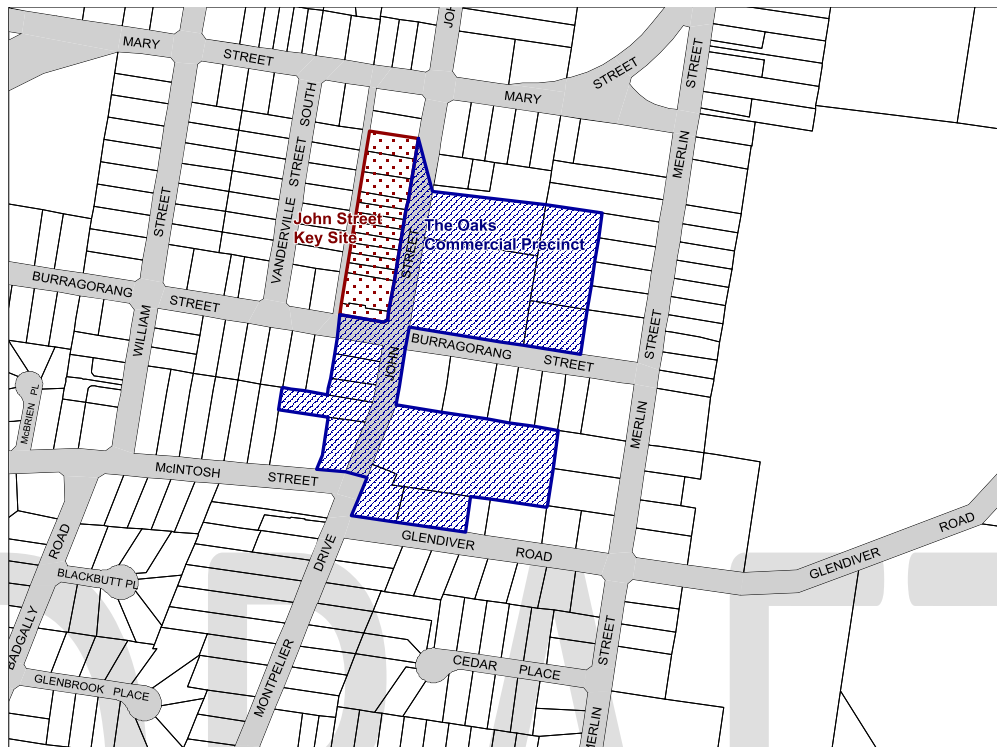
**5.1.4 Picton**



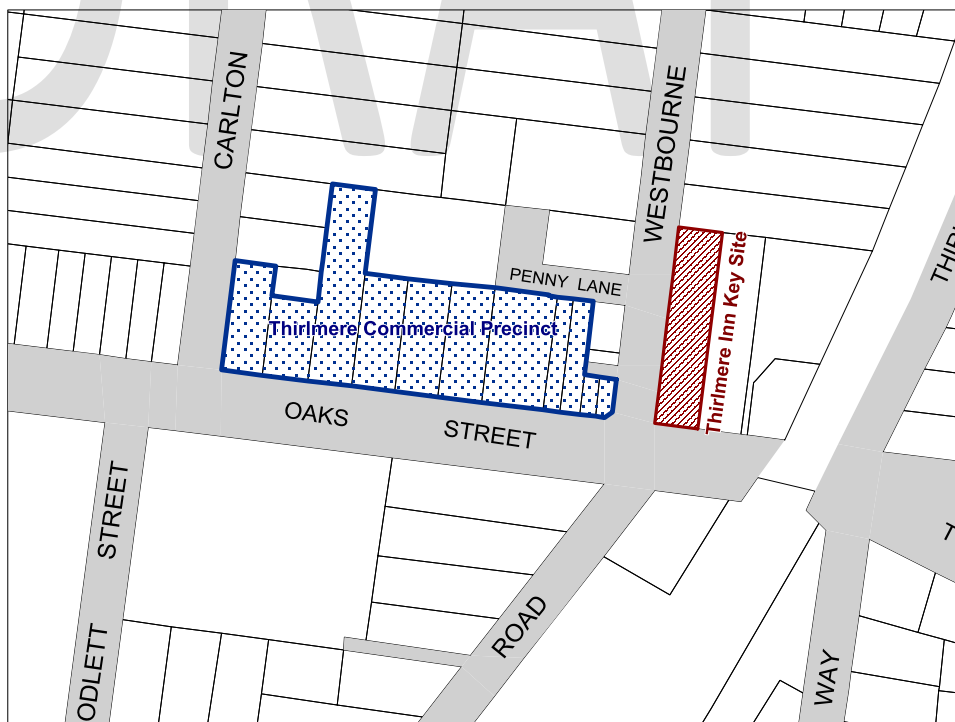
**5.1.5 Tahmoor**



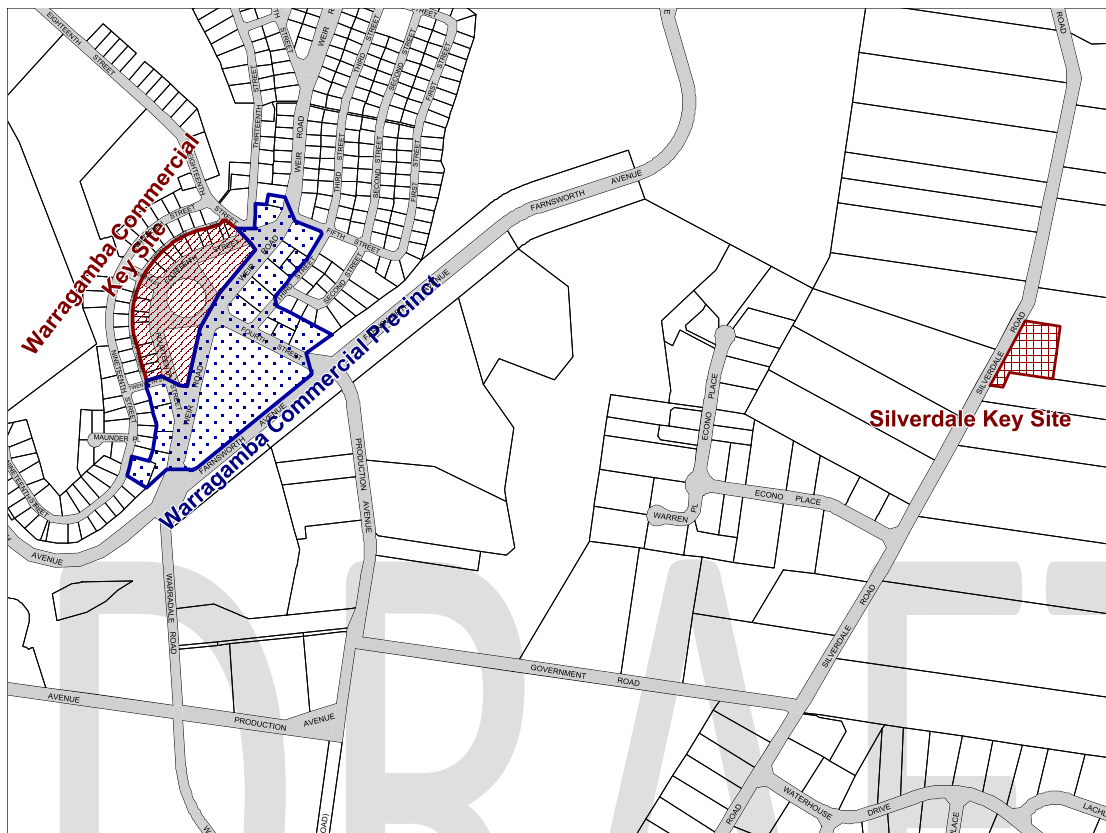
**5.1.6 The Oaks**



**5.1.7 Thirlmere**



### 5.1.8 Warragamba and Silverdale



## 4.2 Appin

### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Appin.

