

Section of DCP	Reason for Change	Changes to DCP
DCP Volume 1 C8 Public Domain A. Background	Allow new objective	Insert 'amenities and seating' in front of 'lighting, vegetation, fences, bridges, artworks.' Delete 'and', '.'
DCP Volume 1 C8 Public Domain 8.1 Pedestrian Amenity B. Objectives	Readability and clarity	Insert 'for Public Domain' Delete 'of this section'
DCP Volume 1 C8 Public Domain 8.1 Pedestrian Amenity C. Controls	Readability and clarity	Swap '1) Permeability' and '2) Active Street Frontage and Address' Update numbering accordingly.
DCP Volume 1 C8 Public Domain 8.2 Street Furniture B. Objectives	Readability and clarity	Insert 'for Public Domain' Delete 'of this section'
DCP Volume 1 C8 Public Domain 8.3 Lighting B. Objectives	Readability and clarity	Insert 'for Public Domain' Delete 'of this section'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas A. Background	Clarify what land these controls apply to.	Insert 'Outdoor dining areas on private land and land owned or managed by Council that are not Exempt under the <i>State Environmental Planning Policy (Exempt and Complying Development)</i> 2008 require consent and should consider the following Objectives and Controls. On land owned or managed by Council, that is Exempt and Community Classified, an Outdoor Dining Permit is required under Council's Outdoor Dining Policy.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas B. Objectives	Readability and clarity	Insert 'for Public Domain' Delete 'of this section'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas B. Objectives	Allow new objective	Insert 'f) Outdoor trading areas contribute to street amenity and landscape character.'

DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve the logical flow of controls.	Move '4) Outdoor Dining or Trading Areas – Distance from Street Furniture and Surrounding Uses' to '1) Outdoor Dining or Trading Areas' Delete '- Distance from Street Furniture and Surrounding Uses' Update numbering accordingly.
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability	Insert 'Distance from Street Furniture and Surrounding Uses' as new subheading
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove duplication of information and clarify controls	Under '1) Outdoor Dining or Trading Areas' 'b)': Insert 'The minimum distances are provided in Table 1' Delete 'i. 1.5m to a phone box or post office box; ii. 3m to a bus stop or taxi stand (including associated seating) or pedestrian crossing; and iii. The minimum distance specified by the relevant service agency. (Refer to the relevant service agency where there are service access pits (e.g. AGL, Telstra etc.).'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Provide clarity	Under '1) Outdoor Dining or Trading Areas' 'c) i.': Insert 'without approval from adjoining landowners;'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability and removes duplication	Move 'Table 1: Summary of numeric standards for outdoor dining areas' after 'Distance from Street furniture and surrounding uses'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Table 1: Summary of numeric standards for outdoor dining areas' Replace '3.5m' with '3.4m' Replace '2.0m' with '1.8m' Replace '1.5m' with '1m'

		<p>Replace '1.5m' with 'Clear access between the footway and the phone box, with 1.5m side and rear separation'</p> <p>Insert 'as per the minimum distances specified by the relevant service agency (e.g. AGL, Telstra etc.)' after 'Sufficient to provide access for maintenance and repair'.</p> <p>Replace '0.9m' with '1m'</p>
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability	<p>Move '5) Outdoor Dining or Trading Area – Owner's Consent to Occupy Land' Under 'Table 1: Summary of numeric standards for outdoor dining areas'</p> <p>Delete '5) Outdoor Dining or Trading Area - '</p>
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Provide clarity of controls	<p>Under 'Owner's Consent to Occupy Land'</p> <p>Replace 'Outdoor Dining or Trading Areas – Located on land owned or managed by Council' with 'Trading Areas located on land owned or managed by Council'.</p>
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Allow for new objective	<p>Insert</p> <p><u>'Approvals</u> Copies of outdoor dining and trading approvals are required to supplement any development application.</p> <p><u>Outdoor Dining</u> NSW legislation sets out the following approvals required for a premise to have outdoor dining:</p> <ul style="list-style-type: none"> a) Outdoor dining on the public footway requires an approval under the Roads Act 1993 b) Outdoor dining on community land, such as a park or reserve requires approval under the Local Government Act 1993. c) Outdoor dining that is on Crown land requires an approval under the Crown Land Management Act 2016. <p><u>Outdoor Trading</u> Approval under the Roads Act 1993 is also required for use of a public road, including footpaths, for outdoor trading (street vending).</p> <p>This enables Council to ensure that the position of the outdoor trading or dining area will no endanger passing pedestrians or vehicles. Where Council owns a footpath, it also enables Council to control</p>

		the use of the footpath or the space above or below the road.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Clarify control	Under '2) Outdoor Dining Areas' 'a)' Replace 'should' with 'must'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under '2) Outdoor Dining Areas' 'd) i.' Replace '2m' with '1.8 metres'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Correct formatting errors	Under '2) Outdoor Dining Areas' 'd)' Replace 'v.' to 'a.' Update numbering accordingly
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under '2) Outdoor Dining Areas' 'd) iv. a.' Remove 'A' and Insert 'Where an outdoor dining area is located forward of the building line, a' Replace '2' with '1.8'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under '2) Outdoor Dining Areas' 'd) iv.' Insert 'b. Where an outdoor area is located behind the building shoreline, pedestrian circulation arrangements will be considered on merit.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability and clarify control	Under '2) Outdoor Dining Areas' 'd) v.' Remove 'Where possible' Replace 'seating' with 'furniture' Replace 'the' with 'this'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Allow for new objective	Under '2) Outdoor Dining Areas' 'd)' Insert 'vi. Provide a predictable clear path of travel and be consistent along the same part of the footway for the length of the block.

