



**Ashfield
Council**

Ashfield Interim Development Assessment Policy 2013

Part C20

Drive - in Take Away Food Outlets

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PART C20 - DRIVE-IN TAKE AWAY FOOD OUTLETS

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SECTION 1 PRELIMINARY

Explanatory Note

The Ashfield LEP 2013 permits drive through take away food outlets only in the B2 and B4 land use zones.

There are also some sites on Parramatta Road in the B6 Enterprise Zone, listed in the Ashfield LEP , where “take way food premises” are permissible.

Introduction

The Ashfield Local Environmental Plan is Council's main planning control for development in the Ashfield Council Local Government Area.

Part C20 of Ashfield Development Control Plan 2007 supports the LEP by providing additional objectives and development standards for drive in take-away food outlets.

Part C20 applies to all land in the Ashfield Council Local Government Area (LGA).

Background

This document provides information on developing drive in take-away food outlets and lists some basic requirements that applicants need to meet. It applies to all new drive in take-away food outlets, existing buildings to be adapted or converted for this purpose, expansion of existing premises, or when major refurbishment and upgrades are proposed.

In particular, Council wants drive in take-away food outlets designed to prevent disturbance to nearby residential properties. Larger fast food outlets can pose particular problems because activity is often at its peak in the evenings and late at night when background noise levels are low. The visual impact of illuminated signage, extraction units, refuse facilities and the parking of vehicles can have potential detrimental impacts which can adversely affect residential areas including heritage conservation areas. These issues are often more difficult to resolve where more than one outlet is situated in the same general location.

Council also wants to avoid a “monoculture” or “saturation” of similar uses within transport corridors. One of the aims of the new Ashfield LEP is to encourage a wide range of compatible but dissimilar uses in these areas which will help to make major corridors such as Parramatta Road an “employment hub” offering a wide range of different employment opportunities to all age groups. A proliferation of fast food outlets will not a this objective.

It is essential that appropriate sites are selected and that issues such as “clustering” of fast food outlets (to avoid cumulative environmental impact), visual amenity, heritage significance, traffic safety, and noise, odour, parking and refuse storage/collection are addressed.

Objectives

The objectives of this Part of Ashfield Interim DAP 2013 are -

- (a) Guide development of drive in take-away food outlets based on best practice urban design criteria.
- (b) Ensure drive in take-away food outlets do not adversely impact on the amenity of nearby residential properties or detract from the significance of adjacent heritage conservation areas
- (c) Discourage “clustering” of drive in take-away food outlets in the same general location in order to minimise their environmental impacts given that they are an intensive land use activity generating significant traffic movements on busy roads, noise impacts and need for multiple advertising.
- (d) Ensure that drive in take-away food outlets are well managed with an emphasis on safety, quiet operation and effective odour and litter control.
- (e) Set clear guidelines to expedite the development approval process and avoid litigation.

Complying with the above aims and following the controls in this Part of the Ashfield DCP will help to ensure that drive in take-away food outlets are appropriately designed with minimum adverse impact on surrounding areas.

Structure of this Part

Part C20 of Ashfield DCP 2007 is divided as follows:

Section 1 – Preliminary – (this section)

Section 2 - Planning and Design Guidelines - This section outlines Council's planning and design requirements for establishing a drive in take-away food outlet. It incorporates our requirements for all stages of the planning and design process from initial site analysis investigations, building design, through to management and operation practices. It is important to review this Section and read **Appendices 1 & 2** of this Part (see below) in order to fully understand the requirements necessary to appropriately prepare an acceptable development proposal.

The **Appendices** are included to assist you with the development application process. They include the following:

Appendix 1 - Development assessment checklist for drive in take-away food outlets.

Provides information about the definition of a drive in take-away food outlet and a checklist that will help you complete your application.

Appendix 2 – Definition - provides information about the definition of a drive in take-away food outlet.

Appendix 3 - Site layout - diagram showing site layout principles for drive in take-away food outlets.

How to use this Part of Ashfield Interim Development Assessment Policy 2013

Ashfield Interim Development Assessment Policy 2013 is a multi-layered document.

The objectives and development standards of this Part of Ashfield Interim Development Assessment Policy 2013 cannot be read in isolation. A development application must consider all relevant Parts of Ashfield Interim Development Assessment Policy 2013.

Part A contains an index of the parts and sections in the Ashfield Interim Development Assessment Policy 2013 and guidelines on how to use the Policy; including the steps you need to follow before you prepare your development application.

