

ITEM-5	POST EXHIBITION PLANNING PROPOSAL - 488 OLD NORTHERN ROAD, DURAL (1/2016/PLP)
THEME:	Balanced Urban Growth.
OUTCOME:	7 Responsible planning facilitates a desirable living environment and meets growth targets.
STRATEGY:	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
MEETING DATE:	8 AUGUST 2017 COUNCIL MEETING
GROUP:	STRATEGIC PLANNING
AUTHOR:	ACTING PRINCIPAL COORDINATOR - FORWARD PLANNING BRENT WOODHAMS
RESPONSIBLE OFFICER:	ACTING MANAGER FORWARD PLANNING JANELLE ATKINS

EXECUTIVE SUMMARY

This report recommends that the planning proposal, seeking the following amendments to LEP 2012 for land 488-494 Old Northern Road, Dural, proceed to finalisation:

1. Amend the Height of Buildings Map from 10 metres to 18 metres for the southern portion of the land zoned B2 Local Centre and 14 metres for the northern portion of the land zoned B2 Local Centre; and
2. Amend the Floor Space Ratio Map from 0.75:1 to 1.22:1 across the whole of the land zoned B2 Local Centre.

It is further recommended that the draft amendments to DCP 2012 (Part B Section 6 – Business) be adopted and come into force following the notification of the planning proposal on the NSW Legislation website.

The planning proposal was exhibited from Thursday 23 March 2017 to Friday 21 April 2017. During the exhibition, Council received a total of 14 submissions, comprising six (6) from public authorities (NSW Rural Fire Service, Hornsby Shire Council, Endeavour Energy, Transport for NSW, Roads and Maritime Services and Sydney Water Corporation) and eight (8) public submissions.

The Roads and Maritime Services objected to the planning proposal on the grounds of traffic generation rates, traffic volume/counts, Old Northern Road upgrade along the development frontage and funding and approval of the Old Northern Road/Franlee Road intersection. It is noted that the RMS raised no issues with the traffic volumes or generation rates for the original concept and the current concept actually results in an overall reduction in the traffic volumes when compared to the previous concept. Given this, and the need for the Developer to enter into a Deed of Agreement with the RMS for

the design and funding of the Old Northern Road/Franlee Road intersection upgrade, the RMS concerns are able to be appropriately addressed. Submissions from the remaining public authorities raised no objection to the planning proposal.

The public submissions raised concern in relation to impact on character (height and floor space ratio), pedestrian safety, South Dural, traffic congestion, impact on view corridors, overshadowing, noise generation, setbacks and privacy, bushfire prone lands and asset protection zones, drainage and the proposed road connection. It is considered that the matters raised within submissions do not warrant any change to the exhibited proposal. Matters relating to traffic generation are addressed by way of there being an overall reduction in traffic generation to and from the site as a result of the new proposal. Furthermore there is considered to be sufficient separation from adjoining sites (24 metres from the western boundary, and 30 metres from the properties on the southern side of Old Northern Road) to ensure that privacy and solar access of adjoining sites will be maintained. Additional matters such as noise generation, view corridors, bushfire prone land/ asset protection zones and drainage can be addressed through the development assessment process, and as such do not warrant and change to the exhibited material.

The planning proposal in its current form is considered to be appropriate to progress to finalisation. The proposal will provide for an improved outcome by locating the commercial and retail components, within the complex, closer to the existing town centre, when compared to the previous concept for the site, and will provide for an increased diversity of housing types in a location close to the existing services and facilities of Round Corner. Furthermore, the provision of a residential flat building on the southern portion of the site will act as entry marker to the town centre, increase housing diversity and choice to the locality and support existing and new business activity through increased population.

With respect to housing diversity this report recommends that Council progresses the proposal to finalisation as exhibited, without the housing diversity provision, on the basis that the applicant has expressed their commitment to housing diversity through the lodgement of development application (1017/2017/HC).

It is recommended that the planning proposal proceed to finalisation as exhibited. With respect to the Draft DCP 2012 (Part B Section 6 – Business) it is recommended that a minor amendment be made to control 2.31.6 Public Transport to refer to the correct figure.

It is noted that Delegation for making of the LEP has been issued to Council under the Gateway Determination. However, due to the outstanding agency objection from the RMS Council will not be able to exercise its Delegation to make the amendment. Accordingly if Council resolves to progress the proposal to finalisation, any future amendment would be made by the Department of Planning and Environment.

APPLICANT

Calibre Consulting

OWNER

Australian United Securities Pty Ltd

THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

	CURRENT	PROPOSED
Zone:	B2 Local Centre R3 Medium Density Residential	No change
Minimum Lot Size:	2 hectares	No change
Maximum Floor Space Ratio:	0.75:1 (On part zoned B2)	1.22:1 (On part zoned B2)
Maximum Height of Buildings:	10 metres	10 metres (On part zoned R3) 18 metres (On southern part zoned B2) 14 metres (On northern part zoned B2)

POLITICAL DONATIONS

Nil disclosures by the applicant.

HISTORY**13/07/2012**

Planning proposal lodged to rezone 488-494 Old Northern Road from RU6 Transition to part B2 Local Centre and part R3 Medium Density Residential and to introduce a Floor Space Ratio of 0.75:1 over the part of the site zoned B2 Local Centre.

Council resolved in December 2012 to forward the proposal for Gateway Determination which was subsequently issued in March 2013.

**28/05/2013 –
28/06/2013**

Public exhibition of the original planning proposal.

25/02/2014

Council considered a report on the outcomes of exhibition of the previous planning proposal and resolved that it be adopted and proceed to finalisation and that draft amendments to the Business section of Development Control Plan 2012 be exhibited. The draft amendments sought to guide future character and built form, ensure the provision of civic space, and secure the future delivery of traffic signals on the corner of Old Northern Road and Franlee Road, and public bus facilities along the frontage of the site.

13/05/2014

Council considered a report on the outcomes of exhibition of the amendments to Development Control Plan 2012 and resolved that the amendments be adopted and come into force following the notification of the planning proposal.

11/07/2014

Amendment of Local Environmental Plan 2012 was notified on the NSW legislation website and came into force as did the supporting amendments to the Development Control Plan.

05/08/2015

Current planning proposal lodged (1/2016/PLP).

27/10/2015 Council considered a report on the planning proposal and resolved as follows:

1. *A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination for the site at 488-494 Old Northern Road Dural to apply a floor space ratio of 1.22:1 to the part of the site zoned B2 Local Centre and apply a maximum height of buildings of 18 metres to the southern portion of the B2 Local Centre zoned land and 14 metres for the northern portion of the B2 Local Centre zoned land.*
2. *The draft Development Control Plan amendments as set out in Attachment 1 be exhibited concurrently with the planning proposal.*

The report also recommended a provision be included within LEP 2012 to encourage future development on the site to comply with Council's standards for apartment mix, size and car parking.

14/07/2016 Gateway Determination for planning proposal (1/2016/PLP) issued, requiring the removal of the proposed local provision titled 'Residential Development Yield' relating to apartment mix, size and car parking from the planning proposal.

25/10/2016 Letter received from Chief Planner of NSW indicating a willingness to adopt a methodology with respect to future apartment development within the Sydney Metro Northwest Corridor which would provide Council with certainty that a portion (20%) of future apartment development will be in the form of three or more bedroom apartments and that a portion (30%) of all future apartments will be at Council's adopted size.

02/11/2016 Department of Planning and Environment issued the Gateway Determinations for the six (6) planning proposals applying to land within the Sydney Metro Northwest Corridor. The Gateway Determinations required the planning proposals to be amended to be consistent with the incentive methodology agreed to between the Department and Council.

13/12/2016 Council considered a report on planning proposal, having regard to the Gateway Determination issued by the Department of Planning and Environment and resolved as follows:

- a) *Council pursue Option 1 within this report and remove the proposed local provision Clause 7.10 'Residential Development Yield' from planning proposal (1/2016/PLP) in accordance with Condition 1 of the Gateway Determination;*
- b) *Council exhibit the planning proposal in accordance with the Gateway Determination;*
- c) *Council commences negotiations with the Department of Planning and Environment to establish an agreed policy position on the delivery of housing diversity within The Hills Shire's high density areas outside of the Sydney Metro Northwest Corridor.*

- d) *The planning proposal be reported to Council, post public exhibition, once Council has reached an agreed policy position on housing diversity for land outside of the Sydney Metro Northwest Corridor with the Department of Planning and Environment.*

10/01/2017

A letter was sent to the Department of Planning and Environment requesting the commencement of negotiations for the preparation of a development incentive provision that would facilitate the delivery of housing diversity for land outside of the Sydney Metro Northwest Corridor.

01/05/2017

The Minister for Planning the Hon. Anthony Roberts MP responded to Council's request for the preparation of a development incentive provision that would facilitate the delivery of housing diversity for land outside of the Sydney Metro Northwest Corridor. Within this letter the Minister stated that he did not support Council's request.

REPORT

The purpose of this report is to consider the outcomes of the public exhibition of the planning proposal, DCP amendments for land at 488-494 Old Northern Road, Dural (Lot 2 DP839151).

1. BACKGROUND

The site is located at the corner of Old Northern Road and Stonelea Court and forms the southern gateway to Round Corner Town Centre. The Mountainview Retreat Retirement Village and BUPA nursing home complex are located directly to the north-west of the site and the residential areas of the village are located to the north. The land is also adjacent to the potential future urban release area of South Dural, located within the Hornsby Shire Local Government Area. An aerial photograph of the subject site and the current zoning of the site are shown in the following figures.



Figure 1
Site and Surrounds



Figure 2
Existing Site Zoning

The current planning proposal seeks to facilitate a part four (4) and part five (5) storey residential flat building and ground floor retail uses on the southern portion of the site. The revised concept includes a 4,500m² retail/commercial building at the northern end of the site comprising a supermarket, specialty stores, office suites, restaurant and central plaza area. All customer and residential parking areas are proposed to be contained within three (3) levels of basement parking. The submitted concept also integrates the development of 21 townhouses at the rear of the development on the adjacent R3 Medium Density Residential zoned land. The following figures illustrate the indicative outcomes for the site.

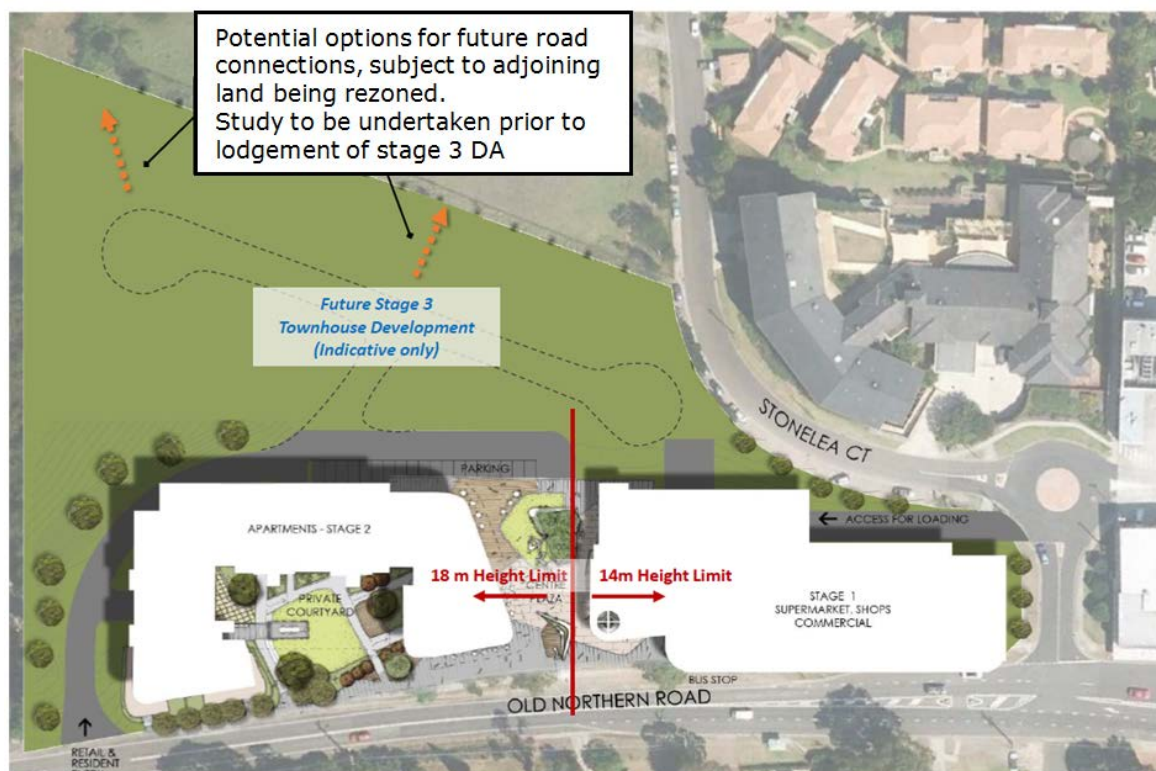


Figure 3
Site Plan of Proposed Concept

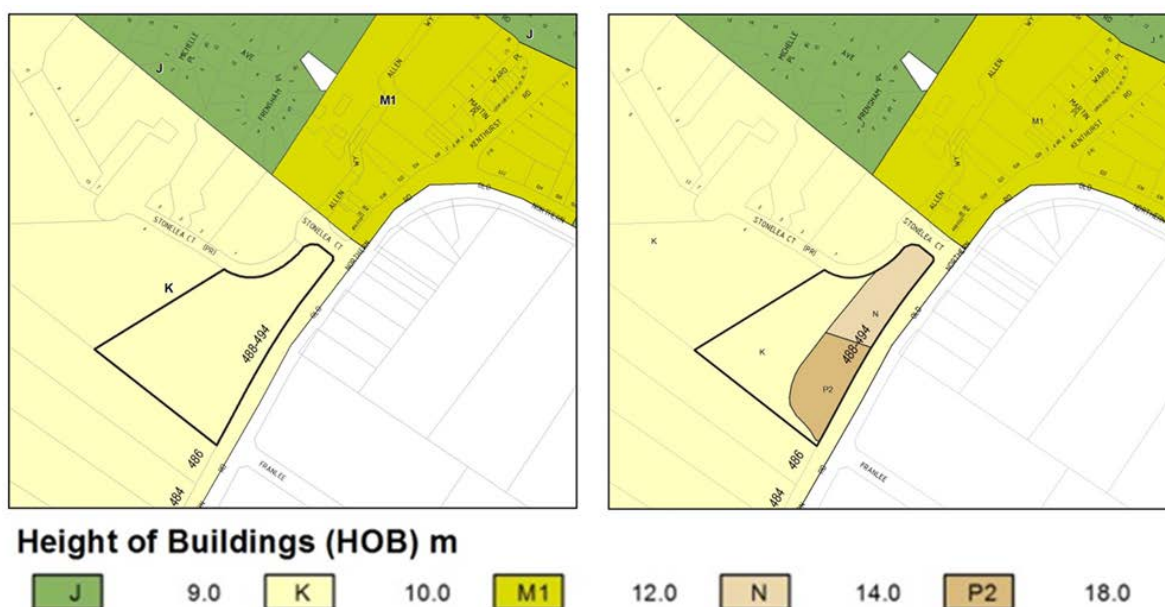
**Figure 4**

Development concept view from Old Northern Road looking south

The planning proposal, as submitted to the Department of Planning and Environment for a Gateway Determination, sought the following mapping amendments to LEP 2012:

