

The Hills Development Control Plan (DCP) 2012

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THE
HILLS
Sydney's Garden Shire



Part B Section 7
Industrial

B7

INDEX

1. INTRODUCTION.....	1
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	1
1.2. AIMS AND OBJECTIVES OF THIS SECTION	1
2. OBJECTIVES AND DEVELOPMENT CONTROLS	1
2.1. PRECINCT PLANS	1
2.2. SITE ANALYSIS	1
2.3. DEVELOPMENT SITES	2
2.4. SAFETY BY DESIGN.....	3
2.5. FLOOR SPACE	3
2.6. SETBACKS	3
2.7. BUILDING HEIGHTS	4
2.8. BUILDING MATERIALS	5
2.9. SIGNAGE.....	5
2.10. FENCING.....	6
2.11. HOURS OF OPERATION	6
2.12. ENERGY EFFICIENCY	7
2.13. BIODIVERSITY	7
2.14. EROSION AND SEDIMENT CONTROL	7
2.15. LANDSCAPING AND TREE PRESERVATION.....	8
2.16. CARPARKING	9
2.17. VEHICULAR ACCESS.....	9
2.18. BICYCLE PARKING	10
2.19. LOADING FACILITIES.....	10
2.20. PEDESTRIAN ACCESS AND MOVEMENT	11
2.21. SERVICES	11
2.22. STORMWATER MANAGEMENT	13
2.23. WATER EFFICIENCY	14
2.24. POLLUTION CONTROL	14
2.25. WASTE MANAGEMENT – STORAGE AND FACILITIES	14
2.26. WASTE MANAGEMENT PLANNING	15
2.27. HERITAGE	16
2.28. DEVELOPER CONTRIBUTIONS	17
2.29. SEX SERVICES PREMISES.....	17
2.30. EDWARDS ROAD PRECINCT.....	17
3. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION	17
3.1. OCCUPATION / CHANGE OF USE OR INTERNAL ALTERATIONS	17
3.2. NEW DEVELOPMENTS, EXTENSIONS OR REDEVELOPMENT OF EXISTING SITES	18
4. REFERENCES.....	18
APPENDIX A – PRECINCT BASED DEVELOPMENT CONTROL PLANS	19
APPENDIX B – DEVELOPMENT CONTROLS FOR SEX SERVICES PREMISES	27
B1 INTRODUCTION.....	28
B2 OBJECTIVES AND DEVELOPMENT CONTROLS	28
APPENDIX C – DEVELOPMENT CONTROLS FOR THE EDWARDS ROAD PRECINCT.....	33
C1 INTRODUCTION.....	34
C2 OBJECTIVES AND DEVELOPMENT CONTROLS	34

1. INTRODUCTION

This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.

1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

This Section of the Development Control Plan applies to employment lands within The Hills Shire where industrial land uses are permissible under The Hills Local Environmental Plan (LEP) 2012.

1.2. AIMS AND OBJECTIVES OF THIS SECTION

The aim of this Section of the DCP is to establish objectives and development controls for the development of industrial land within The Hills Shire.

OBJECTIVES

- (i) *Encourage a high standard of aesthetically pleasing and functional industrial developments that sympathetically relate to adjoining and nearby developments.*
- (ii) *Ensure that development will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development.*
- (iii) *Encourage innovative and imaginative designs with particular emphasis on the integration of buildings and landscaped areas that add to the character of the industrial neighbourhood.*
- (iv) *Provide safe and high quality working environments for employees.*
- (v) *Ensure that employment premises incorporate the principles of Ecologically Sustainable Development.*

2. OBJECTIVES AND DEVELOPMENT CONTROLS

Objectives and development controls for industrial developments are set out in the following sections.

In addition to these policies, guidelines and documents specified in section 1.4 of Part A -

Introduction, this Section is to be read in conjunction with other relevant Sections including:

- Part C Section 1 – Parking
- Part C Section 2 – Signage
- Part C Section 3 - Landscaping
- Part C Section 4 - Heritage

2.1. PRECINCT PLANS

OBJECTIVE

- (i) *To ensure the development of specific industrial areas is consistent with the precinct Development Control Plans adopted by Council as part of this Section of the DCP.*

DEVELOPMENT CONTROLS

- (a) The overall development scheme for the Castle Hill Industrial Area is detailed in Appendix A – Precinct Based Development Control Plans (Sheet 1) of this Section of the DCP.
- (b) The overall development scheme for the Annangrove Road Industrial Area is detailed in Appendix A – Precinct Based Development Control Plans (Sheet 6) of this Section of the DCP.
- (c) Sheets 2-5 detailing precinct specific development controls for the other light industrial areas in the Shire are also included in Appendix A – Precinct Based Development Control Plans of this Section of the DCP.

2.2. SITE ANALYSIS

OBJECTIVES

- (i) *To encourage a comprehensive approach to site planning, design and assessment of development.*
- (ii) *To facilitate assessment of how future buildings relate to their immediate surroundings and to each other.*
- (iii) *To facilitate development of a design that minimises the negative impacts on the amenity of adjoining commercial or residential development in accordance with Council's ESD objective 7.*
- (iv) *To facilitate development of a design that is energy efficient and permits adoption of*

renewable energy sources in accordance with Council's ESD objective 5.

- (v) *To ensure development is compatible with land capability.*
- (vi) *To minimise adverse impacts on the environment in accordance with Council's ESD objective 7.*
- (vii) *To ensure during consideration of the site layout and design that disturbance to the natural environment is minimised in accordance with Council's ESD objective 4.*

DEVELOPMENT CONTROLS

- (a) Development should be designed to respect site constraints such as topography, drainage, soil landscapes, flora, fauna and bushfire hazard.
- (b) Disturbance to existing natural vegetation, landforms, creeks, wetlands and overland flow paths should be minimised.
- (c) Development on land adjoining bushland reserves should incorporate measures (such as setbacks and buffers) to prevent any impact on those reserves.
- (d) Development should be sited on the area of land having the least topographic constraints.
- (e) Development should be sited away from steep slopes (particularly those containing natural vegetation) so that, where possible, these features can be kept in a natural state.
- (f) Land with a slope greater than 20% is not suitable for development.
- (g) Development applications for proposals on land with a slope of between 10-20% must be accompanied by a geotechnical assessment.
- (h) Development within the Annangrove Road Light Industrial Area should be sited, designed and landscaped to minimise visual impact upon Rouse Hill House Estate and avoid development of topographically prominent knolls and ridgelines easily viewed from the Estate.

SUBMISSION REQUIREMENT

- Site Analysis.

2.3. DEVELOPMENT SITES

OBJECTIVES

- (i) *To ensure development sites have sufficient areas to provide adequate access, parking, landscaping and building separation.*
- (ii) *To provide for the orderly development of land through subdivision or the consolidation of lots.*
- (iii) *To ensure development on a particular site has due regard to adjoining developments.*

DEVELOPMENT CONTROLS

- (a) The proposed development retains any significant mature vegetation, and provides a suitably landscaped setback to the street frontage in keeping with that of an industrial 'park-like' environment. Plantings shall reduce the visual bulk of the building and screen car parking areas.
- (b) The development complies with the setback provisions of this development control plan, and is generally consistent with adjoining structures in terms of its elevation to the street and building height.
- (c) The proposed development is sited to avoid disturbance of natural site features including existing significant mature vegetation, creeks, steep slope and other significant landforms. The building platform shall be sited in an accessible and practical location on relatively flat terrain with stable soil and geology.
- (d) The development provides a direct, legible, safe and stable means of access for both vehicles and pedestrians from a public road to the proposed building platform. Adequate area is to be provided for the entry, exit and manoeuvring of heavy vehicle or service vehicles within the development site.
- (e) With the exception of the Edwards Road Precinct, the minimum road frontage requirement is 60 metres.
- (f) Development shall not isolate an adjoining area of land that does not meet the minimum lot size identified in The Hills LEP 2012.

SUBMISSION REQUIREMENTS

- Site Plan
- Location and general description of any adjoining developments.
- Earthworks plan showing existing and proposed levels/contours.
- Existing easements, access and infrastructure location.

2.4. SAFETY BY DESIGN

OBJECTIVE

- (i) *To ensure the design and layout takes into account the safety of occupants and visitors to the site.*
- (ii) *To ensure the design permits surveillance of the site to discourage vandalism and criminal activity in industrial areas.*

DEVELOPMENT CONTROLS

- (a) Design of the buildings and landscaping should ensure natural surveillance of pathways and open space setback areas around buildings, is possible from within the building, and/or from adjoining roads and open space areas;
- (b) Building design should ensure building entrances are visible and discourage entrapment;
- (c) Appropriate lighting and signage is to be provided to identify and promote use of safe access routes.

2.5. FLOOR SPACE

OBJECTIVES

- (i) *To ensure that the scale and bulk of industrial developments complements the character of the area.*
- (ii) *To ensure that the bulk and scale of industrial developments does not reduce the amenity of adjacent residential or other land uses.*
- (iii) *To ensure that industrial development does not exceed the service and infrastructure capacity of the area.*

- (iv) *To ensure that individual industrial units are of a size suitable to meet the needs of local industry and service providers.*

DEVELOPMENT CONTROLS

- (a) Refer to Clause 4.4 *Floor Space Ratio* of The Hills LEP 2012.
- (b) Up to 50% of buildings/units may have a floor area between 100 square metres and 150 square metres. All other units/buildings must have a minimum floor area of 150 square metres.
- (c) The maximum floor space permitted to be constructed / utilised for ancillary office purposes is 50% of the unit floor area.

To attract industries that do not necessarily require expansive areas for warehousing or manufacture (such as those in the areas of advanced technology, computer facilities, and communications) the above control does not apply to development within the Castle Hill Industrial area. However any floor space constructed / utilised for office purposes may only be used;

- for a purpose that is permissible, or
- for a purpose that is ancillary to and an integral part of a purpose that is permissible within the IN2 Light Industrial zone under The Hills LEP 2012.

SUBMISSION REQUIREMENTS

- Site Plan showing the location and size of the proposed buildings/structures with supporting floor space ratio calculations (excluding uncovered parking areas, internal loading bays and driveways).
- Dimensioned development application plans including a schedule of areas for each separate occupancy unit proposed.

2.6. SETBACKS

OBJECTIVES

- (i) *To provide an open streetscape with substantial areas for landscaping and screen planting.*

- (ii) *To provide an effective buffer to preserve the natural features and creeks in accordance with Council's ESD objective 4.*
- (iii) *To minimise overshadowing of adjoining properties.*
- (iv) *To protect privacy and amenity of any adjoining land uses.*
- (v) *To provide a desirable and aesthetically pleasing working environment.*

DEVELOPMENT CONTROLS

- (a) The building setbacks to roads, open space, trunk drainage and other lands, are shown in Appendix A – Precinct Based Development Control Plans of this Section of the DCP, Sheets 1-6.
- (b) A minimum building setback of 5 metres for buildings and 2 metres for ground level car parking will be required to all other site boundaries not indicated on Sheets 1-6.
- (c) Council will require written concurrence from Integral Energy for developments proposed within an electricity easement.
- (d) The setback to a creek is to be no less than 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Water.
- (e) All building setbacks are to be landscaped in accordance with section of 2.15 of this Section of the DCP and with the provisions of Part C Section 3 – Landscaping.
- (f) Other than within the Castle Hill Industrial Area where a building setback is 20 metres or more, car parking may be sited 10 metres closer than the building to that boundary.
- (g) The following building setbacks shall be applied within the Castle Hill Industrial Area only: -

Internal Roads

- 15 metres with no car parking forward of the building.
- 23 metres where car parking is situated forward of the building.

Arterial Roads

- 20 metres with no car parking forward of the building.

- 30 metres where car parking is situated forward of the building.

