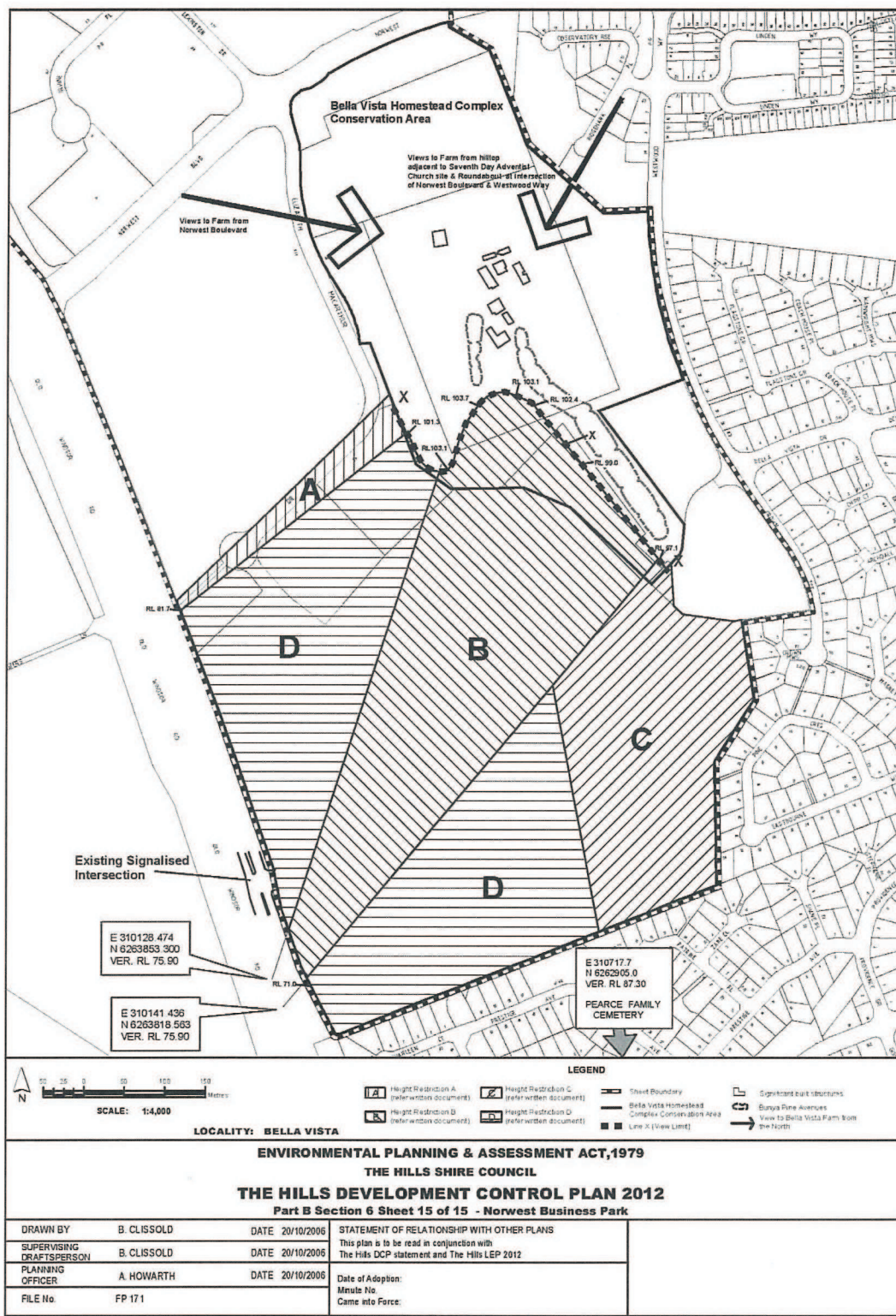
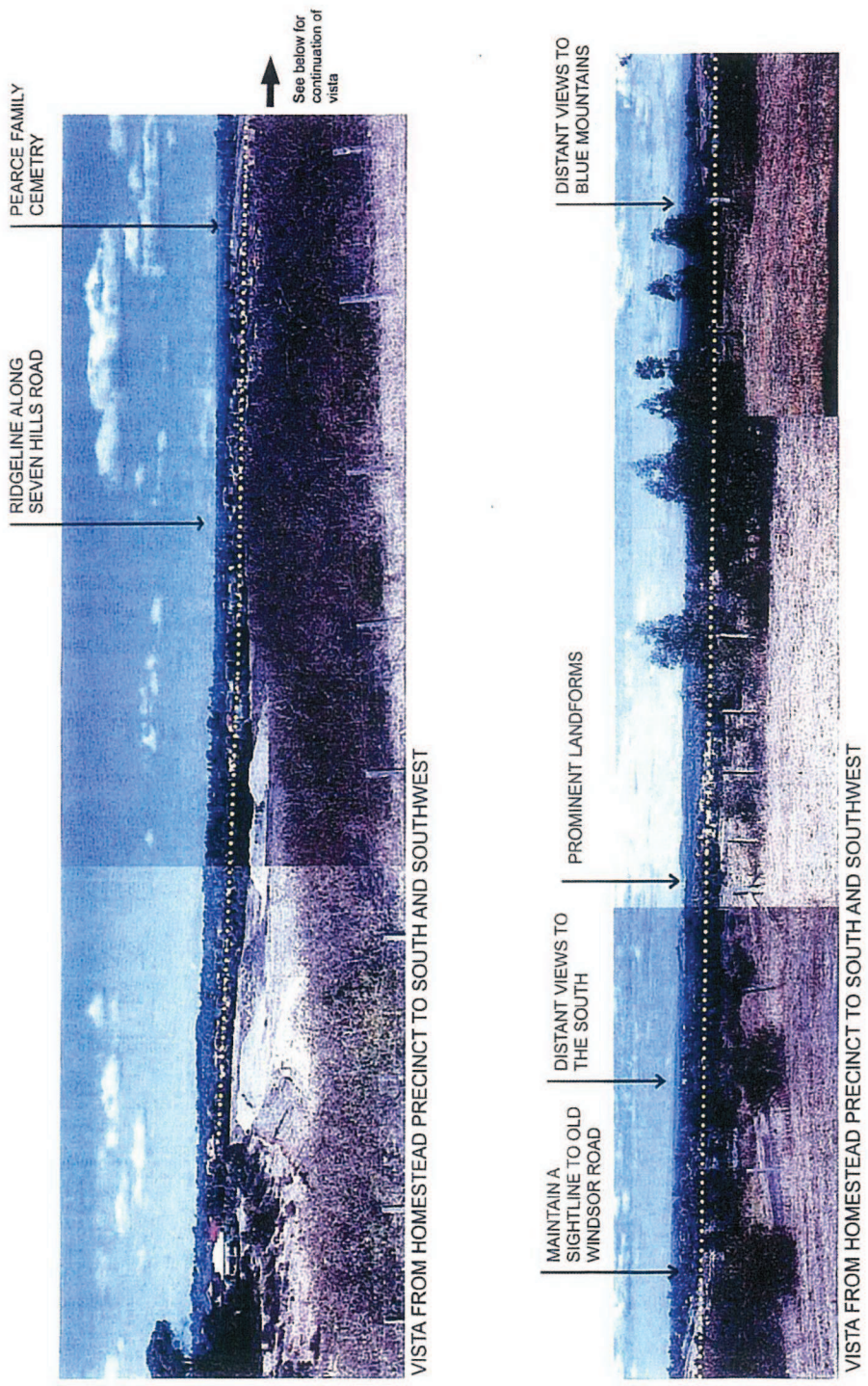
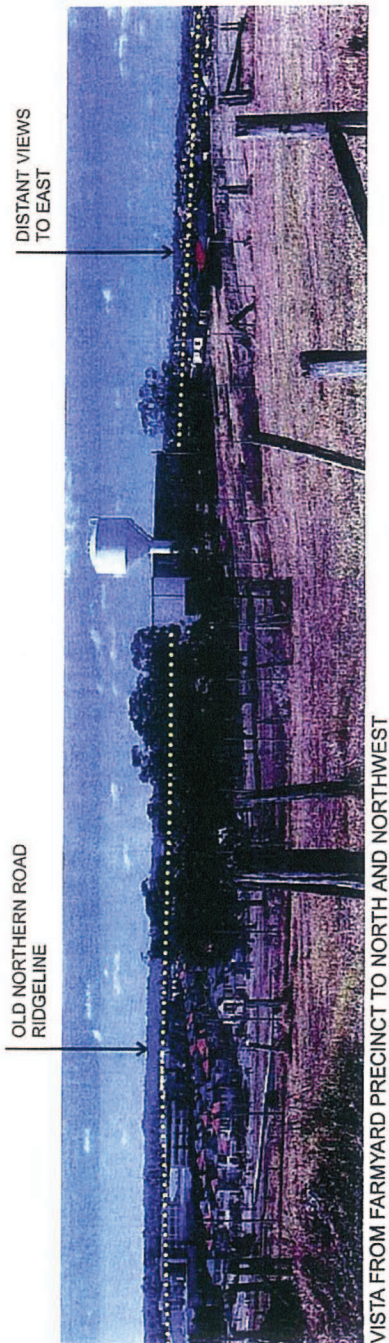
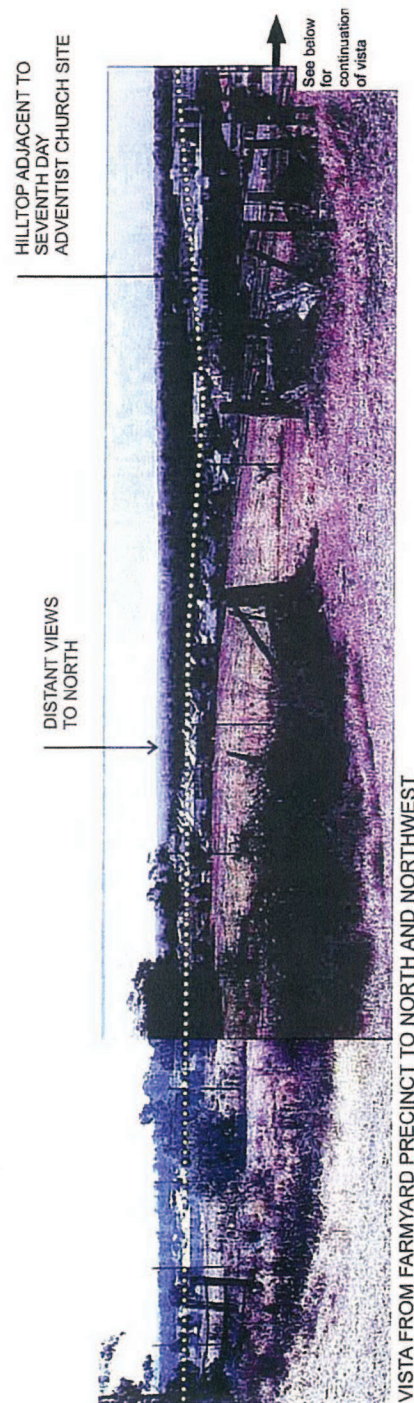