Relationship of Part C14 to other planning documents

Council will assess a development application according to:

- (a) Section 79C of the Environmental Planning and Assessment Act, 1979;
- (b) State Environmental Planning Policies;
- (c) Ashfield Local Environmental Plan 2013;
- (d) Ashfield Interim Development Assessment Policy 2013;
- (e) Section 94 Contribution Plans;
- (f) Ashfield Stormwater Management Code;
- (g) Policies, legislation or studies adopted or recognised by Council that are relevant to the development application.

Lodging a development application

Development Consent needs to be obtained from Council for most new work or extensions. Alterations to approved hours of operation will also require approval. Some minor work may be “exempt” (no approval required) and other work may be “complying” - meaning an approval can be issued by a private certifier. Read the State Environmental Planning Policy (Exempt and Complying Codes - Part 5 General Commercial and Industrial Code) for more information.

Our **Development Application Forms** can be downloaded (www.ashfield.nsw.gov.au) or contact Council on 9716 1800. The form contains a self-assessment checklist to help you complete your application.

Prior to submitting a pre- development application to Council you are advised to:

- **Read** this document carefully and other relevant Parts of this Policy and check that you comply with all of Council's requirements;
- **Talk** to all adjoining land owners about the proposed food outlet – explain how it is proposed to be designed and operated; Hold a community meeting with residents if necessary.
- **Refer** to the **APPLICATION CHECKLIST** on **Page 18** of this Part.

Note: If you are proposing a drive in take-away food outlet we recommend you make an appointment to see our pre-lodgement development advisory panel before you lodge a “pre- development application”. Our Heritage Advisor may attend this meeting to assist if the site is in close proximity to a Heritage Conservation Area or a heritage item. Call the Customer Service Centre on **9716 1800**.

If you are unclear as to whether the proposal is subject to the requirements of this or other Parts of **Ashfield Interim Development Assessment Policy 2013**, please contact our Customer Service Centre.

SECTION 2 - PLANNING AND DESIGN GUIDELINES

Site analysis

- 2.1 Good site planning is required for all new development, and is particularly useful for drive in take-away food outlets to avoid potentially negative impacts on the amenity of adjoining neighbours and ensure a sympathetic relationship with adjoining development. A **Site Analysis** is necessary to establish the site context and should be reflected in the design, addressing the constraints and opportunities of the site and its context. Refer to **Part B of Ashfield DCP 2007** for advice. Details of the analysis should be submitted with your application.

Location criteria for drive in take-away food outlets

- 2.2 Drive in take-away food outlets are permitted under the Ashfield LEP 2013 in the B2 Local Centre and B4 Mixed Use Zones, and on a small number of sites on Parramatta Road within the B6 Enterprise Zone where these restaurants already operate— refer to Ashfield LEP 2013.

objectives

- a. Avoid “clustering” of drive in take-away food outlets in the same general location to minimise cumulative potentially adverse environmental impacts
- b. Ensure that the number and/or concentration of drive in take-away food outlets is not so great so as to detract from the amenity of an area or prejudice Council’s objectives of encouraging different types of employment generating land uses within business zones.
- c. Locate drive in take-food outlets in positions which will avoid adverse environmental impacts to properties within residential zones
- d. Maintain and protect the significance and setting of existing and proposed heritage conservation areas

controls

Avoid locating drive in take-food outlets in areas where they will be -

- situated in close proximity to another drive in take-away food outlet
- on corner sites or on sites that are visible from adjacent street frontages that are within a residential zone or within an existing or proposed heritage conservation area
- near busy road junctions where they may exacerbate traffic congestion/disrupt traffic flow.
- at positions where they may generate additional through traffic in residential areas.
- in locations such as crests of hills or dips on classified roads where poor visibility and/or higher traffic speeds may make it more difficult for vehicles to enter and exit the property safely.

Building layout, form and appearance

- 2.3 The overall built form and appearance of a drive in take-away food outlet is determined to a large extent by its function, accessibility issues, acoustic considerations and to a lesser degree the immediate context of the site and existing/desired future character of the area.

objectives

- a. Buildings are attractive and amenity is enhanced through careful building layout and design.
- b. Developments conform with the desired character of the locality and do not detract from the significance of heritage conservation areas or heritage items; and
- c. Drive-in take away food outlets do not adversely impact on any adjoining residential properties through a reduction in privacy, or increase in noise and/or traffic generation.

controls

- **general requirements**

Drive in/drive through take-away food outlets must comply with the provisions of the Ashfield Local Environmental Plan (LEP 2013) dealing with maximum FSR and building height. Other applicable Parts of Ashfield Interim Development Assessment Policy (IDAP) 2013 must also be complied with. For example Part C11 (Parking) dealing with access/servicing/minimum number of parking spaces also apply.

