

Part

C

**Commercial,
Shop top housing and
Mixed use development
Controls**

Holroyd Development
Control Plan 2013

Commerical Development

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Land covered by this Part

This Part applies to development on land zoned Business under Holroyd Local Environmental Plan 2013 and for development types including Commercial Premises, Shop top Housing and Mixed use development (with residential uses) as detailed within this Part.

Relationship of Part C to Holroyd Development Control Plan 2013

Part C of Holroyd DCP 2013 shall be read in conjunction with the following Parts of Holroyd DCP 2013, which contain objectives and development controls that relate to development in this Part:

- Part A - General Controls
- Part B - Residential Controls
- Part D - Industrial Controls
- Part E - Public Participation
- Part F - Advertising and Signage Controls
- Part G - Places of Public Worship Controls
- Part H - Heritage and Conservation Controls
- Part I - Child Care Centre Controls
- Part J - Site Specific Controls
- Part K - Holroyd Gardens Controls
- Part L - Town Centre Controls
- Part M - Merrylands Centre Controls
- Part N - Transitway Station Precinct Controls
- Part O - Guildford Pipehead Site Controls
- Part P - Pemulwuy Residential Controls
- Part Q - Pemulwuy Northern Employment Lands Controls
- Part R-Tamplin Road Reserve
- Definitions

Commercial Development

I. Building Envelope

I.1. Lot size and frontage

Objectives

01. To ensure that commercial development is carried out on sites that are sufficient in frontage in order to provide adequate vehicular access and basement carparking.
02. To ensure developments are compatible with both the established character and desired future amenity of commercial areas.
03. To ensure sufficient lot dimensions for vehicular access and parking.
04. To avoid land locking of adjoining sites.

Development Controls

- C1. The minimum lot frontage for development within Zone B2 Local Centre, Zone B4 Mixed Use and Zone B5 Business Development and Zone B6 Enterprise Corridor shall be, unless otherwise stated as site specific controls in this DCP:

- **up to three storeys-** 20 metres.
- **4 - 8 storeys-** 26 metres.
- **9 storeys and greater-** 32 metres.

Note: There is no minimum lot frontage for commercial development in Zone B1 Neighbourhood centre, unless otherwise stated as site specific controls in this DCP.

- C2. Council may require the consolidation of more than one existing land holding to be undertaken in order to meet all the requirements of this development control plan.
- C3. Commercial development is not permitted on battleaxe lots.
- C4. In instances where lot amalgamation in order to meet the requirements of this DCP cannot be achieved, the following information must be submitted with any development application:
 - Two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Institute of Values, and;
 - Evidence that a reasonable offer* has been made to the owner(s) of the affected sites to purchase and valuation reports.
- C5. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, and the proposed development site, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.
- C6. Sites must not be left such that they are physically unable to reasonably develop a three storey building in accordance with the controls in this part.

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1.2. Site coverage, floor area and building use

Objectives

- O1.** To provide controls that support the objectives established in Holroyd Local Environmental Plan 2013.
- O2.** To provide for a variety of building forms.
- O3.** To ensure new development responds appropriately to the size and dimensions of the subject site to avoid over development and inappropriate bulk and scale.

Development Control

Site Coverage

- C1.** There is no minimum site coverage controls for commercial or shop top housing development, unless otherwise stated as site specific controls within this DCP.

Floor Area

- C2.** The maximum retail floor area for neighbourhood shops is detailed within Holroyd Local Environmental Plan 2013.
- C3.** For a bulky goods development, the bulky goods shall occupy a minimum 60% of the total floor area.
- C4.** Consent must not be granted to development for the purposes of a food and drink premises on land in Zone B6 Enterprise Corridor if the gross floor area of the food and drink premises is more than 1000 square metres.
- C5.** Consent must not be granted to development for the purposes of a shop on land in Zone B1 Neighbourhood Centre if the gross floor area of the shop is more than 1000 square metres.

Building Use

- C6.** Commercial development shall be located at least at street level, fronting the primary street and where possible the secondary street. Residential dwellings may be permitted at ground floor within Zone B1 Neighbourhood Centre and B6 Enterprise Corridor.
- C7.** Residential dwellings are not permitted at ground floor within Zone B2 Local Centre and Zone B4 Mixed Use.
- C8.** Where residential dwellings are located at ground level and face the street, they shall be constructed as flexible floor plates to enable future commercial development.

Note:

- Additional controls for site coverage for retail and/or business uses in specific business centres may be detailed as site specific controls within this DCP.
- The maximum floor space ratio is detailed within Holroyd Local Environmental Plan 2013, as a written statement and associated maps.

Commercial Development

I.3. Building Height

Objectives

- O1. To provide controls that support the objectives established in Holroyd Local Environmental Plan 2013.
- O2. To permit a scale of development that is compatible with the localities topography and the context, scale and character of the street and streetscape.
- O3. To require an appropriate scale relationship between building heights and street width.
- O4. To preserve the amenity of adjoining buildings.
- O5. To ensure appropriate management of overshadowing, access to sunlight and privacy.
- O6. To allow reasonable daylight access to all developments and the public domain.
- O7. To enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.
- O8. To ensure a variation of the height of each storey to enable flexible uses over time.
- O9. To reduce the visual impact of building on the public domain.
- O10. To encourage, in town centres, articulation of the façade of the building by variation in the ceiling heights of the various floors, which gives the building a top, middle and base.

Development Controls

- C1. The minimum floor to ceiling height for a floor in a commercial building, or the commercial component of a building shall be as follows:

Floor	Min Floor to Ceiling height
Ground Floor	3.5m
First Floor- regardless of use	3.3m
All other floors	2.7m

- C2. Basement level parking above the natural ground level should be limited to not impact on the bulk, scale and design of the building.

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C3. Maximum building height in storeys shall be provided in accordance with the table below:

Permitted Height (storeys)	
Height (m)	Storey
10	1
11	2
12.5	2
14	3
17	4
20	5
23	6
26	7
29	8
32	9
38	11
41	12
50	15
53	16
65	20

Note:

- Permitted height in storeys have been determined based on a number of assumptions including minimum floor to ceiling heights, slab thicknesses, roof heights, slope of the land, basement provision, floor level requirements for flooding. There may be instances where development is able to achieve a greater number of storeys and still comply with maximum height under Holroyd LEP 2013. A full and proper assessment including relevant controls such as floor to ceiling height, floor space ratio, flooding, amenity and character will determine the appropriate height for the specific site.
- Ceiling heights shall be measured from finished floor level (FFL) to finished ceiling level (FCL).
- The maximum permissible height (in metres) is detailed within Holroyd Local Environmental Plan 2013, as a written statement and associated maps.
- Site specific height controls within of this DCP may also apply to commercial and shop top housing development.

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I.4. Setbacks, Separation and Depth

Objectives

- O1. To permit flexibility in the siting of buildings.
- O2. To protect the amenity of adjoining sites and reduce the impact of buildings on the public domain.
- O3. To minimise overshadowing of adjacent buildings and properties.
- O4. To ensure a consistent built streetscape.
- O5. To require suitable definition of the public domain and public spaces, including the provision of sufficient curtilage to heritage items.
- O6. To require a continuous built edge adjacent to footpaths that will reinforce the retail activity and commercial uses within the majority of the town centre.
- O7. To require setbacks which appropriately respond to the building separation requirements.
- O8. To provide visual and acoustic privacy for existing and new residents.
- O9. To ensure appropriate separation and articulation to minimise overshadowing of other residential areas and the public domain.
- O10. To provide adequate separation between proposed and existing buildings, whilst not unnecessarily burdening any proposed development with the majority of the separation requirements.
- O11. To establish the desired spatial proportions of the street and define the street edge.
- O12. To allow an outlook to and surveillance of the street.
- O13. Building separation is to increase in proportion to the building height to ensure appropriate urban form, adequate amenity and privacy for building occupants.

Development Controls

Note: Site specific controls for setbacks in certain business zones and precincts are located within this DCP.

Front Setback

- C1. Development in B1 Neighbourhood centre zones shall observe the established front setbacks of the existing neighbourhood centre.
- C2. Front setbacks in B2 Local Centre zones and B4 Mixed Use zone are indicated in site specific controls within this DCP.
- C3. Minimum front setbacks for B5 Business Development zones shall be as follows:
 - Greystanes and Smithfield- 10 metres
 - Holroyd/Granville- 6 metres
 - Church Street Granville- 0 metres
 - All other areas, unless otherwise stated in Part J, K, L, M, N, O, P or Q- 4 metres
- C4. Minimum front setbacks for B6 Enterprise Corridor zones shall be as follows:

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- South Wentworthville- 6m
- All other areas, unless otherwise stated in Part J, K, L, M, N, O, P, or Q- 4 metres.

Upper Storey Setback

- C5.** Unless otherwise stated in site specific controls within this DCP, a street wall height of three storeys (11-14 metres) is required for all commercial development, and for mixed use development in a commercial zone.
- C6.** Notwithstanding, a street wall height of four storeys (14-17m) is required in the following locations:
- B6 Enterprise Corridor zone on Great Western Highway at Mays Hill and Finlayson Transitway Precincts.
 - B5 Business Development zone- Church Street.
- C7.** A 3 metre setback is required above the street wall height.

Side Setbacks

- C8.** Unless otherwise stated in site specific controls within this DCP, where a site adjoins a business zone, there is no side setback requirement.
- C9.** Where a site adjoins any residential zone (and not separated by a road), the side setback shall be a minimum of 3 metres.
- C10.** Where adjoining a residential zone, the development must demonstrate that the proposed setbacks will enable the achievement of access to sunlight and privacy as required under this DCP to the adjoining residential property. Setbacks, transition of height, location of balconies and windows and screening may assist.

Rear Setback

- C11.** Unless otherwise stated in site specific controls within this DCP, development adjoining residential zones shall have a rear setback of 6 metres.
- C12.** Where development in the B6 Enterprise Corridor zones has access to a rear laneway, development may have a rear setback of 0m at ground level.
- C13.** Where adjoining a residential zone, the development must demonstrate that the proposed setbacks will enable the achievement of access to sunlight and privacy as required under this DCP to the adjoining residential property. Setbacks, transition of height, location of balconies and windows and screening may assist.

Separation- Mixed use development

- C14.** Building separation between adjoining buildings, where containing residential dwellings shall be provided, dependant on the height (in storeys) of the development. Separation controls are within Part B of this DCP.
- C15.** Openings, which allow for solar access may be provided on sites abutting street frontages, which would normally not be permissible due to inadequate separation to neighbouring buildings so long as, the proposed openings result in no adverse impacts on visual privacy and a minimal impact on acoustic privacy.