### Controls

1. Commercial buildings within the Appin Commercial Precinct shown in Map 4.1.1 must be designed to ensure that the roof pitch is visible within the public domain. The use of parapets and other roof screen structures is not permitted.

## 4.2 Bargo

### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Bargo.

### Controls

1. Commercial buildings within the Bargo Commercial Precinct shown in Map 4.1.2 shall be sited to located car parking between the building and Railside Avenue. The buildings shall be setback to accommodate 2 rows of car parking spaces and a continuous awning shall be provided across the front new commercial buildings.
2. The carparking areas required by Control 1 of this clause shall be connected to similar parking on adjoining lots where such parking is existing.

#### 4.3 Belimba Park

##### Objectives

1. To ensure location appropriate amounts of car parking are provided.

##### Controls

1. The Dome Key Site shown in Map 4.1.8 is isolated from supporting population and is, therefore, more car dependent than the other commercial centres. For this reason development within this site shall provide car parking at a rate of 150% the amount otherwise required under part 3 of this plan.

#### 4.4 Picton

##### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Picton.
2. To promote efficient, safe all weather access for pedestrians in Picton.

##### Controls

1. Commercial buildings within the Picton Commercial Precinct shown in Map 4.1.3 shall be sited with a setback no greater than 1 metre from any boundary of the site with Margaret, Colden, Menangle and/or Argyle Streets.
2. Commercial buildings referred to in Control 1 shall provide an awning from the façade of any building to Margaret, Colden, Menangle and/or Argyle Streets that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement.
3. Commercial buildings within the Margaret Street Intersection Key Site shown in Map 4.1.3 shall:
  - a) Be designed to principally address the intersection of Cliffe, Argyle and Margaret Streets;
  - b) Incorporate adequate setbacks to allow for safe sight distances at the intersection;
  - c) Minimise setbacks to each street frontage
  - d) Ensure no vehicular access is provided directly to Argyle Street
4. Commercial buildings within the Menangle Street Intersection Key Site shown in Map 4.1.3 shall be designed with due regard to its visual impacts on both items of heritage significance located at the intersection.
5. Council has an adopted strategy to deliver more public car parking in Picton. Proponents may, in lieu of providing some or all of the car parking in accordance with Part 3 of this plan, make contribution towards the provision of such parking through dedication of particular lands and through financial contributions as part of a Voluntary Planning Agreement.

#### 4.5 Tahmoor

##### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Tahmoor.
2. To ensure location appropriate amounts of car parking are provided and are appropriately sited.
3. To encourage the use of rear lane access for vehicles to promote pedestrian access and mobility.

##### Definitions

1. In this clause **Local Principal Road** means York Street, Remembrance Driveway, Emmet Street and Larkin Street.



2. In this clause **Local Laneway** means Lewis Lane, Crawford Lane and any other new public road created within the Tahmoor Commercial Precinct or Bronzewing Key Site (as shown in Map 4.1.4) that gains access from a Local Principal Road.