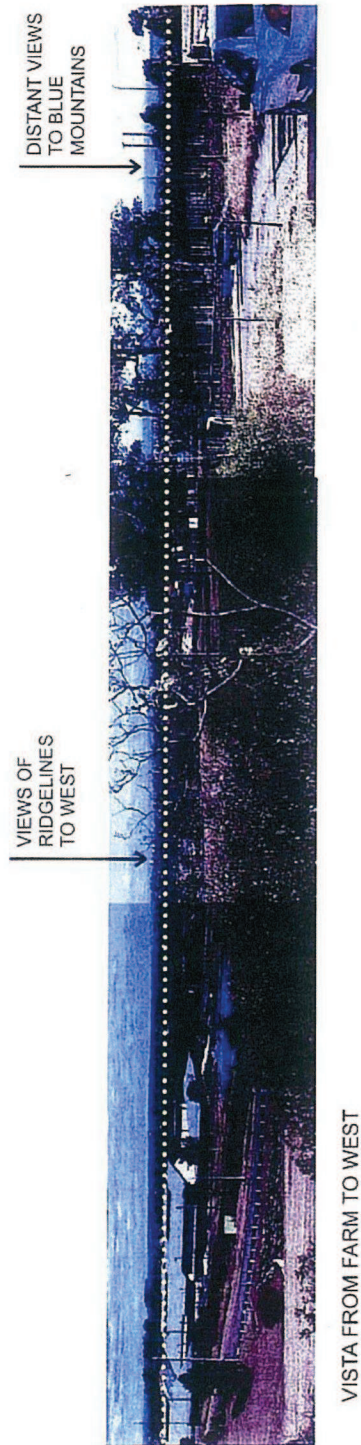
APPENDIX D – BELLA VISTA PHOTO MONTAGES



PHOTOMONTAGES AND VIEWS VISTAS FROM 'BELLA VISTA' FARM 1 of 3



VISTAS FROM 'BELLA VISTA' FARM 2 of 3



VISTAS FROM 'BELLA VISTA' FARM 3 of 3

APPENDIX E - CHILD CARE CENTRES

E1.1 LAND TO WHICH THIS APPENDIX APPLIES

This Appendix applies to land where, under the provisions of The Hills Shire Local Environmental Plan 2012, child care centres are a permissible use.

This Section of the DCP aims to achieve child care centre developments that reflect the character of their location in terms of design, that are sympathetic to the amenity and privacy needs of adjoining owners, and that are well located within the Shire to serve the needs of parents.

E1.2 AIMS AND OBJECTIVES OF THIS APPENDIX

The aim of this Section of the DCP is to identify Council's objectives for child care centre developments in the Shire and identify controls to ensure that the objectives are achieved.