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Note: Habitable room/s includes rooms that are capable of being converted to a habitable room.

Depths

Note:

- Building depths for the retail or commercial component of a development shall be guided by setback, floor space ratio, site coverage, landscaping and parking requirements within this DCP.
- Building depths for residential component of development can be found Part B or Part M of this DCP.

1.5. Landscaping and Open Space

Landscaping should build on a site's existing natural and cultural features to contribute to a development's positive relationship to its context and site. Landscape design should optimize usability, privacy, social opportunity, equitable access and respect for neighbours' amenity. It plays a significant role in improving the amenity of open space and the visual quality for residents and visitors to the centre.

Together, landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for occupants and the adjoining public domain. As such, it should not be generated by left over spaces resulting from building siting and location.

Objectives

01. Enhance the amenity and liveability for residents, workers and visitors to the centre through integrated landscape design, improvements to the public domain and the provision of passive and recreational opportunities.
02. Provide a pleasant and enhanced streetscape character and amenity through the retention and/or planting of trees.
03. Provide for pleasant and safe public open spaces through designing for accessibility and surveillance.
04. Assist the management of the water table, stormwater and water quality through maximising site infiltration through deep soil and permeable surfaces.
05. Require communal open space that is assessable, functional and attractive and provides for passive recreation and landscaping.
06. Enhance liveability for residents by requiring every dwelling to have access to a private, useable and functional private open space directly adjacent to living areas and providing an extension of the living spaces.
07. Provide balconies and terraces of sufficient size and proportion, which are functional and allow for outdoor living and planter opportunities.
08. Require balconies and terraces to be integrated into the overall architectural form of the building and to contribute to the articulation and modulation of the building façade.
09. Contribute to the safety and liveliness of the street by allowing for casual overlooking and address.
010. Ensure private and communal open space areas are adequately landscaped and able to accommodate a range of plant species.
011. Provide appropriate soil conditions, drainage and irrigation measures that encourage plant

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growth.

Development Controls

- C1. Landscaped area is not required in business zones, unless where site specific controls within this DCP requires otherwise.
- C2. Where street setbacks are required, the resulting open space, other than that approved for vehicular and pedestrian access, shall be landscaped and maintained to Council's satisfaction.

Streetscape planting and public domain works

- C3. Planting and public domain works shall be in accordance with Council's Landscape Masterplan, where available.
- C4. Planting and pavement treatments along the street frontage are to maintain the landscape character of the locality. Integrating the development with adjoining properties by using plant species appropriate to the scale of the streetscape is required.
- C5. Developments are to contribute to streetscape character and public domain amenity by:
 - i) relating landscape design to the desired proportions and character of the streetscape
 - ii) using planting and landscape elements appropriate to the scale of the development
 - iii) selecting appropriate indigenous species in accordance with Council's preference.
 - iv) mediating between and visually softening the bulk of large development for the person on the street.

Deep Soil zones

- C6. Where there is limited capacity for water infiltration, stormwater treatment measures are to be integrated with the design of the buildings.

Communal Open Space- Residential Uses

- C7. Communal open space is to comprise a minimum of 25% of the site area for each development.
- C8. Locate open space on a podium level or on roofs, making it accessible for all residents.
- C9. Communal open space may be located in deep soil zones.
- C10. Communal open space should be in part open to the sky, unless where it contains a gym, swimming pool or similar.
- C11. Communal open space shall be consolidated and configured in order to achieve a functional, useable space. The minimum dimension of communal open space in any one direction is 6m.
- C12. Where possible, dwellings must be orientated towards communal open space areas to provide passive surveillance.
- C13. Dwellings adjoining communal open space may provide private entries with adequate fencing to ensure a suitable level of privacy.
- C14. Opportunities for planting shall be provided.

Private open space- Residential Uses

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- C15.** A minimum of one (primary) balcony and/or terrace must be provided for each residential unit.
- C16.** Primary balconies must:
- i) Be located adjacent to the main living areas, such as the living room, dining room or kitchen to extend the dwelling living space;
 - ii) Have a minimum dimension of 2.4m and with a minimum area of 10m² for 2+ bedroom apartments.
 - iii) Council may consider dimension of 2m and a minimum area of 8m² for balconies of studio and 1 bedroom apartments.
 - iv) Should be large enough to accommodate an outdoor dining table and seating.
 - v) Provide for planter boxes to allow for plantings within private balconies.
- C17.** Consider secondary balconies, including juliet balconies or operable walls with balustrades, for additional amenity and choice in larger apartments, adjacent to bedrooms and for clothes drying, site balconies off laundries or bathrooms.
- C18.** Design and detail balconies in response to the local climate and context. This may be achieved by:
- i) Locating balconies facing predominantly north, east or west to provide solar access;
 - ii) Utilising sun screens, pergolas, shutters or louvres and operable walls to control sunlight and wind;
 - iii) Providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions – along rail corridors, on busy roads or in tower buildings;
 - iv) Ensure the long face of the balcony is oriented to the outside of the building;
 - v) Choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; and
 - vi) Ensuring balconies are not so deep that they prevent sunlight entering the apartment below.
 - vii) Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:
 - viii) Detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades are not permitted as they do not provide privacy for the balcony or the apartment's interior, especially at night; and
 - ix) Detailing balustrades and providing screening from the public, for example, for a person seated looking a view, clothes drying areas, bicycle storage or air conditioning units.
- C19.** Use mechanisms to reduce noise impacts such as glass shutters to balconies.
- C20.** Additional balconies should have a minimum depth of 1.5m.
- C21.** Provide drying cupboards within balconies.
- C22.** Provide water and gas outlets on the main balconies, terraces and courtyards.
- C23.** Furniture layouts must accompany all development applications to ensure the useability of the

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balconies and terrace.

- C24.** Coordinate and integrate building services, such as drainage pipes and utilities/fixtures, with overall facade and balcony design, for example, drainage pipes under balconies are often visible from below in taller buildings and negatively impact the overall facade appearance.

Roof gardens and On Structure Planting

- C25.** Planter boxes must be adequate in size, shape and design to ensure the optimum growth of plants. The minimum requirement for soil provision is as follows:

Plant type	Volume	Depth	Area
Large Trees (up to 16m canopy diameter at maturity)	150m ²	1.3m	10m x 10m
Medium Trees (8m canopy diameter at maturity)	35m ²	1m	6m x 6m
Small Trees (4m canopy diameter at maturity)	9m ²	800mm	5m x 3.5m
Shrubs Depth		500-600mm	
Ground Cover Depth		300-450mm	
Turf Depth		100-300mm	

- C26.** Sufficient depth of soil above paving slabs is to be provided in order to enable growth of mature trees.

Landscape design.

- C27.** Paving is required to utilise porous materials wherever possible to contribute to on-site stormwater management.
- C28.** Use evergreen material to enhance visual privacy between adjoining buildings.
- C29.** All landscape treatments are to be provided by and at the cost of the developer.
- C30.** Minimum maintenance of landscaped areas through the use of robust materials and treatments is required.
- C31.** Landscape design should contribute to water and stormwater efficiency by integrating with water and stormwater management by:
- i) using plants with low water demand to reduce mains consumption
 - ii) using plants with low fertiliser requirements
 - iii) utilising permeable surface
 - iv) using water features
 - v) incorporating wetland filter systems.
- C32.** The amenity of open space is to be improved with landscape design by:
- i) providing appropriate shade from trees or structures
 - ii) providing accessible routes through the space and between buildings
 - iii) screening cars, communal drying areas, swimming pools and the courtyards of ground floor units
 - iv) allowing for locating art works where they can be viewed by users of open space

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and/or from within apartments.

- C33.** The energy and solar efficiency of dwellings and the microclimate of private open spaces are to be improved by planting design solutions including:
- i) trees for shading low-angle sun on the eastern and western sides of a dwelling
 - ii) trees that do not cast a shadow over solar collectors at any time of the year
 - iii) deciduous trees for shading of windows and open space areas in summer
 - iv) locating evergreen trees well away from the building to permit the winter sun access
 - v) varying heights of different species of trees and shrubs to shade walls and windows
 - vi) locating pergolas on balconies and courtyards to create shaded areas in summer and private areas for outdoor living.
 - vii) locating plants appropriately in relation to their size at maturity.
 - viii) is to provide a pleasant outlook and increased visual privacy between apartments

Pedestrian areas

- C34.** The provision of pedestrian plaza area and open space facilitating pedestrian movements.
- C35.** Changes in levels in pedestrian areas shall be gradual and minimised.
- Note: Pedestrian areas include (but are not limited to) footpaths, carparking areas and plazas.
- C36.** Pedestrian areas are to be paved in a manner to match existing paving or to suit the architectural treatment of the proposed development.
- C37.** Landscaping, including tree planting shall be provided within pedestrian areas.
- C38.** Pedestrian areas shall be provided as frontage to shops and shall link all activity within a centre.
- Note: Outdoor dining areas may be permitted in some pedestrian areas. Refer to Councils Outdoor dining policy.

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2. Movement

2.1. Rear Laneways and Private Accessways

Good vehicular circulation in the centre is important for pedestrians and residents. Vehicular crossings over footpaths not only can restrict vehicle and pedestrian movement, it can be dangerous within a town centre environment. Enabling access to developments through a secondary street or accessway will improve movement in the centre whilst making it a safer place.

The addition of laneways can also add to the vibrancy of the centre, providing opportunities for retail uses at grade.

Objectives

01. Make vehicular access to buildings more compatible with pedestrian movements and the public domain.
02. Require buildings fronting primary roads to gain vehicular access from the rear of the property.
03. Ensure the design of laneways promotes the principles of safer by design by ensuring clear sight lines through the laneway.
04. For building treatment and design for laneways to ensure functional and safe places.
05. Enable the maintenance of continuous retail frontages.

Development Controls

- C1. Where buildings have access to existing laneways, vehicular access must be provided from the laneway.
- C2. Laneways and private accessways shall be clear, direct and shall allow access for pedestrians at all times.
- C3. Signage shall be provided that indicates the public accessibility of lanes and rear accessways and the street to which the lane connects.
- C4. Laneways shall be visually appealing, which may be achieved through building design or the provision of public art.
- C5. All laneway shall be 8m in width, unless specified otherwise.