- (h) Car parking may be permitted within the front building setback provided it is setback 10 metres from a local road frontage and 20 metres from an arterial road frontage. The car park area is to be screened from view and the setback adequately landscaped in accordance with the provisions of this Section of the DCP.
- (i) Where a proposed acquisition for road widening affects a development site, the minimum setback will be measured from the proposed new alignment of the road.

SUBMISSION REQUIREMENTS

- Building setback dimensions are to be shown on development application plans.

2.7. BUILDING HEIGHTS

OBJECTIVES

- (i) *To ensure that building heights respond to the existing landform of the neighbourhood, including ridgelines and drainage depressions.*
- (ii) *To protect privacy and amenity of surrounding allotments and residential development.*
- (iii) *To minimise overshadowing of adjoining allotments.*

DEVELOPMENT CONTROLS

- (a) Refer to Clause 4.3 *Height of Buildings*, Clause 5.6 *Architectural roof features* and Height of Building Maps in The Hills Local Environmental Plan 2012.
- (b) In all industrial zones other than the Castle Hill Industrial area the maximum building height of any structure or building shall be no more than 15 metres above ground level except:-
 - where the building is within 30 metres of a residential property boundary where the height will be a maximum of 10 metres; or
 - the area is the subject of Appendix A – Precinct Based Development Control Plans Sheet 6 where the building height envelope specified on Sheet 6 applies.

- (c) For the Castle Hill Industrial area the maximum building height of any structure or building shall be no more than 20 metres above ground level except where the building is within 30 metres of a residential property boundary where the height will be a maximum of 10 metres.

SUBMISSION REQUIREMENTS

- Shadow Diagrams where development adjoins residential development.

2.8. BUILDING MATERIALS

OBJECTIVES

- To promote integrated, visually harmonious and attractive buildings in industrial areas.*
- To promote the use of materials that involve minimal impact on the environment in accordance with Council's ESD objective 5.*

DEVELOPMENT CONTROLS

- All building construction must comply with the Environmental Planning & Assessment Act 1979 and Building Code of Australia.
- The following factors must be considered when selecting materials:
 - suitability for the purpose;
 - durability;
 - long term appearance;
 - local environmental impacts;
 - broader and longer term environmental impacts;
 - the quantity of material required; and
 - life cycle assessment.
- Avoid oversupply and waste of materials by careful assessment of quantities needed.
- Avoid materials that are likely to contribute to poor internal air quality such as those generating formaldehyde (new carpets) or those that may create a breathing hazard in the case of fire (eg polyurethane).
- Select materials that will minimise the long-term environmental impact over the whole life of the development.
- Preference should be given to materials derived from renewable sources or those that are

sustainable and generate a lower environmental cost, recycled material or materials with low embodied energy, better lifecycle costs and durability. For example, use plantation rather than old growth timbers.

- Choice of materials should be based on consideration of both their environmental and economic costs.
- All external walls of buildings used for office/showroom purposes should generally be totally of brick, pre-cast panel or glass construction. However use of new materials that generate a lower environmental cost will be considered on their merits.
- All walls visible from the street, or land adjoining or near the subject property must be treated (at a minimum they must be painted) to ensure the visual amenity of adjoining business is protected.
- Material should incorporate graffiti proof surfaces wherever possible.
- Roofs of buildings shall be pre-colour coated masonry, tile or metal. Galvanised iron, zinaclume, any fibrous sheeting (asbestos cement etc) or any other uncoloured metal deck surface is unacceptable. However use of new materials that generate a lower environmental cost will be considered on their merits.
- Natural ventilation is preferred. However where mechanical ventilation is necessary any roof ventilators, exhaust towers, hoppers and the like are to be located so that they are not visible from public places or residential areas. These elements are to be incorporated into the design of the buildings.

SUBMISSION REQUIREMENTS

- Schedule of External Materials
- Streetscape Perspective including landscaping.

2.9. SIGNAGE

OBJECTIVES

- To provide businesses the opportunity of identifying their location and activity.*
- To ensure that signage does not detract from the visual appeal of buildings within the employment*

area by prohibiting superfluous and unsuitable signs.

DEVELOPMENT CONTROLS

- (a) The details of the development controls applying to advertising signs and structures within the Shire are contained in Part C Section 2 – Signage.

SUBMISSION REQUIREMENTS

- Signage Plan

2.10. FENCING

OBJECTIVE

- (i) *To ensure that fencing does not detract from the overall visual amenity and character of the area.*

DEVELOPMENT CONTROLS

- (a) No fencing, other than of a low, ornamental type may be erected within the building setback area to any road.
- (b) Fencing along rear boundaries adjacent to a trunk drainage zoning shall be integrated with any landscape buffer zone or building setback.
- (c) All chain-wire fencing is to be black or dark green in colour.
- (d) Pre-painted solid, metal fencing (i.e. Colorbond fencing) is not acceptable because of its poor visual appearance.

SUBMISSION REQUIREMENTS

- Fencing details for the site, clearly showing the location, height and type of fencing, is to be submitted as part of the Development Application.

2.11. HOURS OF OPERATION

OBJECTIVES

- (i) *To ensure that industrial developments operate in a manner compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) Hours of operation within industrial areas (except for Bulky Goods Premises) are restricted to 7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays, except as provided below;
- (b) Hours of operation for Bulky Goods Premises are to be restricted to between 7.00a.m. and 6.00p.m. each day except for Thursday when the activity can continue past 6.00p.m. to 9.00p.m. but only if the site does not adjoin or is not adjacent to a residential zone.
- (c) Notwithstanding a) and b) above:
- occupants of sites that are not adjoining or adjacent to a residential property may request that the site be considered as a “Low Noise Generating use”.
 - Low noise generating uses may be permitted extended days and hours (up to 24 hours) of operation beyond those specified in a) and b) above.
 - In order to be considered as a Low Noise Generating use the planning application submitted must be accompanied by a report from an acoustic consultant that demonstrates that the proposed use will not generate noise in excess of 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property. This report must include all activities including any vehicle (especially heavy vehicle) movements to and from the site.

SUBMISSION REQUIREMENTS

- Details of days and hours of operation to be provided in the Development Application.
- A statement of compliance from an acoustical consultant may be required to demonstrate that the noise generated by development generally does not exceed 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property.
- The statement of compliance will also include an assessment and schedule of truck movements, type and times.

2.12. ENERGY EFFICIENCY

Energy-efficient design and construction will assist in creating ecologically sustainable environments, reducing the use of fossil fuels and encouraging the use of renewable energy.

OBJECTIVES

- (i) *To facilitate the design and construction of energy efficient buildings.*
- (ii) *To require building designs that will minimise energy needs and that will utilise passive solar design principles.*

DEVELOPMENT CONTROLS

- (a) The design of the buildings shall demonstrate passive solar design principles i.e.,
 - window placement;
 - building orientation;
 - shading;
 - insulation;
 - thermal mass;
 - ventilation; and
 - incorporation of suitable landscaping.
- (b) In designing the building, consideration must be given to utilising the large areas of roof space for generating electricity via solar panels or other relevant technology.

Issues that need to be considered are:-

- The orientation and pitch of the roof. The portions of the roof suitable for solar panels must be oriented north to maximise sunlight on these areas;
- The capability of the roof to accommodate, or to be easily reinforced so it can accommodate, solar panels and/or other relevant equipment.
- (c) All buildings with an office component greater than 100m² shall achieve as a minimum, a 4-star Building Greenhouse rating in respect to energy efficiency for the office component of the development. Details of the rating for each relevant building are to be provided with the Development Application.
- (d) In the case where an existing office is extended any constraints arising from the design of the

existing building will be taken into consideration if the 4-star requirement is not achieved.

Note. Advice on the Building Greenhouse rating can be obtained from the Australian Building Greenhouse Rating website www.abgr.com.au.

- (e) Where a hot water service is provided to any sole-occupancy building or unit a hot-water system with a greenhouse gas emission score of 3.5 or greater is to be installed to suit the needs of that building or unit.

2.13. BIODIVERSITY

OBJECTIVE

- (i) *To conserve and protect the biodiversity of the Shire including habitats of threatened flora and fauna species and communities.*

DEVELOPMENT CONTROLS

- (a) Significant flora and fauna species, ecological communities and their habitats are to be preserved.
- (b) Development should be designed to retain existing bushland and fauna habitats, including identifiable corridors and linkages.

SUBMISSION REQUIREMENTS

- Fauna and Flora Assessment.
- If the assessment finds that there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats, applicants will be required to submit a Species Impact Statement (SIS). Reference should be made to the requirements of the Environmental Planning & Assessment Act 1979, and the Threatened Species Conservation Act 1995.

2.14. EROSION AND SEDIMENT CONTROL

Land degradation associated with urban development can be avoided or mitigated, largely through appropriate planning before commencement of earthworks and by using best management practices available.

OBJECTIVES

- (i) *Minimise land degradation, water pollution and damage to infrastructure from erosion and accumulated sediment.*
- (ii) *To provide development controls for all stages of development and to ensure a consistent approach to erosion and sediment control.*

DEVELOPMENT CONTROLS

- (a) Applications for all development, including subdivision, are to be accompanied by an Erosion and Sediment Control Plan (ESCP) that will describe the measures to be taken at development sites to minimise land disturbance and erosion and to control sediment pollution of creeks. ESCPs are to clearly identify the erosion and sediment control measures to be used.
- (b) Erosion and Sediment Control Plans shall be prepared in accordance with "Managing Urban Stormwater – Soils and Construction", produced by Landcom.

SUBMISSION REQUIREMENTS

- Erosion and Sediment Control Plan

2.15. LANDSCAPING AND TREE PRESERVATION

OBJECTIVES

- (i) *To ensure a high standard of environmental quality of individual developments and of the overall visual amenity and character of the area.*
- (ii) *To ensure that existing landscaping is retained and integrated into the design of the development in accordance with Council's ESD objective 4.*
- (iii) *To ensure landscaped areas can be appropriately maintained.*
- (iv) *To ensure that existing trees are given every opportunity to be retained and incorporated into the final development in accordance with Council's ESD objective 4.*
- (v) *To ensure that vegetation removed as a part of the land development process is replaced by*

suitable endemic species in accordance with Council's ESD objective 4.

DEVELOPMENT CONTROLS

- (a) Existing trees and surrounding shrubs, groundcovers and grasses should be preserved.
- (b) All setback and car parking areas are to be regenerated and maintained to a high standard utilising endemic species. Where buildings are visible from adjoining residential or rural land the setback areas must include planting to screen views into the development and minimise the visual prominence of the buildings. In this regard setbacks must include:-
 - taller trees that create a canopy, which will screen the upper sections of the building. The mature canopy height should be between 6 metres and the top of the building;
 - supported by lower shrubs with a mature height of 2 to 4 metres to break up views of car parking areas and lower parts of the building.
- (c) Native species are to be used to maintain a strong natural theme for the neighbourhood owing to their low maintenance characteristics, relative fast growth, aesthetic appeal and suitability to the natural habitat.
- (d) Landscape treatments are to harmonise with building designs and should consist of trees, shrubs, groundcovers and grass. Introduced species, such as Kikuyu, which are intensive users of water and which are invasive and result in degradation of natural areas will not be permitted.
- (e) Landscaping measures are to be used that assist in conserving water such as:-
 - installing an electronically controlled and rain switched irrigation system;
 - use of indigenous species best suited to the local climate and soil conditions;
 - use of mulches and groundcovers to retain soil moisture; and
 - minimising lawn and using native grasses for lawn and maximising gardens.
- (f) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 – Landscaping.

- (g) Grassed embankments are not to exceed an 1:6 slope.
- (h) Earth mounding is desirable within setback areas to reduce noise-associated impacts.
- (i) All landscaped areas are to have a minimum width of 2 metres.