OBJECTIVES

- (i) *Ensure child care centre developments are of a high quality and are compatible with neighbouring land uses.*
- (ii) *Ensure that child care centre developments will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any adverse impacts arising from the proposed development.*
- (iii) *Encourage innovative and imaginative design, with particular emphasis on the integration of buildings and landscaped areas.*
- (iv) *Ensure the location and design of child care centres does not pose a health or safety risk to staff, children or visitors.*
- (v) *Ensure adequate and useable outdoor play areas are provided for use by children.*
- (vi) *Ensure adequate car parking is provided for staff and visitors.*
- (vii) *Ensure consistency with the aims and requirements of the NSW Department of Community Services.*
- (viii) *Implement the principles of Ecologically Sustainable Development.*

- (ix) *Additional objectives covering a range of specific issues related to child care centre developments in the Shire are identified in this Section of the DCP. These specific objectives are all related to the objectives identified above.*

E1.3 ROLE OF THE STATE GOVERNMENT

The State Government is responsible for licensing child care centres pursuant to the Children and Young Persons (Care and Protection) Act 1998. The Department of Community Services (DOFCS) also has separate regulations (the Children's Services Regulation 2004) which must be satisfied. The controls contained within this Section of the DCP are intended to be complementary to DOFCS requirements but do not necessarily address all of the Department of Community Services requirements.

E1.4 DEPARTMENT OF COMMUNITY SERVICES

Prospective licensees are to obtain a copy of the Children's Services Regulations 2004 and the Children's Services Licence Application Guide from the Department of Family and Community Services website (www.community.nsw.gov.au). All plans and documentation submitted with a Development Application are to reflect compliance with this Section of the DCP and the Children's Services Regulation 2004.

All plans are required to be prepared by a suitably qualified person. The architectural plans are to be accompanied by a statement outlining the proposal's compliance with the Children's Services Regulation 2004.

E1.5 DEVELOPMENT APPLICATION PROCESS

The development application process for child care centres is summarised in Figure 1.

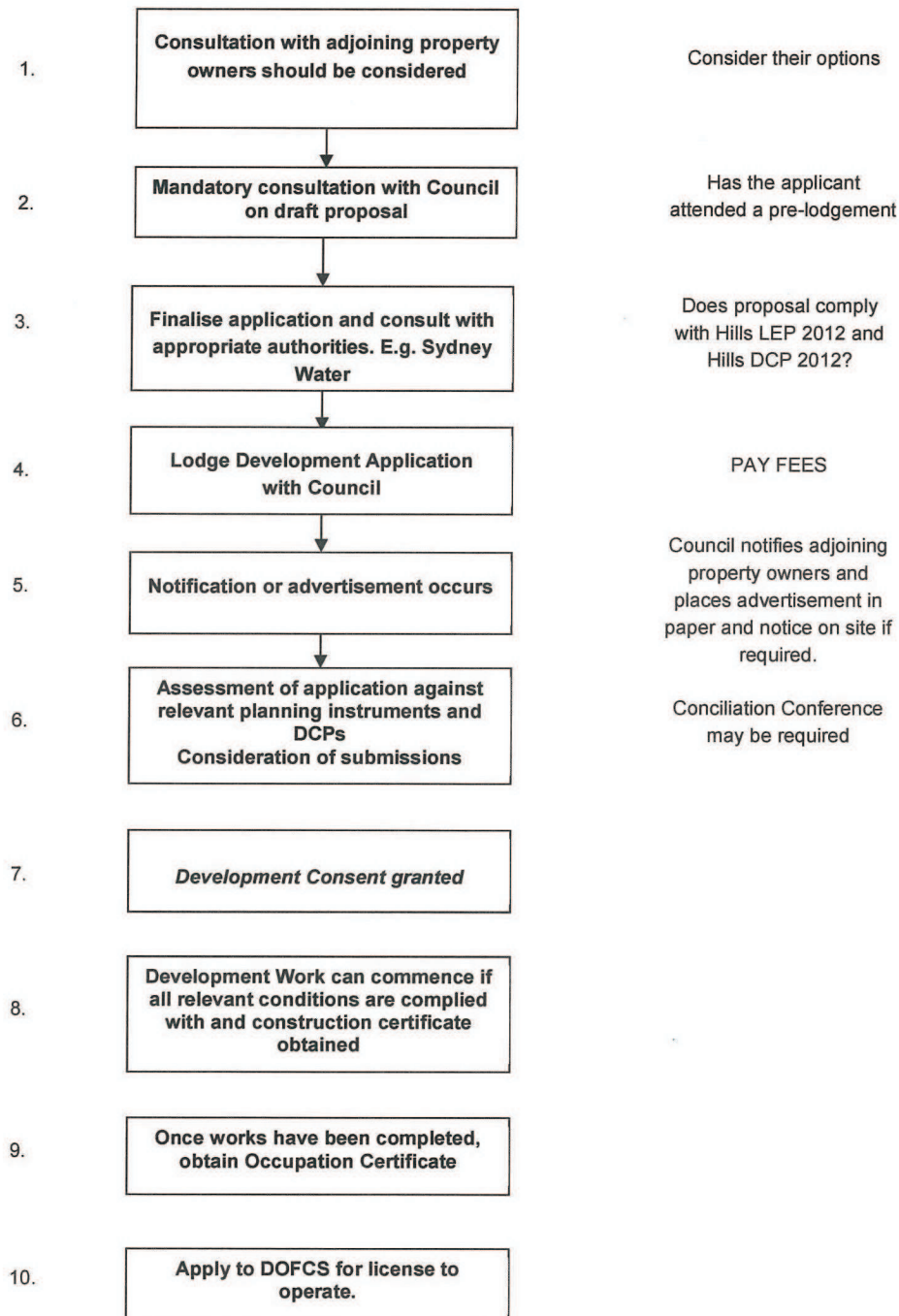


Figure 1 - Child Care Centre Development Application Process

E2 OBJECTIVES AND DEVELOPMENT CONTROLS

Objectives and Development Controls for child care centres are set out in the following sections.

Compliance with the standards set out in this Appendix will not necessarily ensure the approval by Council of any application. Each application will be considered on the individual circumstances and merits of the case in terms of the achievement of the objectives.

In addition to those documents listed in section 1.4 of Part A – Introduction, this Appendix is to be read in conjunction with other relevant sections including:-

- The Hills LEP 2012 which specifies the permissibility of a land use and when Council consent is required;
- Other relevant Sections of the Development Control Plan including:-
- Part A – Introduction
- Part B Section 1– Rural
- Part B Section 2 – Residential
- Part B Section 6 – Business
- Part B Section 7 – Industrial
- Part C Section 1 – Parking
- Part C Section 2 – Signage
- Part C Section 3 – Landscaping
- Part C Section 4 – Heritage
- Part C Section 5– Telecommunications Facilities
- Part D Section 5 – Kellyville / Rouse Hill Release Area
- Part D Section 7– Balmoral Road Release Area
- Child Care Centre Development Controls (Background Paper) - Baulkham Hills Shire Council (November 2006). This Paper accompanied a Council report to the meeting of 14 November 2006.

E2.1 SITE REQUIREMENTS

OBJECTIVES

- (i) *To ensure that the site for a child care centre is of a sufficient size to meet the minimum area*

requirements for indoor and outdoor play space and car parking.