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2.2. Pedestrian access

Pedestrian accessibility is critical to establishing vibrant and safe business centres. Designing for pedestrians within the centre focuses on delivering high quality, safe and pleasant walking environments, which is person centred, rather than vehicular centred. Pedestrian access should be equitable, barrier free where all people who live, work and visit can enjoy the public domain and access communal use areas and apartments.

Objectives

- O1. Ensure access to workspaces, retail areas, apartments and to the public domain is direct and efficient for the entire community, regardless of age, physical condition or mobility restriction.
- O2. Require development to be well connected to the street and contributes to the accessibility of the public domain.
- O3. Provide an environment which is permeable for pedestrians.
- O4. Create a safe environment for all pedestrians.

Development Controls

- C1. The site and its planning is to be utilised to optimise accessibility to the development.
- C2. The design of developments shall comply with Disability (Access to buildings- Premise-Buildings) Standards 2010.
- C3. Design buildings to comply with Australian Standards (SSI428 Parts 1 & 2) Design for Access and mobility).
- C4. Direct and unimpeded access from the car parking area to all residential units and commercial uses within a development shall be provided.
- C5. Main building entry points should be clearly visible from primary street frontages, well lit, legible and enhanced through building design and treatment.
- C6. Access to public areas of buildings shall not have unnecessary barriers or obstructions including uneven and slippery surfaces, steep stairs and ramps, narrow doorways, paths and corridors etc.
- C7. Developments must provide continuous paths of travel from all public roads and spaces as well as unimpeded internal access.
- C8. Public accessible spaces including access ways, entry paths and lobbies must use durable, no slip materials, tactile surfaces and contrasting colours.

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2.3. Building entries

Clear and legible entrances provide orientation for both pedestrians and drivers. Well designed building entrances can assist in activating street frontages which is critical to the viability and vitality of the town centre. Direct, easy access from the footpath draws the street into ground floor uses encouraging pedestrian accessibility.

Objectives

- O1. Reinforce activities along main streets.
- O2. Provide legible and clearly defined building entries and access points
- O3. Ensure the design of entrances contributes to pedestrian safety and security.

Development Controls

- C1. Equal accessibility is to be ensured for all, in both residential and commercial uses.
- C2. The main entrance of buildings must be accessible for all members of the community.
- C3. Separate entries from the street are to be provided for cars, pedestrians, multiple uses (commercial and residential) and ground floor apartments.
- C4. Residential entries must be secure where access (e.g. lifts) is shared between commercial and residential uses.
- C5. Multiple cores which access above ground uses are to be provided where the site frontage is over 30m.
- C6. Dwellings off communal open space should have direct private entries.
- C7. Entries and associate circulation space are to be designed of an adequate size to allow movement of furniture.
- C8. Commercial development should include adequate areas for pedestrian movement, free from advertising or “overflow” retail structures.
- C9. Appropriate materials and treatments such as slip resistant materials, tactile surfaces and contrasting colours are to be used at building entries to ensure legibility and safety for all users.

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2.4. Vehicle access

The location, type and design of vehicular access points for a development can have impacts on the streetscape, building design and function of the centre. It is important that vehicular access is located to ensure the maintenance of a safe pedestrian environment, viability and vitality of the centre.

Objectives

- O1. Minimise the impact of vehicle access on streetscape amenity, pedestrian safety and circulation within the centre.
- O2. Enable active frontages.
- O3. Differentiate between primary and secondary roads and their uses.
- O4. Integrate vehicular access and service areas into building design and streetscape character.

Development Controls

- C1. Driveways shall be provided from laneways (existing or proposed), private accessways and secondary streets where possible.
- C2. If a building has access to a rear lane, side street or rights of way, the loading and unloading facilities and service access shall be provided from that lane.
- C3. The location of vehicular access shall consider existing services (power, drainage etc) and street trees.
- C4. One two way driveway is permitted per development site up to 10,000m².
- C5. Driveways shall be located at the required distance from the intersection of two roads.
- C6. Vehicular access shall be integrated with the overall design of the building and shall consider site layout, streetscape character and façade design.
- C7. All vehicles must be able to enter and leave the site in a forward direction.
- C8. The width of driveways is limited to a maximum of 6 metres or 8 metres for commercial loading docks and servicing.
- C9. Pedestrian safety is to be maintained through design including ensuring clear site lines at pedestrian and vehicular crossings and clearly differentiating vehicular and pedestrian access.
- C10. Flexible vehicular crossing widths to a maximum of 8 metres will be considered depending on traffic flows, sight distances and the type of vehicles using the crossing. This is consistent with Part D.

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2.5. Parking

On-site parking includes both underground (basement), surface (on grade) and above ground, and can include parking stations.

It is important that carparking does not visually dominate the streetscape or impact on stormwater management. Carparking that is well designed and located should make efficient use of the site, reduce its visual impact and enables the maintenance of active frontages.

Objectives

01. Minimise car dependency for commuting and recreational transport use and to promote alternative means of transport such as public transport, bicycling and walking.
02. Maintain a positive streetscape character by designing and treating carparking to reduce its visual impact.
03. Ensure parking does not impact on the character and function of active frontages.

Development Controls

Note: Parking rates for are located in Part A of this DCP.

- C1. On-site parking is to be accommodated underground wherever possible, in zones where residential development is permitted.
- C2. Consolidate basement parking areas under building footprints to maximise the area available for landscaping.
- C3. No on-site parking is to be directly visible from an active or main street frontage.
- C4. Parking areas shall be designed to ensure pedestrian amenity and safety.
- C5. Natural ventilation is to be facilitated to basement and sub-basement car parking areas wherever possible and with regard to any flooding issues.
- C6. Ventilation grilles and structures shall be integrated into the façade and landscape design, should not be provided at active frontage and should not be near windows of habitable rooms and open space areas.
- C7. Safe and secure access is to be provided from on site parking for building users, including direct access from parking to lobbies
- C8. Marked pedestrian pathways with clear lines of sight and safe lighting shall be provided.
- C9. Parking shall be provided as a logical and efficient structural grid.
- C10. Required visitor spaces must be capable of being accessed by visitors with a disability.
- C11. Driveway walls adjacent to the entrance of a basement car park are to be treated so that their appearance is consistent with the basement or podium walls.
- C12. Private car parking for shop top housing must be clearly identified and separated from regular business car parking must be clearly identified and separated from regular business car parking.
- C13. Visitor parking shall be clearly identified and may not be stacked parking.

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3. Design and Building Amenity

3.1. Safety and Security

A safe and secure environment encourages activity, vitality and viability, which in turn encourages a greater level of security. The design of buildings, private and public spaces should enable casual surveillance, definition of space and access control and minimise threats to safety.

Objectives

01. Ensure building and place design is guided by the Crime Prevention through Environmental Design (CPTED principles).
02. Reduce opportunities for crime through the provision of opportunities for casual surveillance.
03. Provide pedestrians with direct and well used traffic routes with good night lighting.
04. Control access to private spaces within the centre.

Development Controls

- C1. Boundaries between private and public spaces should be defined and strengthened through building form and/or design elements.
- C2. Casual surveillance of spaces is to be achieved through active frontages, street address and creating casual views of common internal areas (i.e. lobbies and foyers, hallways, recreation areas and carparks).
- C3. Visible, functional and safe building entries are to be provided using the following: street address, clear lines of sight, separate entries for commercial and residential uses, direct entries to ground floor dwellings, direct and well lit routes from carparks and lift lobbies to all floors within the development.
- C4. Building entries should be placed in visually prominent locations and be easily identifiable with numbering.
- C5. Blind or dark alcoves near lifts and stairwells, at the entrance and within carparks along corridors and walkways are not permitted.
- C6. Adequate lighting shall be provided within a development, such as pedestrian routes and accessways, common areas and communal open space, car parking areas, all entries and under awnings. Timers and motion sensors may be implemented where appropriate to reduce energy consumption.
- C7. Illumination in carparks and building entrances should draw attention to the spaces to increase perceived safety.
- C8. Landscaping should avoid opportunities for concealment. Landscape treatment such as low plantings or trees with a clean trunk to 2m are encouraged.
- C9. The design of roads and location of street furniture must ensure adequate sight lines for drivers.
- C10. Paving and other walkway treatments shall be designed and maintained to prevent trip hazards.

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- C11. Where private open space is located within the front setback, the design and height of fencing should allow passive surveillance of the street.
- C12. Provide security access controls to buildings where appropriate.
- C13. Large scale retail and commercial development and mixed use developments shall provide a safety by design assessment in accordance with CPTED principles from a qualified consultant.

3.2. Façade design and Building materials

The architectural quality of facades contributes to the character and vibrancy of the centre and its public domain. High architectural quality requires the appropriate composition of building elements, textures, materials, colours to reflect the use, internal design and structure of the development.

Objectives

- O1. Ensure buildings contribute positively to the streetscape and public domain through high quality architectural design.
- O2. Ensure building longevity and a visually positive streetscape through the provision of high quality finishes and materials.
- O3. Contribute to a visually interesting skyline.
- O4. Provide for pedestrian amenity and safety through architecture definition of streets and public spaces.
- O5. Design buildings to maintain a pedestrian scale through articulation and detailing on the lower levels of the building.

Development Controls

- C1. Provide a street address to each building.
- C2. Façade proportions and vertical and horizontal emphasis shall be appropriate to the scale of development and its interaction with the streetscape. Vertical emphasis shall be incorporated above awnings.
- C3. Express vertical elements within the façade rather than floor levels.
- C4. Blank walls and large expanses of one material shall be avoided.
- C5. External walls should be constructed of high quality and durable materials and finishes that are appropriate for the scale of development. Materials with 'self cleaning' attributes shall be used.
- C6. Maximise the use of glazing to active frontages.
- C7. Building walls addressing the street should be articulated and fragmented to add interest and to avoid bulky appearance.
- C8. Buildings located on corner sites are to be articulated to address each street frontage.
- C9. Building finishes should not result in causing glare that creates a nuisance and hazard for pedestrians and motorists in the centre. Generally reflective and glazed finishes are discouraged above the first floor.