SUBMISSION REQUIREMENT

- Landscape plan.

2.16. CARPARKING

OBJECTIVES

- (i) *To ensure the safety of all road users in industrial areas.*
- (ii) *To ensure that all car parking demands generated by the development are accommodated on the development site.*
- (iii) *To protect the free flow of traffic into and out of the industrial allotments and the surrounding street network.*
- (iv) *To ensure that the provision of off-street parking facilities does not detract from the overall visual amenity and character of the neighbourhood in relation to streetscape.*

DEVELOPMENT CONTROLS

- (a) Car parking is to be in accordance with Part C Section 1 – Parking.
- (b) Other than within the Edwards Road Precinct, Buildings/units with a floor area between 100 square metres and 150 square metres require a minimum of three car parking spaces.
- (c) Visitor car parking is to be provided at a rate of 1 space for every 2 units constructed.
- (d) All car parking required by Council shall be provided on-site.
- (e) Minimum parking dimensions and construction standards are detailed in Part C Section 1 – Parking.
- (f) A two metre wide landscape strip is to be provided after every tenth parking space.

- (g) Car parking areas that adjoin public roads or spaces are to be visually screened by landscaping.
- (h) Disabled parking provision is to be provided in accordance with The Hills Shire Council policy entitled "Making Access for All 2002".

SUBMISSION REQUIREMENTS

- Site Plan showing the number of car parking spaces and calculations.

2.17. VEHICULAR ACCESS

OBJECTIVES

- (i) *To ensure the safety of all road users in industrial areas.*
- (ii) *To ensure that vehicles can enter and exit premises in industrial areas in a safe and efficient manner.*
- (iii) *To maintain the performance of roads that provides an arterial or sub-arterial function.*

DEVELOPMENT CONTROLS

- (a) Adequate vehicular entry and exit from the development is to be provided and shall be designed to provide a safe environment for both pedestrians and vehicles using the site and surrounding road networks.
- (b) All internal roadways are to have a minimum width suitable to the proposed industrial activities of the site. Road widths will be assessed on the individual merits of the road design and layout and are subject to approval by Council.
- (c) Vehicular access to and from developments across frontages marked "ACCESS DENIED" on the DCP sheet map is prohibited. Access is limited to designated locations as shown on the DCP sheet map.
- (d) Vehicular ingress and egress to the site must be in a forward direction at all times.
- (e) Driveways from public roads will be:
 - perpendicular to the road within the building setback;
 - separated or divided at the property boundary for ingress and egress movements; and

- sight distance are to be in accordance with Part C Section 1 – Parking and Council's Design Guidelines for Subdivisions/ Developments.
- (f) All roads intended to be dedicated to Council, as public roads shall be constructed to Council's requirements.
- (g) All road frontages to a development site (other than those identified within Council's Contribution Plan) are required to be constructed prior to the issue of any occupation certificate.

SUBMISSION REQUIREMENT

- Applicants are required to submit plans and details with the Development Application of proposed vehicular access and circulation. Details must specifically relate to vehicular movement, layout and turning circles.

2.18. BICYCLE PARKING

Cycling is a healthy, low cost, environmentally friendly form of transport that offers a flexible and low-impact alternative to the use of private motor vehicles.

OBJECTIVES

- (i) *To make it easier and more convenient for people to travel to and from places using bicycles.*
- (ii) *To reduce the rate at which the demand for car travel increases in the future, thereby helping to improve air quality.*

DEVELOPMENT CONTROLS

- (a) Bicycle parking facilities are required for all new industrial developments. At a minimum these facilities are required to be provided for:-
 - any new development, which exceeds 4,000m² in floor area; and
 - any developments which will have the effect of increasing the size of the total development to greater than 4,000m².
- (b) Bicycle parking spaces for the above developments are to be provided at a minimum rate of 2 spaces plus 5% of the total number of

car parking spaces required for the development. Consideration should be given to the provision of undercover facilities.

- (c) Bicycle parking should be located in close proximity to the building entrances and clustered in lots not exceeding 16 spaces.
- (d) Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frames or other components.
- (e) Bicycle parking facilities should be located in highly visible, illuminated areas to minimise theft and vandalism.
- (f) Bicycle parking facilities shall be securely anchored to the site surface so they cannot easily be removed and shall be of sufficient strength to resist vandalism and theft.
- (g) Bicycle parking facilities shall not impede pedestrian or vehicular circulation and should be in harmony with their environment and design. Parking facilities should be incorporated wherever possible into building or street furniture.
- (h) Racks must not be placed so close to any wall or other obstruction so as to make use difficult.
- (i) Bicycle parking facilities within car parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops or other similar features.
- (j) Each bicycle parking space shall be not less than 1.8 metres in length and 600mm in width and shall have a bicycle rack system.
- (k) Consideration should be given to providing staff change rooms and washing facilities.

2.19. LOADING FACILITIES

OBJECTIVES

- (i) *To ensure that loading facilities required in association with developments do not detract from the amenity of nearby public spaces and residential land uses.*
- (ii) *To ensure that adequate areas are set aside on site to allow for the safe and efficient manoeuvring of delivery and service vehicles.*

DEVELOPMENT CONTROLS

- (a) Loading docks shall be located so as they are not visible from adjoining residential areas and do not transmit excessive noise to adjoining residential areas.
- (b) Where practical, loading docks or vehicular entries to industrial buildings shall not be provided on any street elevation. Where such facilities can only be provided to street frontages, they must be screened with landscaping.
- (c) Turning provisions are to be provided within the site for the manoeuvring of vehicles using the loading and unloading facilities in accordance with AUSTROADS Design Vehicular and Turning Templates.
- (d) Loading dock facilities are to be able to serve the types of trucks likely to service the development.

SUBMISSION REQUIREMENTS

- Plans and details of proposed vehicular access and circulation detailing vehicular movement, layout and turning circles.
- Plans and details that demonstrate that the loading dock facilities are adequate to serve the development.

2.20. PEDESTRIAN ACCESS AND MOVEMENT

OBJECTIVES

- (i) *To ensure that developers comply with the provisions of Australian Standard AS1428.1-2001, in regard to appropriate and improved access and facilities for all persons.*
- (ii) *To require designers/developers to provide for the needs of people who are mobility impaired and to provide greater than minimum requirements for access and road safety.*

DEVELOPMENT CONTROLS

- (a) Car parking spaces and layout should be designed to accommodate the limited mobility possessed by disabled drivers and passengers by providing room for loading and unloading of wheelchairs beside and behind vehicles.

- (b) All pathways and ramps should conform to the minimum dimensional requirements set out in AS1428.1-2001 Design for Access and Mobility.
- (c) Street furniture and obstructions should be kept clear of pathways, while overhanging objects should not be lower than 2,100mm above pathways.
- (d) All surfaces should be stable, even and constructed of slip resistant materials.
- (e) International Symbols of Access should be displayed where buildings, crossings, amenities, car parking, pathways and ramps are accessible, as detailed in The Hills Shire Council policy entitled "Making Access For All 2002".
- (f) Where newly created floor space or additional floor space (which exceeds 25% of the total existing floor space) is being proposed, a concrete footpath must be constructed in the road verge along any boundary that fronts a public road. The pathway must be completed prior to occupation and is to be constructed in accordance with Council's specifications, which include the following requirements:
 - a minimum width of 1.5 metres;
 - the path must be located no closer than 600mm to the kerb;
 - it must be constructed on a compacted 50mm sand or equivalent sub-base;
 - it must be 100mm thick and constructed from 25 MPa concrete reinforced with F62 mesh and a 40mm cover top sandstone finish.
- (g) Clearly defined pedestrian pathways are to be provided between proposed developments and proposed footpaths along sub-arterial roads.

SUBMISSION REQUIREMENTS

- Documentation to demonstrate how the objectives and development controls have been satisfied.

2.21. SERVICES

OBJECTIVES

- (i) *To ensure that the physical services necessary to support industrial development are available.*

- (ii) *To ensure that all uses are compatible with the workings and operations of the Integral Energy Electricity Easement.*
- (iii) *To ensure public safety is not compromised.*
- (iv) *To provide a suitable buffer for noise and emissions from any Sewage Treatment Plant (STP).*

DEVELOPMENT CONTROLS

- (a) Development consent will not be granted until arrangements satisfactory to the relevant authorities are made for the provision of services.
- (b) Development restrictions apply within electricity easements and developers and landowners are required to gain approval from Integral Energy for all activities and works carried out within the easement in addition to complying with Council requirements. An indication of activities that require approval and activities that are prohibited are listed in Figure 1 below.
- (c) All developments within the Rouse Hill STP buffer zone must have regard for the former DUAP Circular No. E3. The buffer zone is bounded by:-
 - Annangrove Road to the northwest;
 - Withers Road to the southwest;
 - Mile End Road to the southeast; and
 - a line extending from the junction of Annangrove Road and Edwards Road the junction of Second Ponds Creek and the unformed Hillview Road;
- (d) All services shall be underground and installation of services should occur in a co-operative manner for efficiency and to minimise ground disturbance.
- (e) Sites within the Rouse Hill Release Area must be connected to the Sydney Water Recycled Water System.

Figure 1 – Integral Energy Requirements

The requirements below are relevant for sites that contain electricity easements. There are a number of large easements in the Annangrove Road Industrial Area

Some of the activities that require Trans Grid approval include:

- burning off or the lighting of fires;
- the operation of mobile plant or equipment having a height when fully extended in excess of 4.3 metres;

- the installation of utility services such as low voltage electricity, telephone and water lines, whether overhead, underground or on the surface;
- the construction of outbuildings including sheds, stables, garages and carports, where there is no suitable site clear of the easement area (encroachments beyond 3 metres will not be permitted);
- the construction of unroofed verandahs and pergolas attached to dwellings;
- the development of subdivisions for residential and industrial purposes;
- the construction of roads;
- the construction of in-ground or above ground swimming pools;
- the construction of tennis courts;
- excavation and major earth works/regrading; and
- the erection of fencing.

However, there are several activities, which are prohibited and include the following:

- the construction of, whole or parts of, dwellings, buildings or other substantial structures;
- the installation of fixed plant or equipment;
- the storage of flammable liquids or explosives;
- the placing of garbage, refuse or fallen timber;
- the planting or cultivation of trees or shrubs which grow to a height exceeding 4 metres; and
- the placing of obstructions of any type within 15 metres of any transmission line structure or supporting guy.

SUBMISSION REQUIREMENTS

- Evidence of suitable arrangements with the following are required to be submitted with Development Applications:
 - Sydney Water for potable and recycled water, sewage and drainage;
 - Telecommunications carrier for telephones and associated equipment;
 - Integral Energy for underground electricity;
 - AGL for gas supplies; and
 - NSW Fire Brigades.
- Documentation to demonstrate how the objectives and development controls are satisfied.
- Any land or part thereof, covered by the buffer zone must demonstrate how the objectives and development controls are satisfied.

2.22. STORMWATER MANAGEMENT

OBJECTIVES

- (i) *To ensure that industrial development does not impact on the water quality of adjacent properties or creeks.*
- (ii) *To provide for the disposal of stormwater from the site in efficient, equitable and environmentally sensible ways.*
- (iii) *To encourage the re-use of stormwater for the irrigation of landscaped areas, particularly during establishment periods.*

DEVELOPMENT CONTROLS

- (a) Water Sensitive Urban Design (WSUD) measures shall be employed in the management of the site's/development's stormwater in terms of water retention, reuse and cleansing.

In all development, two or more of the following water sensitive urban design measures must be implemented in the development:-

M1Low Impact Building Design

M2Low Impact Landscape Design

M3Porous Paving

M4Rainwater Utilisation – toilet, hot water

M5On-Site Infiltration System

M6Stormwater Treatment System

M7Infiltration or Retention Basin

M8Stormwater Utilisation – irrigation

Development in the Kellyville Rouse Hill Release Area must connect to the Sydney Water Recycled Water System. This connection will be accepted as one of the two WSUD measures required instead of any rainwater re-use system.