- (ii) *To ensure that the proposed site allows for adequate setbacks and high-quality landscaping, and has due regard to the health, safety, and amenity of adjoining land uses.*
- (iii) *To facilitate a design that minimises adverse impacts on the amenity and privacy of adjoining commercial, residential or rural development.*
- (iv) *To ensure that the site and surrounds are located in a healthy and safe environment and do not present any potential hazards to children.*

DEVELOPMENT CONTROLS

- (a) The minimum lot size for child care centres is 1000m².
- (b) All child care centres in rural and residential zones and all freestanding child care centres are to have a minimum site width of 22 metres.
- (c) Child care centres shall not have a frontage along a classified road except when located in a rural zone.
- (d) Child care centres shall not be proposed on battle-axe allotments.
- (e) Consideration of the following should be taken into account when selecting a site for a child care centre:-
- Contaminated land;
 - Proximity to service stations;
 - Proximity to LPG tanks;
 - Proximity to odour (and other air pollutants) generating uses and sources;
 - Proximity to noise sources;
 - Proximity to electromagnetic fields including transmission line easements, mobile phone towers and all other sources of significant electromagnetic radiation;
 - Asbestos in existing buildings;
 - Lead in painted surfaces, carpets, furnishings and roof void in existing buildings;
 - Pollution created by cars and other vehicle fumes;
 - Proximity to water cooling and warm water systems; and

- Any other identified environmental health hazard or risk relevant to the site and/or existing buildings within the site.
- The above adverse health risks are required to be ameliorated or the site is considered to be unsuitable for a child care centre development.

sunlight to adjacent properties. The impact of the development on solar penetration into primary living areas and open space areas on adjoining sites will be considered. Other considerations include the ability of adjoining properties to utilise direct sunlight for clothes drying purposes and electricity generation.

SUBMISSION REQUIREMENTS

- Site Plan.
- Site Analysis Plan.
- For those sites located in business, light industrial, and rural zones, or any other potentially contaminated site, a preliminary Geotechnical Contamination Report which identifies any past or present potentially contaminating activities and provides a preliminary assessment.
- Environmental Health Assessment which identifies any risk or health hazard to children and occupants of the child care centre. The Assessment is to address those considerations contained in Development Control (f) in section E2.1 and must include the following information:
 - Description of health hazard;
 - A report from a suitably qualified person to address potential exposure impacts (a specific report will be required where a potential health hazard is identified);
 - Recommendations on action to be taken to eliminate or reduce the health hazard; and
 - A statement that verifies that the site is suitable for the use as a child care centre with regard to the risks identified.

E2.2 SITE ANALYSIS

OBJECTIVES

- (i) *To ensure development is compatible with land capability and minimises adverse environmental impacts and site disturbance.*
- (ii) *To consider the need for child care services within the locality.*

DEVELOPMENT CONTROL

- (a) Buildings should be sited to allow adequate provision for access to direct

SUBMISSION REQUIREMENTS

- Site Analysis Plan.
- Social Impact Assessment which looks at the key demographic and economic characteristics of the area. An assessment is to be made on the likely impact of the development on existing services/facilities, including an analysis of the needs of residents and workers in relation to child care centres in order to establish demand for childcare services. The Social Impact Assessment must be undertaken by a professional with expertise in social impact assessments.
- Shadow diagrams for child care centres that are greater than single storey.

E2.3 HOURS OF OPERATION

OBJECTIVE

- (i) *To ensure that child care centre developments operate at times which will have minimal impact on the community and the environment.*

DEVELOPMENT CONTROLS

- (a) In Rural and Residential zones, hours of operation are restricted to the following times:
 - Monday to Friday: 7:00am – 6:30pm;
 - Closed Saturdays, Sundays and Public Holidays.
- (b) In Business and Industrial zones where sites do not adjoin Rural or Residential zoned land, hours of operation are restricted to the following times:-
 - Monday to Saturday: 6am to 8:00pm;
 - Closed Sundays and Public Holidays.
- (c) Where such a site adjoins Rural or Residential zoned land, the hours of

operation are to be in accordance with (a) above.

- (d) Child care centres shall not be used for functions or similar activities outside of the approved hours of operation unless nominated within the development application.

SUBMISSION REQUIREMENTS

- Hours of operation.
- A schedule of intended uses detailing the frequency and times of functions such as staff meetings and Christmas parties outside the usual hours of operation.
- Details to demonstrate that the development will have minimal impact on adjoining residents, particularly during the peak 'drop-off' and 'collection' time periods for the centre.
- Noise Impact Assessment.

E2.4 SETBACKS

OBJECTIVES

- (i) To ensure that setbacks are consistent with the locality and achieve development that is complimentary to the streetscape.
- (ii) To provide sufficient separation between developments to maintain privacy, health, safety, and amenity, and minimise overshadowing of adjoining properties.
- (iii) To allow adequate space for vehicle manoeuvring.
- (iv) To ensure that adequate area is provided to permit high-quality landscape planting for the development.

DEVELOPMENT CONTROLS

- (a) Other relevant Sections of the DCP (i.e. Part B Section 2 – Residential) should be consulted with regards to setbacks, depending on the nature and location of the development.
- (b) Child care centres in rural areas are to have a minimum side building setback of 5 metres to minimise noise and privacy impacts to adjoining properties.

- (c) Where a development site has a slope such that the minimum setbacks required by (a) above do not achieve the objectives in respect of overshadowing, privacy, and amenity for adjoining land uses, the setbacks will be increased to the point where the objectives are achieved.

- (d) Consideration is to be given to the Building Code of Australia with regards to the fire resistance of walls of the child care centre (and the openings on the walls) facing side and rear boundaries.

- (e) Setbacks for child care centre car parking areas:

Zone	Minimum Car Park Setback Required
Residential zones	Minimum 5 metre setback from the front property boundary.
Industrial, Business and Recreation zones	To be in accordance with the relevant Section of the DCP Plan for that zone.
Rural zones	Minimum 10 metre setback from the front property boundary.

- (f) The front setback areas are to include landscaping with a minimum width of two metres to screen vehicles from view from the street and surrounding properties.
- (g) Side boundary setbacks to car parking areas are to be in accordance with Part C Section 1- Parking and the relevant Sections of the Development Control Plan as outlined in (a) above.

SUBMISSION REQUIREMENT

- Building and car park setback dimensions are to be shown on plans.

E2.5 INDOOR AREAS**OBJECTIVES**

- (i) *To maximise the area available for indoor play areas associated with child care centres.*
- (ii) *To ensure that play areas are clearly defined and safe, and that the design of the development caters for the needs of all users.*
- (iii) *To ensure that the internal design and layout of the child care centre minimises impacts on the visual and acoustic privacy, and amenity of adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) The minimum area for indoor play space for each licensed child care centre place shall be in accordance with the current provisions set out in the Children's Services Regulations 2004.
- (b) The siting of the outdoor play area shall allow the provision of adequate supervision from internal and external areas.
- (c) Indoor play areas shall be designed so as to permit passive surveillance from all rooms.
- (d) For freestanding child care centres with a side boundary setback of less than 3 metres, the internal rooms located closest to the boundaries are to be used for low noise generating purposes, for example administration, storage, kitchen, or staff rooms, to reduce impacts to adjoining property owners.
- (e) Where two storey (or more) child care centres are proposed, only the office/administrative components of the child care centre are permitted to be located on the upper levels of the child care centre.
- (f) Where the child care centre is attached to a part of the building used for a different purpose (for example as a residence), consideration is to be given

to the Building Code of Australia with regards to fire separation and separation of fire egress.

- (g) Where child care centres are not located at ground level within a mixed-use building, the application is required to address child safety, privacy, and amenity impacts for surrounding users as well as occupants of the child care centre.