- **urban design**

The overall bulk and form of any structure must integrate visually with adjoining and nearby buildings and the surrounding streetscape. “Generic” building designs should be avoided. To achieve a satisfactory building layout that also “works well” in terms of vehicle access and circulation and allows adequate on-grade parking provision a minimum lot frontage width of 100 metres and depth 40 metres will usually be necessary (a slip lane may also be required).

<i>Appendix 3 – Diagram shows an indicative site layout</i>
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Sustainability, energy efficiency & solar access

- 2.4 Buildings area also required to comply with the precise technical requirements of Building Code of Australia Part J: Energy Provisions. The following should be noted.

objective

Drive in take-away food outlets should be designed to meet sustainable development principles.

controls

- The design and operation of any new building should:
 - aim to reduce embedded energy in materials
 - avoid rainforest timbers
 - maximise natural airflow
 - minimise reliance on mechanical heating and cooling
 - consider installing solar panels on the roof
 - consider the installation of water tanks
 - consider the installation of grey water systems

- use energy efficient hot water systems (heat pump or solar)
- install energy efficient internal and external lighting
- use low carbon pollution cooking systems (gas)
-
- Recycling facilities must be provided on the site. Building design should reflect the site analysis drawings having regard to optimal orientation for both indoor and outdoor play areas.
- Minimise the use of disposable packaging in the delivery and serving of food and drinks and other products to customers.

Development is required to comply with the energy efficiency and water use efficiency provisions of Part J - Building Code of Australia. This shall be generally demonstrated at Development Application stage, in general design terms and for example the location of the various building components required to achieve compliance with of Part J - Building Code of Australia.

Internal areas

2.5 The following design requirements apply.

objectives

- a. Achieve good standards of internal design and indoor/outdoor security
- b. Building design must maintain privacy and amenity for adjacent and nearby residents. Layout should carefully consider the impact of outlets on adjoining properties, where both noise disturbance and visual intrusion are critical issues to be minimised.

controls

- Complete camera surveillance coverage provided to the car park and internal customer areas, and a security system is to be installed with access to secure areas only allowed to authorised persons
- seating areas are to be suitable for people with a disability
- convenient access points are to be available from indoor to outdoor spaces
- accessible toilets are provided & conveniently located This is are controlled under the BCA
- energy efficient appliances and hot water systems are used This is are controlled under the BCA
- separate staff work areas provided including storage space for personal items.

Acoustic impacts

2.6 The following acoustic requirements apply.

objective

Minimise noise intrusion and loss of privacy to adjacent properties, particularly nearby

residential properties.

controls

- Design is to minimise noise and loss of privacy by-
 - (i) positioning outdoor play areas as far away as possible from any dwellings
 - (ii) using solid screen fencing in combination with landscaping as noise/privacy control/visual enhancement measures. Note that any drive through facility must be fully enclosed and acoustically treated internally and externally to prevent omnidirectional noise transmission beyond the site;
 - (iii) erecting solid acoustic barriers as a noise buffer to shield internal noise sources (cars arriving/leaving, noise from car doors/entertainment systems/drive in announcements/play spaces) from residential properties and incorporate passive design considerations within the building to minimise noise intrusion to adjoining properties and the neighbourhood generally;
 - (iv) installing double glazing or using glass blocks/obscure fixed glazing/highlight windows (for light penetration to maintain privacy to adjoining properties);
 - (v) having an **Acoustic Report** prepared by a suitably qualified independent acoustical consultant to accompany the development application. This should describe and assess the impact of likely noise emissions from the proposal. The report shall include but not be limited to the following issues:
 - identification of sensitive noise receivers potentially impacted by the proposal;
 - quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified in accordance with relevant Australian Standards and NSW EPA requirements);
 - formulation of suitable assessment criteria;
 - details of any acoustic control measures that will be incorporated into the proposal;
 - identification of noise that is likely to emanate from the drive-in take-away food restaurant and the subsequent prediction of resultant noise at the identified sensitive receiver locations from the operation of the premises;
 - statement certifying that the development is capable of operating without causing a nuisance;
 - statement that noise arising from within the premises shall not result in an 'offensive noise' (as defined in the Protection of the Environment Operations Act, 1997) at any adjoining residential premises.