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- C10. Balconies and terraces should be provided to overlook the street and public domain and shall be integrated into the design of the facade.
- C11. Façade designs shall reflect the orientation of the site using elements such as shading devices, light shelves and bay windows as environmental controls, depending on the facade orientation.
- C12. All walls to the street shall be articulated by either/or windows, verandahs, balconies or blade walls. Such 'articulation' elements may be forward of the required building line up to a maximum of 600mm.
- C13. The design of plant rooms and lift overruns is to be integrated into the overall architecture of the building.
- C14. Building services, such as drainage pipes shall be coordinated and integrated with overall façade and balcony design.
- C15. In mixed use and shop top housing development, distinguish residential entries from commercial/retail entries.
- C16. Security grills, ventilation louvres and carpark entry doors shall be integrated with the design of the overall facade.
- C17. Security devices fitted to building entrances and windows shall be transparent to allow for natural surveillance.
- C18. New buildings should express the existing underlying subdivision pattern (i.e. designing fine grain shop fronts, where the existing subdivision is fine grain).
- C19. Any Automatic Teller Machine (ATM) must be located at a highly visible locations at street level, and must be well lit at night and incorporate mirrors or reflective materials so that users can observe people behind them.
- C20. The ground floor level must have active uses facing streets and public open spaces.

3.3. Laneway and Arcade Design

Site links in the form of laneways and arcades provide permeability within the centre for pedestrians and vehicular traffic which enhances movement, safety and streetscape vibrancy and functionality. It is important that the design of these links consider the safety and security of pedestrians and how they may contribute to the vibrancy of places.

Objectives

- O1. Ensure the design of laneways and arcades provides for pedestrian safety and amenity.
- O2. Assist in creating a vibrant centre through active frontages.
- O3. Promote permeability in the redevelopment of large sites.

Development Controls

Laneway

- CI. The design of laneways and buildings adjacent shall incorporate safer by design principles and

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promote a safe environment through:

- i) defining private and public space,
 - ii) ensuring clear lines of sight between from one end of the laneway to the other,
 - iii) eliminating spaces that enable hiding or that do not have direct visual access,
 - iv) ensure overlooking and surveillance through balcony and window location,
 - v) provide suitable lighting to all entrances and locations of parking from the laneway.
 - vi) North/south Laneways shall be clear and direct throughways for pedestrians
 - vii) Public access to laneways shall be provided at all times, unless otherwise stipulated by Council.
- C2.** A high standard of facade design is required to create articulation for buildings addressing laneways.
- C3.** Opportunities for public art and design in laneways should be explored in order to create visual interest and vibrancy.
- C4.** Any awnings provided in laneways shall be a reduced size to provide amenity for pedestrians, without affecting vehicular traffic access and safety.
- C5.** Continuous awnings are not required on laneways.

Arcades

- C6.** Arcades shall be a minimum width of 6m and a minimum 4m high, which is free of all obstructions (i.e. columns, stairs etc).
- C7.** Direct and unrestricted public access shall be provided during business trading hours.
- C8.** Active frontages shall be provided on both sides, for the full length of the arcade.

Large sites

- C9.** Redevelopment of sites over 8000m², where no pedestrian links are required under this DCP shall maximise the permeability of the site and where necessary provide suitable pedestrian links in accordance with this plan.

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3.4. Shopfronts

Objectives

- O1. To provide for an active and vibrant commercial centre through activating the street, during both trading and non-trading periods.
- O2. To implement adequate security measures.
- O3. To allow casual surveillance of the streetscape.
- O4. To ensure that retail and business premises present a suitable streetscape appearance.
- O5. To create an inviting, visually pleasing and safe environment.

Development Controls

Security

- C1. Solid roller shutters, either internal or external, that block out or obscure windows or entrances, are not permitted.
- C2. Security Bars are not permitted.
- C3. The boarding/bricking up of shopfronts is not permitted.
- C4. The following security measures are acceptable:
 - Open grille (concertina) security devices- where they are unobtrusive, discreet in design and colour and open in nature.
 - Transparent grille shutter security devices- where located behind the shopfront.
- C5. Council may require the removal and upgrading of existing unacceptable or unauthorised shopfront security devices.

Notes:

- The use of toughened glass is encouraged.
- Security measures such as alarms, appropriate lighting and security patrols should be considered.

Design

- C6. All street frontage windows located at ground floor level are to be clear of glazing.
- C7. Street numbers shall be located on shopfronts and awnings, and shall be clearly visible from the street.
- C8. New shopfronts shall be constructed of materials that are consistent with the existing building and streetscape.

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3.5. Daylight Access

Solar access is a major determinant of environmental comfort. Good passive solar design offers a resource and financial benefit by reducing the need for artificial heating and cooling.

Merrylands centre is to become a compact urban area and it is critical for daylight access to be achieved in both public open spaces and private living areas. The orientation of roads within Merrylands core centre is east-west, which requires dwellings to be carefully orientated and designed in order to maximise the northern and eastern aspects as far as possible to achieve daylight access for residents.

Objectives

01. Maximise the use of direct and indirect natural light to reduce energy consumption and create energy efficient buildings.
02. Ensure adequate daylight access is provided to all habitable rooms within a development.
03. Ensure development does not hinder the obtainment of adequate daylight access to habitable rooms of other dwellings.
04. Provide public open spaces that receive adequate daylight access for the enjoyment of all residents and visitors.

Development Controls

- C1. Developments shall be designed to maximise northern aspects for dwellings and offices.
- C2. Habitable rooms and primary private open spaces should be located on northern, eastern and western aspects.
- C3. South facing dwellings where possible should have an alternative orientation to achieve solar access
- C4. Where south facing dwellings are unavoidable, window areas are to be maximised.
- C5. Single aspect dwellings that have a southerly aspect (SW-SE) shall be limited to a maximum of 30% of the total number of dwellings proposed within a development.
- C6. Single aspect dwellings shall be limited in depth to 8m.
- C7. Living rooms and private open spaces in a minimum of 70% of dwellings within a development shall receive at least 2 hours of direct sunlight between 9am and 3pm in Mid-winter.
- C8. Maintain 3 hours of direct sunlight to 70% of dwellings in adjoining R4 zones.
- C9. Direct daylight shall be achieved in communal open spaces between March and September and appropriate shading is to be provided in summer.
- C10. Public open spaces identified within this plan are to receive 3 hours of daylight to 50% of the space in mid winter.
- C11. Developments shall ensure that access to daylight is maintained to private open spaces and habitable rooms of existing and proposed surrounding buildings, so as to comply with this DCP.
- C12. Developments shall be designed to control shading and glare.

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3.6. Visual + Acoustic Privacy

Acoustic privacy from internal spaces within buildings and external noise factors increases the amenity for residents and the liveability of business centres

Developments shall be designed in order to protect the amenity of residents through the separation of buildings, arrangement of internal spaces within apartments and materials and finishes.

Objectives

01. Provide reasonable levels of visual privacy externally and internally, during the day and night.
02. Maximise outlook and views to the street and public spaces without compromising visual privacy.
03. Ensure a high level of amenity for residents through the provision of acoustic privacy within dwellings and private open spaces.
04. Minimise impacts from noise generating infrastructure.

Development Controls

Visual Privacy

- C1. New development shall be located and oriented to maximise visual privacy between buildings on site and adjacent buildings by:
 - i) providing adequate building separation and setbacks in accordance with Section 4.5,
 - ii) utilising the site layout to increase building separation by orienting buildings on narrow sites to the front and rear of the lot, thereby utilising the street width and rear garden depth to increase the separation distance.
- C2. Detailed site and building design elements are to be used to increase privacy without compromising access to light and air. Design detailing may include:
 - i) offsetting windows of apartments in new development and adjacent development windows,
 - ii) recessing balconies and/or vertical fins between adjacent balconies,
 - iii) using solid or semi-solid balustrades to balconies,
 - iv) using louvres or screen panels to windows and/or balconies,
 - v) providing appropriate fencing,
 - vi) providing vegetation as a screen between spaces,
 - vii) incorporating planter boxes into walls or balustrades to increase the visual separation between areas,
 - viii) utilising pergolas or shading devices to limit overlooking of lower apartments or private open space,
 - ix) providing appropriate fencing.
- C3. Building layouts are to be designed such that direct overlooking of rooms and private open spaces is minimised in apartments by:
 - i) locating balconies to screen other balconies and any ground level private open space

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- ii) separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms
 - iii) changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space
- C4.** Landscaping shall be designed to provide screening and filtering for control of privacy and to reduce overlooking of dwellings.
- Acoustic Privacy
- C5.** Building siting and layout shall be designed to maximise the potential for acoustic privacy. This shall be achieved through:
- i) providing adequate building separation and setbacks in accordance with Section 4.5 and,
 - ii) ensuring vertical and horizontal separation between conflicting uses generating different levels of noise.
- C6.** Apartments shall be arranged within a development to minimise noise transition by:
- i) Locating busy, noise areas next to each other and quieter areas next to each other (i.e. bedrooms with bedrooms and service areas like kitchen, bathroom, and laundries together).
 - ii) Using storage or circulation zones within an apartment to buffer noise from adjacent dwellings, mechanical services or corridors and lobby areas, minimizing the amount of party (shared) walls with other dwellings.
 - iii) Using service areas/corridors to buffer 'quiet' areas such as bedrooms from noise generators including traffic, railway line, service and loading vehicle entries.
 - iv) minimising the amount of party (shared) walls with other dwellings/apartments.
- C7.** Conflicts between noise, outlook and views are to be resolved by using design measures such as double glazing, operable screened balconies and continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.
- C8.** Where commercial/offices uses and residential uses are located adjacent to each other, air conditioning units, buildings entries and the design and layout of areas serving after hours uses shall be located and designed to minimise any acoustic conflicts.
- C9.** Developments shall be designed to minimise the impact of noise associated for uses whose hours may extend outside of normal business hours, including restaurants and cafes.
- C10.** Developments shall be designed to locate driveways, carports or garages away from bedrooms.
- C11.** Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.

Note:

- Noisy walking surfaces such as suspended timber, metal decks, tiles and reflective internal surfaces to hallways or other communal areas are to be avoided.
- Plumbing noise between dwellings and between buildings should be eliminated.

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3.7. Managing External Noise and Vibration

Buildings in close proximity to the railways need to consider the impact of external noise and vibration on development proposals.

Objectives

01. Ensure consent is not to be granted for development on land affected by external noise, if, in the opinion of Council, will be affected by noise and vibration, unless the development will incorporate attenuation measure to the satisfaction of Council.