SUBMISSION REQUIREMENTS

- Floor plans.
- Play areas and all fixed equipment are to be indicated on the submitted plans.
- Details of the provision of essential facilities in accordance with the Regulations.

E2.6 EXTERNAL PLAY AREAS**OBJECTIVES**

- (i) *To ensure that sufficient shade is provided to outdoor areas to protect children's health from the effects of the sun.*
- (ii) *To ensure that external play areas are located and designed to minimise potential noise and privacy impacts on any adjoining properties.*
- (iii) *To ensure that external play areas are an adequate size, are useable, and located to provide a safe environment for children.*

DEVELOPMENT CONTROLS

- (a) The location of child play areas in the front setback area is not permitted.
- (b) For child care centres located on classified roads in rural zones, play areas are to be located a minimum of 30 metres from the front property boundary.
- (c) The children's play area is to be located / oriented so as to achieve adequate light and ventilation and minimise noise impacts on adjoining residents.
- (d) Shade features are to be integrated into the overall external area design in accordance with the guidelines published by the New South Wales Cancer Council and NSW Health

Department guidelines 'Undercover: Guidelines for Shade Planning and Design'. Shade measures may comprise a combination of natural elements (i.e. deciduous trees, dense shrubs) and built elements (verandas, shade sails, pergolas).

- (e) All playground equipment is to comply with the Australian Standards.
- (f) External play areas are to be located at ground level, with the exception of in mixed-use developments.
- (g) Where external play areas are not located at ground level, the application is required to address child safety, privacy, and amenity impacts for surrounding land users as well as occupants of the child care centre.

SUBMISSION REQUIREMENTS

- Plan of external play areas.
- Details of the proposed shade measures are to be shown on the Site Plan and Landscape Plan. Applications are to have regard to the NSW Health Department and Cancer Council publication 'Undercover: Guidelines for Shade Planning and Design' (Greenwood JS, Soulous GP, Thomas ND, NSW Cancer Council and NSW Health Department, Sydney, 1998) when designing shade structures and landscaping for the child care centre.

E2.7 BUILDING HEIGHTS

OBJECTIVES

- (i) *To ensure that buildings reflect the existing landform of the neighbourhood, including ridgelines and drainage depressions.*
- (ii) *To protect the privacy and amenity of surrounding allotments.*
- (iii) *To minimise the visual bulk of the building and overshadowing of adjoining allotments.*
- (iv) *To ensure that the building is compatible with the existing streetscape, the likely future character of the locality, and the objectives of the zone.*

DEVELOPMENT CONTROL

- (a) Other relevant Sections of the DCP (i.e. Part B Section 2 – Residential) should be consulted with regards to building heights, depending on the nature and location of the development.

SUBMISSION REQUIREMENTS

- Shadow diagrams if the development is greater than single storey.
- Elevation Plans indicating building heights and sections.

E2.8 BUILDING DESIGN AND STREETScape

OBJECTIVES

- (i) *To ensure the appearance of child care centre developments enhances the streetscape.*
- (ii) *To ensure that buildings complement the surrounding environment in terms of scale and character.*
- (iii) *To achieve a high standard of design and construction in terms of both internal and external appearance.*

DEVELOPMENT CONTROLS

- (a) Other relevant Sections of the DCP (i.e. Part B Section 2 – Residential) should be consulted with regards to building design and streetscape, depending on the nature and location of the development.
- (b) Development should demonstrate compliance with Council's Safer by Design Guidelines in regards to ensuring entrances are highly visible and that entrapment spaces are eliminated. Development is to demonstrate compliance with Council's Safer by Design Guidelines in respect of natural surveillance, sightlines and lighting.
- (c) The development is to be made accessible as required by the Building

Code of Australia and Australian Standard 1428.

SUBMISSION REQUIREMENTS

- Elevation Plans.
- Statement of compliance with Council's Safer by Design Guidelines.
- Details of compliance with the Building Code of Australia and the Australian Standard regarding accessibility.

E2.9 BUILDING MATERIALS

OBJECTIVES

- (i) To ensure that the building is integrated with the surrounding environment, and is visually harmonious and attractive.
- (ii) To encourage the use of renewable, energy efficient materials that are durable and cost effective in accordance with Council's Ecologically Sustainable Development (ESD) objective 5.
- (iii) To reduce waste generation and wastage of resources in accordance with Council's ESD objective 6.
- (iv) To encourage consideration of the long-term impact of the production and use of materials used in construction of the development.

DEVELOPMENT CONTROLS

- (a) Other relevant Sections of the DCP (i.e. Part B Section 2 – Residential and Part B Section 6 - Business) should be consulted with regards to building materials, depending on the nature and location of the development.

SUBMISSION REQUIREMENTS

- Schedule of external colours, finishes and materials for the walls and roof.
- Streetscape perspective of the proposed development including landscaping, for centres located in Residential zones.
- Statement justifying the selection of materials, including alternative materials considered.

E2.10 PRIVACY – VISUAL AND ACOUSTIC

OBJECTIVES

- (i) To site and design buildings to ensure visual privacy of adjacent dwellings and to avoid overlooking of living spaces and private open spaces.
- (ii) To ensure that noise generated from the development does not adversely impact upon the amenity of the surrounding area.
- (iii) To ensure that the scale of acoustic fencing is in keeping with the character of surrounding development.

DEVELOPMENT CONTROLS

Visual Privacy

- (a) Buildings in rural and residential zones are to be designed to protect the privacy of adjoining residents. Where appropriate, the use of windows that are narrow, translucent, or obscured should be used. In the case of bathrooms, window sills should be a minimum 1.5 metres above the upper storey floor level.
- (b) Landscaping is to be provided along side and rear boundaries, to provide a suitable visual screen for adjoining properties and to provide a buffer zone for outdoor play areas.

Acoustic Privacy

- (c) Fencing shall be constructed of solid materials, (e.g. lapped and capped timber, brick or masonry), which will contain and manage noise generated from the development.
- (d) The development is to be designed to limit the potential for noise to affect neighbouring properties. Consideration should be given to the orientation of outdoor play areas and materials used in the building to reduce reliance on acoustic barriers.
- (e) The use of the premises including outdoor play areas and car parking

areas shall not give rise to "offensive noise" as defined under the provision of the Protection of the Environment Operation Act 1997. The sound level output shall not exceed 5dB above the ambient background level at the receiver boundary.

- (f) Equipment: The location of air conditioning systems or any other plant equipment shall not cause 'offensive noise.' The sound level output shall not exceed 5dB above the ambient background level at any common boundary and shall not exceed the amenity criteria as specified in the Industrial Noise Policy as published by the Office of Environment and Heritage.

Note. Wherever possible, noise mitigation should be achieved through good design, not with a reliance on acoustic barriers.

SUBMISSION REQUIREMENTS

- Noise Impact Assessment (Acoustic Report).
- Noise Management Plan which provides details of the operational requirements of the centre.

E2.11 DUAL USE DEVELOPMENTS (WHERE APPLICABLE)

This Appendix applies to child care centre developments that include a residential dwelling component.