Details on the actions required to implement each of these measures is included in Appendix B – Water Sensitive Urban Design of The Hills DCP.

- (b) Installation of rainwater tanks requires consent from Sydney Water. A condition will be imposed on any approval requiring this consent be obtained.

- (c) No adverse effects are to be experienced by downstream landowners from discharges from sites that slope down from the fronting street.
- (d) Discharge points are to be accessible for water quality testing.
- (e) Discharge points are to be controlled and treated to prevent soil erosion, and may require energy dissipating devices on steeper topography, to Council's requirements.
- (f) On-site detention may be required to Council's satisfaction to counteract an increase in stormwater runoff.
- (g) In order to protect the natural and built environment, all water leaving the site is to be treated for the removal of all sediments, heavy metals, pollutants and other contaminants that may be produced by the industrial and associated activities on site.
- (h) The design of drainage systems is to be in accordance with Council's Design Guidelines for Subdivisions/ Developments.
- (i) The requirements of the Office of Water must be satisfied.

Note. For any development proposed within the Annangrove Road Light Industrial Area as shown on Appendix A – Precinct Based Development Control Plans Sheet No.6 to this Section of the DCP, an applicant is required to consult with Council's Health & Environment Department to determine if the proposed development is in an area identified as having known salinity hazard.

If the proposed development is identified in an area of known salinity hazard, reference should be made to the Western Sydney Salinity Code of Practice, March 2003, for guidelines for recommended site investigations, appropriate salinity management responses and preparation of a site specific salinity management plan.

Whilst the majority of WSUD techniques identified in this Section of the DCP emphasise infiltration as a means of managing stormwater quality and quantity, there are several alternative methods available which are not in conflict with salinity issues and still focus on reducing overall water usage. Such techniques should still be incorporated within the design of new development.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Drawings indicating the proposed drainage infrastructure.
- Method of pollutant removal during and after development.
- If required, easements are to be created over downstream properties prior to the Council granting an operative development consent.

2.23. WATER EFFICIENCY

OBJECTIVES

- (i) *To reduce the water consumption of apartment building developments.*
- (ii) *To recycle and re-use water in developments in accordance with Council's ESD objective 3.*

DEVELOPMENT CONTROLS

- (a) Showerheads and taps must have reduced water flow devices. Taps may also be aerated.
- (b) Toilet cisterns must have a "AAA" (dual flush 3/6 litre) rating.
- (c) All other appliances and fittings must be water efficient, preferably with a "AAA" water rating.
- (d) Water cooled air conditioning systems are discouraged. If a water cooled system is to be used bleed rates should be linked to TDS meters.
- (e) Installation of a metering system that measures mains water used in different areas of the site enables monitoring and detection of excess water usage.

SUBMISSION REQUIREMENTS

- Details of appliances, fittings and tanks to be used in the development.

2.24. POLLUTION CONTROL

OBJECTIVES

- (i) *To ensure that pollution sources are contained on site and not transmitted to non compatible land uses.*

- (ii) *To ensure the environmental and social qualities of the surrounding areas are maintained.*

DEVELOPMENT CONTROLS

- (a) All developments are restricted to sewered sites.
- (b) The emission of air impurities, as defined under the Protection of the Environment Operations Act 1997, is to be controlled to the satisfaction of Council at all times.
- (c) Certain uses may be required to be licensed under the Protection of the Environment Operations Act 1997.
- (d) Any machinery or activity considered to create a noise nuisance must be adequately soundproofed in accordance with the provisions of the Protection of the Environment Operations Act 1997.
- (e) The use of mechanical plant and equipment may be restricted where sites are located near existing and proposed residential areas.
- (f) Incinerators are not permitted for waste disposal.

SUBMISSION REQUIREMENT

- Documentation to demonstrate how the objectives and development controls are satisfied.

2.25. WASTE MANAGEMENT – STORAGE AND FACILITIES

OBJECTIVES

- (i) *To minimise the overall environmental impacts of waste.*
- (ii) *To maximise, through design, the opportunities to deal with industrial waste according to the waste hierarchy as given in Council's ESD objective 6 – reduce, reuse, recycle.*
- (iii) *To reduce the demand for waste disposal by providing detailed criteria for the consideration of design and management of recycling, composting and waste storage and collection facilities within developments.*
- (iv) *To provide industrial waste management systems that allow for ease of use by occupants and ease of service by collection contractors.*

- (v) *To encourage building designs and construction techniques that will minimise waste generation.*
- (vi) *To assist in achieving Federal and State Government waste minimisation targets.*
- (vii) *To promote development design that is appropriate and provides convenient waste storage, recycling and collection facilities on site.*

DEVELOPMENT CONTROLS

- (a) Adequate storage for waste materials must be provided on site. Ideally waste storage containers should be kept inside units and under no circumstances should waste storage containers be stored in locations that restrict access to any of the car parking spaces provided on site.
- (b) All waste must be removed at regular intervals and not less frequently than once per week.
- (c) All waste storage areas must be screened from view from any adjoining residential property or public place.
- (d) Waste storage areas must be kept clean, tidy and free from offensive odours at all times.
- (e) Applications for development are to be accompanied by a Waste Management Plan (WMP). The WMP accompanying the application must demonstrate appropriate design of facilities and on-going management techniques that minimise waste and the WMP will include the following details:
 - Type of future use for the development;
 - Types of waste to be generated;
 - Estimated volume of waste to be generated per week;
 - Show on plans and describe on-site storage and/or treatment facilities for waste; and
 - State the destination for waste produced.

A Trade Waste Licence is required for the disposal of wastewater from any proposed industrial development, prior to the issue of a Construction Certificate. A Trade Waste Licence must be obtained from Sydney Water before discharge into the sewer can commence. A Trade Waste application can be obtained from Sydney Water at the Section 73 Certificate application stage.

Appendix A of The Hills DCP contains a Waste Management Plan Template that can assist in the preparation of a Waste Management Plan.

2.26. WASTE MANAGEMENT PLANNING

OBJECTIVES

- (i) *To promote improved project management and to reduce the demand for waste disposal during demolition and construction.*
- (ii) *To maximise reuse and recycling of building/construction materials.*
- (iii) *To encourage building designs and construction techniques that will minimise waste generation.*
- (iv) *Minimise waste generation to landfill via the waste hierarchy.*
- (v) *To assist in achieving Federal and State Government waste minimisation targets.*

2.26.1. DEMOLITION

DEVELOPMENT CONTROLS

- (a) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste.
- (b) Straight demolition should be replaced by a process of selective deconstruction and reuse of materials. Careful planning is also required for the correct removal and disposal of hazardous materials such as asbestos and is to be carried out by persons accredited from Workcover in accordance with Office of Environment and Heritage requirements.
- (c) Project management must seek firstly to re-use and then secondly to recycle solid waste materials either on or off site. Waste disposal to landfill must be minimised to those materials that are not re-useable or recyclable.
- (d) When separated, materials are to be kept uncontaminated to guarantee the highest possible reuse value.
- (e) Details of waste sorting areas and vehicular access are to be provided on plan drawings.
- (f) Prior to any demolition works commencing on the site, the applicant is to notify all adjoining and adjacent neighbours and Council, five (5) working days prior to work commencing.
- (g) All Asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with

Work Cover Authority and Office of Environment and Heritage requirements.

2.26.2. CONSTRUCTION

DEVELOPMENT CONTROLS

- (a) Avoid oversupply and waste of materials by careful assessment of quantities needed.
- (b) The use of prefabricated components may reduce waste.
- (c) Re-use of materials and use of recycled material is desirable where possible.
- (d) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste.
- (e) All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Work Cover Authority and Office of Environment and Heritage requirements.

SUBMISSION REQUIREMENTS

- Waste Management Plan

2.27. HERITAGE

OBJECTIVES

- (i) *To ensure that the development of land does not isolate a heritage item from its setting or context, thereby retaining the heritage item's significance.*
- (ii) *To ensure that the development of land in the vicinity of a heritage item is undertaken in a manner that has regard to the significance of the heritage item, particularly its setting and context.*
- (iii) *To ensure that any development within the Annangrove Road light industrial area does not have an adverse impact on the setting and views and panoramas to and from Rouse Hill House Estate.*

DEVELOPMENT CONTROLS

- (a) In considering Development Applications, Council shall have regard for the visual impact of the

development when viewed from the surrounding area.

- (b) All developments must address the provisions of Part C Section 4 – Heritage.
- (c) State Regional Environmental Plan No. 19 – Rouse Hill Development Area contains specific controls for the Second Ponds Creek Light Industry Area with regard to the visual amenity when viewed from Rouse Hill Regional Park.
- (d) Any development within the light industrial area south of Annangrove Road as shown in Map Sheet 7 of this Section of the DCP is to mitigate the impact of the development upon Rouse Hill House Estate via the following measures:
 - Where the building will be visible from the Rouse Hill House Estate, a combination of native trees and shrubs endemic to the area are to be used to screen views of the building and all associated hard paved areas (such as car parks, loading areas and driveways);
 - All buildings are to be low profile in design so as to reduce the apparent or visual bulk of the structure;
 - All external building materials are to be non-reflective and of a colour consistent with the surrounding natural environment and vegetation;
 - Roofing material in particular should be of a dark, non-reflective colour (such as dark green or grey) which recedes visually within the surrounding natural landscape; and
 - The maximum height of any freestanding signage is 3 metres. Consideration will be given to an increase in the maximum height, provided:
 - The applicant can demonstrate it will not be visible from Rouse Hill House Estate; or
 - The structure is of a design, colour and utilises materials which are considered by Council to mitigate the visual prominence of the signage when viewed from Rouse Hill House Estate.
 - Where possible existing remnant mature trees should be retained particularly along existing road reserves and building setbacks should include supplementary plantings of native trees to ensure that buildings are seen

within a canopy of trees when viewed from the Estate.

- Any tall structures such as light towers or flagpoles should be of a dark, non-reflective colour (such as dark grey or green) and should be sited carefully so as not to obstruct critical sightlines to and from Rouse Hill House Estate.

SUBMISSION REQUIREMENTS

- Submit applicable documentation in the Development Application to demonstrate how the objectives and development controls are satisfied.
- Any application for development within the light industrial area south of Annangrove Road as shown in Map Sheet No.6 of this Section of the DCP must provide details of proposed external colours, materials, finishes and landscaping and any other supporting documentation in order to demonstrate how the development will minimise visual impact upon Rouse Hill House.

2.28. DEVELOPER CONTRIBUTIONS

Applicants should refer to Council's Section 94 Contributions Plan No. 11 - Annangrove Light Industrial Area.

2.29. SEX SERVICES PREMISES

Refer to Appendix B for development controls specific to sex services premises.

2.30. EDWARDS ROAD PRECINCT

Refer to Appendix C for development controls specific to development within the Edwards Road Precinct.

Appendix C applies to the land identified as the Edwards Road Precinct within Sheet 6 of Appendix A – Precinct Plan Maps identified.

In the event of an inconsistency between the development controls contained within Appendix C and another control within this Plan or any other Development Control Plan, the development controls contained within Appendix C will prevail.

3. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION

3.1. OCCUPATION / CHANGE OF USE OR INTERNAL ALTERATIONS

COMPLETED DEVELOPMENT APPLICATION FORM

You must have the written consent of all current owners.

CONSTRUCTION CERTIFICATE APPLICATION FORM

Required where any building works or fit-out including erection of partitions, fixtures & signs is proposed as part of the development.