Accessibility for people with a disability, parents with prams and pedestrians

2.7 Access requirements are found in the Building Code of Australia

objective

- Ensure all new drive in take-away food outlets and building conversions, plus associated spaces (including toilets, communal open space, play areas, parking areas and the like) are designed to be accessible for people with disabilities and parents with prams. **Controls**
- Development applications shall show that all new drive in take-away food outlets (or building conversions or additions to existing premises) shall be able to comply with the minimum access requirements contained specified in Part C1 Access Adaptability and Mobility, the Building Code of Australia & Australian Standard (AS) 1428 – Design for Access and Mobility. This requires a continuous path of travel to and within the building and provision of accessible toilet facilities. All key areas of the site must also be linked by marked pedestrian paths that are easily accessible by prams, wheelchairs and the like.
- Additions and alterations to existing buildings may also be required to comply with the above requirements dependent on the scale and type of works proposed.

Landscaping/Utility services

2.8 The following design requirements apply

objectives

- a. Provide high quality soft landscaping that softens built form, provides shade and privacy around the building, parking areas and minimises run-off.
- b. Use “hard” landscaping around the building including the footpath and place power lines underground to enhance the setting of the building and streetscape.

controls

- Landscaping of new drive in take-away food outlets is to enhance the appearance of the building and car park areas, minimise run-off, provide shade for children’s play spaces, maximise privacy for neighbours and “soften” the appearance of car parking areas.
- Landscaped deep soil buffer areas must be provided minimum 3 metres wide at the front and rear of the site and minimum 1.5metres in width along side boundaries.
- Landscape areas that are adjacent to residential properties must include closely spaced screening plants reaching a minimum height of 4 metres.
- The front setback landscape area is to be a deep soil area. Landscape design along the street frontage of the outlet should include larger trees up to 12 metres in height (not palm

trees) that relate to a predominantly 3/4 storey scale of building. A consistent tree planting theme along Parramatta Road in particular is important.

- The footpath along the frontages of the restaurant is to be reconstructed in accordance with Council's specifications if necessary– note that street nameplates must be reinstated.
- Undergrounding of power cables is required (speak to Ausgrid).
- Sub-stations should be located away from the road frontage or adjoining properties. They should be an unobtrusive colour and screened by landscaping
- Advanced trees must be planted at 10 metre intervals within all exposed car parking areas.
- No area within the restaurant grounds to include plant species that are characteristic of the following:
 - plants known to be poisonous or that produce toxins;
 - plants with high allergen properties;
 - plants with thorns, or spiky or prickly foliage; or
 - any plant species that Ashfield Council considers may place the health, safety and welfare of the centres users at risk.
- Significant existing landscaping features, such as canopy trees, should be retained if practical (these can be an attractive design feature).

Traffic, parking and vehicle/pedestrian access

2.9 The following requirements apply for traffic, parking and vehicle/pedestrian access

objectives

- Provide and design parking and service areas to comply with the provisions of **Part C11** of Ashfield DCP 2007.
- Ensure all vehicular access is via the main road frontage.
- Ensure a safe environment for pedestrians (especially children), motorists and cyclists surrounding the restaurant.
- Preference is for “at grade” car parking for safety/security reasons.
- Ensure that vehicular traffic to and from the site does not detrimentally affect the traffic safety of nearby properties or impede traffic flows on classified roads because of queuing.
- Provide easy access to the restaurant and any play area by parents with children in prams and for people with disabilities.

controls

- The number and design of on-site car parking spaces and access ways to be in accordance with **Part C11. Note:** The basic off-street parking requirement at the time of adoption of this Part for a free-standing facility was 1 space per 8m² gross floor area, plus 1 space per 5 seats.- This figure includes staff parking. A **Traffic and Parking Assessment Report**, which also addresses traffic safety issues, is also required to be submitted with all applications for drive in take-away food outlets Refer to **Part C11** for more information.