- Amend the Height of Buildings Map from 10 metres to 18 metres for the southern portion of the land zoned B2 Local Centre and 14 metres for the northern portion of the land zoned B2 Local Centre; and
- Amend the Floor Space Ratio Map from 0.75:1 to 1.22:1 across the whole of the land zoned B2 Local Centre.

No change was proposed to the zoning of the site or to the development standards applying to that part of the site zoned R3 Medium Density Residential. The existing and proposed Height of Buildings and Floor Space Ratio maps are shown in the following figures.

**Figure 5**

Existing and Proposed Height of Buildings Map

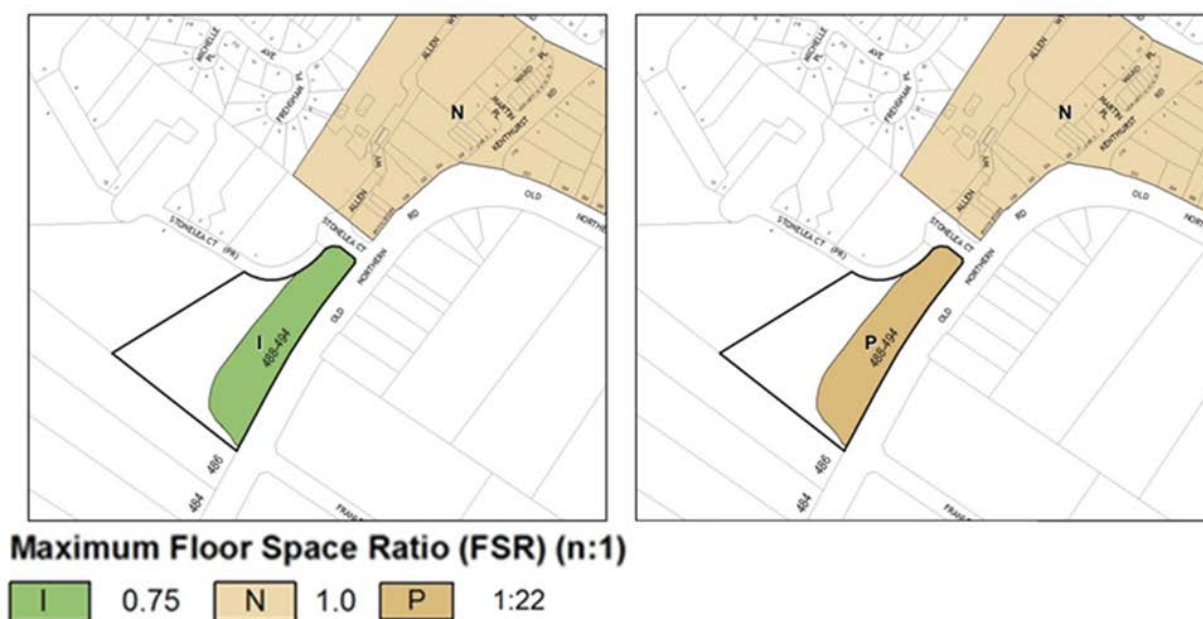


Figure 6
Existing and Proposed Floor Space Ratio Map

In addition to height and FSR controls, the planning proposal sought to insert a new local provision 'Residential Development Yield' to incentivise development that was compliant with Council's apartment size, mix and car parking requirements.

On 14 July 2016 a Gateway Determination (Conditional) was issued by the Department of Planning and Environment as delegate of the Greater Sydney Commission. The Department advised that when assessed, the proposed local provision 'Residential Development Yield' was considered to be inconsistent with the objectives of State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development (SEPP 65) and minimum internal floor areas of the Apartment Design Guide. The Gateway Determination required that the local provision be removed from the planning proposal prior to public exhibition and an updated planning proposal forwarded to the Department.

In recognition of the conditions of the Gateway Determination, Council considered a report on the planning proposal at its meeting of 13 December 2016 and resolved as follows:

- Council pursue Option 1 within this report and remove the proposed local provision Clause 7.10 'Residential Development Yield' from planning proposal (1/2016/PLP) in accordance with Condition 1 of the Gateway Determination;*
- Council exhibit the planning proposal in accordance with the Gateway Determination;*
- Council commences negotiations with the Department of Planning and Environment to establish an agreed policy position on the delivery of housing diversity within The Hills Shire's high density areas outside of the Sydney Metro Northwest Corridor.*
- The planning proposal be reported to Council, post public exhibition, once Council has reached an agreed policy position on housing diversity for land outside of the Sydney Metro Northwest Corridor with the Department of Planning and Environment.*

On 10 January 2017 a letter was sent to the Department of Planning and Environment requesting the commencement of negotiations for the preparation of a development incentive provision that would facilitate the delivery of housing diversity for land outside of the Sydney Metro Northwest Corridor (Attachment 1). A potential methodology was supplied with the letter.

The Minister for Planning the Hon. Anthony Roberts MP subsequently responded to Council's request on 1 May 2017 (Attachment 2). Within this letter the Minister stated that he did not support Council's request. The basis of this decision was that the area outside of the Sydney Metro Northwest Corridor is not subject to the same rate of change as land within the corridor, and that there are no special circumstances for land outside the corridor that differentiate it from land elsewhere in the metropolitan Sydney. Furthermore the Minister outlined that he is concerned that increasing the standards that apply to apartments will adversely impact on housing affordability and undermine the Government's priority to deliver housing and increase supply.

2. GATEWAY DETERMINATION

Council received a Gateway Determination from the Department of Planning and Environment dated 14 July 2016 which authorised Council to exercise delegation to make the plan. The Determination required that the local housing diversity provision be removed from the planning proposal.

The Gateway Determination required Council undertake consultation with the Commissioner of the NSW Rural Fire Service prior to exhibition. The Determination also required that community consultation be undertaken for a minimum of 28 days, including consultation with Endeavour Energy, Sydney Water Corporation, the Roads and Maritime Services and Telstra. All of the conditions of the Gateway Determination have been complied with.

3. EXHIBITION DETAILS

In accordance with the Gateway Determination, the planning proposal and draft DCP amendments were publicly exhibited from Thursday 23 March 2017 to Friday 21 April 2017. Council consulted with the following seven (7) public authorities:

1. NSW Rural Fire Service;
2. Sydney Water Corporation;
3. Transport for NSW;
4. Roads and Maritime Services;
5. Endeavour Energy;
6. Telstra; and
7. Hornsby Shire Council.

The exhibition material was made available for viewing at Dural Library, Council's administration building and on Council's website and the public exhibition was advertised within The Hills News and The Rouse Hill Courier. Landowners within the vicinity of the site were notified of the exhibition and invited to comment.

As a result of the exhibition, Council received a total of 14 submissions, comprising six (6) from public authorities (NSW Rural Fire Service, Hornsby Shire Council, Endeavour Energy, Transport for NSW and Roads and Maritime Services, Sydney Water Corporation) and eight (8) individual submissions.

4. PUBLIC AUTHORITY SUBMISSION SUMMARY

A summary of the comments raised by public authorities is included below. It is noted that the Roads and Maritime Services has stated that it does not support the proposal.

a) NSW Rural Fire Service

NSW Rural Fire Service raises no objection to the proposal subject to a requirement that all future stages of development comply with the Planning for Bushfire Protection 2006.

Comment:

Future development on the site will need to comply with the requirements contained within the Planning for Bushfire Protection Guidelines 2006.

b) Hornsby Shire Council

In principle, Hornsby Shire Council raised no concern in relation to the proposal. However the submission did note that Hornsby Shire Council has previously written to the Department of Planning and Environment requesting that no planning proposals be progressed within The Hills, Hawkesbury City or Blacktown City Council areas that generate further traffic on the existing road network around South Dural until a functional plan for upgrading the regional road network is prepared.

The submission notes that as this matters has not as yet been finalised, Hornsby Council recommend that the proposal not proceed at this time until the State Government commits to work with both Councils to develop a clear vision for the rural areas in the region, including an infrastructure and funding plan to cater for existing and future development.

Comment:

A traffic investigation will be undertaken within the Dural Investigation Area (urban capacity and capability assessment). This will take into account regional increases in traffic volume, future development that is already permitted and possible growth within future urban release. However, it is noted that the subject site is already zoned for urban development. The planning proposal will simply alter the form of urban development on the site. Furthermore this planning proposal was lodged prior to the commencement of the Dural Investigation process. Accordingly, there is considered to be sufficient justification for the current proposal progressing prior to the completion of the broader urban investigation process.

c) Endeavour Energy

Endeavour Energy raised no objection to the planning proposal, however made the following comments.

- In due course the applicant for the proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined; and
- As the proposed development will involve work near electricity infrastructure, workers run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Attached to the submission is Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely.

Comment:

Endeavour Energy's requirements, as outlined within the submission, have been forwarded to the proponent. The comments raised within the submission will not impact on the finalisation of the planning proposal.

d) Transport for NSW**i. Public Transport Controls**

TfNSW supports the control 2.31.6 Public Transport within the DCP which requires the provision of a public bus stop and bus bay in conjunction with the development. However they request that an administrative update be made to control to ensure that it refers to Figure B rather than Figure E.

The design of the new bus facility should ensure no loss of layover space outside the site frontage. TfNSW recommends an increase to the length of the bus zone to accommodate the proposal's suggestion. Any alteration to the bus zone outside of the site's frontage should not detrimentally impact existing bus stops within the vicinity of the site. It should be noted that future bus network refinements for the opening of the Sydney Metro Northwest in 2019, could potentially result in additional bus services commencing/terminating at Round Corner. TfNSW supports the retention of the existing bus stop regardless of creation/change in bus operations outside the site's frontage.

Comment:

It is agreed that the draft control 2.31.6 Public Transport should be updated to refer to the correct figure. This is an administrative update that would be required, post exhibition. With respect to the design of the new bus facility, the development control plan requires the applicant to prepare and submit detailed plans with any development application for the site to the satisfaction of Transport for NSW, RMS, Council and the relevant bus operators.

ii. Bicycle Parking

Any future development should provide bicycle parking and end of trip facilities for pedestrians and cyclists, locate bicycle facilities in secure convenient, accessible areas close to the main entries, incorporate adequate lighting and passive surveillance.

Comment:

Matters relating to the provision of bicycle facilities would be addressed as part of the development assessment process. Notwithstanding, any future development on the site would be subject to the bicycle parking requirements of DCP 2012 as contained in Part B Section 6 Business item 2.17.

iii. Construction Traffic Management Plan

To manage and minimise construction traffic impacts on the surrounding road network and local community, Council should include the following development control:

- The development application must include a Construction Traffic Management Plan. This plan should, in addition to the safe management of general vehicular traffic (including bus operations), include details regarding the measures to maintain safe pedestrian and cyclist travel along footways and cycleways at all times during construction activities. Should the development require closure of any footways or cycleways, adequate safety and diversion measures will be put in place to limit time delay and detour distances.

Planning Comments:

A specific control for this site, requiring the submission of a construction traffic management plan, is not considered to be necessary as Council has standard conditions of consent requiring all developers to submit such a plan prior to the issue of a construction certificate.

e) Roads and Maritime Services

The Roads and Maritime have lodged a formal objection to the Planning Proposal for the reasons detailed below. In the event that Council resolves to progress this matter to finalisation, Council will not be able to finalise the amendment under delegation. Rather the proposal would be forwarded to the Department of Planning and Environment to resolve the outstanding objection.

i. Traffic Generation Rates

Roads and Maritime Services does not support this application. The RMS does not consider the new centre to be an extension of the existing centre, but a new 'free standing centre' which is located near Round Corner Centre. The RMS considers that the subject site is separated from Round Corner shops by Stonelea Circuit and it is unlikely that customers from the subject site would walk to the Round Corner shops from the subject site. Therefore, it comments that the traffic generation rates that should be used for the subject planning proposal should reflect a 'stand-alone facility' as per Roads and Maritime Technical Directions TOT 2013/04a for shopping centre (0-10,000m² GLFA).