SITE PLAN (8 copies)

Clearly indicating:

- The building to be occupied
- Car-parking spaces allocated to that building
- Location of any signs to be erected

ARCHITECTURAL PLANS (8 copies)

FLOOR PLAN (existing and proposed)

- Elevations

STATEMENT OF ENVIRONMENTAL EFFECTS (8 copies)

The statement must include the following:-

- Statement outlining the exact nature of the proposed business;
- The proposed hours of operation;
- The number of employees;
- Information regarding deliveries (the number of expected deliveries each week, the types of vehicles/truck expected, approximate times they would be expected);
- The number of car spaces allocated to the unit with reference to Part C Section 1 – Parking; and
- Compliance with any other relevant objectives and/or development control of this section of the DCP.

Bulky Goods Premises

All applications for Bulky Goods Premises including new development, redevelopment of existing sites or

extensions to existing developments, are required to include an Economic Impact Assessment prepared by a suitably qualified consultant. Assessments should describe the extent of the trade area, the impact on the adopted hierarchy of centres and economic justification for the proposal.

3.2. NEW DEVELOPMENTS, EXTENSIONS OR REDEVELOPMENT OF EXISTING SITES

The following plans and details are required for development or redevelopments of light industrial sites as part of the formal submission with the relevant application form(s):

COMPLETED APPLICATION FORM

You must have the written consent of all current owners.

SITE PLAN (8 copies)

In addition to those requirements in Part A 'Site Plan', the following additional features are to be indicated on the site plan:

- Types of materials with samples;
- An assessment of potential noise impacts on adjoining developments.

SITE ANALYSIS (8 copies)

ARCHITECTURAL PLANS (8 copies)

- Floor Plan (existing and proposed)
- Elevations

LANDSCAPE PLAN (8 copies)

- These plans are to be in accordance with Part C Section 3 - Landscaping.

EARTHWORKS PLAN (8 copies)

- Existing and proposed levels/contours.

SIGNAGE PLAN (8 copies)

- Signs to be erected/replaced.
- See Part C Section 2 – Signage and the Fact Sheet for Advertising Signs.

STREETSCAPE PERSPECTIVE (1 copy)

- A colour perspective of proposed building(s) is required.

STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Bulky Goods Premises

All applications for Bulky Goods Premises including new development, redevelopment of existing sites or extensions to existing developments, are required to include an Economic Impact Assessment prepared by a suitably qualified consultant. Assessments should describe the extent of the trade area, the impact on the adopted hierarchy of centres and economic justification for the proposal.

4. REFERENCES

Baulkham Hills Shire Council, 1993 Kellyville/Rouse Hill Landscape and Urban Design Strategy.

Baulkham Hills Shire Council, Making Access For All2002.

Baulkham Hills Shire Council, 1993 Kellyville/Rouse Hill Open Space Plan.

Blacktown Council, 1992 Development Control Plan PART E - Development in the Industrial Zones.

Department of Environment and Planning, 1981 Technical Bulletin 14: Guidelines for Site Landscaping of Commercial and Industrial Development.

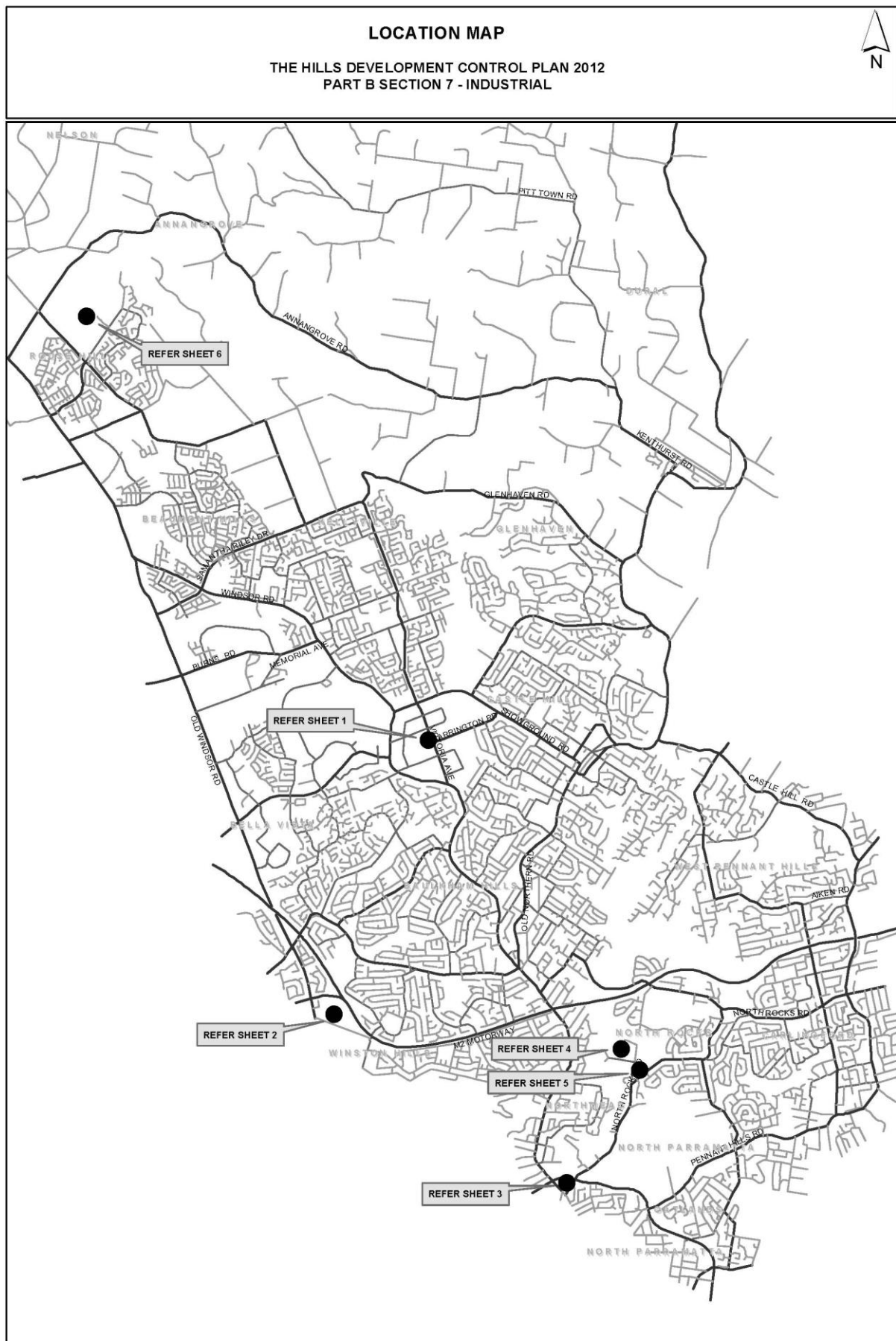
Department of Urban Affairs and Planning, 1988 Rural Land Evaluation: A Manual for Conducting a Rural Land Evaluation Exercise at the Local Planning Level. Department of Urban Affairs and Planning, Sydney.

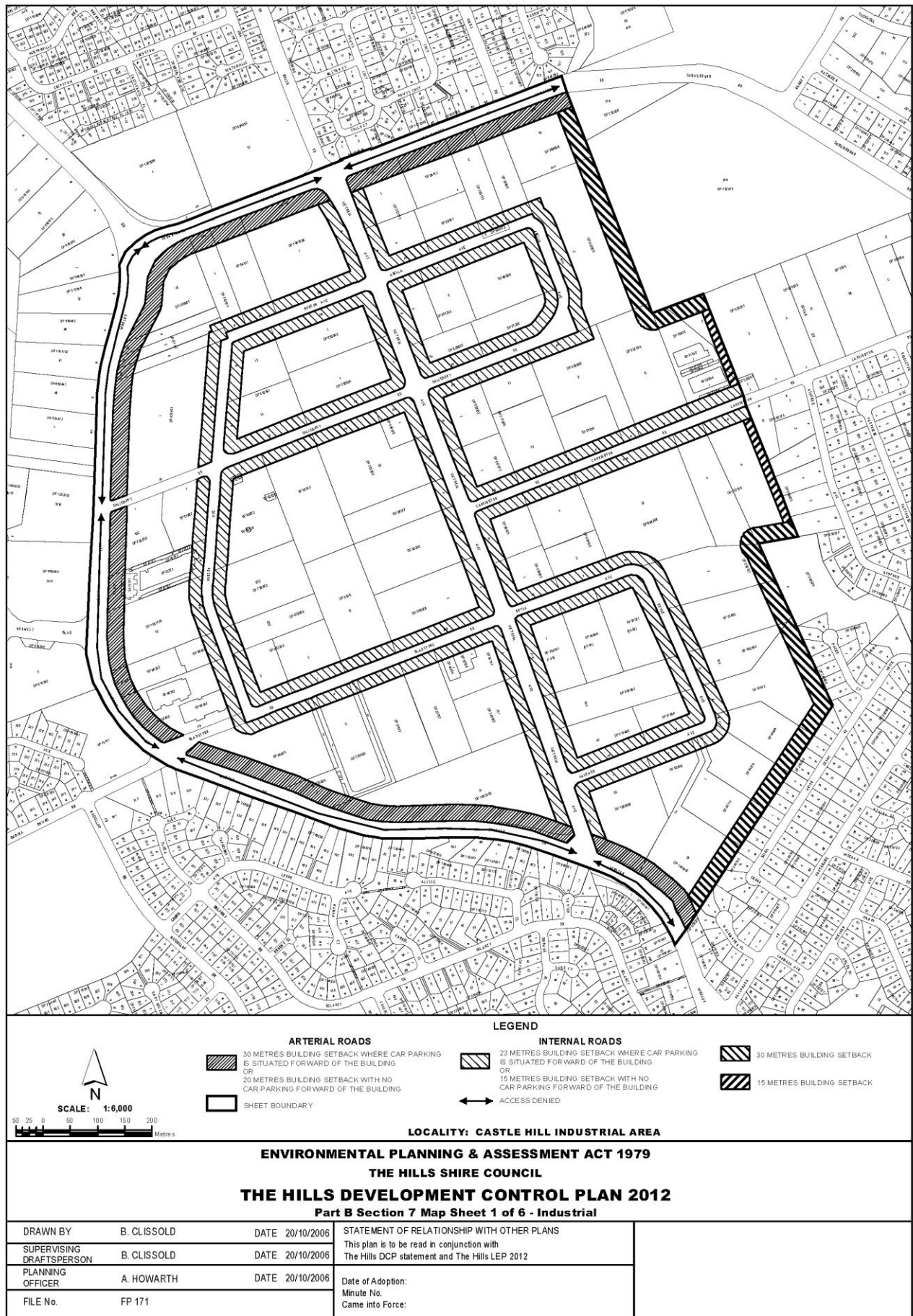
Department of Urban Affairs and Planning DUAP Circular No E3 Author.