OBJECTIVES

- To avoid the overdevelopment of sites and to maintain the character of the area.*
- To ensure that the dual use of the development is compatible with adjoining development.*
- To ensure that residential components of developments are suitably managed and provide a high level of amenity for future residents.*
- To maximise solar access to internal living and open space areas in winter.*
- To maximise ventilation flows in dwellings.*

DEVELOPMENT CONTROLS

- Residential components shall make provision for separate kitchen, bathroom, laundry and toilet facilities for the exclusive use of residents only.
- Where development is located in rural zones, the child care centre and the residential dwelling shall be attached.
- Attached dual-use developments must be connected by a common wall. The area of the common wall shall not be less than half the area of the wall on each elevation.
- Architectural relief to facades is required to avoid the appearance of excessive bulk and scale.
- Where a dual-use development is to be created by extensions to an existing dwelling, the design, roofline and materials are to be compatible with the existing building. The roof forms of buildings are to be designed so as to avoid unduly increasing the bulk of the building.
- Private open space associated with the residential component of the building shall be provided for the exclusive use of residents and is to be fenced accordingly.
- The majority of the private open space is to be capable of being an extension to indoor living areas and directly accessible from the rear or side of the house. This part of the private open space shall be capable of containing a rectangle 4 metres x 6 metres, exclusive of landscaping. In assessing the area of useable private open space, any area with a dimension less than 2.5 metres is not included.
- A separate and clearly identifiable front door is to be provided to the residential component of any dual-use development.
- Where a child care centre and a dwelling are within the same allotment, consideration is to be given to the Building Code of Australia with regards

to fire separation and separation of fire egress.

SUBMISSION REQUIREMENTS

- Floor plans.
- A calculation of the private open space provided for the dwelling component of the development.
- A BASIX Certificate for the residential component of the development.
- Elevations of each building.
- Site Plan showing the private open space area.
- Shadow Diagrams.

E2.12 VEHICULAR ACCESS AND PARKING

OBJECTIVES

- (i) *To ensure that the parking demand generated by the development is accommodated on site.*
- (ii) *To ensure that the development considers the design of parking for disabled persons and parents with prams.*

DEVELOPMENT CONTROLS

- (a) Parking is to be provided in accordance with Part C Section 1- Parking.
- (b) Parking is to be provided for parents with prams and for people with a disability, in accordance with the requirements of Part C Section 1- Parking.
- (c) A minimum of one additional parking space is to be provided for the dwelling component of the development (if applicable).
- (d) All vehicular access for entry and exit movements to and from the site shall be in a forward direction only.
- (e) Basement car parking is not permitted for child care centres, with the exception of mixed-use developments.
- (f) The car park is to be surfaced using a dark material. The use of plain cement in the car park will not be accepted for visual reasons.

SUBMISSION REQUIREMENTS

- Traffic Study. The Study shall include the estimated traffic and parking generation associated with the proposal and the impacts of the estimated traffic generation on the existing road network.
- Site plan showing proposed vehicular access and circulation, and calculations specifically relating to vehicular movement, turning circles, parking spaces, and driveway widths. The Australian Standard 2890.1 – Off Street Car Parking templates must be overlaid on the appropriate plans.
- Site plans must indicate the location of designated spaces for parents with prams and disabled persons.
- Details regarding the finished car park surface and colour.

E2.13 LANDSCAPING

OBJECTIVES

- (i) *To ensure a high standard of environmental quality in child care centre developments and to maintain the overall visual amenity and character of the neighbourhood in accordance with Council's ESD objective 7.*
- (ii) *To provide useable outdoor open space for children to use.*
- (iii) *To provide a satisfactory relationship between buildings, landscaped areas and adjoining developments.*
- (iv) *To minimise stormwater runoff and provide the opportunity for on-site groundwater recharge.*

DEVELOPMENT CONTROLS

- (a) Landscaping along the primary and secondary frontages is to include a combination of ground covers, large trees, shrubs, and grass planting and is to provide high-quality landscaping for the development. Landscaping shall be established prior to the occupation of the building.
- (b) Trees and shrubs shall be provided along side and rear boundaries to screen outdoor play areas.

- (c) Trees and shrubs provided for the purposes of screening shall have a minimum height of 1.8 metres.
- (d) Buildings should be sited to protect natural site features such as creeks and overland flow paths.
- (e) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 - Landscaping in addition to the requirements of this Appendix.

SUBMISSION REQUIREMENT

- Landscape Plan.

E2.14 FENCING**OBJECTIVES**

- (i) *To ensure that fencing is of a high visual quality, compliments the character of the area and is integrated with the surrounding landscape.*
- (ii) *To contain noise within the property without unreasonable transmission to adjacent dwellings.*
- (iii) *To protect the privacy of the proposed child care centre and that of adjoining dwellings.*
- (iv) *To provide for the safety and security of children.*

DEVELOPMENT CONTROLS

- (a) Fencing located behind the building line is to have a minimum height of 1.8 metres.
- (b) All front and side fencing / walls fronting a public place with a height of 1.2 metres or more shall be staggered with landscaping at regular intervals.
- (c) All play areas must be fenced. All gates to and from outdoor play areas shall be of the same height as the fence and be equipped with child-proof self-locking mechanisms.
- (d) Fencing is to be designed to prevent children from scaling or crawling under or through the fencing and to inhibit or

impede intruders from entering the premises.

- (e) Sites which contain a swimming pool should be adequately fenced in accordance with the Swimming Pools Act 1992 and are to include child-proof self-locking mechanisms.
- (f) Where the designated emergency assembly area is within a fenced area, consideration is to be given to the subsequent safe egress from that area without being required to re-enter the building.
- (g) For all other controls, the relevant Sections of the DCP should be consulted with regards to fencing, depending on the nature and location of the development.

SUBMISSION REQUIREMENTS

- Details of all fencing proposed for the site (including heights, materials, location, setbacks, colours, design).
- If front fencing is proposed, a landscape plan indicating the provision of plants between the fence and the property boundary, to demonstrate the achievement of a high-quality streetscape appearance.
- Site plan indicating the location of all fences.

E2.15 LIGHTING**OBJECTIVES**

- (i) *To control the effects of outdoor lighting on neighbouring properties.*
- (ii) *To improve safety for users of the site.*

DEVELOPMENT CONTROLS

- (a) Suitable lighting is to be provided in the car park to provide for the safety of users of the site.
- (b) Lighting is to be provided and installed in accordance with the Building Code of Australia.
- (c) External lights are to be positioned and adjusted to ensure compliance with Australian Standard 4282-1997 "Control

of Obtrusive Effects of Outdoor Lighting.”

SUBMISSION REQUIREMENTS

- Details of the fittings to be used on the site (style, height, wattage or other means of shielding light from neighbouring properties).
- Site plan indicating the location of external lights.

E2.16 BUSH FIRE HAZARD MANAGEMENT

OBJECTIVES

- To promote the use of design guidelines for the development of land in areas subject to bushfire risk.*
- To reduce the risk to life and property in areas of bushfire risk.*

DEVELOPMENT CONTROL

- Development subject to bush fire risk is required to comply with the NSW Rural Fire Service guidelines “Planning for Bush Fire Protection 2006”.

SUBMISSION REQUIREMENT

- Bush fire Assessment.

E2.17 ON SITE SEWAGE MANAGEMENT

Child care centre developments in areas where there is no access to the reticulated sewer will need to address on-site sewage management requirements.