Comment:

The RMS Guide to Traffic Generating Development provides different rates for shopping centre floor space, depending on the range in total floor area. These ranges are included in the following table.

Range in Total Floor Area. (GLFA - m ²).	Peak Hour Generation Rate. (vehicles per 100m ² GLFA)		
	Thursday. (V(P)/A)	Friday. (V(P)/A)	Saturday PVT(A)
0 - 10,000	12.3	12.5	16.3
10,000 - 20,000	7.6	6.2	7.5
20,000 - 30,000	5.9	5.6	7.5
30,000 - 40,000	4.6	3.7	6.1

Table 1

RMS Guide to Traffic Generation Rates – Traffic Generation Rates for Supermarkets

The RMS are of the view that higher peak hour generation rates should be applied based the proposed development being separated from Round Corner shops by Stonelea Circuit making it unlikely that customers from the site would walk to other shops in the Round Corner Village. They advise that the traffic generation rate for the planning proposal should be based on the higher rates for 0-10,000m² floor area rather than the lower rates for the 20,000-30,000m² range (Table 1).

This position is not supported as it is considered reasonable that the traffic generation rates that are applied take into account the retail/commercial floor space within the entirety of the Round Corner Village. Council has consistently been of the view that the site is an extension of the Round Corner Village. This position formed the basis of Council supporting the original amendment which rezoned the site from RU6 Transition to part R3 Medium Density Residential and part B2 Local Centre.

Notwithstanding the above position, as the subject proposal is seeking a reduction in the amount of supermarket floor space, the proposal will result in an overall reduction in the traffic generated by the future development on the site. This matter is discussed in further detail in the following section of this report.

ii. Traffic Volume / Traffic Counts

The RMS state that the traffic count data is out dated since it was prepared in 2012. The traffic volume and data used for road network analysis was based on the traffic counts in 2012 and the traffic volume and patterns have changed over the last 5-years. The submission requests that the proponent update the Traffic & Transport Study with 'present day' traffic count data.

Comment:

It is noted that the revised concept decreases the scale of commercial development on the site from 6,500m² to approximately 4,500m². However it is noted that the current proposal would facilitate around 68 additional units on the site. Based on Council analysis, utilising the RMS traffic generation guidelines, the previous development concept for the site would generate approximately 244 peak hour vehicular trips and 2,164 daily trips. The revised concept would generate approximately 201 peak hour trips and 1,610 daily trips. The traffic generation rates are included in the following table. This equates to a reduction in the peak hour trips by 43 trips and an overall reduction in the daily trips by 554 trips. The following table provides an overview of the forecast trip generation.

	Rates	Traffic Generation
Previous Concept		
• 21 townhouses	Peak – 0.85 per dwelling	17
	Daily – 9 per dwelling	189
• Supermarket – 2,500m ²	Peak – 5.9v per 100m ² GFA	147
	Daily – 63v/100m ² GFA	1,575
• Commercial Floor Space and Specialty Shops (4,000m ²)	Peak – 2v/100m ² GFA	80
	Daily - 10v/100m ² GFA	400
Sub-total (Peak)		244
Sub-total (Daily)		2,164
Current Concept		
• 21 townhouses	Peak – 0.85 per dwelling	17
	Daily – 9 per dwelling	189
• 68 High Density Apartments	Peak – 0.5v per dwelling (1&2 beds) and 0.65v per dwelling (3 beds)	36
	Daily – 5v per dwelling (1&2 beds) and 6.5v per dwelling (3 beds)	365
• Supermarket – 1,500m ²	Peak – 5.9v per 100m ² GFA	88
	Daily – 63v/100m ² GFA	945
• Commercial Floor Space and Specialty Shops (3,000m ²)	Peak – 2v/100m ² GFA	60
	Daily - 10v/100m ² GFA	300
Sub-total (Peak)		201
Sub-total (Daily)		1,610

Table 2

Traffic Generation Utilising RMS Guide to Traffic Generation Rates

Accordingly, it is not considered necessary for updated traffic counts to be undertaken prior to the finalisation of the planning proposal as the revised development outcome for the site will result in a reduction in vehicular trips compared with what was previously proposed for the site.

iii. South Dural Planning Proposal

The submission suggests that Council should consider the potential traffic impact due to the South Dural Planning Proposal and analyse combined traffic impacts with the proposed planning proposal and identify the following:

- a) Likely scope of ultimate signalised upgrade of Old Northern Road & Franlee Road.
- b) Define the scope of the interim signalised upgrade at Old Northern Road and Franlee Road intersection required to service the proposal ensuring that the interim upgrade integrates with the ultimate upgrade.

In addition, the RMS advise that the above interim and ultimate upgrades should consider their concept design for Old Northern Road upgrade. The submission notes that the concept design can be forwarded to Council/Consultant once draft design is finalised.

Comment:

As mentioned previously, traffic analysis will be undertaken as part of the broader the Dural Investigation Area. This will take into account regional increases in traffic volume, future development that is already permitted and possible growth within future urban release. As part of the Stage 1 development application (979/2016/HB) which has been lodged, the Old Northern Road frontage would be widened and a 4-way signalised intersection with Franlee Road will be constructed. The developer is required to enter into a Deed of Agreement with RMS for the provision of this signalised intersection.

iv. Old Northern Road Upgrade along Development Frontage

The Roads and Maritime Services are currently developing a design to upgrade Old Northern Road frontage as a four lane road where the subject property is affected. Roads and Maritime would require a triangular shape of land approximately 13m² at the corner of Old Northern Road and Stonelea Court for future road widening works.

Consideration should be given by the developer, through an appropriate funding mechanism, to deliver the widening of Old Northern Road across the full property frontage to match the ultimate road configuration and to include provision of new traffic lights in Old Northern Road at Franlee Road/Access Road intersection. The funding mechanism should also include an indicative timeframe or triggers points for the provision of the above works/land dedication.

Comment:

Council officers have requested the RMS to provide a copy of the proposed concept for the upgrade of Old Northern Road along the frontage of the site. However, to date the concept has not been provided. Nevertheless if the plans which are currently being prepared by the RMS impact on the subject site, this must be taken into account by the developer as part of the development application. Comments raised by the RMS have been forwarded to the proponent in this regard.

The developer will be entering into a Deed of Agreement with the RMS for the provision of the 4 way signalised intersection associated with the Stage 1 development application. This will also include the ultimate road configuration of the western side of Old Northern Road along the subject site's frontage. Concept designs that are prepared for the

intersection will need to take into account both the interim and ultimate upgrade design for the intersection.

v. Funding and Approval (Old Northern Road/ Franlee Road Intersection)

Consideration should be given to provision in the funding mechanism to ensure that the interim upgrade of the proposed Old Northern Road and Franlee Road/Access Road traffic signals comply with the following requirements:

- a) Fully funded and constructed by the developer/proponent.
- b) The developer/proponent will be required to submit detailed civil & signal design plans that are designed to meet Roads and Maritime requirements and endorsed by a suitably qualified practitioner. The design requirements shall be in accordance with AUSTROADS and other Australian Codes of Practice. The certified copies of the civil & signal plans shall be submitted to Roads and Maritime for review and approval prior to release Construction Certificate (CC) by the Principal Certifying Authority (PCA) or Council and commencement of any road works.

The developer/proponent will be required to enter into a Works Authorisation Deed with Roads and Maritime for the abovementioned road works. Roads and Maritime fees for administration, plan checking, civil/signal works inspections and project management shall be paid by the developer/proponent prior to the commencement of the works. The funding mechanism shall be entered into (i.e. signed by the developer/proponent) prior to Council resolving to send the planning instrument to the Minister of Planning for making.

Comment:

The applicant would need to demonstrate that a Deed of Agreement has been entered into with the RMS for the provision of traffic signals at the Old Northern Road and Franlee Road intersection. This matter would be a deferred commencement condition for the Stage 1 Development Application (979/2016/HB), if it is approved. The development control plan requires that the design of the intersection is to include pedestrian crossings on all lengths, minimum 50 metre long right turn bays on Old Northern Road and provision of dual lanes for both approaches of Old Northern Road. Funding mechanisms will need to be addressed within the Deed of Agreement.

As this would be addressed at the development approval stage, it is not considered necessary that this be addressed prior to the finalisation of the planning proposal.

f) Sydney Water Corporation

Sydney Water raised no objection to the planning proposal, however made a number of comments which will need to be taken into account at the Section 73 application stage. With respect to Water Servicing, the submission notes that the water and waste water systems have adequate capacity to service the proposed development. The development site has frontage to an existing 150 metre water main on the western side of Old Northern Road which has been identified for amplification from Kenthurst Road as part of the growth servicing strategy.

Comment:

This matter will be addressed as part of the development assessment process through an application to Sydney Water for a Section 73 Certificate. The proponent has been supplied with the submission from Sydney Water.

5. PUBLIC SUBMISSION SUMMARY

The following key issues were raised within the public submissions received:

- a) Out of Character (Height and Floor Space);
- b) Pedestrian Safety;
- c) South Dural (Coordination with Hornsby Shire Council);
- d) Traffic Congestion;
- e) Impact on View Corridor;
- f) Overshadowing;
- g) Fragmentation of Round Corner;
- h) Noise Generation;
- i) Setbacks and Privacy;
- j) Bushfire Prone Land and Asset Protection Zones;
- k) Drainage; and
- l) Proposed Road Connection.

Comments addressing the key issues are included below.

a) Out of Character (Height and Floor Space)

Concern is raised with respect to the proposed height and density of the proposed development. Submissions comment that the 18 metre height limit is excessive given the context of Round Corner and the transition from the commercial area to the adjoining RU6 Rural Transition Zone. Further comments identify that there is an insufficient buffer between the rural land and the 18 metre height limit area.

The Round Corner Village adjoins land zoned RU6 Rural Transition zone where the tallest buildings permissible are 2 storey dwelling houses. Accordingly, submission authors consider it is not necessary for buildings 18 metres in height to adjoin the RU6 Transition zone to create a gateway effect as these buildings would be triple the height of the adjoining buildings. This is especially the case given that the height limit within the Round Corner Village is 12 metres. One submission notes that if Council are going to consider allowing an 18 metre high building on the southern extent of the Round Corner Dural Village, that Council needs to reconsider the overall planning for the Village.

Comment:

The proposed residential flat building on the southern end of the site will provide the opportunity for a unique gateway marker for the entrance to the town centre and deliver increased housing diversity and choice for the locality. The increased residential population will have positive benefits in supporting and activating the town centre, particularly out of normal business hours. Whilst the development will reach five (5) storeys which is taller than the permitted height which currently applies to the remainder of the Village, it is justified in this instance as it will provide a clear entry point to the Village. It is recognised that the proposed building will adjoin land zoned RU6 Transition with a height restriction of 10 metres (generally would allow 3 storeys). However the future development on the site will be seen in the context of the broader Round Corner Village rather than the surrounding rural landscape. Whilst it is generally preferred that height and density transition downward toward more sensitive interfaces, this can be taken into account as part of future master planning for the Round Corner Village which will define the edge of the Village.

b) Pedestrian Safety

There are a high number of aged people in the area, due the aged care facility in Stonelea Circuit, and the development will cause an additional safety risk. The intersection at Stonelea Circuit is already a dangerous crossing without giving added

reason for more people to cross here. These issues are all heightened at night and in wet weather.

Comment:

The pedestrian linkages to and from the site are located along Old Northern Road, Stonelea Circuit and across Stonelea Circuit to connect with the existing centre. As the site develops there will be increased pedestrian traffic from the subject site to the remainder of the Village to the north. Currently the existing pedestrian movement are as shown in yellow on the following figure and follow pedestrian facilities including pedestrian refuge island and pedestrian crossings on public land and private land.



Figure 7
Pedestrian Path

There is an opportunity to provide a pedestrian crossing across Stonelea Circuit to connect the subject site to the retail development to the north, fronting Old Northern Road. However the proximity of this crossing to the junction of Stonelea Circuit and Old Northern Road junction would likely create a pedestrian/vehicular hazard. Accordingly, the existing arrangement for pedestrian movement is preferred.

c) South Dural (Coordination with Hornsby Shire Council)

Concern is raised that there appears to be no unified strategy when it comes to town planning in areas of shared borders and community. A number of comments note that the South Dural Planning Proposal has been rejected by Hornsby Council and should not be used as justification for the current proposal.

Comment:

Council has commenced a process to undertake an urban Capability and Capacity Assessment of the broader Dural Area. The broad objective of the investigation will be to determine the capacity of land on the rural fringe in the Dural area to sustain urban land uses without exceeding the physical capability of the land and without exceeding the capacity to be adequately supported by appropriate infrastructure. The investigation will focus on the area surrounding current/recent planning proposals, review the potential for an extension of Annangrove Road through to Old Northern Road (proposed Round Corner Bypass), and to define a physical boundary to identify land that is capable of supporting urban land uses. The findings of this study will determine whether detailed Precinct Planning for certain land within the investigation area should

proceed. Whilst Hornsby Council have not dedicated funds to this investigation, they have indicated a willingness to assist The Hills in this process, where possible.