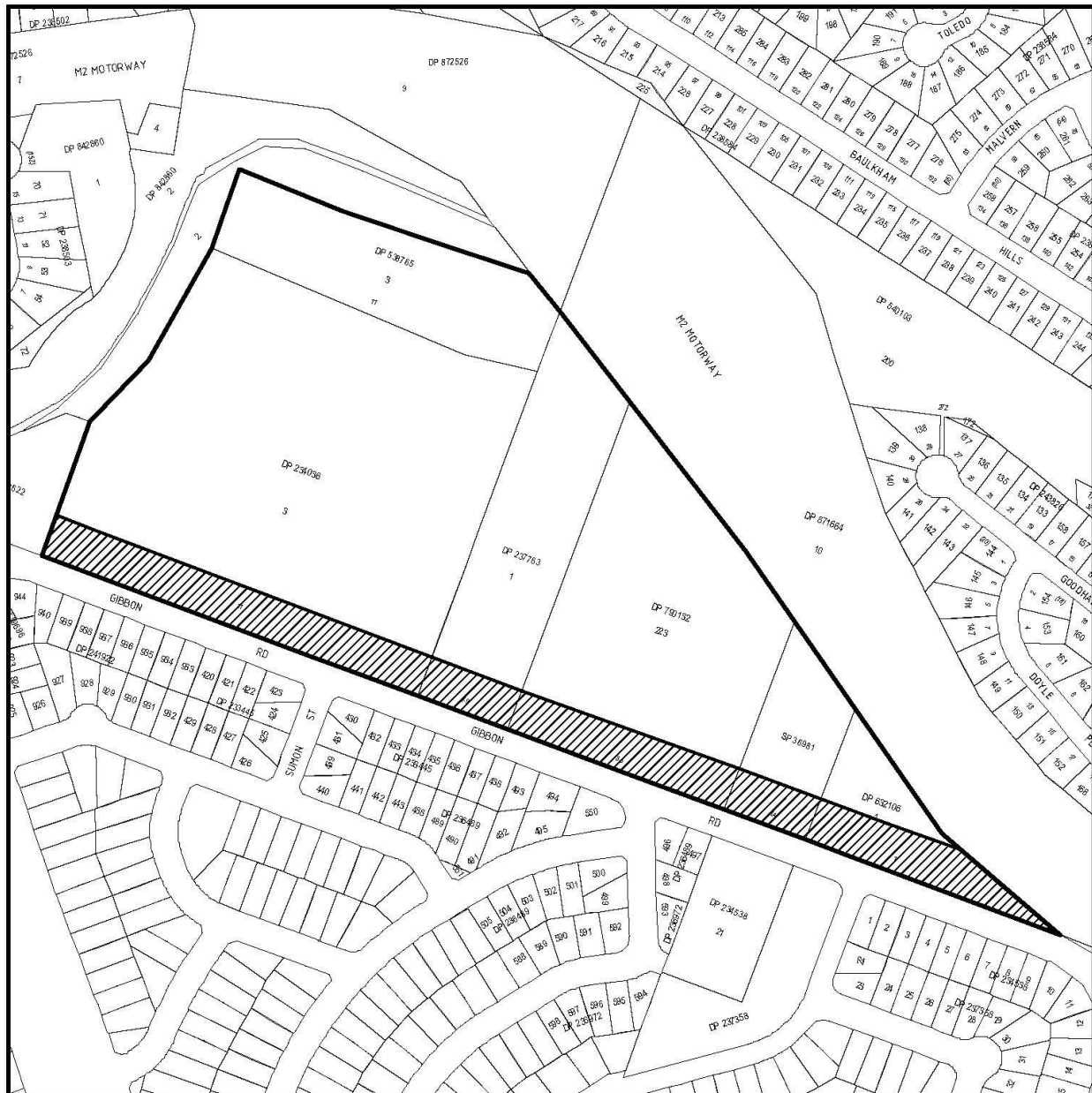
Donovan I, Cameron C, and Coombes P (1999). Water Sensitive Urban Development: Model Planning Provisions. Lake Macquarie City Council, Speers Point, on behalf of the Lower Hunter and Central Coast Environmental Management Strategy.

Sinclair Knight Merz, 1996 Kellyville Traffic and Parking Study. Prepared for Baulkham Hills Shire Council. Author.

APPENDIX A – PRECINCT BASED DEVELOPMENT CONTROL PLANS







LEGEND



SHEET BOUNDARY



30 METRES BUILDING SETBACK



SCALE: 1:4,000



LOCALITY: WINSTON HILLS INDUSTRIAL AREA

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

THE HILLS SHIRE COUNCIL

THE HILLS DEVELOPMENT CONTROL PLAN 2012

Part B Section 7 Map Sheet 2 of 6 - Industrial

DRAWN BY	B. CLISSOLD	DATE	20/10/2006
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	20/10/2006
PLANNING OFFICER	A. HOWARTH	DATE	20/10/2006
FILE No.	FP 171		

STATEMENT OF RELATIONSHIP WITH OTHER PLANS

This plan is to be read in conjunction with
The Hills DCP statement and The Hills LEP 2012

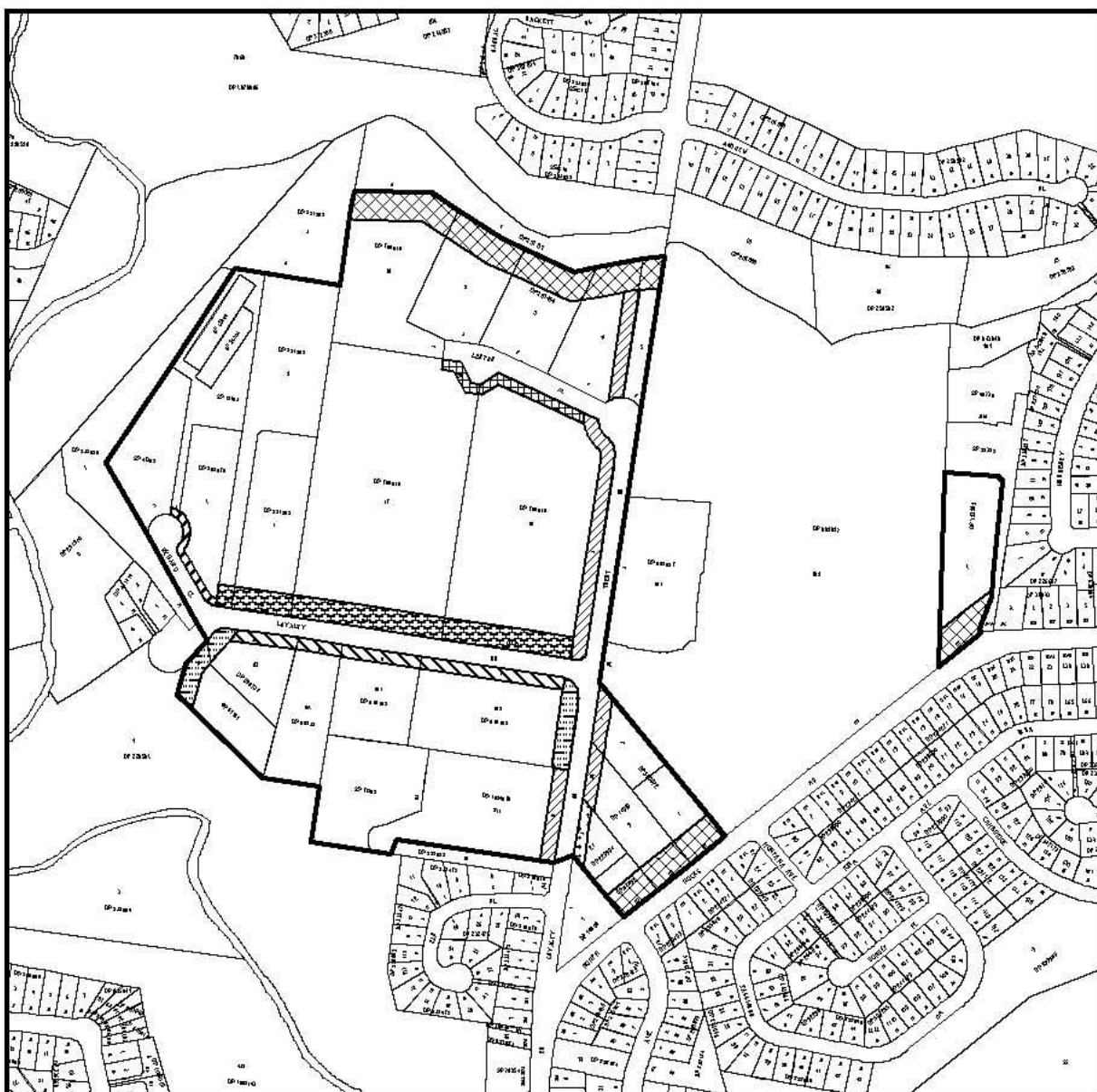
Date of Adoption:

Minute No.

Came into Force:

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec7\Sheet2\PartB_Sec7_Sht2.mxd





*10 METRES SETBACK SUBJECT TO COUNCIL CONSENT, THE SETBACK MAY BE REDUCED TO 5m ON INDIVIDUAL SITES.



SCALE: 1:6,000
50 25 0 50 100 150 Metres

LEGEND

SHEET BOUNDARY	11.5 METRES SETBACK	18 METRES SETBACK
7.5 METRES SETBACK	13 METRES SETBACK	23 METRES SETBACK
10 METRES SETBACK *	15 METRES SETBACK	30 METRES SETBACK