		vii. Not cause obstruction to any existing access points to shops, arcades and pedestrian access ways.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability and logical flow	Under '2) Outdoor Dining Areas' 'd)' Move 'viii. Present an open, inviting image and be easily accessible from the public way. Full height and solid screens and any type of enclosure including public screens, are not permissible. Direct physical contact with the outdoor environment is an integral part of the experience and a safe, amenable microclimate can be created through proper siting and furniture layout.' To before Figure C8.1.
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Replace 'Figure C8.1 Preferred configuration for outdoor dining areas' with updated figure from Penrith Council's Outdoor Dining Guidelines.
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability	Under '2) Outdoor Dining Areas' 'e)' Insert 'be' after 'The outdoor dining area must'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove outdated information and improve readability	Under '2) Outdoor Dining Areas' 'e)' Remove 'Be' from 'i.' Remove '; and' from 'ii.' Remove 'iii. Have a current Outdoor Eating licence from Penrith Council, with a copy of the licence affixed in a prominent location visible from the outdoor dining area.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove outdated information	Under '2) Outdoor Dining Areas' Remove 'f) If the outdoor dining area is located on a classified road, the application will be referred to the RMS as part of the assessment process.' Update lettering accordingly.

DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove duplication of information	Under '2) Outdoor Dining Areas' 'f)' (previously g)) Remove 'The area must be kept clean at all times.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Allow for new control	Under '2) Outdoor Dining Areas' Insert 'h) The area must maintain a neat and tidy appearance at all times. This includes ensuring furniture is clean and well maintained, and that the area is not left in disarray after patrons have departed.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Fix inaccuracies	Under 'Furniture in Outdoor Dining Areas' Update lettering to begin at 'a)'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Furniture in Outdoor Dining Areas' 'a)' Replace '2.1m' with '2 metres'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Furniture in Outdoor Dining Areas' 'a)' Insert 'ii. Are set back a minimum of 0.6 metres from the face of the kerb;' Update lettering accordingly.
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Clarify control	Under 'Furniture in Outdoor Dining Areas' 'b)' Insert 'in a road reserve' after '... prior to any opening being made in the footpath surface'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Signage in Outdoor Dining Areas' Insert 'or barriers' after 'a) signage may be permitted on umbrellas'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Signage in Outdoor Dining Areas' 'a)' Insert 'Signage must include only one business name or product which is a core part of the business and is supplied by the restaurant to its customers.'

DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Signage in Outdoor Dining Areas' 'b') Remove 'only,' Insert 'or umbrellas only.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Signage in Outdoor Dining Areas' Insert 'c) The name, logo and other branding of the food or drink premises or an associated product may be places on an umbrella or barrier only if it: i. Is a minor and ancillary element of the design, comprising no more than one third of the surface area; and ii. Does not have an adverse impact on the appearance of the seating area of the streetscape.' Update lettering accordingly.
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under '3. Outdoor Trading Areas' 'c)' 'i.' Replace '2m' with '1.8 metres'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Allow new objective	Under '3. Outdoor Trading Areas' 'c)' 'iii.' Remove '; and' Insert 'arcades and pedestrian access ways;'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under '3. Outdoor Trading Areas' 'c)' Insert 'v. Display stands be separated from the kerb by a minimum of 0.6m with no goods or parts of the display impeding this space; and vi. Provide a predictable clear path of travel and be consistent along the same part of the footway for the length of the block or outdoor area, preferably along the building shoreline.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve readability	Under 'Display in Outdoor Trading Area' 'a)' Remove 'The' from 'i.' and 'ii.'

DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Display in Outdoor Trading Area' 'a) i.' Replace 'does' with 'do' Replace '2m' with '1.2 metres'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Consistency with Council's Outdoor Dining Policy and Guidelines	Under 'Display in Outdoor Trading Area' Insert 'c) Displays, including goods, must provide a clear line of sight by ensuring goods do not exceed a height of 1.2 metres. d) Displays, including stand and goods, must not; i. Obstruct pedestrians; ii. Overhand the carriageway; or iii. Present potential trip hazards.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove duplicated information	Remove '3) Appearance of the Area Outdoor dining areas must maintain a neat and tidy appearance at all times. This includes ensuring furniture is clean and well maintained, and that the area is not left in disarray after patrons have departed. Failure to maintain an acceptable appearance may result in non- renewal of licence.'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Improve clarity and correct controls	Rename '6) Outdoor Dining or Trading Areas – Located on land owned or managed by Council (additional requirements)' To 'Trading areas located on land owned or managed by Council (additional requirements)'
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove outdated information	Remove 'Other Approvals' entire section.
DCP Volume 1 C8 Public Domain 8.4 Outdoor Dining and Trading Areas C. Controls	Remove outdated information	Remove 'Further Information'
DCP Volume 1 C8 Public Domain 8.5 Public Art B. Objectives	Readability and clarity	Insert 'for Public Domain' Delete 'of this section'