Nevertheless, the subject site is already zoned for urban development. The planning proposal will simply alter the form of urban development. Furthermore this planning proposal was lodged prior to the commencement of the Dural Investigation process. Accordingly, there is considered to be sufficient justification for the current proposal progressing prior to the completion of the broader investigation process.

d) Traffic Congestion

This stage 2 proposal will increase density that will result in more people and put an increase on traffic resources. Whilst it is noted in the said proposal that a traffic plan has been done, our client is concerned that this will also cause extra burden on Stonelea Circuit, which is not equipped to handle extra traffic.

Comment:

As detailed within section 4(e) above, the daily traffic generation resulting from the proposed development on the site will be 554 daily vehicle trips less than the traffic that would have been generated from the original concept for the site, which proposed 6,500m² of retail and commercial floor space (including 2,500m² of supermarket floor space). Accordingly, the current planning proposal will result in lesser traffic impacts.

It is noted that the service vehicle loading area (which includes the waste collection area) will be accessed via Stonelea Circuit. It is proposed to provide a vehicular turntable within the loading area to facilitate turning movements within the site and ensure that all vehicles enter and exit the site in a forward direction. All other vehicular access to the site would occur via the new road connection at the intersection of Old Northern Road and Franlee Road. The construction of this road is part of Stage 1 works. Accordingly, it is not expected that Stonelea Circuit will carry extra vehicular traffic, over and above the loading vehicles.

e) Impact on View Corridor

Concerns are raised that the amendments appear to reduce the view corridor through the two buildings to the expansive mountain views which are iconic and characteristic of the Round Corner centre. Specifically the concerns relate to:

- Reduction of view corridor appears unwarranted especially given that the proposal will be increasing the height on the site.
- If the height is being increased then there should be a commensurate increase in the view corridor provided.
- The view corridor should also consider views to the mountains when entering the village from the south as well as from the north.

Comment:

A control within the development control plan requires that the centre point for the plaza shall be located approximately 120 metres from the south western boundary of the site and should be of a regular shape with a minimum width of 40 metres. The development control also identifies that minor variation to the minimum width for the central plaza may be considered where it can be demonstrated that proposed development demonstrates a high standard of architectural design, civic amenity and does not inhibit key views to Mount Wilson, Mount Tomah and Mount Irvine from any point within the plaza.

It is noted that the architectural plans prepared in support of the stage 2 development application for the site (1017/2017/HC) identifies a width of 21 metres for the central plaza. The appropriateness of this variation will need to be determined as part of the

assessment of the development application, having regard to the objectives of the controls.

f) Overshadowing

Concern was raised with respect to possible overshadowing from the proposed development.

Comment:

Shadow diagrams have been prepared in support of the development application for stage 2 and are included below.

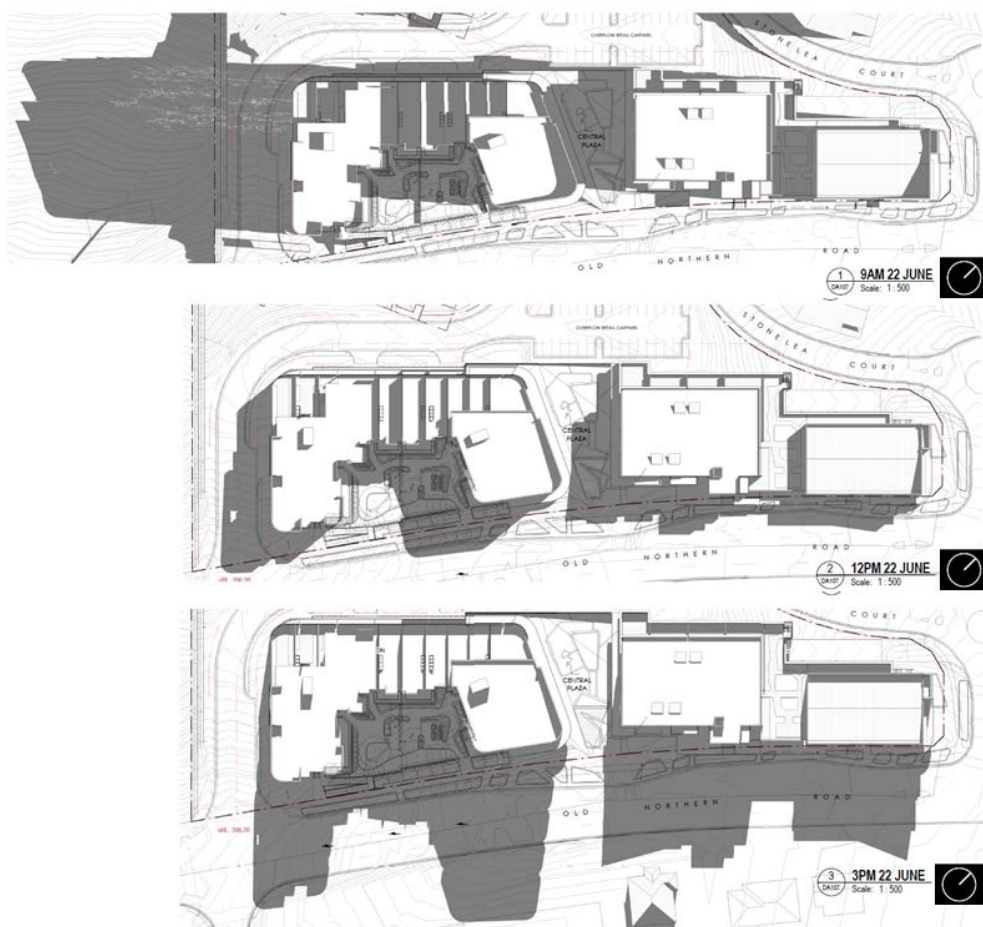


Figure 8
Shadow Diagrams – 9am, 12pm and 3pm on 22 June

DCP 2012 requires that dwellings should be sited to allow adequate provision for access of direct sunlight to private open space within the subject land and on adjacent properties. At least 50% of the required private open space within the subject property and that on adjoining properties is to receive direct sunlight for a minimum of 4 hours between 9am and 3pm on 21 June.

As can be seen the majority of the private open space (at least 50%) of all surrounding properties will receive at least 4 hours of solar access during the hours of 9am and 3pm on 22 June. All properties to the north and west will receive unimpeded solar access during the 9am to 3pm time period. Properties on the eastern side of Old Northern Road (within the Hornsby Shire LGA) will likely start to begin to be overshadowed at around 2pm, and as such will receive more than the minimum four hours of solar access.

The property to the south (486 Old Northern Road) will be completely out of shadow from 12pm to 3pm. From 11am-12pm overshadowing of this property will likely be minor and not exceed the 50% private open space requirement. As such, the property will still receive the required 4 hours of solar access to its private open space area.

g) Noise Generation

Concern was raised that future development on the site will generate too much noise.

Comment:

As part of the development assessment process the applicant was required to submit an acoustic assessment addressing the following noise sources and guidelines:

- Road Traffic Noise (NSW Government Department of Planning Development Near Rail Corridors and Busy Roads – Interim Guidelines December 2008);
- Mechanical Plant Noise (EPA's Industrial Noise Policy);
- Loading Dock Noise (EPA's Industrial Noise Policy);
- Restaurant Outdoor Dining (EPA's Industrial Noise Policy);
- Acoustic Privacy Between Units (Building Code of Australia);
- Construction Noise and Vibration (DECCW – Interim Construction Noise Guideline);
- Additional Traffic Noise Impact (NSW ECCW Road Noise Policy).

The acoustic assessment made recommendations on the type and extent of noise mitigation measures required to achieve the relevant noise criteria of each of the above categories.

The acoustic assessment makes a number of recommendations which would need to be incorporated into the design of the development to ensure that noise levels are within the acceptable requirements. These include ceiling/roof system design (roof deck and insulation batts), wall design (precast concrete walls or cladding and insulation batts) and window/door glazing requirements, lining of ductwork and location of exhaust fans. With respect to the loading area the acoustic assessment recommends the installation of acoustic louvres to the west façade of the loading dock area, restrictions on the use/number of trucks, absorptive materials applied to walls and ceilings, operation of the loading dock and loading door design. The implementation of these measures will ensure that noise levels are restricted to an acceptable level.

h) Setbacks and Privacy

Concern was raised with respect to the setbacks from 486 Old Northern Road and the need for a wide enough setback from the commercial/residential development to preserve privacy.

Comment:

The required setback of the shop top housing development from the boundary adjoining 486 Old Northern Road is 6 metres. The concept that has been submitted with development application 1017/2017/HC indicates a setback of approximately 24 metres from the residential units and the boundary of 486 Old Northern Road. This setback is required to facilitate the proposed vehicular access ramp along the southern boundary. Having regard to the proposed setbacks, there is considered to be sufficient separation between the adjoining site and the future residential and commercial/retail uses to ensure that the amenity of the adjoining residents is appropriately maintained.

i) Bushfire Prone Land and Asset Protection Zones

Concern is raised that the bushfire report does not accord with the bushfire prone land map. The proposal relies on the bushfire asset protection zone for the development being on adjoining properties. The applicant has approached the owner to register a

Section 88B instrument to provide an asset protection zone burdening the property in favour of the development site. The submission author is concerned that providing the asset protection zone on adjoining sites will result in significant impact trees and vegetation and the asset protection zone prevents a vegetation buffer along the zone boundary between the commercial zone land and the RU6 Transition zone.

Comment:

The required asset protection zone distances is to be determined as part of the development assessment process. However, it is agreed that the proposal relies on asset protection zones being located, in part, on the adjoining property to the south of 486 Old Northern Road. Whilst this issue should not prevent the amendment from proceeding, this matter will need to be addressed through negotiations between the developer and the adjoining property owner. It is unlikely that development approval will be granted without agreement (restriction on title) between the developer and the owner of the adjoining property that would be burdened by the asset protection zone.

j) Drainage

The Planning Proposal also relies upon obtaining access through 486 Old Northern Road land to discharge stormwater into the creek. The submission queries whether there is an alternative solution and identifies that it may be a better solution to drain the development site into the existing drainage system as opposed to draining into the natural creek through 486 Old Northern Road.

Comment:

Matters relating to the discharge of stormwater from the site are addressed at the development assessment stage. Notwithstanding, similar to the matter relating to asset protection zones, the stormwater drainage solution for the site will require negotiations between the developer and the adjoining property owner.

k) Proposed Road Connection

Concern is raised that the signalisation of Old Northern Road and Franlee Road was predicated upon the South Dural rezoning which has now been rejected by Hornsby Shire Council until the funding for New Line Road is undertaken. The submission indicates that the new driveway will require the removal of large trees and will also significantly impact upon the character of the site. Whilst understanding that the decision for this intersection may already have been made in previous rezoning, the writer considers it would be more practical, more cost effective and would have significantly less impact on the property to the south if access to 486 Old Northern Road was via the proposed private road to the north within the development site and not from a new relocated driveway off Old Northern Road.

Comments:

The author is correct in that the requirement for this road connection and signalisation was made as part of the previous planning proposal for the site which rezoned it from RU6 Transition to part B2 Local Centre and part R3 Medium Density Residential. The signalisation of this intersection is not predicated on South Dural rezoning. However, the design of the signalised intersection will need to make allowance for future urban development within the South Dural Precinct into the future. The final design, timing and funding of the intersection will form the basis of a Deed of Agreement between the developer and the RMS.

The current proposed road design for the subject site is likely to impact upon the existing driveway access arrangements for 486 Old Northern Road. The new access road from the proposed Franlee Road/Old Northern Road intersection will be a public road. However, it is likely that the topography of the site will inhibit the provision of a driveway access point from the new access road to 486 Old Northern Road. The

applicant for the planning proposal will be required to satisfactorily negotiate any driveway relocation arrangements with the property owner to the south.

6. HOUSING DIVERSITY

Whilst the Minister for Planning the Hon. Anthony Roberts MP has indicated that he does not support the application of Council's Housing Diversity Provision to land outside of the Sydney Metro Northwest Corridor, it is considered reasonable that the subject planning proposal progresses to finalisation as the proponent has expressed their commitment to incorporate housing diversity within their concept, and has done so since the planning proposal was lodged.

The Stage 1 and 2 development applications for the site which relate to the northern and southern buildings have already been lodged. Stage 3 which would apply to the townhouse development to the rear of the site has not as yet been lodged. Based on the plans submitted with the Stage 2 development application, the housing mix complies with Council's Housing Diversity provision which applies to development within the Sydney Metro Northwest Corridor. This provision requires a maximum of 25% 1 bedroom apartments (7% proposed) and a minimum of 20% 3+ bedroom apartments (46% proposed).

The development application plans would comply with the minimum proportion of larger 2 bedroom apartments however would not comply with the minimum proportion of larger 3 bedroom apartments. These requirements stipulate that 40% of 2 bedroom apartments to be larger than 110m² (66% proposed) and a minimum of 40% of 3 bedrooms to be larger than 135m² (3% proposed). Whilst there is a substantial shortfall in the proportion of 3 bedroom apartments that are over 135m² in area, the overall proportion of larger apartments within the development is 36% which exceeds the minimum 30% which would be anticipated for any development which incorporates housing diversity.

For the reasons outline above it is considered reasonable that the proposal progress to finalisation without the Housing Diversity Provision.