LOCALITY: NORTHROCKS INDUSTRIAL AREA

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

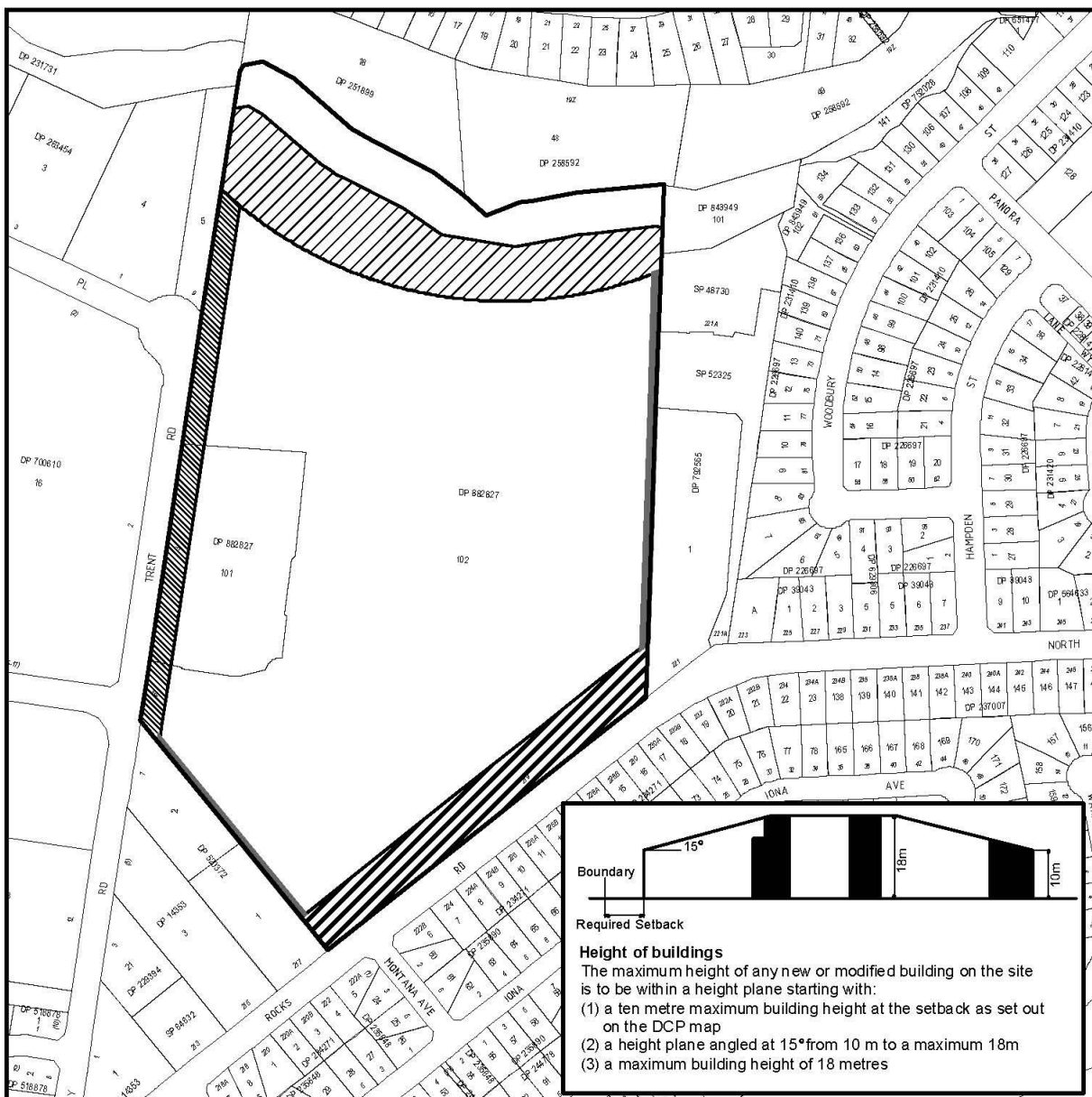
THE HILLS SHIRE COUNCIL

THE HILLS DEVELOPMENT CONTROL PLAN 2012

Part B Section 7 Map Sheet 4 of 6 - Industrial

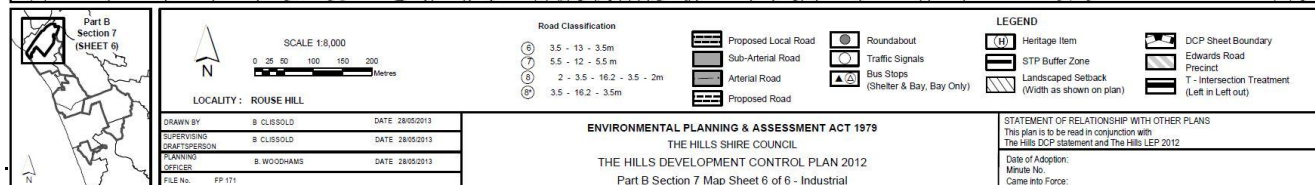
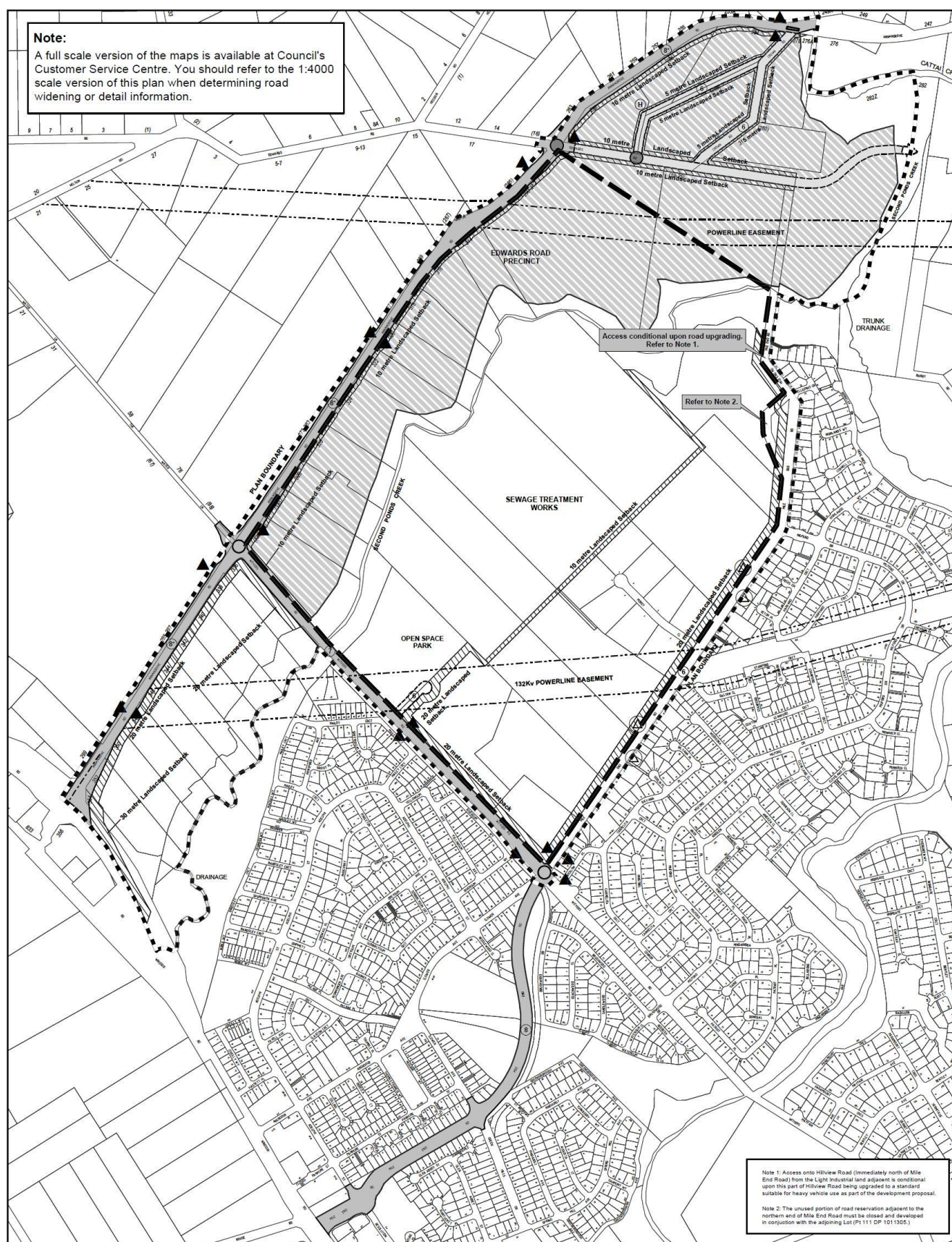
DRAWN BY	B. CLISSOLD	DATE	20/10/2006	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	20/10/2006	
PLANNING OFFICER	A. HOWARTH	DATE	20/10/2006	Date of Adoption: Minute No. Came into Force:
FILE No.	FP 171			

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 SCALE: 1:4,000 		LEGEND Sheet Boundary Restricted Development Area 5 Metres Building Setback 15 Metres Building Setback 30 Metres Building Setback	
LOCALITY: NORTH ROCKS INDUSTRIAL AREA			
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 THE HILLS SHIRE COUNCIL THE HILLS DEVELOPMENT CONTROL PLAN 2012 Part B Section 7 Map Sheet 5 of 6 - Industrial			
DRAWN BY	B. CLISSOLD	DATE	20/10/2006
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	20/10/2006
PLANNING OFFICER	A. HOWARTH	DATE	20/10/2006
FILE No.	FP 171	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012 Date of Adoption: Minute No. Came into Force:	

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APPENDIX B – DEVELOPMENT CONTROLS FOR SEX SERVICES PREMISES

B1 INTRODUCTION

This Appendix must be read in conjunction with Part A – Introduction of this DCP.

B1.1 LAND TO WHICH THIS APPENDIX APPLIES

This Appendix applies to the location of sex services premises where permissible under The Hills Local Environmental Plan 2012.

B1.2 AIMS AND OBJECTIVES OF THIS APPENDIX

The aim of this Appendix is to identify Council's objectives for the establishment of sex services premises within The Hills Shire and identify controls to ensure the objectives are achieved.

The principal objectives of this Appendix are:

- (i) *To ensure sex services premises are appropriately located where they do not impact adversely on the character or amenity of the area, and in particular upon residences or other sensitive uses.*
- (ii) *To ensure that sex services premises are discretely situated and not prominent within an area.*
- (iii) *To avoid the concentration of sex services premises or potential creation of 'red light districts'.*
- (iv) *To optimise the safety and security of sex services premises.*

B1.3 DEFINITIONS

Refer to the definition of sex services premises in The Hills Shire Local Environmental Plan 2012.

B2 OBJECTIVES AND DEVELOPMENT CONTROLS

The objectives and development controls are set out in the following sections.

In addition to the policies, guidelines and documents specified in section 1.4 of Part A -

Introduction, this Section is to be read in conjunction with other relevant Sections including:

- Part C Section 1 - Parking
- Part C Section 2 - Signage
- Part C Section 3 - Landscaping

B2.1 LOCATION

OBJECTIVES

- (i) *To ensure sex services premises are located where they do not impact adversely on the character and amenity of the area, and in particular upon residences or other sensitive uses.*
- (ii) *To ensure that sex services premises are not concentrated in areas to the extent that their presence is a dominant feature of any streetscape.*

DEVELOPMENT CONTROLS

- (a) No sex services premises is to be located within a 300 metre radius from the boundary of the nearest property containing any existing, proposed, or approved activity listed below:

Place of public worship, educational establishment, restaurant or cafe, community facility, child care centre, hospital, health—consulting rooms, medical centre, railway station, bus stop, taxi stand, recreation area (such as a public park or children's playground, sporting field, swimming pool, athletics oval, sporting arena, showground), recreation facility (such as a gymnasium, indoor sporting facility), entertainment facility or premises providing youth services such as a scout hall, youth club, residential property, licensed premises, any use which in the opinion of Council is likely to be frequented by children or adolescents, other sex services premises.

Where any of the above uses are located in a unit within an industrial complex, the required

300m distance shall be measured from the individual unit.

The 300m shall be measured as a linear measurement from any boundary of the property on which the premises are located.

- (b) No sex services premises is permitted to have frontage to or be located within 100m of a classified road.

SUBMISSION REQUIREMENTS

- Location Analysis including a map demonstrating the required distance from all of the classified roads and uses listed above both within The Hills Shire and any adjoining Local Government Area.
- Social Impact Assessment undertaken by a professional with expertise in social impact assessments. Refer to Part A – Introduction of the DCP for the full details required to be submitted.

B2.2 OPERATION AND MANAGEMENT

OBJECTIVE

- (i) *To ensure that sex services premises operate in a manner that is compatible with adjoining and surrounding land uses.*

DEVELOPMENT CONTROLS

- (a) Sex services premises must be operated in a discreet manner, so as not to cause disturbance from noise, lighting, advertising or the activities of employees or customers.
- (b) The interior of the premises must not be visible from any place in the public domain.
- (c) All activities and displays associated with the operation of the sex services premises shall be contained wholly within the building.
- (d) Window displays are not permitted and under no circumstances shall the workers display themselves in the windows or doorways of the subject premises.
- (e) No merchandising relating to the sex services premises is to be displayed at any entry or

access corridor including stairwell to the premises.

- (f) Spruikers (staff at the door or outside the premises who encourage patrons to enter) are not permitted in the operation of any sex services premises.
- (g) A reception/waiting area shall be provided for clients within the front of the premises and this area shall be kept transparent at all times.
- (h) Adequate security measures are to be in place, to ensure the safety and well-being of staff and clients whilst the premises is operational.
- (i) All sex services premises shall comply with the relevant provisions of the "Health and Safety Guidelines for Brothels" published by WorkCover NSW.
- (j) A public address system or sound amplifying equipment shall not be installed in or on the premises.
- (k) The preparation and serving of food and drinks to clients is not permitted.

SUBMISSION REQUIREMENTS

- Detailed Plan of Management. The Plan of Management should cover the operation of the sex services premises in terms of such matters as:
 - Security and lighting, waste management, cleaning, dealing with antisocial behaviour, worker and client health education, laundry and parking arrangements.
 - Name and contact details of the operator(s) and manager(s);
 - ABN, registered business name, trading name and insurance.
 - Record keeping procedures for employees;
 - The procedure for recording and dealing with complaints regarding the operation of the premises or the behaviour of visitors arriving or leaving the premises;
 - All of the above information, approvals for the establishment of the premises, the Plan of Management are to be made

available to the public and be kept on the premises at all times. Confidential information on employee details is not expected to be released to the public.

Note. The consent authority must be advised of any changes in ownership.