Development Controls

- C1. Development proposals within 60m of a railway line and/or adjacent Classified Road must provide a report, to be submitted with the development application, demonstrating that the development will comply with the following criteria.
- C2. The following Australian Standards are to be complied with:
 - i) AS 1055-1997 Acoustics - Description and Measurement of Environmental Noise.
 - ii) AS 1259-1990 Acoustics – Sound Level Meters Part 2 Integrating – Averaging.
 - iii) AS 1633-1985 Acoustics - Glossary of Terms and Related Symbols.
 - iv) AS 2107-2000 Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.
- C3. The report shall be prepared by an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS).
- C4. Prior to the issues of an Occupation Certificate, a noise compliance report shall be submitted to the Principal Certifying Authority (PCA) confirming that the building/s comply with the noise criteria following. The report shall be prepared by an acoustic consultant, other than the consultant responsible for the preliminary/design report, having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grad membership of the Australian Acoustical Society (MAAS).
- C5. Acoustic reports prepared under this Plan must be prepared in accordance with the specified methodology provided in the Appendix.
- C6. Floor vibration levels in habitable rooms should comply with the criteria in British Standard BS6472: 1992 Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz). This is the vibration standard recommended by the Department of Planning and the Department of Environment and Conservation (DEC). It is similar to AS2670.2 – 1990 but includes additional guidance in relation to intermittent vibration such as that emitted by trains.

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3.8. Awnings

The provision of awnings within a centre increases the usability of amenity of the footpath, encouraging active environments through greater pedestrian movement and activity. Awnings like building entries, provide a public presence and interface with the public domain contributing to the identity of an environment.

Objectives

- O1. Ensure the amenity of pedestrians through weather protection.
- O2. Maintain a consistent streetscape and provide visual interest through a continuous awning theme.
- O3. Locate awnings to provide for the safety and security of pedestrians.
- O4. Enable the provision of street tree planting and furniture location.

Development Controls

- C1. Continuous awnings are required to be provided to all active street frontages (except laneways).
- C2. Awnings generally:
 - i) Should be flat,
 - ii) must be 3m deep,
 - iii) be setback from the kerb a minimum of 600mm,
 - iv) have a minimum soffit height of 3.2m-3.3m,
 - v) have slim vertical facias and/or eaves not to exceed 300mm.
- C3. Awnings are permitted on laneways where active frontages are required and shall be retractable and only used in hours of operation.
- C4. Colonnades are generally not permitted except only for building facades that address open space areas.
- C5. Awnings should be provided in modules to match building frontages.
- C6. Awnings on street corner buildings shall wrap around corners.
- C7. Cantilevered awnings from the buildings shall have a minimum soffit height of 3.2m – 3.3m.
- C8. Do not break a continuous run of awnings.
- C9. Canvas blinds along the street edge are not permitted.
- C10. Awnings are to be located over all building entries to indicate entry points.
- C11. Awnings should be complimentary to each other in regards to size, design and location.
- C12. Cut outs or offsets in awnings for trees and lightpoles are not acceptable.
- C13. Lighting fixtures should be recessed into the design, with all wiring and conduits to be concealed.
- C14. Gutters should not be clearly visible from the footpath and could be concealed or recessed into the ground floor frontage of the building.

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3.9. Apartment Layout

It is important that the spatial layout of an apartment has been designed with consideration of a range of environmental and liveability factors that would impact on the level of residential amenity achievable.

Objectives

- O1. Ensure a quality spatial arrangement reflective of a town centre lifestyle.
- O2. Ensure high a standard of amenity and flexibility for residents.
- O3. Maximise the environmental performance of apartments.
- O4. Provide efficient apartment layouts.
- O5. Avoid deep and narrow apartments.
- O6. Maximise the environmental performance of apartments.

Development Controls

- C1. No part of any residential unit shall be more than 8m from the glassline.
- C2. Single aspect apartments are to have a maximum depth of 8m from the glassline.
- C3. The back of the kitchen shall be no more than 8m from a window.
- C4. The width of any apartment is to be no less than 4.5m (4.3m internally).
- C5. Residential apartments are to have the following minimum internal floor areas:
 - i) Studio - 40m²
 - ii) 1 bedroom - 50m²
 - iii) 2 bedroom - 70m²
 - iv) 3 bedroom - 95m²
 - v) 4 bedroom - 120m²
- C6. The minimum width of cross-over or cross-through apartments which are over 15 metres deep shall be 4.5m or greater.
- C7. Apartment layouts shall be designed to be resilient over time through accommodating the following:
 - i) a variety of furniture arrangements,
 - ii) a range of activities and privacy levels between different spaces within the apartment,
 - iii) flexible room sizes, proportions or open plans,
 - iv) ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.
- C8. Apartment layouts shall be designed to respond to the natural environment and optimise site opportunities by:
 - i) orienting main living spaces toward the primary outlook and aspect and away from neighbouring noise sources or windows,
 - ii) locating main living spaces adjacent to main private open space,
 - iii) locating habitable rooms, and where possible kitchens and bathrooms, on the

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- external face of the buildings thereby maximises the number of rooms with windows,
- iv) maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight, for example by providing corner apartments, cross-over or cross-through apartments, split-level or maisonette apartments and shallow, single-aspect apartments.
- C9. Avoid locating kitchens as part of the main circulation spaces of an apartment, such as a hallway or entry space.
- C10. Apartment layouts and dimensions shall facilitate furniture removal and placement.

3.10. Flexibility and Adaptability- Residential Mix

Objectives

- O1. Ensure the design of apartments meet the broadest range of occupants needs possible.
- O2. Promote buildings that can accommodate whole or partial changes of use.
- O3. Provide a diversity of apartments types, which cater for different household requirements now and in the future.
- O4. To maintain equitable access to new housing by cultural and socio-economic groups.

Development Controls

- C1. Design commercial uses to permit adaptation and flexibility for future development.
- C2. Building configurations should provide multiple entries and circulation cores, especially in larger buildings over 15 m long by adopting the following:
 - i) Thin building cross sections which are suitable for residential or commercial uses,
 - ii) A mix of apartment types,
 - iii) Higher ceiling heights on the ground and first floors,
 - iv) Separate entries for ground floor uses and upper levels, and
 - v) Sliding and/or moveable wall systems.
- C3. Apartment layouts are required to facilitate the change of use of rooms, including the provision of:
 - i) Windows in all habitable rooms and to a maximum number of non-habitable rooms, and
 - ii) Adequate room sizes or open-plan apartments that enable a variety of furniture layout opportunities,
 - iii) dual master-bedroom apartments, which can support two independent adults living together or a live/work situation,
- C4. Structural systems are required to support changes in future building use or configuration including:

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- i) A structural grid that accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building;
 - ii) The alignment of structural walls, columns and services cores between floor levels;
 - iii) Minimising internal structural walls;
 - iv) Higher floor to floor dimensions on the ground floor and possibly the first floor; and
 - v) Knock out panels between two adjacent apartments to allow future amalgamation.
- C5.** Facilitate accessibility and adaptability of developments by:
- i) Optimising the amount accessible retail, commercial, communal space;
 - ii) Maximising the number of accessible apartments; and
 - iii) Providing adequate pedestrian access and mobility in the development.
- C6.** Unless otherwise stated in Part M of this DCP, adaptable housing shall be provided in accordance with Part B of this DCP.
- C7.** Robust building configurations are to be provided, which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long, for example by:
- i) thin building cross sections, which are suitable for residential or commercial uses,
 - ii) a mix of apartment types,
 - iii) higher ceilings on the ground floor and first floor,
 - iv) separate entries for the ground floor level and the upper levels,
 - v) sliding and/or movable wall systems.
- C8.** All commercial/retail components of mixed use buildings comply with ASI428-2001.
- C9.** Pre- and post-adaptive designs are required to be submitted at DA stage to demonstrate compliance with the relevant sections of the checklist provided in Appendix A of AS 4299-1995.

Apartment Mix

- C10.** A variety of apartment types between studio, one, two, three and three plus bedroom apartments shall be provided in each development.
- C11.** Studios and 1 bedroom apartments are not to exceed 20% of the total apartment mix within each development.
- C12.** A mix of one and three bedroom apartments are to be located on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.

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3.11. Corner buildings

Corner site buildings play an important role within a town centre in providing legibility, reinforcing the road layout and can assist in creating a visually interesting streetscape.

Objectives

01. Promote a strong and legible streetscape character by ensuring corner sites are visually significant elements.
02. Require buildings at visually significant locations are well designed and respond to the different characteristics of the streets they address.
03. Reinforce and clarify spatial relationships and street hierarchy in the centre and accentuate the topography.

Development Controls

- C1. Generally, corner building shall be designed to:
 - i) Articulate street corners by massing and building articulation,
 - ii) to add variety and interest to the street,
 - iii) Present each frontage of a corner building as a main street frontage,
 - iv) reflect the architecture, hierarchy and characteristics of the streets they address, and
 - v) align and reflect the corner conditions.

3.12. Ground floor apartments

Ground floor apartments can offer many opportunities for various lifestyles and housing choices because of the potential for direct access from the street. Opportunities for private open space and landscape design, home office uses and accessibility should be explored, whilst maintaining privacy, safety and security.

Objectives

01. Contribute to the creation of active, safe streets.
02. Increase the housing and lifestyle choices available in apartment buildings.

Development Controls

- C1. Opportunities for the provision of on grade private gardens, directly accessible from the street or from the main living spaces should be explored in ground floor apartments.
- C2. The number of accessible ground floor apartments should be maximised.
- C3. Ground floor apartments should support a change or partial change in use, such as home office or corner shops (where permissible).
- C4. Individual entries from the street to ground floor apartments are encouraged in order to animate the street edge.

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- C5.** Privacy, safety and security for ground floor apartments shall be optimised through design mechanisms such as:
- i) appropriate fencing, lighting and landscaping,
 - ii) Minimising sight lines from the street into apartments through a change in levels,
 - iii) requiring windows and doors facing the street,
 - iv) stepping up the ground floor from the level of the footpath a maximum of 1.2 metres,
 - v) designing balustrades and establishing window sill heights to minimise sight lines into apartments, particularly in areas with no street setback,
 - vi) determining appropriateness of individual entries,
 - vii) ensuring safety bars or screens are integrated into the overall elevation design and detailing.
- C6.** Opportunities for solar access to ground floor units is to be increased by:
- i) providing higher ceilings and taller windows,
 - ii) choosing trees and shrubs which provide solar access in winter and shade in summer.

3.13. Internal circulation & storage for residential uses

Amenity within apartments should be considered through the circulation design of apartments, as this can critically impact access to solar access and safety and security. Amenity in the form of access to storage facilities within and outside of apartments is important to cater to the lifestyle needs of residents.

Objectives

01. Create safe and pleasant spaces for the circulation of people and their personal possessions.
02. Facilitate quality apartment layouts, such as dual aspect apartments.
03. To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.
04. To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.
05. Provide adequate storage for everyday household items within easy access of the apartment and storage for sporting, leisure, fitness and hobby equipment within the development.