7. POST EXHIBITION AMENDMENTS

It is recommended that the planning proposal proceed to finalisation as exhibited. It is further recommended Draft DCP 2012 (Part B Section 6 – Business) be adopted, with a minor amendment to control 2.31.6 Public Transport to refer to the correct figure. The control should read as follows:

- Bus facilities including a public bus stop and bus bay are to be provided in conjunction with the development of the site, along the Old Northern Road frontage of the site. An indicative location for the bus facilities is shown in Figure B. Detailed plans to the satisfaction of Transport for NSW, RMS, Council and the relevant bus operators shall be submitted with any development application for the site.

8. RELATIONSHIP TO CURRENT DEVELOPMENT APPLICATIONS

There are two development applications currently under assessment for this site, including DA 979/2016/HB for the construction of a three storey retail and commercial building and DA 1017/2017/HC for a mixed use development containing 68 residential units and retail floor space.

It is noted that both development applications in their current form have some inconsistencies with the proposed development controls for example view corridor width, building height and access road widths. Compliance with the proposed development controls will be determined as part of the development assessment process with consideration given to the objectives of the DCP. Assessment of the development

application may (or may not) result in changes to the development. This planning proposal does not seek to pre-empt the outcomes of the development application.

DA 1017/2017/HC will facilitate the built form outcomes identified in this planning proposal. However, it is noted that the proposed building has a height of up to 20.9m, which will result in a variation of approximately 16% to the 18m height control proposed in this planning proposal. The applicant has already sought a variation to Council's draft building height standard under Clause 4.6 of LEP 2012. Should the applicant proceed with the development application in its current form, this application will require determination by Council given that the variation exceeds 10%.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future Community Strategic Plan

The planning proposal will facilitate a desirable living environment that meets growth targets. It is also consistent with the key strategy of managing new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.

RECOMMENDATION

1. Council progress the planning proposal, seeking the following amendments to LEP 2012 for land 488-494 Old Northern Road, Dural, to finalisation:
 - a. Amend the Height of Buildings Map from 10 metres to 18 metres for the southern portion of the land zoned B2 Local Centre and 14 metres for the northern portion of the land zoned B2 Local Centre; and
 - b. Amend the Floor Space Ratio Map from 0.75:1 to 1.22:1 across the whole of the land zoned B2 Local Centre.
2. The draft amendments to DCP 2012 (Part B Section 6 – Business) be adopted and come into force following the notification of the planning proposal on the NSW Legislation website.

ATTACHMENTS

1. Letter to the Department – Request for the Commencement of Negotiations to Deliver Housing Diversity Outside of the Sydney Metro Northwest Corridor (5 pages).
2. Letter from Minister for Planning – Response to Request for the Commencement of Negotiations to Deliver Housing Diversity Outside of the Sydney Metro Northwest Corridor (1 page).
3. Draft DCP 2012 (Part B Section 6 – Business) (78 Pages).

The logo for The Hills Shire Council, featuring the words 'THE HILLS' in large, bold, white capital letters on a dark grey background. To the left of 'THE HILLS', the words 'Sydney's Garden Shire' are written vertically in a smaller, white, sans-serif font.**THE HILLS SHIRE COUNCIL**

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ABN No. 25 034 494 656

10 January 2017

Ms Catherine Van Laeren
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 1/2016/PLP

Dear Ms Van Laeren

Housing Diversity – Outside of the Sydney Metro Northwest

Welcome to 2017 Catherine! Hope you have a happy and successful New year. The purpose of this letter is to follow up on our discussions late in 2016 regarding the need to determine a policy position for diversity and size standards for high density developments throughout The Hills Shire. Council really does need a mechanism to keep developers to their promises made in their Planning Proposals and a way to ensure the housing constructed will meet the current and future needs of the Hills Shire.

On 14 July 2016 a Gateway Determination was issued for a planning proposal (1/20916/PLP) which applies to land at 488-494 Old Northern Road, Dural. The Gateway Determination required Council to remove the proposed housing diversity provision from the planning proposal, prior to exhibition.

Since the above Gateway Determination was issued, Council and the Department have developed an agreed methodology and policy position with respect to future apartment development within the Sydney Metro Northwest Corridor. A copy of the letter from Gary White which outlines the agreed policy position for land within the Sydney Metro Northwest Corridor is included as an attachment to this letter. This policy position provides Council with certainty that at least 20% of future apartment development will be in the form of three (3) or more bedroom apartments and at least 30% of apartments will be at Council's apartment sizes. The provision will ensure the delivery of a mix of apartment sizes, which will give housing choice to suit the demographics, living needs and household budgets of the future Hills Shire population.

For proposals outside of the Sydney Metro Northwest Corridor, including the subject proposal and the planning proposal for the "Bull and Bush" site at Baulkham Hills (19/29016/PLP), site specific responses have been pursued to ensure the delivery of housing diversity. As per our previous discussions, it is recognised that this is not the most efficient approach as it requires apartment mix/size and housing diversity requirements to be enforced on a site by site basis for each individual planning proposal. It would be far more efficient for both Council and the Department to establish a consistent policy position which applies to all high density development as has been the case for land within the Sydney Metro Northwest Corridor.

In recognition of the conditions of the Gateway Determination, Council considered a report on planning proposal at its meeting of 13 December 2016 and resolved as follows:

- a) Council pursue Option 1 within this report and remove the proposed local provision Clause 7.10 'Residential Development Yield' from planning proposal (1/2016/PLP) in accordance with Condition 1 of the Gateway Determination;
- b) Council exhibit the planning proposal in accordance with the Gateway Determination;

- c) *Council commences negotiations with the Department of Planning and Environment to establish an agreed policy position on the delivery of housing diversity within The Hills Shire's high density areas outside of the Sydney Metro Northwest Corridor.*
- d) *The planning proposal be reported to Council, post public exhibition, once Council has reached an agreed policy position on housing diversity for land outside of the Sydney Metro Northwest Corridor with the Department of Planning and Environment.*

I am very mindful of the views expressed to Council by the NSW Minister for Planning the Honourable Rob Stokes. On a number of occasions now he has expressed a view that supports Council's policy outcome and while he did not want to undermine the integrity of SEPP 65, he was looking for a way that accommodated both the Council's and the State's objectives. Those views have been expressed to us all including our Mayor and former Mayor and they are looking for the respective Officers to deliver on it.

It is anticipated that the following matters will guide the preparation of an agreed policy position and methodology.

- Identify the housing we need (i.e. the right diversity of housing to meet the needs and expectations of the future Hills Shire community);
- Implementation of the housing diversity through a base and incentive FSR provision; and
- Achieving housing diversity whilst maintaining the integrity of the State Policies.

Attached to this letter is a potential methodology which could be applied for the implementation of the housing diversity provision for land outside of the Sydney Metro Northwest Corridor. The proposed methodology would apply a base density of 90 dwellings per hectare for land within a location where high density development is anticipated. This density reflects the upper end of the density range for the Suburban Centre typology (as per the Queensland's Transit Oriented Development Guide for Practitioners) which provides a density range of 30-80/100+ dwellings per hectare.

In recognition of there being two (2) planning proposals which are currently affected by this outstanding matter, it is requested that negotiations on an agreed methodology and policy position commence as soon as possible. I understand that this may need the involvement of the "Policy" section of the Department but your assistance will be greatly appreciated.

Thanks again Catherine for your assistance and advice to date. Please contact either myself on 9843 0105 or Stewart Seale, Manager Forward Planning on 9843 0260 to arrange a meeting to discuss this matter.

Yours faithfully



Michael Edgar
GROUP MANAGER - STRATEGIC PLANNING

Attach

1. Council Report and Minute, dated 13 December 2016.
2. Proposed Methodology – Housing Diversity Outside of the Sydney Metro Northwest Corridor.

Area to which the methodology applies

- The methodology is to apply to any planning proposals for land outside of the North West Rail Link Corridor Strategy (Cherrybrook, Castle Hill, Showground Road, Norwest, Bella Vista, Kellyville, Rouse Hill and Cudgegong Road).

Methodology for establishing base yield

- The base yield is the minimum number of units which must comply with SEPP 65.
- Densities are applied based on Queensland's Transit Oriented Development Guide for Practitioners.
- This methodology applies to centres that are not within the walking catchment of a railway station, however have some potential for high density residential development due to the sites' proximity to other services and facilities including bus services.
- Unlike the Sydney Metro Northwest Precincts, a sliding scale of density is not applied to determine the base density (as of right density). Justification for this is that public transport within these centres relies on bus stops which are generally distributed throughout the centres. Within these locations, it is assumed that if land is not within a reasonable proximity to sufficient services it should not be zoned for high density services.
- Any transition in height or density would occur through the application of the Floor Space Ratio incentive map.
- For the purpose of determining an appropriate base density, the Suburban Centre typology has been applied which anticipates a Density Range of 30-80/100+ dwellings per hectare

Type	Core (within 200 m of the station)	Primary walking catchment (within 400 m of the station and core)	Secondary walking catchment (within 800 m of the station and core)	Density range (dwellings per hectare)
City centre	High rise	High rise	High and medium rise	100+ / 300+
Activity centre	High and medium rise, depending on context	Medium rise, depending on context	Medium and low rise, depending on context	40+ / 140+
Specialist	Medium rise, depending on function	Medium rise, depending on function	Medium and low rise, depending on context	40+ / 120+
Urban	High and medium rise	Medium rise	Medium and low rise, depending on context	60+ / 180+
Suburban	Medium rise	Medium and low rise, depending on context	Low rise	30 – 80 / 100+
Neighbourhood	Medium and low rise	Low rise	Low rise	30 – 60 / 80+

- In recognition of the above, a density of **90 dw/ha** is applied which is the mid-point between the lower and higher density estimates.
- As a comparison, the following base densities were applied to land within the Sydney Metro Northwest Corridor through the sliding density scale method.

Walking Catchment	Dwelling Density
<200m	180 dw/ha
200m-400m	120 dw/ha
>400m	60 dw/ha

- As can be seen a density of 90 dw/ha would also be the mid-point between the 200m-400m and the >400m categories. In recognition that this provision will generally apply to lower order centres and locations with access to lower frequency public transport services than the Railway Precincts, the proposed base density is considered to be appropriate.

Methodology for establishing Base Floor Space Ratio

- Floor space ratio is a density control, so it is possible to translate the density figures above into floor space ratios that can be applied via the map in the local environmental plan.
- Base floor space ratios are established by assuming an apartment mix of 25% 1-bedroom, 55% 2-bedroom and 20% 3-bedroom apartments. This results in an average of 90m² per apartment (including circulation space) at SEPP 65 compliant sizes.
 - At 90 dw/ha (applicable to land where higher density development is anticipated), this delivers approximately 8,000m² (GFA) of apartment space, which equates to a floor space ratio of 0.8:1.
- Similar to the approach for land within the Sydney Metro North West Corridor, in order to ensure that there is no reduction in development potential as a result of a future planning proposal for high density development, the minimum floor space ratio should not be reduced to below the existing FSR applying to the relevant site.
- In relation to the above point, the following two (2) examples are provided:
 - Site A – A site is currently zoned R2 Low Density Residential with no applicable FSR standard within the relevant LEP. A planning proposal is lodged to rezone the site to R4 High Density Residential and apply an FSR of 1.2:1 to the site. In this instance a base FSR of 0.8:1 would be applied to the site as it is not subject to an existing FSR.
 - Site B - A site is currently zoned B2 Local Centre with an FSR of 1:1 and a planning proposal is lodged to apply an FSR of 2:1 to the site. The Base FSR that is applied to the site will be 1:1 as this is the existing FSR that currently applies to the site.

Bonus FSR

- The incentive FSR will be established by Council, having regard to the intended built form and density.
- Apartments will be provided in accordance with SEPP 65 up to the base FSR.
- Where the Bonus FSR is to be used the following Dwelling mix and apartment size provision shall apply.
 - Dwelling Mix – no more than 25% of all dwellings are studio or 1 bedroom; and at least 20% of all dwellings are 3 or more bedrooms.
 - at least 40% of all 2 bedroom dwellings and 40% of all 3 bedroom dwellings have a minimum internal floor area of 110 square metres and 135 square metres respectively. An indicative local provision is attached.

Clause 7.13

Insert after clause 7.12

7.13 Delivering Housing Diversity and Social Interaction on Land Outside of the Sydney Metro Northwest Corridor

- (1) The objectives of this clause are as follows:
 - (a) To support the provision of increased housing within the Shire's High Density areas at densities compatible with the future character of the surrounding uses;
 - (b) To ensure the provision of a mix of dwelling types in residential flat buildings and shop top housing, providing housing choice for different demographics, living needs and household budgets;
 - (c) To promote development that accommodates the needs of future households, consistent with the demographics and household structures of the Hills Shire;
- (2) This clause applies to land identified as "Area B" on the Floor Space Ratio Map.
- (3) Despite Clause 4.4, development consent may be granted for development that exceeds the floor space ratio shown on the Floor Space Ratio Map but no greater than the floor space ratio shown on the Floor Space Ratio Incentive Map only if the development provides:
 - (a) a Mix of Dwellings Types, and
 - (b) a Diversity of Housing.
- (4) In this clause:

Mix of Dwelling Types means a mix of apartment types, providing housing choice for different demographics, living needs and household budgets. In The Hills Shire, based on the demographic profile of the area, a development is considered to provide *Family Friendly Dwelling Mix* if no more than 25% of all dwellings are studio or 1 bedroom dwellings and at least 20% of all dwellings are 3 or more bedroom dwellings.

Diversity of Housing means a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. In The Hills Shire, a development is considered to provide **Diversity of Housing** if at least 40% of all 2 bedroom dwellings and 40% of all 3 bedroom dwellings have a minimum internal floor area of 110 square metres and 135 square metres respectively.