Other matters that must be addressed include:

- Investigate “upfront” whether a deceleration lane is necessary (may be required by RTA to avoid disruption of traffic flows on classified roads). It is vital for safety reasons that cars do not have to queue/wait on a classified road to visit the outlet. If a deceleration lane is not provided it will need to be clearly demonstrated that access will work so that traffic flows on the road are not be disrupted. Factors that will be assessed include geometry of access driveways and available queuing space on-site including queuing capacity for any drive-through facility (see also **Locational Criteria 2.1** above).
- Use of secondary streets for access/egress to premises by motor vehicles will not be supported (see also **Locational Criteria 2.1**).
- Any external children’s play area to be enclosed by safety fencing and minimum 2 self-locking gates/barriers from the restaurant parking and all vehicle access areas.
- Parents/carers with young children not to be exposed to uncontrolled interaction with movement of vehicles within the car park. Separate pedestrian paths (minimum 1.2 metres in width) should be provided, identified and located to allow safe movement of children with parent/carers to and from the restaurant and any external play area. Pedestrian paths should not be part of any vehicle aisle movement areas or car parking spaces.
- Ramps and lifts to be provided where necessary along pedestrian paths and in any basement car parks (for controls see Part C11 of Ashfield DCP 2007) where required to allow easy access to the restaurant for people with disabilities and parents with prams.
- Sufficient parking spaces for people with disabilities are to be placed close to the entrance to the restaurant and/or ramps/lifts if provided.
- Noise impacts to any residential properties from parking and moving vehicles are minimised by careful location of parking and service areas & entry/exit points.

Business Identification Signs

2.10 The following Business Identification Signs requirements apply

Explanatory Note: The Ashfield LEP has certain “minor” types of business signs as exempt development. The following will apply to signs that do not fit into this “minor” category..

objective

The aim is to minimise visual intrusion by limiting the size and number of business identification signs and avoid advertising “clutter” so that there is minimal visual intrusion and a “clean” appearance is achieved.

controls

- Pole business identification signs above 6 metres in height are considered excessively bulky and obtrusive and will **not** be supported. Multiple signs on poles and on the building are also unacceptable – this simply creates advertising clutter. Details (3DS files) will need to be submitted with an application demonstrating that any proposed pole sign is not visible from heritage conservation areas and residential properties. Refer to **Part C02** of Ashfield DCP 2007.
- Avoid the use of “corporate branding and logos” on directional and way finding signs.
- Minimise the extent of business identifications signage and corporate branding on building structures and within parking areas.

Operational matters

2.11 The following operational requirements apply

objective

An important aspect of minimising potential adverse impacts of drive in take-away food outlets is ensuring that they are managed effectively. The objective is “harm minimisation” as much as operational efficiency. This means ensuring that suitable management practices are in place to avoid undesirable impacts on adjoining owners such as litter and unruly behaviour and that good amenity is also maintained for patrons.

controls

A **Plan of Management** is to be submitted with all development applications for a new outlet or existing drive in take-away food outlet proposed to be expanded in order to ensure that the premises operate in a manner that avoids adverse impacts on the amenity of the locality. An appropriate form of management with responsibility for the operation, administration, cleanliness and fire safety of the premises, including compliance with the **Centre Plan of Management** and an **Emergency Management and Evacuation Plan** must be provided for the premises.

The **Plan of Management** must address the following as a minimum:

- Proposed staffing numbers/duties, including location and contact details of the centre manager
- Measures to minimise unreasonable noise to habitable areas of adjoining premises e.g. ensuring patrons leave the premises quietly.
- Security cameras to monitor behaviour within the building and on the site & near vicinity.
- Provision of safety and security measures - this may include but not be limited to:
 - internal signage indicating the restaurant manager and contact number
 - emergency contact numbers for essential services such as fire, ambulance, police, and utilities such as gas, electricity, plumbing
 - installation of perimeter lighting

- appropriate fencing and security gates
- keys for any security doors to be made available to essential services such as fire brigade in case of emergency.
- Regular daily litter patrols to pick up discarded food & drink containers in the near vicinity of the premises.
- Odour control – programs to ensure that filters and scrubbers are monitored for effectiveness and are maintained regularly.
- Prominent display of appropriate rules regarding operating hours of outdoor play areas.
- Maintenance and fire safety in the building
- Professional cleaning details (as a minimum, facilities such as kitchens and toilet areas must be cleaned to a professional standard daily).
- Full details of security personnel to be used to monitor patron behaviour and the frequency and times during which security personnel will be engaged to monitor the premises.
- Waste management/ minimisation and recycling.