Development Controls

Internal circulation

- C1. Where apartments are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor is to be limited to eight.
- C2. Better apartment layouts are to be supported by designing buildings with multiple cores which:
 - i) increase the number of entries along a street,
 - ii) increase the number of vertical circulation points,
 - iii) give more articulation to the facade,
 - iv) limit the number of units off a circulation core on a single level
- C3. Amenity and safety in circulation spaces is to be increased by:
 - i) providing generous corridor widths and ceiling heights, particularly in lobbies, outside lifts and apartment entry doors
 - ii) providing appropriate levels of lighting, including the use of natural daylight, where possible,
 - iii) minimising corridor lengths to give short, clear sight lines,
 - iv) avoiding tight corners,
 - v) providing legible signage noting apartment numbers, common areas and general directional finding,
 - vi) providing adequate ventilation.
- C4. Longer corridors are to be articulated by:
 - i) changing the direction or width of a corridor,
 - ii) utilising a series of foyer areas,
 - iii) providing windows along or at the end of a corridor.
- C5. Maintenance is to be minimised and durability is to be maintained by using robust materials in

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common circulation areas.

Storage

- C6.** In addition to kitchen cupboards and bedroom wardrobes, accessible storage facilities shall be provided at the following rates as a minimum:
- i) Studio apartments 6m²,
 - ii) One bedroom apartments 6m²,
 - iii) Two bedroom apartments 8m², and
 - iv) Three plus bedroom apartments 10m².
- C7.** The above minimum storage areas shall be excluded from apartment size calculations.
- C8.** Storage shall be located conveniently for apartments. This may be achieved through providing:
- i) At least 50% of the required storage within each apartment and accessible from either the hall or living area or from under internal stairs.
 - ii) Storage as cupboards.
 - iii) dedicated and/or leaseable storage in internal or basement car parks. Leasing storage provides choice and minimised the impact of storage on housing affordability.
 - iv) Dedicated storage rooms on each floor within the development, which can be leased by residents as required; and
- C9.** Provide storage, which is suitable for the needs of residents in the local area and able to accommodate larger items, such as:
- i) Sporting equipment (skiing, surfing, golfing etc), and
 - ii) Bicycles.
- C10.** Storage which is separated from apartments is secure for individual use and that the content of the storage space is not visible.
- C11.** Where basement storage is provided, ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations.
- C12.** Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.

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3.14. Balconies

Balconies enhance the amenity and lifestyle of residents and provide private open space and can extend the living space of an apartment. Balconies are also important architectural elements, contributing to the form and articulation of developments.

Objectives

- O1. Ensure every dwelling has access to a private, useable and functional private open space.
- O2. Ensure balconies are functional and responsive to the environment, thereby promoting the enjoyment of outdoor living for apartment residents.
- O3. Contribute to the safety and liveliness of the street by allowing for casual overlooking and address.
- O4. Design balconies are integrated into the overall architectural form and detail of buildings.
- O5. Contribute to the articulation and modulation of the building façade through the use of balconies and terraces.
- O6. Extend the functionality of living spaces by locating balconies directly adjacent to living areas.
- O7. Provide balconies and terraces of sufficient size and proportion, which are large enough to accommodate an outdoor dining table and seating.
- O8. Ensure balconies provide an opportunity for planter boxes or alike.

Development Consent

- C1. Each apartment shall have a minimum of at least one primary balcony.
- C2. Primary balconies are to have a minimum depth of 2.4m and a minimum area of 10m².
- C3. Primary balconies are to be:
 - i) located adjacent to the main living areas, such as living room, dining room, kitchen to extend the dwelling living space,
 - ii) sufficiently large and well proportioned to be functional and promote indoor / outdoor living. A dining table and two to four chairs should fit on the majority of balconies in any development. Consider supplying a tap and gas point.
- C4. Secondary balconies (including Juliet balconies or operable walls with balustrades) are encouraged to be provided to increase residential amenity and apartment choice in larger apartments and adjacent to bedrooms.
- C5. Additional balconies should have a minimum depth of 1.5m.
- C6. Where balconies are sited off laundries or bathrooms they are to be screened from the public domain.
- C7. Balconies are to be detailed and designed in response to the local climate and context, thereby increasing their usefulness. This may be achieved by:
 - i) locating balconies facing predominantly north, east or west to provide solar access,
 - ii) utilising sun screens, pergolas, shutters and operable walls to control sunlight and

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- wind,
 - iii) providing balconies with operable screens, Juliet balconies or operable walls / sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions—along rail corridors, on busy roads or in tower buildings,
 - iv) choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy,
 - v) ensuring that balconies are not so deep that they prevent sunlight entering the apartment below.
- C8.** Coordinate and integrate building services, such as drainage pipes and utilities/fixtures, with overall facade and balcony design, for example, drainage pipes under balconies are often visible from below in taller buildings and negatively impact the overall facade appearance.
- C9.** Provide for planter boxes to allow for plantings within private balconies.
- C10.** For clothes drying, site balconies off laundries or bathrooms; they should be screened from the public domain.
- C11.** Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:
- i) Detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the apartment's interior, especially at night, and
 - ii) Detailing balustrades and providing screening from the public, for example, for a person seated looking a view, clothes drying areas, bicycle storage or air conditioning units.
- C12.** Use mechanisms to reduce noise impacts such as glass shutters to balconies.
- C13.** Provide drying cupboards within balconies.
- C14.** Provide water and gas outlets on the main balconies, terraces and courtyards.
- C15.** Furniture layouts must accompany all development applications to ensure the useability of the balconies and terrace.

3.15. Natural Ventilation

Objectives

- O1. To ensure buildings are designed to provide direct access to natural ventilation and to assist in promoting thermal comfort for occupants.
- O2. To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

Development Controls

- C1. Where possible, orient buildings and apartments to maximise prevailing breezes.
- C2. Building and apartment depth, as required Part B or Part M shall be achieved.
- C3. 80% of all dwellings within a residential apartment building should be cross ventilated.
- C4. 25% of kitchens within a development must have direct access to natural ventilation.
- C5. Ensure each dwelling can be naturally ventilated through the appropriate siting and layout of the rooms.
- C6. Locate window and door openings to facilitate cross ventilation.
- C7. Arrange windows, doorways and other openings to allow free internal air movements.
- C8. Double loaded corridors in apartment buildings are limited to 8 dwellings per floor, unless these are cross-over apartments in which case the maximum number of dwellings shall not be more than 12.

3.16. Roof design

The architectural design of roofs can influence character within a centre and the composition of the building. It may provide amenity to residents through the provision of roof gardens or other environmental applications.

Objectives

- O1. Contribute to the character of business centres.
- O2. Incorporate well designed rooftops that add visual interest to the skyline when viewed from street level or surrounding key vantage points.
- O3. Ensure the desired amenity for public spaces is achieved.

Development Controls

- C1. Roof forms and styles shall reflect and related to the scale and context of the building and character of the street. Pitched roofs (i.e. Roof forms copying elements of single family homes) are discouraged and will not be permitted in the following circumstances:
 - i) Where a pitched roof design does not relate to the existing urban context,
 - ii) Where a pitched roof increases the visual bulkiness of a proposed building.
- C2. Incorporate roof top elements such as lift overruns, service plants and other visually intrusive service elements and infrastructure into the design of the roof.
- C3. Where flat roofs are proposed, lift overruns, rooftop plant and machinery should be obscured from view by parapets or be incorporated within rooftop activities/features.
- C4. Wherever possible provide landscaped and shaded areas on roofs (i.e. roof gardens).
- C5. Minimise the bulk and mass of roofs and the potential for overshadowing from roofs.
- C6. Roof design is to respond to the orientation of the site through using eaves and skillion roofs to respond to sun access.
- C7. Roofs may be articulated, or broken down its massing on large buildings, in order to minimise the apparent bulk or to relate to a context of smaller building forms.
- C8. Consideration should be given to facilitating the use of roofs for sustainable functions such as:
 - i) Installing rain water tanks for water conservation,
 - ii) Orient and angle roof surfaces suitable for photovoltaic applications,
 - iii) allow for future innovative design solutions such as water features or green roofs.

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3.17. Maintenance

Detailed design and material selection support long-term maintenance of buildings and on going maintenance ensures the longevity of quality architectural and landscape design sustains and increases the value of property and minimises the life-cycle cost of a development to owners.

Objectives

- O1. Ensure long life and ease of maintenance for developments.
- O2. Provide infrastructure to enable the maintenance of building elements.

Development Controls

- C1. The implementation of initial high quality design, construction and materials is the most effective way of ensuring the building has a long life and requires low maintenance.
- C2. Windows shall be designed to enable cleaning from inside the building, where possible.
- C3. Manually operated systems such as blinds, sun shades, pergolas and curtains are preferable to mechanical systems.
- C4. Durable materials, which are easily cleaned and graffiti resistant, are to be selected.
- C5. The area of painted exterior walls is to be limited, for example by incorporating colour in materials rather than painting over rendering.
- C6. A fully automated commercial grade drip irrigation system shall be provided to all landscaped areas of the development.
- C7. For developments with communal open space, a garden, maintenance and storage area are to be provided, which is efficient and convenient to use and is connected to water and drainage.
- C8. Building maintenance systems are to be incorporated and integrated into the design of the building form, roof and façade.
- C9. Appropriate landscape elements and vegetation are to be selected and appropriate irrigation systems are to be provided.

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3.18. Waste Management

Objectives

- O1.** Minimise waste generation and disposal to landfill during demolition and construction works in accordance with the waste hierarchy - promoting source separation and subsequent reuse/recycling of materials over and above disposal.
- O2.** Ensure that reuse/recycling options are utilised at every opportunity and that any necessary waste disposal is lawful and efficient.
- O3.** Ensure the provision of adequate and appropriate storage areas for waste and recyclables during all stages of development.
- O4.** Maximise the amenity of the development and the opportunity for reuse/recycling by future tenants through effective design of facilities.

Development Controls

- C1.** Integrate waste management processes in all stages of development.
- C2.** Source separation facilities (e.g. waste bays) should be provided on building sites so that different materials may be easily separated during construction and demolition. This will maximise the potential for reuse/recycling during demolition and construction works.
- C3.** Garbage/recycling storage areas must be located so as to be easily serviced and not cause any negative impacts in terms of visual appearance, noise or smell, to residents, adjoining properties or to the street. Storage areas for bins are to be located away from the front of the development in a location with a practical distance from the final collection point.
- C4.** Waste separation facilities must be provided in all kitchens to encourage the separation of waste at its source.
- C5.** All dwellings shall be provided with a waste cupboard or the like of a sufficient size to hold a day's waste.
- C6.** Ventilation stacks should be utilised wherever possible (and necessary) to vent shops and basements.
- C7.** A waste management plan must be submitted with any development application and approved prior to development approval.