ATTACHMENT 2

**Anthony Roberts MP**

Minister for Planning, Minister for Housing, Special Minister of State

17/02286

Mr Dave Walker
General Manager
The Hills Shire Council
PO Box 7064
Castle Hill NSW 1765

BATCH NO:
TIME:

- 4 MAY 2017

THE HILLS SHIRE COUNCIL

Dear Mr Walker

Residential apartment development outside the North West Metro Rail Corridor

Thank you for your letter requesting negotiations to apply The Hills Shire Council's local incentives provision to land outside the North West Rail Corridor.

Improving housing affordability and increasing housing supply are key priorities of the NSW Government. The *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) is one of the primary tools being used to deliver these priorities. In addition, the certainty provided to stakeholders by SEPP 65 is instrumental in delivering faster housing approvals and making housing affordable.

The Department of Planning and Environment agreed to the implementation of Council's local provision within the North West Rail Corridor, on the basis its inconsistency with SEPP 65 and Section 117 Direction 6.3 Site Specific Provisions was justified by the extremely rapid growth and demographic change created by the North West Metro. The government appreciates planning for this change is a significant challenge, and the agreed methodology was put in place to assist Council in this transition.

The area outside of the corridor is not subject to the same rate of change. There are no special circumstances for the land outside the corridor that differentiate it from land elsewhere in metropolitan Sydney.

I am concerned that increasing the standards that apply to apartments will adversely impact on housing affordability and undermine the government's priority to delivery housing and increase supply. As such, I do not support the request.

If you have any further questions about this matter, please contact Mrs Catherine Van Laeren, Director, Sydney Region West, on (02) 9860 1520.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'AR', written over a blue circular stamp.

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

1 MAY 2017

The Hills Development Control Plan (DCP) 2012

www.thehills.nsw.gov.au

Attachment 3

THE
HILLS
Sydney's Garden Shire

DRAFT



Part B Section 6
Business

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INDEX

1. INTRODUCTION.....	1
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	1
1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP	1
1.3. HIERARCHY OF CENTRES	1
2. OBJECTIVES AND DEVELOPMENT CONTROLS	1
2.1. PRECINCT PLANS	1
2.2. SITE ANALYSIS	2
2.3. DEVELOPMENT SITES	3
2.4. FLOOR SPACE RATIO	3
2.5. SETBACKS	4
2.6. BUILDING HEIGHT	5
2.7. BUILDING DESIGN AND MATERIALS	6
2.8. SIGNAGE.....	7
2.9. HOURS OF OPERATION	7
2.10. ENERGY EFFICIENCY	8
2.11. BIODIVERSITY	8
2.12. EROSION AND SEDIMENT CONTROL.....	8
2.13. FENCING, LANDSCAPING AND TREE PRESERVATION	9
2.14. TERMINUS STREET CAR PARK	10
2.15. VEHICULAR ACCESS.....	10
2.16. CAR PARKING	11
2.17. BICYCLE PARKING.....	11
2.18. LOADING FACILITIES.....	12
2.19. PEDESTRIAN ACCESS AND MOVEMENT.....	13
2.20. PARENTING FACILITIES.....	13
2.21. STORMWATER MANAGEMENT.....	14
2.22. WASTE MANAGEMENT – STORAGE AND FACILITIES	15
2.23. WASTE MANAGEMENT PLANNING	16
2.24. HERITAGE	17
2.25. DEVELOPER CONTRIBUTIONS	17
2.26. SITE INVESTIGATION	18
2.27. POLLUTION CONTROL	18
2.29. WRIGHTS ROAD, KELLYVILLE LOCAL CENTRE.....	19
2.30. KENTWELL AVENUE AND CASTLE STREET, CASTLE HILL.....	20
2.31. 488-494 OLD NORTHERN ROAD, DURAL.....	23
2.32. SITE AT RMB104, RMB104A, RMB105 WINDSOR ROAD AND PART 1-3 WILKINS AVENUE, BEAUMONT HILLS	29
3. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION	35
3.1. OCCUPATION / CHANGE OF USE FOR INTERNAL ALTERATIONS.....	35
3.2. NEW DEVELOPMENTS, EXTENSIONS OR REDEVELOPMENT OF EXISTING SITES.....	36
APPENDIX A - PRECINCT PLAN MAPS	37
APPENDIX B - NORWEST BUSINESS PARK	51
APPENDIX C - BELLA VISTA PRECINCT	53
APPENDIX D - BELLA VISTA PHOTO MONTAGES.....	55
APPENDIX E - CHILD CARE CENTRES	59

E1.1	LAND TO WHICH THIS APPENDIX APPLIES	60
E1.2	AIMS AND OBJECTIVES OF THIS APPENDIX	60
E1.3	ROLE OF THE STATE GOVERNMENT	60
E1.4	DEPARTMENT OF COMMUNITY SERVICES	60
E1.5	DEVELOPMENT APPLICATION PROCESS	60
E2	OBJECTIVES AND DEVELOPMENT CONTROLS	62
E2.1	SITE REQUIREMENTS	62
E2.2	SITE ANALYSIS	63
E2.3	HOURS OF OPERATION	63
E2.4	SETBACKS	64
E2.5	INDOOR AREAS	65
E2.6	EXTERNAL PLAY AREAS	65
E2.7	BUILDING HEIGHTS	66
E2.8	BUILDING DESIGN AND STREETScape	66
E2.9	BUILDING MATERIALS	67
E2.10	PRIVACY – VISUAL AND ACOUSTIC	67
E2.11	DUAL USE DEVELOPMENTS (WHERE APPLICABLE)	68
E2.12	VEHICULAR ACCESS AND PARKING	69
E2.13	LANDSCAPING	69
E2.14	FENCING	70
E2.15	LIGHTING	70
E2.16	BUSH FIRE HAZARD MANAGEMENT	71
E2.17	ON SITE SEWAGE MANAGEMENT	71
E2.18	STORMWATER MANAGEMENT	71
E2.19	BUSHLAND AND BIODIVERSITY	72
E2.20	FOOD PREPARATION FACILITIES	72
E2.21	EROSION AND SEDIMENT CONTROL	73
E2.22	WASTE MANAGEMENT - STORAGE AND FACILITIES	73
E2.23	WASTE MANAGEMENT PLANNING	73
E3	INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION	73

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 DCP applies to all Business zoned land and land where commercial land uses are permissible under The Hills Local Environmental Plan 2012.

1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP

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

OBJECTIVES

- (i) *To promote a distinctive and high quality employment environment attractive to a range of business and commercial developments.*
- (ii) *To provide opportunities for a range of commercial, business and retail development which will contribute to the economic, employment and social growth of the area.*
- (iii) *To encourage innovative and imaginative design with particular emphasis on the integration of buildings and landscaped areas which incorporate the principles of Ecologically Sustainable Development.*
- (iv) *To provide a range of locational and development opportunities to suit a variety of business needs within a flexible employment zone.*
- (v) *To provide for the conservation of Bella Vista Farm Park and the protection of significant views to and from the Park.*
- (vi) *To ensure that the Shire is served by an efficient transport system for the movement of people and goods and to provide for integration with existing and future transport systems operating in the region.*

1.3. HIERARCHY OF CENTRES

Refer to Council's Centres Direction.

2. OBJECTIVES AND DEVELOPMENT CONTROLS

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

In addition to those 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
- Part C Section 6 - Flood Controlled Land
- Part D Section 6 - Rouse Hill Regional Centre

2.1. PRECINCT PLANS

OBJECTIVES

- (i) *To ensure the development of specific commercial/retail areas is consistent with the precinct plans adopted by Council for the wider business area.*
- (ii) *To provide for the orderly development of commercial/retail land.*
- (iii) *To provide development controls for particular areas to recognise the specific constraints or characteristics of these areas.*

DEVELOPMENT CONTROLS

- (a) Precinct plan maps should be referred to in addition to this written Section to ensure the proposed development is consistent with the planned character and development of the area. These maps are contained within Appendix A – Precinct Plan Maps to this Section and apply to the following areas:-
 - i. Terminus St, Castle Hill;

- ii. Old Castle Hill Rd/McMullen Ave, Castle Hill;
- iii. Old Northern Rd/Hill St, Baulkham Hills;
- iv. Coonara Ave, West Pennant Hills;
- v. Old Northern Rd, Glenorie;
- vi. Windsor Rd, Kellyville;
- vii. Old Northern Rd, Baulkham Hills;
- viii. Kenthurst Rd/Old Northern Rd, Dural;
- ix. Lawndale Ave/North Rocks Rd, North Rocks;
- x. Campbell St, Northmead;
- xi. Terminus Street Car Park;
- xii. Wrights Road retail precinct, Kellyville;
- xiii. Kentwell Ave and Castle St, Castle Hill; and
- xiv. Norwest Business Park (Also, refer to Appendices A – Precinct Plan Maps to D – Bella Vista Photo Montages in this Section)

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 developments relate to their immediate surroundings and to each other.*
- (iii) *To facilitate development of a design that minimises 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 these reserves.
- (d) 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.
- (e) Land with a slope greater than 20% is not suitable for development.
- (f) Development applications for proposals on land with a slope of between 15-20% must be accompanied by a geotechnical report.
- (g) Development on land adjoining Bella Vista Farm Park should incorporate measures (such as setbacks and buffers) to minimise any impact on the Bella Vista Farm Park.

SUBMISSION REQUIREMENTS

- Site Plan, including an indication of how social and environmental issues have been considered in the design.
- Site Analysis.

2.3. DEVELOPMENT SITES**OBJECTIVES**

- (i) *To ensure development sites have sufficient area to provide adequate access, parking, landscaping and building separation in accordance with Council's ESD objective 7.*
- (ii) *To provide for the orderly development of land through subdivision or the consolidation of lots.*
- (iii) *To provide a satisfactory relationship between buildings, landscaping areas and adjoining developments in accordance with Council's ESD objective 7.*
- (iv) *To ensure that development occurs only where adequate sewer, water, drainage, energy supply and telecommunications are available to the satisfaction of the relevant authorities.*
- (v) *To minimise stormwater runoff and provide for on-site groundwater recharge in accordance with Council's ESD objective 3.*

DEVELOPMENT CONTROLS

- (a) The minimum site frontage requirement is 18 metres, except in Balmoral Road Release Area where the minimum road frontage is 60 metres.
- (b) Development should ensure that adequate provision has been made for water, sewerage, energy supply, telecommunications and stormwater drainage to the satisfaction of the relevant authorities.
- (c) Development consent will not be granted until arrangements satisfactory to the relevant authorities are made for the provision of services.
- (d) All services shall be underground and the installation of services should occur in a co-operative manner for efficiency and to minimise ground disturbance.
- (e) Consent may not be granted to an application that isolates an area of land that does not meet the minimum site area requirements.
- (f) For development located in the Norwest Business Park, the maximum site coverage is 50 percent. (Refer to Appendix B in this Section).
- (g) For child care centres, refer to Appendix E.

SUBMISSION REQUIREMENTS

- Site Plan - site coverage calculations (excluding uncovered car parking areas and driveways) with supporting site plan showing the location and size of the proposed buildings/structures.
- Site Analysis Plan
- Evidence of suitable arrangements with the following are required to be submitted with development applications:
 - Sydney Water Corporation 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.

2.4. FLOOR SPACE RATIO

Refer to Clauses 4.4 *Floor Space Ratio* and 4.5 *Calculation of floor space ratio and site area* of The Hills Local Environmental Plan 2012 written instrument and Floor Space Ratio Maps.

DEVELOPMENT CONTROL

- (a) The total retail gross leasable floor area of all buildings within B2 Local Centre located in the Norwest Business Park (commonly referred to as Norwest Marketown) is not to exceed 15,000m².

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.

2.5. SETBACKS**OBJECTIVES**

- (i) *To provide an attractive streetscape and substantial areas for landscaping and screen planting.*
- (ii) *To ensure adequate sight distance is available for vehicles entering and leaving the site.*
- (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.*
- (vi) *To ensure endangered ecological communities are protected.*

DEVELOPMENT CONTROLS

For all business zoned land except Norwest Business Park:

- (a) All single and two storey retail/commercial development located along a public road may utilize a zero setback, other than in those site specific areas specified on the precinct plan maps contained in Appendix A of this Section.
- (b) For buildings greater than two storeys or 8 metres in height, the remaining storeys are to be setback within a building height plane of 45° starting from a height of 8 metres.
- (c) Where any proposed development is opposite or adjacent to Residential, Special Purpose or Recreation zones, the building shall be setback a minimum of 6 metres, or as specified on the precinct plan maps contained in Appendix A to this Section. This area is to be used exclusively for landscaping and screening purposes or for the protection of endangered ecological communities present on a site.
- (d) Redevelopment of any commercial/retail development, operating under existing use rights in a residential zone, will be required to comply with the residential setback applying to the locality.
- (e) Council will require written concurrence from Integral Energy for developments proposed within an electricity easement.

- (f) The setback to a creek is to be no less than 40 metres from the top of the bank of the creek or otherwise to the requirements of the Office of Environment and Heritage.
- (g) Where a development site is affected by a road widening proposal the minimum setback will be measured from the proposed new alignment of the road.