B2.3 SAFETY AND SECURITY

OBJECTIVES

- (i) *To maximise the safety and security of patrons, clients and workers at all times.*
- (ii) *To reduce the likelihood that sex services premises will be associated with criminal activities.*

DEVELOPMENT CONTROLS

- (a) Security surveillance equipment shall be installed throughout the premises with cameras located in every major area of public activity, particularly public entries, hallways, stairs and car parking areas. The equipment shall be monitored from a central location within the sex services premises by the manager.
- (b) Surveillance footage shall be recorded, labelled with times and dates and kept for a minimum of one (1) month, and shall be made available to the Police and Council on request.
- (c) Any room used or capable of being used for prostitution shall be provided with an alarm or intercom which connects back to a central base that is to be monitored.
- (d) The premises and car parking area is to be well-lit.

SUBMISSION REQUIREMENTS

- Detailed Plan of Management.

B2.4 HOURS OF OPERATION

OBJECTIVES

- (i) *To ensure that the operation of sex services premises is compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) The hours of operation are restricted to 7am – 11pm, Monday to Saturday, with no operation on Sunday or Public Holidays.

In all circumstances, any consent issued for sex services premises will be limited to a twelve-months trial period. At the expiration of this trial period, a further Development Application will be required to be submitted to Council.

Council will assess if the sex services premises has been operating in a satisfactory manner. Should investigations prove that the sex services premises has had a negative impact on the adjoining and surrounding properties, a further consent will not be issued.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects.
- Prior to the expiration of the 12 month trial period an annual report shall be submitted to Council advising Council that the operation has achieved full compliance with conditions of consent. This report shall also include comments from the NSW Police Local Area Command on the sex services premises' operation.

Note. All applications for new and existing sex services premises shall be referred to the NSW Police Local Area Command for comments.

B2.5 SIGNAGE

Refer to Section 2.5 of Part C Section 2 – Signage.

B2.6 HEALTH

OBJECTIVES

- (i) *To ensure sex services premises comply with the relevant health and building regulations.*
- (ii) *To protect the health of workers and clients.*

DEVELOPMENT CONTROLS

- (a) All sex services premises shall comply with the relevant provisions of the "Health and Safety Guidelines for Brothels" published by WorkCover NSW.
- (b) All sex services premises must be fitted with the necessary services and facilities required under the Building Code of Australia.
- (c) A separate rest area with toilet facilities and amenities shall be provided for staff use only. This area shall not be used for the purpose of prostitution.
- (d) Each room to be used or capable of being used for the purposes of prostitution shall contain all sanitary facilities consisting of a toilet, hand wash basin with warm potable water, and shower.
- (e) The premises are to be ventilated in accordance with the requirements of the Building Code of Australia.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects and Floor Plans.

B2.7 CAR PARKING

All parking must be in accordance with Part C Section 1 – Parking.

B2.8 DISABILITY ACCESS**OBJECTIVES**

- (i) *To ensure adequate and appropriate access to the premises and its facilities is provided to a person with a disability.*

DEVELOPMENT CONTROLS

- (a) Access for people with a disability must be provided in accordance with the Building Code of Australia (BCA).
- (b) All common areas and facilities including toilets are required to be designed to be suitable for use by people with a disability.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects and Floor and Site Plan.

B2.9 WASTE**OBJECTIVES**

- (i) *To ensure the safe and adequate storage, handling and disposal of waste.*

DEVELOPMENT CONTROLS

- (a) Contaminated waste must be collected and disposed of by persons holding the appropriate licence from the Office of Environment and Heritage. Used condoms must be double bagged and placed in specific and clearly marked waste receptacles on the premises. All sharps must be placed in non-reusable sharps containers which comply with AS4031-1992. These containers must be clearly marked and placed in all work rooms and rooms containing sanitary facilities.
- (b) All premises must comply with any guidelines issued by the Department of Health and WorkCover Authority.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects and details of waste collection.

B2.10 NOISE**OBJECTIVE**

- (i) *To ensure that sex services premises operate in a manner compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) No transmission of vibration to a place of different occupancy;
- (b) Limitation on sound levels to be no greater than background levels (AS 1055 – Acoustics);
- (c) No offensive noise as defined under the Noise Control Act.

SUBMISSION REQUIREMENTS

- Statement of Environmental Effects

APPENDIX C – DEVELOPMENT CONTROLS FOR THE EDWARDS ROAD PRECINCT

C1 INTRODUCTION

This Appendix must be read in conjunction with Part A – Introduction of this DCP.

C1.1 LAND TO WHICH THIS APPENDIX APPLIES

This appendix applies to land identified as the Edwards Road Precinct within Appendix A – Precinct Based Development Control Plans (Sheet 6) of this Section of the DCP. The Precinct is zoned B6 Enterprise Corridor under *The Hills Local Environmental Plan 2012* wherein development for the purpose of office and business is also permitted.

An aerial photograph of the Edwards Road Precinct is included below.



Figure 1
Aerial Photograph -Edwards Road Precinct

The Edwards Road Precinct is known to contain areas of Cumberland Plain Woodland and Shale Sandstone Transition Forest. Cumberland Plain Woodland is listed as a critically endangered ecological community under both the NSW *Threatened Species Conservation Act 1995* (TSC Act) and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), while Shale Sandstone Transition Forest is

listed as an endangered ecological community under both the TSC and EPBC Acts.

As part of any future development on land containing significant vegetation communities, the assessment framework under the *Environmental Planning and Assessment Act 1979*, *Threatened Species Conservation Act 1995* (TSC Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) will need to be addressed.

C1.2 OBJECTIVES OF THIS APPENDIX

The principal objectives of this Appendix are:

- (i) *Improve the visual connection between development and the public realm by encouraging a visually attractive streetscape.*
- (ii) *To promote safe and efficient vehicular movement within the Edwards road Precinct.*
- (iii) *Facilitate safe and convenient pedestrian movement.*

C2 OBJECTIVES AND DEVELOPMENT CONTROLS

C2.1 DEVELOPMENT SITES

OBJECTIVES

- (i) *To ensure development sites have sufficient areas to provide adequate access, parking, landscaping and building separation.*
- (ii) *To provide for the orderly development of land through subdivision or the consolidation of lots.*
- (iii) *To ensure development on a particular site has due regard to adjoining developments.*

DEVELOPMENT CONTROLS

- (a) Minimum frontage to all roads is 40 metres.
- (b) Battle-axe shaped lots will be discouraged within the Precinct, however may be considered on merit based on site constraints.
- (c) The site area of battle axed shaped lots must comply with the Lot Size Map within LEP

2012. The area of the access handle must not be included in the measurement of the site area.

C2.2 SETBACKS

OBJECTIVES

- (i) To create a visually attractive and consistent streetscape.
- (ii) To provide an effective buffer to preserve the natural features and creeks in accordance with Council's ESD objective 4.
- (iii) To protect privacy and amenity of any adjoining land uses.
- (iv) To provide a desirable and aesthetically pleasing working environment.

DEVELOPMENT CONTROLS

- (a) The front setbacks should be as follows:

Primary street frontage	Setback
Annangrove Road north of Withers Road	10m
Withers Road (north side of Withers Road between Annangrove Road and Second Ponds Creek)	10m
Edwards Road	10m
Other Roads	5m

- (b) The side and rear setback should be as follows:

Side and rear boundaries	Setback
Setback to the rear boundary and one side boundary	0m
Setback to any other side boundaries	5m
Setback to a side or rear boundary adjoining Annangrove Road, Withers Road and Edwards Road	10m
Setback to a side or rear boundary that adjoins a road other than Annangrove Road, Withers Road or Edwards Road.	5m

- (c) The setback to a creek is to be no less than 40 metres from the top bank of the creek or otherwise to the requirements of the Office of Water.

C2.3 BUILDING MATERIALS

OBJECTIVES

- i) To promote integrated, visually harmonious and attractive buildings in industrial areas.
- ii) To promote the use of materials that involve minimal impact on the environment in accordance with Council's ESD objective 5.

DEVELOPMENT CONTROLS

- (a) A minimum 30% of the front elevation of the building façade should be of glass or other transparent materials.
- (b) Where long, continuous building lines (façades) over 10m are present along a street frontage, visual relief shall be provided by any one or more of the following:
 - varying the façade alignment; and
 - using varying external finishes (texture and colour), providing glass curtain walls.
- (c) Locate office facilities along the facade.
- (d) Roller shutters, loading docks and work areas shall not be visible from a public place.
- (e) Open storage areas should be located within the developable area excluding Asset Protection Zones, at the rear of buildings and not in public view. Landscaping or other screening measures should be incorporated into the site design to reduce visual impact of storage areas from adjoining sites.
- (f) Building entries shall be clearly visible from the street.

C2.4 FENCING

OBJECTIVES

- (i) To ensure that fencing does not detract from the overall visual amenity and character of the area.

DEVELOPMENT CONTROLS

- (a) Fencing shall only enclose the developable area of a site.

- (b) Fencing of any kind shall not be located within any conservation areas established by a vegetation management plan.
- (c) Fencing shall not obstruct the view of landscaping from the street or a driver's view (from the driveway) of the road.
- (d) Fencing must be open-style metal fencing (e.g. black wire mesh fencing).

C2.7 VEHICULAR ACCESS

OBJECTIVES

- (i) *To ensure the safety of all road users in industrial areas.*
- (ii) *To ensure that vehicles can enter and exit premises in industrial areas in a safe and efficient manner.*
- (iii) *To maintain the performance of roads that provides an arterial or sub-arterial function.*

DEVELOPMENT CONTROLS

- (a) Entry/egress points (access roads) to developments shall be shared so as to minimise access points to public roads.
- (b) Proposed roads must be consistent with the indicative road layout.
- (c) When locating access points consideration must be given to:
 - The potential isolation of any adjoining lots,
 - The safety of the proposed access point for pedestrians and vehicles, in terms of vehicular speeds, sight lines, proximity to other existing and proposed access points.

C2.8 FLOODING

OBJECTIVES

- (i) *to manage the risk to human life and damage to property caused by incidence of flooding within the precinct.*

DEVELOPMENT CONTROLS

- (a) This control applies to all land within the Edwards Road Precinct which:
 - adjoins land zoned SP2 Infrastructure (Stormwater Management System), or
 - Is affected by an overland flowpath.
- (b) A flood study, prepared by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering, must be submitted with any development application on land to which this control applies. The flood study must be prepared in accordance with the **Floodplain Development Manual** published by the NSW Government in April 2005.
- (c) Development on land to which this control applies must:
 - Have any habitable floor levels equal to or greater than the Flood Planning Level;
 - Have the part of the development at or below the Flood Planning Level, constructed of flood compatible material, suitable for retaining structural integrity during and following long periods of continuous under water immersion;
 - Be able to withstand the forces of floodwater, debris and buoyancy up to the Flood Planning Level, and
 - not increase flood affectation elsewhere in the floodplain;
 - have reliable flood free access for pedestrians and vehicles from the development, at a minimum level equal to the Flood Planning Level;
 - have driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 100 year ARI (average recurrent interval) flood event.
 - All service conduits located below the Flood Planning Level would need to be made fully flood compatible and suitable for continuous under water immersion. Conduits would need to be self-draining if subjected to flooding.

- Any dangerous and hazardous materials not to be stored below the Flood Planning Level.
- (d) Structural elements of any buildings below the FPL would need to be assessed and certified by a specialist structural engineer experienced in riverine hydraulic processes having regard to the Items in Section 3. Design and certification for required structural elements would need to be assessed against the predicted 100 year ARI flood flow behaviour.
- (e) If a word or expression used in this control is defined in the Floodplain Development Manual, the word or expression has the

same meaning as it has in that Manual unless it is otherwise defined in this clause.

Habitable floor area means:

- a. In a **residential situation**: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom;
- b. In an **industrial or commercial situation**: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.

Average Recurrence Interval (ARI) is the long-term average number of years between the occurrence of a flood as big as (or larger than) the selected event.