OBJECTIVES

- To ensure all development has adequate provision for water and sewage facilities. Where access to the reticulated public sewer is not available, adequate provision must be made for an on-site sewage facility.*

- To ensure on-site sewage management systems are appropriate for the situation and site.*
- To protect the amenity of an area.*
- To ensure the protection of the environment and public health.*

DEVELOPMENT CONTROLS

- In unsewered areas, Council will require separate on-site sewage management facilities for the child care centre and dwelling where both are proposed. An exception may be made if the dwelling is small (i.e. a one bedroom dwelling), where a common on-site sewage management facility can be used.
- All on-site sewage management facilities are required to comply with Part B Section 1 Rural Appendix B - On-Site Sewage Management Systems.
- Pump-out on-site sewage management facilities are not permitted.

SUBMISSION REQUIREMENTS

- Plans and details of the on-site sewage management facility proposed. This is to include a detailed site assessment addressing the requirements of those documents referred to in Part B Section 1 Rural Appendix B - On-Site Sewage Management Systems.

E2.18 STORMWATER MANAGEMENT

OBJECTIVES

- To ensure that child care developments do not have an adverse impact on the existing flood behaviour and to ensure the provision of adequate flood protection to the development based on best engineering practices of floodplain management and infrastructure assets.*
- To ensure the integrity of watercourses is protected and enhanced in accordance with Council’s ESD objective 4.*

- (iii) *To provide for on-site detention of site drainage and to encourage the reuse of stormwater on site.*

DEVELOPMENT CONTROLS

- (a) The relevant Sections of the DCP should be consulted with regards to stormwater management, depending on the nature and location of the development.
- (b) The construction of any permanent structure (e.g. buildings, garages, impervious fences, pools etc.), play areas, or the placement of fill shall not be within land subject to flooding, over a watercourse, drainage depression or piped drainage system.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Plans indicating the proposed drainage infrastructure.
- If required, easements are to be created over downstream properties prior to the release of the Building or Occupation certificate.
- On-site stormwater detention plans, if required.
- Details/plans of the water sensitive urban design measures incorporated into the design of the dwellings and site.

E2.19 BUSHLAND AND BIODIVERSITY

OBJECTIVES

- (i) *To conserve and protect the biodiversity of the Shire including habitats of threatened flora and fauna species and communities in accordance with Council's ESD objectives 1 and 4.*

DEVELOPMENT CONTROLS

- (a) Refer to Clause 7.4 *Biodiversity (Terrestrial)* of The Hills Shire Local Environmental Plan 2012.
- (b) Development should be designed to retain existing bushland and fauna habitats, including identifiable corridors and linkages.
- (c) Applications should include a Fauna and Flora Assessment in accordance with

the Environmental Planning & Assessment Act 1979 if there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats;

- (d) Applicants may be required to submit a Species Impact Statement (SIS) for development likely to significantly affect threatened species, populations and ecological communities.

SUBMISSION REQUIREMENT

- When applicable, a Fauna and Flora Assessment and Species Impact Statement in accordance with the Environmental Planning & Assessment Act 1979.

E2.20 FOOD PREPARATION FACILITIES

Under the Food Act 2003, food provided under a contract is classified as food for sale. Accordingly, premises need to comply with the Food Act 2003 and Regulations made there under. Where a premise does not provide food to children (i.e. children are required to bring their own food) this section does not apply.

OBJECTIVE

- (i) *To ensure that food is handled in a safe and healthy manner.*

DEVELOPMENT CONTROLS

- (a) Food preparation areas in a child care centre must comply with:
 - Food Act 2003;
 - Children's Services Regulation 2004;
 - Food Safety Standards; and
 - Australian Standard 4674-2004 – Design, Construction and Fit-out of Food Premises.
- (b) Premises are required to register with: NSW Food Authority and The Hills Shire Council.

SUBMISSION REQUIREMENTS

- Plans demonstrating compliance with Australian Standard 4674-2004 – Design,

Construction and Fit-out of Food Premises. The plans are to show the following details:-

- The location of a stove or microwave, sink, refrigerator, suitable disposal facilities and hot water supply;
- Equipment that will prevent children from gaining access to any harmful substance, equipment or amenity;
- The door, half-gate or other barrier that will prevent unsupervised entry by children into the kitchen;
- An area for the preparation of bottles for children under the age of 2 years which is separate from any nappy changing area;
- The location of any floor waste drains;
- The proposed lighting and ceiling type;
- The partitioning walls;
- The floor and wall surfaces throughout the food preparation area;
- The type and location of coving;
- Any shelving and storage areas;
- Any preparation benches and counter areas;
- Details of the mounting of equipment and benches; and
- Details and location of any proposed ventilation.

E2.21 EROSION AND SEDIMENT CONTROL

Refer to 2.12 of this DCP Section.

E2.22 WASTE MANAGEMENT - STORAGE AND FACILITIES

Refer to 2.22 of this DCP Section.

E2.23 WASTE MANAGEMENT PLANNING

Refer to 2.23 of this DCP Section.

E3 INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION

Applicants are to demonstrate that an appropriate planning process has been undertaken. To ensure

that this process is recognised, applicants are required to attend a formal pre-lodgement meeting at Council to discuss concept plans and any other issues relevant to the site before formal lodgement of the Development Application.

In preparing plans applicants must also address the submission requirements listed in this Appendix and Section of the DCP. The following plans and details will be required with an application for a child care centre along with the relevant application form(s).

STATEMENT OF ENVIRONMENTAL EFFECTS (8 copies)

- A description of the potential impacts from the proposed development, the significance of the impact and how any negative impacts will be addressed;
- Hours of operation and schedule of intended uses;
- Address the potential impact of the development on adjoining residents, particularly at peak times;
- Description of the proposed shade measures having regard to the New South Wales Cancer Council and NSW Health Department guidelines 'Undercover: Guidelines for Shade Planning and Design';
- A statement of compliance with Council's Safer By Design Guidelines;
- Details outlining compliance with the Building Code of Australia's accessibility requirements;
- A calculation of the private open space area for the dwelling component (where relevant);
- Details of proposed external lighting;
- Details of all proposed fencing; and
- Details of finished car park surface and colour.

SITE PLANS (8 copies)

- Internal layout of building (existing and proposed);
- Access and car parking arrangements including number of car parking spaces and the location of designated spaces for parents with prams and disabled persons;
- Layout of external play area;
- Bin locations;
- The location and height of all fences;
- Layout of external car park lights; and

- An assessment of potential noise impacts on adjoining developments.

SITE SURVEY / ANALYSIS PLAN (8 copies)**FLOOR PLANS (8 copies)****ELEVATION PLANS (8 copies)****ENGINEERING PLANS (8 copies)**

- Preliminary engineering plans indicating the proposed drainage design and infrastructure are to be prepared by a qualified drainage engineer. The plans shall include the following information:
- Existing and proposed contours and levels (Australian Height Datum);
- Catchment plan including boundaries of the site and adjacent properties and any areas not able to drain to the OSD system;
- Storage/flow calculations;
- Location and invert and surface level of all proposed pits, pipes and storage chambers;
- High Early Discharge Control pit and orifice detail including levels and location;
- Proposed lawful point of discharge; and
- Location and extent of any floodway, overland flow path or drainage easements through the site.