For land zoned B7 Business Park in Norwest Business Park:

- (h) The building setback to all public roads is to be a minimum of 20 metres except where provided below.
- (i) In the case where the development site has two or more public road frontages, the setback to the principal road frontage (as determined by Council) shall be a minimum of 20 metres and 50% of the depth of setback areas to the other road frontages may be used for car parking provided the first 10 metres is formally landscaped to screen that car parking.
- (j) The building setback on corner sites is to be splayed to provide adequate sight distance at the road intersections.
- (k) The setback to side and rear boundaries where the adjoining land use is of an industrial, business or commercial nature shall be a minimum of 10 metres except in the case of car parking where a 5 metre setback applies provided the first 5 metres is landscaped to screen that car parking.
- (l) The side and rear building setbacks from property boundaries adjoining land zoned for residential, rural or open space purposes shall be a minimum of 15 metres. This area is to be exclusively used for landscaping.
- (m) The building setback for property boundaries adjoining the Bella Vista Farm Park conservation area shall be a minimum of 15 metres. The setback area is to be landscaped to screen the development from view from within the Farm, but so as not to obscure significant views available to and from the Farm. Car parking is not permitted within this setback.
- (n) The building setback areas are not to be used for the display or storage of goods / materials.

- (o) The setback to lakes, creeks and other water features may be considered on merit subject to the requirements of the Department of Planning.
- (p) All building setbacks are to be landscaped in accordance with section 2.13 of this Section of the DCP.

For land zoned B2 Local Centre in Norwest Business Park:

- (q) The building setback to roads within land zoned B2 Local Centre and the area identified as the Norbrik Neighbourhood Business Centre are to be considered on merit.
- (r) The setback to lakes, creeks and other water features may be considered on merit subject to the requirements of the Office of Environment and Heritage.
- (s) All building setbacks are to be landscaped in accordance with section 2.13 of this Section of the DCP.

SUBMISSION REQUIREMENT

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

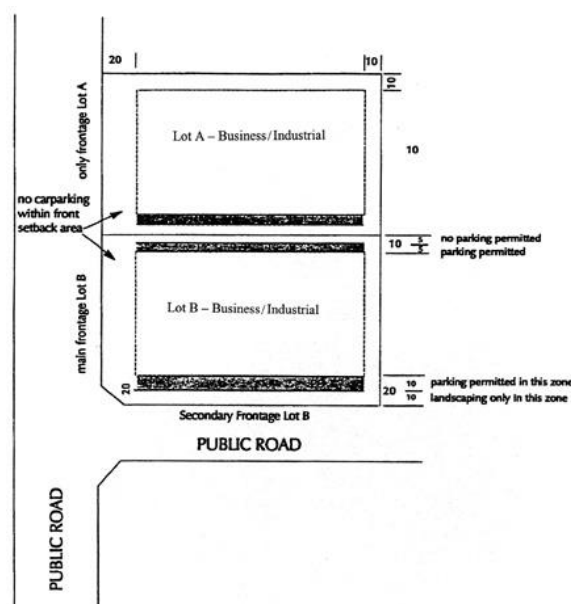


Figure Typical setbacks

2.6. BUILDING HEIGHT

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 in accordance with Council's ESD objective 7.
- (iii) To minimise overshadowing of adjoining allotments.
- (iv) To retain significant views to and from the Bella Vista Farm conservation area, in particular the following:
 - Vistas from the Homestead generally south.
 - Vistas from the outer farmyard generally north.
 - Views into the site from the former alignment of Old Windsor Road.
 - Views into the site from Norwest Boulevard.
 - Distant views to the site from the Castle Hill Seventh Day Adventist Church site and Pearce Family Cemetery.

DEVELOPMENT CONTROLS

- (a) Refer to Clause 4.3 Height of buildings, Clause 5.6 Architectural roof features and Height of Buildings Maps in The Hills Local Environmental Plan 2012.
- (b) The maximum height of buildings within the B2 Local Centre zone shall be 3 storeys or as specified on the precinct plan maps contained in Appendix A to this Section of the DCP.
- (c) For development not in the B2 Local Centre zone, the maximum height of buildings shall be 2 storeys.
- (d) For development within the B7 Business Park zone, located in Coonara Avenue, West Pennant Hills, identified on Sheet 4 of the precinct plan maps, no building shall have more than 4 floors.
- (e) Where a building creates overshadowing of an adjoining property the roof shall be designed so as to minimize shadow effects.

For land in Norwest Business Park:**Views from Bella Vista Farm Park**

- (f) Views and vistas available from Bella Vista Farm Park as shown above the dotted line on the photomontages in Appendix D 4 shall be retained in any re-development of lands surrounding Bella Vista Farm Park.

Views to Bella Vista Farm Park

- (g) No structure is to be erected within the hatched area marked A on the Development Control Plan map in Appendix C of this DCP Section.
- (h) The height of any built structure within the view corridors marked B and C shall not intersect a plane generated by a straight line drawn from the survey points noted on Old Windsor Road and the survey points noted within the Bella Vista Farm Park as shown in Appendices C and D of this Section of the DCP.

Note. The intent of these controls is to ensure that views of the Homestead and the prominent ridgeline to the south are visible when viewed from the specific locations along Old Windsor Road and the Pearce Family Cemetery (Lot 100 DP 707538).

SUBMISSION REQUIREMENTS

- Views/vistas via cross sections, elevations, photomontages, and 3D computer modelling.
- Shadow Diagrams where the proposed development is greater than 2 storeys (8 metres) and adjoins residential development.

2.7. BUILDING DESIGN AND MATERIALS

OBJECTIVES

- (i) *To ensure business developments are of a high quality and demonstrate an appreciation for urban design.*
- (ii) *To promote integrated, visually harmonious and attractive buildings in commercial/retail areas.*
- (iii) *To promote the use of materials that involve minimal impact on the environment in accordance with Council's ESD objective 5.*

- (iv) *To protect the privacy and amenity of any adjoining residential properties.*
- (v) *To ensure the design and layout takes into account the safety of occupants and visitors to the site.*
- (vi) *To ensure the design permits surveillance of the site to discourage vandalism and criminal activity in commercial and retail areas.*

DEVELOPMENT CONTROLS

- (a) All building construction must comply with the Environmental Planning & Assessment Act 1979 (EP & A Act) and the Building Code of Australia.
- (b) All external walls of buildings shall be constructed of brick, glass, pre-cast exposed aggregate panels of similar material. However, use of new materials that generate a lower environmental cost will be considered on their merits. Under no circumstances will masonry block work be permitted on external walls.
- (c) Design of buildings shall give consideration to the privacy of adjoining residential development.
- (d) Balconies/terraced areas adjacent to residential zones shall be suitably screened to prevent overlooking and privacy impacts on adjoining properties.
- (e) Natural ventilation is preferred, however where mechanical ventilation is necessary any roof ventilators, exhaust towers, hoppers and the like should be located so as not to be visible from any public place or residential area. Where feasible, the design of such items should be complementary to the design and appearance of the building as a whole.
- (f) Consideration should be given to use of low reflectivity building materials on building facades.
- (g) 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 (e.g. polyurethane).
- (h) Select materials that will minimise the long-term environmental impact over the whole life of the development.

- (i) 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.
- (j) Choice of materials should be based on consideration of both their environmental and economic costs.
- (k) In accordance with the "Designing Safer Communities Guidelines" buildings should be designed with visible entrances, no entrapment spaces and utilise anti-graffiti surfaces.

For land in Norwest Business Park:

- (l) 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.
 - Life cycle assessment.
- (m) All building materials are to complement landscaped areas and ensure a high standard of visual and environmental quality.
- (n) Attractive building designs can be achieved at comparatively low cost and applicants are encouraged to consider variations in fascia treatments, rooflines and selection of building materials to achieve an attractive and functional design.
- (o) External finishes of building facades to street frontages are to be constructed of colours and textures that are compatible with surrounding developments and landscape features.
- (p) The roof colour of any built structure to be located south of Norwest Boulevard, and which will be easily viewed from the Bella Vista Farm conservation area shall be of a dark, non-reflective colour (such as dark grey or green).
- (q) 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.

- (r) Building design should ensure building entrances are visible and discourage entrapment.
- (s) Appropriate lighting and signage is to be provided to identify and promote use of safe access routes.

SUBMISSION REQUIREMENTS

- Site plan showing the design of buildings and measures to promote safety.
- Schedule of external finishes.
- Streetscape Perspective including landscaping.

2.8. SIGNAGE

Refer to Part C Section 2 – Signage of The Hills DCP 2012.

2.9. HOURS OF OPERATION

OBJECTIVE

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

DEVELOPMENT CONTROLS

- (a) Proposed hours of operation must take into account the operation of loading docks, waste collection services and the use of cleaning/maintenance vehicles, out of hours.
- (b) For land in Norwest Business Park, construction of developments within the area to which this plan applies is to be restricted to 7.00 am to 6.00 pm Monday to Saturday with no work or activity to be carried out on Sundays or Public Holidays.
- (c) For land in Norwest Business Park, hours of operation for developments on land to which this Section of the DCP applies may be 24 hours, 7 days per week provided operations do not adversely affect adjoining properties or businesses.
- (d) Justification is required to be submitted for the hours of operation and which address noise or

other operational issues arising from particular developments. Conditions may be imposed to ameliorate any impact on the adjoining land uses.

- (e) For child care centres, refer to Appendix E - Child Care Centres in this Section.

SUBMISSION REQUIREMENTS

- Details of days and hours of operation are to be provided in the development application with the statement of environmental effects. This is to include a justification for the proposed hours of operation.
- 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.

2.10. ENERGY EFFICIENCY

Energy efficient design 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 in accordance with Council's ESD objective 5.
- (ii) To require building designs that will minimise energy needs and utilize passive solar design principles in accordance with Council's ESD objective 5.

DEVELOPMENT CONTROLS

- (a) The design of all buildings shall demonstrate passive solar design principles i.e.
- Window placement;
 - Building orientation;
 - Shading;
 - Insulation;
 - Thermal mass;

- Ventilation; and
- Incorporation of suitable landscaping.

- (b) All buildings shall achieve as a minimum a 4 star Building Greenhouse rating with respect to energy efficiency. Details of the rating for each building are to be provided with the development application.

Note. Advice on the Building Greenhouse rating can be obtained from the Office of Environment and Heritage or the Australian Building Greenhouse Rating website www.abgr.com.au. 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.

For land in Norwest Business Park:

- (c) 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.
- (d) 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; and
 - The capability of the roof to accommodate, or to be easily reinforced so it can accommodate solar panels and/or other relevant equipment.

SUBMISSION REQUIREMENT

- Details of energy efficiency measures are to be provided in the development application.

2.11. BIODIVERSITY

Refer to Clause 7.4 *Biodiversity (Terrestrial)* of The Hills LEP 2012.

2.12. EROSION AND SEDIMENT CONTROL

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

OBJECTIVES

- (i) *To minimise land degradation, water pollution and damage of infrastructure from erosion and accumulated sediment in accordance with Council's ESD objective 3.*
- (ii) *To provide development controls for all stages of development and to ensure a consistent approach to erosion and sediment control in accordance with Council's ESD objective 3.*

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 undertaken 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

2.13. FENCING, 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 and vegetation is retained and integrated into the design of the development in accordance with Council's ESD objective 4.*
- (iii) *To ensure that 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.*
- (vi) *To ensure that fencing does not detract from the overall visual amenity and character of retail and commercial areas.*

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.
- (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 (Kikuyu is prohibited in any landscaping or lawn area).
- (e) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 - Landscaping.
- (f) Grassed embankments are not to exceed a 1:6 slope.
- (g) All landscaped areas are to have a minimum width of 2 metres.
- (h) In accordance with the "Designing Safer Communities Guidelines" landscaping should incorporate natural surveillance, good sightlines, lighting and active use of open space.
- (i) Endangered ecological communities are to be preserved and maintained in accordance with a Vegetation Management Plan.
- (j) For child care centres, refer to Appendix E in this DCP Section.

For land in Norwest Business Park:

Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 – Landscaping and the following:-

- (k) Grassed embankments are not to exceed a 1:6 slope, while vegetated embankments planted with soil stabilising species may be as steep as 1:3.
- (l) Earth mounding is desirable within setback areas to reduce noise-associated impacts.
- (m) Landscape treatments are to harmonise with building designs and should consist of trees, shrubs, groundcovers and grass.
- (n) 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.
- (o) Any development of land south of Norwest Boulevard shall ensure that the landscape treatments:-
 - Are based on an understanding of the development of the cultural landscape, and interpret where possible former plantings (refer to Section 10.5 of the Bella Vista Farm Conservation Management Plan, 2000).
 - Will not obscure significant views to and from the Bella Vista Farm Park when mature.
 - Utilise plantings endemic to the area to screen views of the proposed building and all associated hard paved areas (such as car parks, loading areas and driveways).
- (p) No fencing, other than of a low, ornamental type may be erected within the setback area to any road.
- (q) Fencing along rear boundaries adjacent to drainage or open space land shall be integrated with any landscaping of the required building setback area.
- (r) All chain-wire fencing is to be black or dark green in colour.
- (s) Pre-painted solid, metal fencing is not acceptable because of its poor visual appearance.
- (t) Fencing immediately adjoining the Bella Vista Farm Park conservation area shall generally be of simple, low-level, rural type design of timber construction or as otherwise specified by Council.

SUBMISSION REQUIREMENTS

- Landscaping plan.
- Tree Management Details.
- Fence details including a materials and colours schedule.
- A Vegetation Management Plan prepared by an appropriately qualified Bushland Management Consultant is to be submitted with Development Applications where endangered ecological communities exist.
- Fencing details for the site, clearly showing the location, height and type of fencing.

2.14. TERMINUS STREET CAR PARK

Refer to Part D Section 11 – Terminus Street Precinct.