**Controls**

1. Vehicular access shall not be provided to any land within the Tahmoor Commercial Precinct (as shown in Map 4.1.4) from a Local Principal Road if the land also has frontage to a Local Laneway.
2. Commercial buildings within the Tahmoor Commercial Precinct shown in Map 4.1.3 shall be sited with a setback no greater than 1 metre from any boundary of the site with a Local Principal Road.
3. Commercial buildings referred to in Control 2 shall provide an awning from the façade of any building to a Local Principal Road that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement.
4. Awnings within the Remembrance Driveway Road Reserve shall use posts only if the posts will not adversely impact on landscaping within the road reserve.
5. Commercial buildings within the Tahmoor Commercial Precinct shown in Map 4.1.3 that have frontage to Remembrance Driveway shall be credited one (1) car parking space for each 5 metres of frontage to Remembrance Driveway towards the car parking required by Part 3 of this volume.
6. Car parking for future development of the Bronzewing Key Site as shown in Map 4.1.3 shall be provided in that corner of the site closest to the intersection of Bronzewing Street and York Street with vehicular access from York Street. This parking shall front to Bronzewing Street and shall have direct pedestrian access to that public road.
7. Clauses 8 to 12 shall apply only to those parts of the South Tahmoor Key Site that are zoned B5 Business Development.
8. Buildings shall not be constructed within:
  - a) 10 metres of the boundary of the South Tahmoor Key Site with any B2 or R3 zoned land under Wollondilly Local Environmental Plan, 2011; and
  - b) 5 metres of the frontage of the site to Remembrance Driveway.
9. All land within 10 metres of the southern site boundary shall only be used for landscaping and that all landscaping within this area shall be locally endemic species.
10. There shall be no vehicular access to the site unless that access is from a public road within the South Tahmoor Key Site or from a roundabout on Remembrance Driveway.
11. The site contains areas of significant vegetation as identified in Wollondilly Local Environmental Plan, 2011. These areas are to be conserved unless a suitable offsetting arrangement has been made and approved by Council and any relevant NSW Government Agencies/Ministers.
12. Any development of the site shall be designed to ensure the safety and amenity of Tahmoor Public School.
13. All electrical services (including high voltage transmission) shall be underground.

#### **4.6 The Oaks**

##### **Objectives**

1. To ensure commercial and community development contributes to the character and amenity of The Oaks.
2. To ensure location appropriate amounts of car parking are provided.

##### **Controls**

1. Development within The Oaks Commercial Precinct shown in Map 4.1.5 shall address John Street.
2. Development within the John Street Key Site shown in Map 4.1.5 shall be exempted from providing car parking under Part 3 of this plan.
3. Development within the John Street Key Site shown in Map 4.1.5 shall not provide vehicular access from John Street but shall instead utilise the rear laneway.
4. Commercial buildings within the John Street Key Site shown in Map 4.1.5 shall be sited with a setback no greater than 1 metre from any boundary of the site with John Street.
5. Commercial buildings referred to in Control 3 shall provide an awning from the façade of any building to John Street that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement. Such awnings shall be provided with heritage themed posts.

#### **4.7 Thirlmere**

##### **Objectives**

1. To ensure commercial and community development contributes to the character and amenity of Thirlmere.

##### **Controls**

1. Commercial buildings within the Thirlmere Commercial Precinct shown in Map 4.1.6 shall be sited with a setback no greater than 1 metre from any boundary of the site with Oaks Road.
2. Commercial buildings referred to in Control 1 shall provide an awning from the façade of any building to Oaks Road that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement. Such awnings shall be designed in a similar style to the awnings of the Thirlmere Inn located on the Thirlmere Inn Key Site shown in Map 4.1.6.
3. Council has an adopted strategy to deliver more public car parking in Thirlmere. Proponents may, in lieu of providing some or all of the car parking in accordance with Part 3 of this plan, make contribution towards the provision of such parking through dedication of particular lands and through financial contributions as part of a Voluntary Planning Agreement.

#### **4.8 Warragamba and Silverdale**

##### **Objectives**

1. To ensure commercial and community development contributes to the character and amenity of Warragamba.
2. To ensure location appropriate amounts of car parking are provided.

##### **Controls**

1. Development within the Warragamba Commercial precinct shown in Map 4.1.7 shall be limited to one (1) storey in height.

2. The Warragamba Commercial Precinct has access to an unusually large amount of on street car parking. For this reason development within this precinct shall be credited one (1) parking space per 300m<sup>2</sup> of site area (that is the area of the registered allotment of land).
3. Development within the Warragamba Commercial Key Site shown in Map 4.1.7 shall be exempted from providing patron car parking under Part 3 of this plan. Staff parking is to be provided and shall be accessed from the rear laneway only.
4. The Silverdale Key Site shown in Map 4.1.7 is isolated from supporting population and is, therefore, more car dependent than the other commercial centres. For this reason development within this site shall provide car parking at a rate of 150% the amount otherwise required under part 3 of this plan.

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