ON-SITE DETENTION (OSD) PLANS (8 copies)**SHADOW DIAGRAMS (8 copies)****LANDSCAPE PLANS (8 copies)****EARTHWORKS PLAN (8 copies)**

- Existing and proposed levels/contours.

EROSION AND SEDIMENT CONTROL PLAN (8 copies)**SIGNAGE PLAN (8 copies)****FOOD PREPARATION FACILITIES – PLANS (8 copies)**

- Plans demonstrating compliance with the Food Preparation Facilities controls in section E2.20 of this Appendix.

COMPLIANCE WITH CHILDREN'S SERVICES REGULATION

The architectural plans are to be accompanied by a statement outlining the proposal's compliance with the Children's Services Regulation 2004.

SCHEDULE OF EXTERNAL MATERIALS AND COLOURS (3 copies)**BASIX CERTIFICATE (3 copies) (where relevant)****TRAFFIC STUDY (3 copies)**

The estimated traffic and parking generation associated with the proposal and the impacts of the estimated traffic generation on the existing road network.

FLORA AND FAUNA ASSESSMENT (3 copies) (where relevant)**SPECIES IMPACT STATEMENT (3 copies) (where relevant)****STREETSCAPE PERSPECTIVE (2 copies) (where relevant)****ARBORIST REPORT (3 copies)****GEOTECHNICAL CONTAMINATION ASSESSMENT (3 copies) (where relevant)****SOCIAL IMPACT ASSESSMENT (3 copies)**

An assessment is to be made on the likely impact of the development on existing services/facilities, including an analysis of the needs of residents and workers in relation to child care centres in order to establish demand for childcare services. The Social Impact Assessment must be undertaken by a professional with expertise in social impact assessment.

NOISE IMPACT ASSESSMENT (ACOUSTIC REPORT) (3 copies)**NOISE MANAGEMENT PLAN (3 copies)****ENVIRONMENTAL HEALTH ASSESSMENT (3 copies)**

The Environmental Health Assessment is to identify any risk or health hazard to children and occupants of the child care centre and must include the following information:-

- Description of health hazard;

- A report from a suitably qualified person to address potential exposure impacts (a specific report will be required where a potential health hazard is identified);
- Recommendations on action to be taken to eliminate or reduce the health hazard; and
- A statement that verifies that the site is suitable for the use as a child care centre with regard to the risks identified.
- Section E2.1 'Site Requirements' contains additional information regarding the preparation of an Environmental Health Assessment.

ON-SITE SEWAGE MANAGEMENT REPORT (3 copies) (where relevant)

Plans and details of the proposed on-site sewage management facility are required. This is to include a detailed site assessment addressing the requirements of those documents referred to in Appendix B On-Site Sewage Management Systems of Part B Section 1 – Rural.

BUSH FIRE ASSESSMENT (3 copies) (where relevant)

The Bush Fire Assessment is to address the means of evacuating/relocating children from a child care centre in the event of a bush fire, and to consider local child care densities and public road capacities.

WASTE MANAGEMENT PLAN (8 copies)

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 10 December 2013

amendments be adopted and incorporated into The Hills Development Control Plan 2012.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, R.M. Tracey, M.G. Thomas, Dr J. Lowe, R. Preston, Y. Keane, P. Gangemi, A. Haselden

VOTING AGAINST THE MOTION

None

8.52pm Councillor Jefferies arrived at the meeting during Item 4

9.09pm Councillor Dr Lowe left the meeting and returned at 9.11pm during Item 4

ITEM-4

**PLANNING PROPOSAL - 1- 15 MILLCROFT WAY,
RMB 104, 104A AND 105 WINDSOR ROAD, 1-3, 5
AND 7 WILKINS AVENUE, BEAUMONT HILLS
4/2014/PLP**

Proceedings in Brief

Thomas Cann, Applicant, Baulkham Hills Landscape Supplies, Kellyville, addressed Council regarding this matter.

A MOTION WAS MOVED BY COUNCILLOR HASELDEN AND SECONDED BY COUNCILLOR PRESTON THAT

1. A planning proposal to change the zone of 1-15 Millcroft Way, RMB104, RMB104A and RMB105 Windsor Road and 1-3, 5 and 7 Wilkins Avenue, Beaumont Hills to a B6 Enterprise Zone under The Hills Local Environmental Plan 2012 be forwarded to the Department of Planning and Infrastructure for Gateway Determination.
2. The proposed amendments to Part B Section 6 Business of The Hills Development Control Plan 2012 as contained in Attachment 1 be exhibited concurrently with the planning proposal should Gateway Determination be received.
3. The applicant be requested to enter into a Voluntary Planning Agreement to formalise the provision of and facilitate payment of Council's financial contribution towards the construction of traffic signals at the intersection of Windsor Road and Millcroft Way, Kellyville.

AN AMENDMENT WAS MOVED BY COUNCILLOR HARTY OAM AND SECONDED BY COUNCILLOR KEANE THAT the Recommendation contained in the report be adopted.

THE AMENDMENT WAS PUT AND CARRIED AND BECAME THE MOTION.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE AMENDMENT

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, R. M. Tracey, Dr J. Lowe, Y. Keane, P. Gangemi, A.C. Jefferies

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 10 December 2013

VOTING AGAINST THE AMENDMENT

Councillors M.G. Thomas, R. Preston, A. Haselden

Councillor Keane foreshadowed an amendment requesting that the words "and/or garden centre" be included in Part 1 of the Motion. This was accepted by the Mover and Seconder of the Motion.

THE MOTION WAS PUT AND CARRIED.

731 RESOLUTION

1. A planning proposal to amend Schedule 1 'Additional Permitted Use' of The Hills Local Environmental Plan 2012 to permit *landscaping material supplies and/or garden centre* on land at RMB104, RMB104A and RMB105 Windsor Road and 1-3 Wilkins Avenue, Beaumont Hills be forwarded to the Department of Planning and Infrastructure for Gateway Determination.
2. The proposed amendments to Part B Section 6 Business of The Hills Development Control Plan 2012 as contained in Attachment 1 be exhibited concurrently with the planning proposal should Gateway Determination be received.

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, R.M. Tracey, M.G. Thomas, Dr J. Lowe, R. Preston, Y. Keane, P. Gangemi, A.C. Jefferies, A. Haselden

VOTING AGAINST THE MOTION

None

9.28pm Councillor Preston left the meeting and returned at 9.31pm during Item 2

ITEM-2

POST EXHIBITION - PLANNING PROPOSAL FOR ROUSE HILL REGIONAL CENTRE RESIDENTIAL PRECINCTS (6/2013/PLP)

A MOTION WAS MOVED BY COUNCILLOR HARTY OAM AND SECONDED BY COUNCILLOR DR LOWE THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

732 RESOLUTION

The planning proposal (6/2013/PLP) to increase the maximum building height for certain land within the Southern, Eastern and Central Residential Precincts of the Rouse Hill Regional Centre be adopted and progressed to finalisation.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Councillors Dr M.R. Byrne, R.K. Harty OAM, A.J. Hay, R.M. Tracey, M.G. Thomas, Dr J. Lowe, R. Preston, Y. Keane, P. Gangemi, A.C. Jefferies, A. Haselden