Opening hours

2.12 The following hours of operation apply

objective

Minimise the impact of drive-in take away food outlets on nearby residential areas or other sensitive land uses.

controls

The general hours of operation for drive-in take away food outlets shall be limited to the following:

1. Monday to Thursday and Sunday

5.30am to 11.00pm

2. Friday and Saturday

5.30am to 12 midnight.

Trading hours extending beyond the above may be considered for sites in locations where there are no adjacent or nearby residential properties and where adjoining and nearby land uses would not be adversely impacted by broader hours of operation.

Waste

2.13 The following waste requirements apply

objective

Drive in take-away food outlets may make private contracting arrangements for garbage disposal or alternatively Council can collect waste. Contact Council's Customer Service Centre on **9716 1800**. The aim is to ensure that appropriate waste and recycling facilities are provided which meet Council and Environmental Protection Authority (EPA) requirements. Another important aim is to avoid litter and odours.

controls

- Waste and recycling facilities on the premises shall be unobtrusively located/screened and provided in accordance with the requirements of **Part D1** of Ashfield DCP 2007 - Waste Minimisation.
- Provide waste bins at strategic locations to minimise littering on the site - indicate proposed locations on plans.
- Ensure all putrescibles are placed in secure sealed containers and removed daily.
- Waste collection is prohibited between 7.00pm and 7.00am daily.
- **Note:** see requirements re. daily litter patrols above.

Lighting

2.14 The following lighting requirements apply

objective

Avoid lighting nuisance or "spill" to adjacent residential properties.

controls

- Position external lighting to maximise safety on the site including illumination of driveway entrances/exits.
- Direct lighting so that there is no overspill of light to living/recreational areas of any nearby residential properties.
- Avoid illuminated signs which may conflict with/detract from street lighting and road safety signs
- Minimise overall lighting provision in order to reduce energy consumption.
- Use energy efficient lighting fixtures and fittings to reduce energy consumption.

Odour Control

2.15 The following odour control requirements apply

objective

Minimise transmission of odour from the outlet from food preparation and onsite waste facilities.

controls

- Install odour filtering equipment that meets Australian Standards.
- Submit an odour assessment impact report with the development application that demonstrates how odours will be satisfactorily controlled including measures to regularly monitor and maintain filters/scrubbers in use during all operations.
- Ensure waste facilities are designed and installed to include measures for odour control.

Fire Safety

2.16 The following Fire Safety requirements apply

objective

Ensure the safety of staff/restaurant patrons in the event of fire. Fire safety is particularly important for drive in take-away food outlets. The design of new buildings or additions and ongoing fire safety measures including emergency evacuation measures must comply with the relevant provisions of The Building Code of Australia applicable to Class 6 Buildings and the Environmental Planning and Assessment Regulation 2000 relating to fire safety.

controls

A copy of the annual fire safety statement and current fire safety schedule for the premises must be prominently displayed in the entry/reception area.

- A floor plan must be permanently fixed to the inside of the door of each room to indicate the available emergency egress routes from the respective rooms.
- Prior to releasing an occupation certificate for the building, an Emergency Management and Evacuation Plan must be prepared for the building and approved by the Principal Certifying Authority. Staff shall be trained in relation to the operation of the approved Emergency Management and Evacuation Plan.

Premises must provide annual certification for the following:

- Essential fire safety measures to comply with the *Environmental Planning and Assessment Regulation*
- Compliance with the **Plan of Management** approved for the premises.
- Compliance with any **Emergency Management and Evacuation Plans** required by the Building Code of Australia.

APPENDIX 1 – Development assessment

Key steps in the approval process

The following steps outline the approval process.

- Step 1:** Locate a suitable site – refer **Section 2** of this Part.
- Step 2:** Confirm the zoning/land use permissibility of the site. Check development standards and possible heritage impact - ascertain relationship with adjoining land uses.
- Step 3:** Prepare pre- development application documentation for lodgement with Council after reading the provisions of this Part (refer also to **Appendix 1** for checklist of requirements to be included with your application in addition to Council's standard requirements).
- Step 4:** When plans are in draft form arrange a pre-lodgement meeting with Council officers to confirm that the application when lodged will be complete and that the relevant issues have been addressed.
- Step 5:** Lodge the pre- development application and associated plans/documentation for preliminary checking/assessment. Wait for feedback from Council.
- Step 6:** Council will confirm in writing whether application is in order. If 'yes' and following receipt and payment of fees Council will commence assessment process and refer the development application to relevant internal departments and external authorities (where required).
- Step 7:** The application will be notified in accordance with **Part C12** of Ashfield DCP 2007. Any submissions received will be considered by the assessing officer during assessment of the application.
- Step 8:** Ashfield Council determines the Development Application having regard to quality of the application and public submissions (either refusal of consent or approval subject to conditions)

Pre-development application (Pre - DA) checklist

The following checklist is specific to the requirements of drive in take-away food outlets and complements/clarifies Council's standard requirements for lodgement of development applications. The requirements for reports are of course dependent on the location/ & operational characteristics of the proposed outlet.