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4. Environmental

4.1. Wind Mitigation

Wind effects from development can be uncomfortable and dangerous for pedestrians within the centre, and can also affect the growth of trees. It is important that wind impact is considered in the design of new development, so ensure a high level of amenity for pedestrian and the usability of open spaces within the centre.

Objectives

01. Ensure that new developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians.
02. Maintain the structural integrity of buildings.

Development Controls

- C1. A wind effects report shall be submitted with development applications for buildings 41m or greater in height and for other buildings as required by Council. The report shall be prepared by a suitably qualified engineer and shall:
 - i) Be based on wind tunnel testing, which compare analyses the current wind conditions and the wind conditions created by the proposed building,
 - ii) Report the impacts of wind on the pedestrian environment at the footpath level within the site and the public domain,
 - iii) Provide design solutions to minimise the impact of wind on the public and private domain,
 - iv) Demonstrate that the proposed building and solutions are consistent with the provisions of this DCP.
- C2. To ensure public safety and comfort, wind effects caused by development are not to exceed:
 - i) 10 metres per second for active frontages,
 - ii) 16 metres per second for all other streets.
- C3. New development shall be designed to:
 - i) Incorporate building site design and design features to ensure the above wind effect criteria can be achieved,
 - ii) Comply with building setback and separation controls within this DCP in order to allow breezes into the centre,
 - iii) Minimise adverse wind effects on recreation facilities and open spaces within, and outside of developments.
- C4. Balconies shall be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens, pergolas and shutters.

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5. General

5.1. Public art

Objectives

01. Provide art works which are integrated into broader development and planning of business centres.
02. Avoid stand alone public art projects that fail to address the locality and its culture.

Development Controls

- C1. Public Art is encouraged to be provided within the business centres, in accordance with Council's Public Art Policy 2012-2015.
- C2. Public Art provided shall develop the cultural identity of the community and reflect the culture of the community.
- C3. Artworks shall be integrated into the design of buildings and the landscape.

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5.2. Signage

Signage plays a significant part in indicating retail and commercial uses and in creating a lively retail strip.

Objectives

01. Ensure signage complements the built form and character of business centres.
02. Ensure signage does not dominate nor detract from the existing architecture.
03. Require signage to be integrated into the building design.

Development Controls

Note: Comply with Part F of Holroyd DCP 2013 and SEPP No. 64 (Advertising and Signage).

- C1. Protect the visual quality and the amenity of the streetscape.
- C2. Do not locate signage to obscure important architectural features.
- C3. Do not locate signs so that they protrude, or stand proud of the awnings.
- C4. Roof signs and any other advertising structures which project above the parapet of the building or any part of the building to which they are attached is not permitted.
- C5. Fin signs and projecting wall signs are limited to 1 per every 25m street frontage or 1 per site.
- C6. Fin signs and projecting wall signs must not project more than 900mm from the wall (facade) to which they are affixed and no part is to be on or within 300mm of a residential level of a building.
- C7. The size of signs shall not dominate or obscure the architecture of the buildings.
- C8. Painting entire or part of building facades and walls or their coverage with cladding or other material to act as a large billboard is not permitted.
- C9. Size and shape of any other outdoor advertising must relate to the size of the building or space to which it is attached or placed.

5.3. Hours of Operation

It is important that the amenity of residents both inside and outside of business zoned land is maintained through trading hours which also acknowledge the role of the business centres, without causing unjustifiable restrictions to businesses.

Objectives

01. Create vibrant centres by encouraging business activity.
02. Ensure the operation of commercial or retail uses does not cause undue disturbance to the amenity of surrounding residential areas.
03. Permit late night trading within the Merrylands Centre.

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Development Controls

- C1. Hours of operation (customer trading) for commercial development are listed in the table below and are based on the street in which the primary premises entries are accessed from.

Suburb	Max. Trading Hours	Nominated Streets
B1 Neighbourhood Zone		
All Suburbs	7.00am- 9.00pm	All
B2 Local Centre Zone		
Toongabbie	6.00am-12.00am	Portico Pde, Junia St, Corneila Rd, Aureila Street (from 56 Aureila to Railway Station-both sides of street)
Pendle Hill		Pendle Way, Civic Ave, Joyce St
Wentworthville		The Kingsway, Dunmore St, Garfield St (north of Pritchard St East), Station St (north of Pritchard St East), northern side of Pritchard St East
Sth Wentworthville		Great Western Hwy, Old Prospect Rd, Centenary Rd,
Guildford		Military Rd, Guildford Rd (East of Kane Street)
Pemulwuy		Butu Wargun Dr
Greystanes		Merrylands Rd
Merrylands West		Merrylands Rd, Sherwood Rd
All suburbs		6.00am-10.00pm
B4 Mixed Use Zone		
Merrylands	24 hours	McFarlane St, Miller St, Military Rd, Pitt Street (between Merrylands Rd and Terminal PI), Merrylands Rd (south side of street only between Terminal PI and Addlestone Rd)
Merrylands	6.00am-10.00pm	All other streets
B5 Business Development Zone		
All suburbs	6.00am-12.00am	All streets
B6 Enterprise Corridor		
Mays Hill	6.00am- 12.00am	Great Western Hwy
South Wentworthville		Great Western Hwy, Florence St, Quinn St, Centenary Rd
Merrylands		Merrylands Rd
All suburbs	6.00am - 10.00pm	All other streets

Note: Deliveries are to be within trading hours and other operations (preparation, stocking, packing, cleaning, etc.) should not generally extend more than 1 hour either side of trading hours times.

- C2. For hours extending outside of 6.00am-10.00pm, applicants must demonstrate that noise, amenity and light impacts and crime prevention factors have been considered and addressed, through the submission of the following reports for assessment:
- Acoustic report
 - Social Impact Statement
 - CPTED Report
 - Plan of Management

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- C3.** Trading hours for business uses located within residential and industrial zones shall be determined based on a merit assessment of the location and context of the premises, size and patron capacity, operational and amenity impacts on surrounding residents.

Note: Council may require a trial period in relation to trading hours for some licensed premises to enable the assessment of the management performance of the premises and its impact on the surrounding neighbourhood amenity.

6. Large Store/Mall Development

Objectives

- O1.** To integrate large stores to contribute to an activity centre's economic and social growth.
- O2.** To promote high level of street activity and provide a variety of services to the community.
- O3.** To sensitively integrate the entire development into the context of surrounding uses.
- O4.** To ensure that such developments maximise the opportunity for an increased mix of use.

Development Controls

Note: Large stores are defined as having an floor area of 1500m² and more, excluding parking.

- C1.** Avoid blank walls, car parks or service bays from facing streets and public spaces.
- C2.** Locate loading bays, site storage and access points for waste collection away from public spaces, streets and residential areas, preferably underground, to minimise amenity impact.
- C3.** Where unavoidable, the maximum access width off the main street frontage to the loading bays, site storage, etc shall be 6.0m.
- C4.** Locate multiple entries and exits of these uses to address principal and secondary street edges to establish linkages and pedestrian connectivity throughout the site.
- C5.** Provide openings in the large store facades to bring activity to the street.
- C6.** Sleeve large stores with smaller scale uses that have active frontages such as speciality shops, or small offices with frontages to the surrounding streets.
- C7.** Utilise the roof space of large stores for other small scale uses.
- C8.** Articulate large buildings through surface treatments, bulk and massing to reflect the existing scale in the street, particularly if adjacent to existing residential uses.
- C9.** Large block redevelopments should prepare their own site specific master plan addressing all the relevant urban design principles.
- C10.** If the new development proposes multiple site consolidation, introduction of new street hierarchy to create a permeable street pattern must be considered.
- C11.** Design malls/large stores to address surrounding streets to ensure high quality pedestrian connectivity between all uses in a mixed use development.

Note: Consider office, community, educational, residential and residential uses within a large store/mall development.

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7. Residential Mix for business zoned land

Objectives

01. To ensure development in centres provides a mix of residential unit types and sizes to accommodate a range of family types.
02. To require apartment sizes and room proportions to be adequate to meet the needs of the occupants and to afford a range of activities.

Development Controls

- C1. Mixed use developments and shop top housing shall provide a variety of residential unit mix and layouts within each residential development.
- C2. A mix of residential unit accommodation shall be provided, involving no less than 10% of either: studio/one bedroom, two-bedroom, three-bedroom units. Minimum net unit area as follows:
 - Minimum studio size of 40m²
 - One bedroom unit size 50m²
 - Two bedroom unit size 70m²
 - Three bedroom unit size 95m²
- C3. Studios and one bedroom units are not to be greater than 20% of the total mix within each development.
- C4. The applicant will be required to demonstrate that a studio unit can be combined with other units for form large units.

8. Operation Management

Objectives

01. Ensure the operation of a commercial or retail use does not cause an undue disturbance in a town centre or the surrounding neighbourhood.
02. To clarify the expected operation of activities appropriate to business location.
03. To ensure reasonable public access is maintained while a town centre is operating.

Development Controls

- C1. In the case of a proposed intensification of use within a building, the number of staff, patrons or customers on to a premises, will be limited by the number of car parking spaces provided in the initial development of that component of the buildings/site.

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9. Environmental Health

Objectives

01. To ensure a satisfactory hygiene standard and public health is achieved.
02. To ensure the storage and removal of waste is undertaken satisfactorily.
03. To ensure that skin penetration use and operation comply with relevant regulations.
04. To ensure that the installation, use and maintenance of regulated systems comply with relevant regulations.

Development Controls

Food Premises

- C1. Premises used in the manufacture, preparation, storage, packaging or cartage of food shall be constructed and fitted out to comply with the Food Act 2003 and regulations thereunder, Food Standards Code and Australian Standard 4674- Design, Construction & Fitout of Food Premises.

Note: All retail food premises are required to register the business with the NSW Food Authority and Council, prior to occupation.

Refuse and Trade Waste

- C2. Refuse and trade waste material shall be stored either within the building or in an area outside the building suitably screened and approved by Council.
- C3. Refuse and trade waste material shall be removed from the premises at regular intervals to the satisfaction of Council's Environmental Health Manager. Council offers a user pays commercial waste service for lunch room scraps and commercial recycling for small to medium businesses.

Note:

- Premises used in the manufacture, preparation, handling, storage and packaging of foods, including milk bars, take-away food shops, restaurants, bakeries, fruit shops and butchers are required to apply for and obtain a trade waste dischargers licence from Sydney Water.
- A trade waste dischargers licence is also required for photographic processing, commercial laundries, dry cleaners, medical centres, hotels, motels, car washes and service stations. Applicants in the first instance should contact Sydney Water.

Skin Penetration

- C4. The use and operation of the skin penetration premises shall comply with the requirements of Schedule 2 "Standards Enforceable by Orders" of the Local Government (General) Regulation 2005.

Note:

- The use and operation of the skin penetration premises shall comply with the requirements of the Public Health (Skin Penetration) Regulation 2000. All equipment, appliances and devices shall comply with the NSW Health Department Skin Penetration Guidelines and Schedule 2 "Standards Enforceable by Orders" of the Local Government (General) Regulation 2005.

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- All skin penetration premises are required to be registered with Council prior to the commencement of the business.

Regulated Systems

Note:

- All regulated systems (including warm water and water cooling systems) shall be designed, installed and maintained in accordance with the requirements of the public Health Act 1991 (Part 4 Microbial Control) and Regulations and AS 3666-2002 Air Handling and Water Systems in Building- Microbial Control.
- It is recommended that applications obtain a copy of Councils Contaminated Lands Policy for further information.

10. Amusement Machines and Centres

Objectives

01. To ensure amusement centres do not impact the amenity of surrounding commercial and/or residential areas.
02. To require adequate amenities to be provided for amusement centres.
03. To protect the safety of patrons of amusement centres.

Development Controls

- C1. No person shall increase or cause to be increased the number of amusement devices within an amusement centre except in accordance with the provisions of this plan.
- C2. An application for Consent for an amusement centre shall be accompanied by an accurate floor plan of the premises to a scale of 1:50 showing:
 - i) The position and type of amusement devices;
 - ii) The position of toilet facilities and access thereto;
 - iii) Any partitioned areas and their proposed use;
 - iv) Seating arrangements;
 - v) Any additional ancillary uses.
 - vi) A car parking layout, drawn to a suitable scale.

Note: Parking shall be provided to conform with Council's car parking standards contained in Part A.

- C3. The maximum number of amusement devices that can be installed in any premises shall be as determined by the Council after considering the circumstances applicable to each individual case, but generally shall be limited by the available floor space at the rate of 1 amusement device for every 5m².
- C4. The provision of toilet facilities is to be in compliance with the requirements of the Building Code of Australia.
- C5. The provision of light and ventilation to amusement centres shall be strictly in compliance with the requirements of Part F of the Building Code of Australia, as amended.
- C6. The means of egress in the event of fire shall be strictly in compliance with the requirements

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of Part D of the Building Code of Australia, as amended.

- C7.** The internal design and layout shall be such that, from at least one nominated supervision points within the building located on each floor occupied wholly or in part by the amusement centre, the whole of that floor space may be clearly viewed. The supervision point shall be (a) near the main entry point, and (b) near any other entry point or, where only one entry point exists, at a distance of not less than 5 metres from supervision point (a).
- C8.** Amusement devices shall be located wholly within the premises so that persons operating such devices stand wholly within the premises.
- C9.** Amusement Centres shall be conducted in an orderly manner at all times and in particular, the owners, lessors or occupiers shall be wholly responsible at all times to ensure that:
- i) the premises will be attended during all hours of operation by a responsible person, who shall readily recognisable as an attendant, acting pursuant to the instructions of the Owner of the Amusement Centre;
 - ii) where the use occupies more than one floor in a building, the owner of the centre shall ensure that, for each floor so used, at least one responsible attendant, as specified in i) above, shall be in attendance during all hours of operation.
- C10.** The operation of the premises shall be controlled to ensure that noise is not created so as to interfere with the amenity of the neighbourhood. Noise levels are to conform with the corrected noise levels recommended in the Australian Standard A.S.A. 1055/1973 (Noise Assessments in Residential Areas).
- C11.** The owners, lessors or occupiers shall maintain the premises and all buildings appurtenant to the premises, if any, in a clean condition and in a state of good repair.
- C12.** Where it is intended to provide refreshments for patrons, the area set aside for the preparation and dispensing of food or drink shall conform to the requirements of the Food Act 2003 and Regulations there under, the Food Standards Code and Australian Standard 4674 – Design, Fitout and Construction of Food Premises.
- C13.** The use of premises as an amusement centre shall not interfere with the use or enjoyment of adjacent premises by their owners or occupiers or with public amenity, and in particular, the behaviour of persons frequenting or likely to frequent the premises, shall not be offensive to the public, and;
- C14.** The premises shall meet such other requirements as may be considered appropriate by the Council, having regard to the circumstances of the case and the public interest.

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11. Business, Commercial and ancillary uses on Residential zoned land

Objectives

- O1. To protect the amenity of residential areas.
- O2. Provide controls that support the objectives of residential zones.

Development Controls

- C1. Home business, occupation or industry uses located within residential zones land shall not occupy more than 10% of the gross floor space of the building occupied for the purposes of home business, occupation or industry.
- C2. Vehicles with a gross vehicle mass greater than 4.5 tonnes or together with any load or projection is 7.5 metres or greater in length, are not permitted to be parked on a residential property.

Note:

- Such vehicles include semi-trailers, prime movers, earth moving machinery, large rigid and tabletop trucks and the like.
 - One commercial vehicle may be regarded as ancillary to residential occupation. Such vehicles include taxis, plumber's van, courier van, and building utilities including vehicles up to one tonne.
- C3. A maximum of 4 vehicles are permitted to be sold within a 12 month period from a lawful residential property.
 - C4. Consent must not be granted to development for the purposes of a restaurant on land in Zone R4 High Density Residential if the gross floor area of the restaurant is more than 100 square metres.

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12. Health consulting rooms

11.1. General Provisions

Objectives

01. To facilitate the provision of basic health care services in locations convenient to existing and proposed residential development.
02. To provide controls which will lead to the provision of professional consulting rooms which are compatible and sympathetic with adjoining residential development, be it detached or otherwise;
03. To ensure a satisfactory aesthetic standard in professional consulting rooms through adequate and suitable provision of landscaping.
04. To ensure adequate off-street parking for residents, visitors, doctors, employees and patients in order to maintain the free flow of traffic.
05. To ensure that buildings converted or erected for the purposes of a professional consulting room are used appropriately having specific regard to the Building Code of Australia, including fire safety standards, and access and facilities for disabled and elderly persons.

Development Controls

- C1. Any site that has frontage to or gains access to a road:
 - i) which is subject to a clearway or other no parking restriction; or
 - ii) which is a state or arterial classified road,shall not be developed for the establishment or erection of a professional consulting room.
- C2. Dual occupancies, units within a multi unit development or dwellings within a residential flat building shall not be developed for the purposes of a professional consulting room.
- C3. Development must demonstrate to Council that cumulative impacts will not be unreasonable for a primarily residential environment in terms of, but limited to:
 - i) vehicular traffic & parking;
 - ii) noise emissions; and
 - iii) sign proliferation.
- C4. When considering an application for the establishment of professional consulting rooms, Council will consider the likelihood of the development creating a traffic hazard, given its proximity to a frequently used intersection, pedestrian crossing, traffic signals or the like.

11.2. Access

Objectives

01. To ensure accessibility for people with limited mobility.
02. To meet the needs of residents within Holroyd.

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Development Controls

- C1. Access to and from the building for people with disabilities must be provided in accordance with Part D3 of the BCA. Sanitary and associated disabled facilities are also required to be installed in accordance with the provisions of Part F2.4 of the BCA.
- C2. Appropriate on site car parking spaces for disabled persons are required to be provided in accordance with Part A of this DCP.

Note: The provisions of the Commonwealth Disability Discrimination Act, 1992 will be considered during the assessment of all development applications.

11.3. Vehicular Access and Driveways

Development Controls

- C1. Vehicular access off public road reservations shall be located so as to minimise traffic impacts on the surrounding road network. Access shall avoid disturbances to existing trees, street construction, sewer vents, service poles, light standards, Telstra frames and junctions, transformer units and the like which may be located in the footpath area, unless the applicant is able to make arrangements for the relocation of the equipment not owned by Council at no expense to Council.
- C2. Car parking spaces and driveways associated with a professional consulting room shall be arranged to facilitate safe and efficient vehicular access. Vehicles shall be able to ingress and egress the site in a forward direction with minimal on-site manoeuvring.
- C3. Driveways shall be located a minimum of 1.5 metres from side property boundaries. The area between the driveway and the property boundary shall be suitably landscaped to Council's satisfaction.

Note: All driveways are to be suitably paved and drained to the satisfaction of Council's Engineer. Preference should be given to 'natural' or earth coloured paving material. The extent of driveways shall be minimised as far as practicable to avoid excessive amounts of hardstand surfaces. Details regarding all hard paved areas shall be submitted with the development application for approval by Council. Applicants are also advised to consult Part A of this DCP relating to Guidelines for Parking for further controls on driveway design.

11.4. Privacy

Objectives

- O1. To provide a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open spaces.

Development Controls

Visual Privacy

- C1. Dwelling conversions, extensions or new buildings used for the purpose of a professional consulting room shall be designed to provide a reasonable level of privacy to and from the building.
- C2. Windows are to be located so they do not provide direct and close views into the windows of

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habitable rooms and private open spaces of adjoining dwellings. The placing of windows shall be based on the detailed site analysis prepared for the development proposal.

- C3.** Appropriate landscaping should be designed to provide screening and filtering for the control of privacy and to reduce the overlooking of adjoining dwellings.
- C4.** Traditional screening measures such as durable lattice screens, external Venetian blinds, canvas blinds, window hoods and shutters should be considered and shall be compatible with the building materials and character.

Acoustic Privacy

- C5.** All development shall comply with the requirements of the Building Code of Australia (BCA) which deal with noise transmission.
- C6.** Professional consulting rooms shall be designed to minimise noise transmission between buildings and from the development to adjoining dwelling houses or other buildings.
- C7.** Sources of noise such as driveways, parking areas, air conditioning plants and any other externally located machinery shall be sited away from adjoining properties and shall, where necessary, be screened by walls or high trees. Where appropriate, an acoustically enclosed cover designed by a suitably qualified acoustic consultant may be required in some instances to contain noise emissions.
- C8.** To minimise the transmission of sound, the maximum amount of planting and grassed areas should be provided around the development.