- Design and Accessibility Statement
- Waste disposal facilities shown on plans and collection details provided
- Hours of operation + justification if outside standard hours nominated in this plan
- Acoustic assessment (necessary for all sites close to residential properties)
- Air quality handling and monitoring including an *Odour Impact Assessment Report*
- Plan of management & Emergency Management & Evacuation Plan
- Litter control strategy
- Lighting plans to maximise security but avoid minimise light spill to nearby properties
- Heritage impact statement (if site is within or near heritage conservation areas or development affecting the significance of a heritage item) and respond to meet heritage issues if relevant
- Details of extraction and mechanical ventilation systems
- Grease trap location and details
- Security system proposals
- Sign analysis including visual assessment / 3DS files (see Part C02 of this plan)
- Landscape plan/details and objectives including footpath reconstruction details and undergrounding of utilities
- Comprehensive traffic / parking assessment report including analysis of current traffic situation, anticipated additional vehicle movements as a result of the proposed operation and detailing likely traffic/parking impacts on streets in the vicinity. Proposed traffic mitigation measures must also be detailed.
- Contaminated land report

Note: The above list is not exhaustive and indicates the usual range of information required to process your application. Individual sites and proposed operations may require further supporting detail.

When considering individual proposals for fast food outlets Council will take, among other things, the following issues into account:

- (a) Local traffic and parking conditions for deliveries and the impact of the proposal on traffic safety and amenity.
- (b) Proximity to other similar outlets and likely impacts on nearby occupiers, especially residential properties.
- (c) Proximity to heritage items and/or heritage Conservation Areas, and any impacts on heritage significance, this for both long-term and short-term.
- (d) Possible noise and disturbance arising from the activities of customers and others attracted to the premises and strategies to address this issue.
- (e) Proposed hours of operation (important for sites sensitive to late disturbance and noise such as residential areas).
- (f) How cooking odours & fumes will be effectively controlled and equipment to achieve this monitored and regularly maintained.
- (g) Placement, design and acoustic performance of extraction units and ventilation systems.
- (h) Litter on and off the site related to the use and proposed measures for ensuring it does not become a problem in the area.
- (i) Positioning/screening of trade refuse facilities and frequency of collection.
- (j) Access arrangements for people with a disability and parents with prams.
- (k) The impact of the proposal and any proposed signs on the visual amenity and heritage significance of the area.
- (l) Likely impact on the economic vitality and employment potential of the area.
- (m) Representations from nearby residents/business owners - (it is strongly recommended you consult with neighbouring landowners prior to designing/submitting an application).
- (n) Urban design quality including landscaping details

Conditions of approval

(May be attached to any consent relating to the following matters- (list is not exhaustive)

- A scheme for noise attenuation (a detailed acoustic assessment is required with the development application).
- Waste management plan - adequate waste/recycling facilities to be provided and be easily accessible for collection.
- Suitable extraction system provided to mitigate any potential odour to neighbouring properties (technical details of the design and performance of equipment required as part of submission).
- Restrictions on hours of operation.
- Temporary permission/ trial period where appropriate, to assess the impact of the proposal.
Note: if a trial period fails, the use may need to cease and reinstatement of site to its former "pre-trial" condition necessary unless a further approval from Council is granted.
- Litter collection strategy.
- Lighting spill assessment.
- Security system details.
- Signage details.
- Vehicle/pedestrian access including servicing arrangements.
- Accessibility requirements for people with disabilities/parents with prams.
- Design changes.
- Footpath reconstruction requirements.
- Undergrounding of utility services provision.
- Plan of Management + regular review of same.
- Food preparation and storage to comply with Ashfield Council's "Guidelines for the construction and fit out of food premises".

APPENDIX 2 Diagram - site layout principles for drive-in take away food (not to scale)