2.15. VEHICULAR ACCESS

OBJECTIVES

- (i) To ensure the safety of all road users in commercial/retail areas.
- (ii) To ensure that vehicles can enter and exit sites in a safe and efficient manner.
- (iii) To promote the orderly redevelopment of land having frontage to a main road.
- (iv) To maintain the performance of roads that provides an arterial or sub-arterial function.

DEVELOPMENT CONTROLS

- (a) Vehicular access to main roads shall not be permitted where alternative access is available or can be acquired.
- (b) 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 network.
- (c) Vehicular ingress and egress to the site must be in a forward direction at all times.
- (d) All internal driveways, circulation and parking areas are to be sealed with a hard-stand, all-weather material that complies with Council's "Work Specification Subdivision/ Development" policy.

- (e) All roads intended to be dedicated to Council as public roads shall be constructed to Council's requirements.
- (f) 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;
 - Sight distances are to be in accordance with Part C Section 1 – Parking of this DCP and Council's Design Guideline for Subdivisions/Developments.

For development within the business zone:-

- (g) Located on the western side of Post Office Road, Glenorie, vehicular access shall be restricted and future access roads provided, as specified on Map Sheet No.5.
- (h) Located on the northern side of Windsor Road, Kellyville provision shall be made for rights of carriageway as specified on the Map Sheet No.6.
- (i) Located on the northern side of Wrights Road, Kellyville vehicular access shall be provided as specified on the development control map, Map Sheet No.12 to align with entry/exit from Wrights Road Reserve.
- (j) All internal roadways are to have a minimum width suitable to the proposed activities of the site. Road widths will be assessed on the individual merits of the road design and layout, and subject to approval by Council.
- (k) In addition to the above, all development in the Norwest Business Park should ensure that access to the site is via internal roads. Restrictions on access to development sites from Old Windsor Road, Windsor Road and parts of Norwest Boulevard are as indicated on the map in Appendix B of this Section of the DCP.

SUBMISSION REQUIREMENTS

- 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.

2.16. CAR PARKING

OBJECTIVES

- (i) *To ensure the safety of all road users in commercial/retail areas.*
- (ii) *To ensure that all car parking demands generated by the development are accommodated on the development site.*
- (iii) *To ensure the free flow of traffic into and out of the development 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 in accordance with Council's ESD objective 7.*

DEVELOPMENT CONTROLS

Design standards for car parking and manoeuvring areas together with more details on provision rates for specific land uses are contained in Part C Section 1 - Parking. The location and design of driveways and parking areas should enable the opportunity for landscape screening.

SUBMISSION REQUIREMENTS

- Site Plan showing the number of car parking spaces and calculations.
- Dimensions of all parking spaces and driveway widths.
- Details of the proposed number of employees.

2.17. BICYCLE PARKING

Cycling is a healthy, low cost, environmentally friendly form of transport which 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 and redeveloping commercial/business centres. For all land zoned business (except Norwest Business Park), bicycle facilities are required to be provided for:-
 - Any new commercial/retail development, which exceeds 5,000m² in GFA; and
 - Any extensions to existing commercial/retail developments which will have the effect of increasing the size of the total development to greater than 5,000m².
- (b) For developments in Norwest Business Park: bicycle parking facilities are required for all new developments. At a minimum these facilities are required to be provided for: -
 - Any new development, which exceeds 4,000m² in GFA.
 - Any developments which will have the effect of increasing the size of the total development to greater than 4,000m².
- (c) 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.
- (d) Bicycle parking should be located in close proximity to the building's entrance and clustered in lots not exceeding 16 spaces.
- (e) 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.
- (f) Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frames or other components.
- (g) Bicycle parking facilities should be located in highly visible, illuminated areas to minimise theft and vandalism.
- (h) 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.
- (i) 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.

- (j) Racks must not be placed so close to any wall or other obstruction so as to make use difficult.
- (k) 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.
- (l) Consideration should be given to providing staff change rooms and washing facilities.

SUBMISSION REQUIREMENTS

- Documentation to demonstrate bicycle facilities.

2.18. LOADING FACILITIES**OBJECTIVES**

- (i) *To ensure that adequate areas are set aside on site to allow for the safe and efficient manoeuvring of delivery and service vehicles.*
- (ii) *To ensure that loading facilities required in association with developments do not detract from the amenity of nearby public spaces and residential land uses.*
- (iii) *To ensure no interference is caused to off-street car parking arrangements.*

DEVELOPMENT CONTROL

- (a) Loading docks shall be located so they are not visible from adjoining residential areas and do not transmit excessive noise to adjoining residential areas.
- (b) Provision of loading docks is to be commensurate with the size and nature of the development proposed.
- (c) Where a residential development and commercial development occupy the same site or development, loading docks are to be suitably sized for waste collection vehicles by Council and its contractor.
- (d) The number of loading bays required for supermarkets, department stores, mixed small shops and offices is specified in DCP Part C Section 1 - Parking. For all other permissible development, there is to be a minimum one

loading dock space, suitable to the size of the development.

- (e) 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.
- (f) For land in Norwest Business Park, the minimum number of loading bays required shall be in accordance with the provisions in Part C Section 1 – Parking of this DCP.

SUBMISSION REQUIREMENTS

- Plans and details of proposed delivery access and circulation detailing vehicular/truck movements, size, time layouts and turning circles.
- Plans and details that demonstrate the loading dock facilities are adequate to serve the development.

2.19. 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.*
- (iii) *To promote incorporation of pedestrian safety and convenience in all aspects of development design.*

DEVELOPMENT CONTROLS

- (a) Car parking spaces and layout should be designed to accommodate the limited mobility needs of visitors in regard to prams, wheelchair access and people with disabilities, by providing room for loading and unloading of wheelchairs & prams 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 2100mm 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) In accordance with the “Designing Safer Communities Guidelines” pathways should be open to provide greater visibility and be well-lit at night.
- (g) Proposed development in Norwest Business Park should provide clearly defined pedestrian pathways:
 - Between proposed developments.
 - Along sub-arterial or arterial roads.
 - As links to proposed North West Rail Link and North West T-way stations.

SUBMISSION REQUIREMENTS

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

2.20. PARENTING FACILITIES

OBJECTIVES

- (i) *To provide convenient, comfortable and quiet areas for parents to feed and care for their children in privacy.*
- (ii) *To provide easily accessible parenting facilities in business/commercial developments within the Shire.*

DEVELOPMENT CONTROLS

- (a) Parenting rooms are to be provided for:-
 - All new retail developments which exceed 3,000m² in floor area;

- Any extensions to existing retail developments which will have the effect of increasing the size of the total development to greater than 3,000m²; and
- (b) Parenting rooms should provide users with the following services and facilities:-
 - A quiet convenient place for parents to feed children in privacy;
 - Comfortable seating, preferably armchair style and couches for twins;
 - An allocated area safe and clean to change nappies;
 - A curtained breastfeeding area to maintain privacy of breast feeding women so that male carers of infants can access the area without disturbing breast feeding mothers;
 - Provision of warm and cold water and hand drying facilities;
 - Bottle warming facilities;
 - Waste containers with tight fitting lids;
 - A smoke free zone;
 - Easy pram/stroller access;
 - Adequate clear signage to identify the room/facility and such signage is not to include symbols such as stylized baby's bottles;
 - Directional signage to identify the location of the room/facility;
 - Entry doors which are light to push, and have the ability to be propped open for pram and wheelchair access, but not automatic as toddlers can escape;
 - Toddler toilet with low mirror and low wash basin with automatic cut off taps;
 - Hot water thermostat regulators to be installed on taps;
 - Comfortable lighting and ventilation or air conditioning;
 - Disposable cup dispenser; and
 - Separate male and female toilets with sufficient additional space within each cubicle for a pram or a stroller.

2.21. STORMWATER MANAGEMENT

OBJECTIVES

- (i) *To ensure that commercial/retail development does not impact on the water quality of adjacent properties or creeks in accordance with Council's ESD objective 2.*
 - (ii) *To ensure that development does not increase downstream flooding.*
 - (iii) *To encourage reuse, recycling and harvesting of stormwater to reduce wastage of water in accordance with Council's ESD objective 2.*
 - (iv) *To encourage the re-use of stormwater for the irrigation of landscaped areas, particularly during establishment periods in accordance with Council's ESD objective 2.*
 - (v) *To provide for the disposal of stormwater from the site in efficient, equitable and environmentally sensible ways.*
- DEVELOPMENT CONTROLS**
- (a) Water Sensitive Urban Design (WSUD) principles shall be employed in the management of the site's/development's stormwater in terms of water retention, reuse and cleansing.
 - (b) In all development, two of the following water sensitive urban design measures must be implemented in the development:-
 - M1 Low Impact Building Design
 - M2 Low Impact Landscape Design
 - M3 Porous Paving
 - M4 Rainwater Utilisation – toilet, hot water
 - M5 Grey Water Utilisation – toilet
 - M6 On-site Infiltration System
 - M7 Stormwater Treatment System
 - M8 Infiltration or Retention Basin
 - M9 Stormwater Utilisation – irrigation
 - M10 Grey Water Utilisation – irrigation
 - (c) For development in Norwest Business Park, two of the measures M1 to M8 inclusive must be implemented. Details on the actions required to implement each of these measures is included in Appendix B – Water Sensitive Urban Design of The Hills DCP 2012.
 - (d) No adverse effects are to be experienced by downstream landowners from discharges from site that slope down from the fronting street.
 - (e) Discharge points are to be accessible for water quality testing.
 - (f) 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.

- (g) On-site detention may be required to Council's satisfaction to counteract an increase in stormwater runoff.
- (h) Where required, on-site detention (OSD) plans will be required to be submitted with the development application. OSD plans are to be prepared in accordance with the Upper Parramatta River Catchment Trust OSD Handbook, (which also includes controls for the Hawkesbury/Nepean Catchment) by a suitably qualified design consultant.
- (i) Concentrated stormwater flows must be connected to Council's drainage system. In some cases this may require the creation of drainage easements over downstream properties. In this circumstance, a letter of consent from the owner(s) of the downstream properties is to be submitted with the development application. Development consent will be conditional upon registrations of the created easement.
- (j) Reference should be made to the Restriction As to User on the title of the land, or the development consent to which the development is proposed in relation to requirements for on-site detention.
- (k) The design of drainage systems is to be in accordance with Council's Design Guidelines for Subdivisions/Developments.
- (l) Natural drainage lines and creeks should be retained.
- (m) The piping of creeks is not encouraged.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Plans 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 operative development consent.



Wetland To Improve Water Quality

2.22. 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 commercial waste according to the waste hierarchy as given in Council's ESD Objective 6 – reduce, reuse and 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 commercial 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) Where a residential development and commercial development occupy the same site or development, the waste handling, storage and collection systems for residential and commercial waste are to be completely separate and self-contained.
- (c) All waste must be removed at regular intervals and not less frequently than once per week.
- (d) All waste storage areas must be screened from view from any adjoining residential property or public place.
- (e) Waste storage areas must be kept clean, tidy and free from offensive odours at all times.

SUBMISSION REQUIREMENTS

- Waste Management Plan (WMP).
- Appendix A of The Hills Shire DCP 2012 contains a Waste Management Plan Template that can assist in the preparation of a Waste Management Plan.
- 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.
 - State the destination for waste produced.
- A Trade Waste Licence is required for the disposal of wastewater from any proposed retail or commercial 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 at the Section 73 Certificate application stage.

2.23. 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.*

A 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.

B 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

2.24. HERITAGE**OBJECTIVES**

- (i) *To provide for the conservation of Bella Vista Farm and its cultural landscape consistent with the Bella Vista Farm Conservation Management Plan (2000).*
- (ii) *To ensure that the development of land in the vicinity of Bella Vista Farm is undertaken in a manner that has regard to the significance of the site and minimises the visual impact upon the Farm.*
- (iii) *To ensure that the development of land within the vicinity of the Bella Vista Farm does not isolate the item from its context, thereby retaining its significance.*

DEVELOPMENT CONTROLS

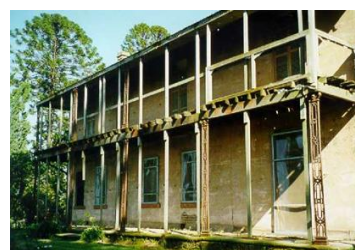
- (a) All development should be in accordance with Part C Section 4 – Heritage and Clause 5.10 *Heritage Conservation* of The Hills LEP 2012.
- (b) Applications for development on any land adjoining the Bella Vista Farm conservation area are to be accompanied by a heritage impact assessment prepared in accordance with Part C Section 4 – Heritage and The Hills

LEP 2012, in particular those provisions relating to development in the vicinity of a heritage item.

- (c) The assessment is to demonstrate how the development will mitigate any adverse visual or other impacts upon the adjacent Farm, and what measures are to be employed to achieve this. Matters to be addressed shall include the building design, materials, colours, finishes and landscaping of any proposal, and the impact upon significant views to and from the Farm.
- (d) In preparing the Heritage Impact Assessment consideration is also required to be given to the objectives and related conservation policies of the Bella Vista Farm Conservation Management Plan (2000). The assessment is to demonstrate how the related policies have been addressed and adhered to, in particular Section 10.5 – ‘Conservation of the Setting Policy’.

SUBMISSION REQUIREMENTS

- A Heritage Impact Assessment for the re-development of those properties adjacent to the Bella Vista Farm conservation area.
- Details of all building and landscape materials, colours and finishes.



Southern Elevation –
“Bella Vista” Homestead

2.25. DEVELOPER CONTRIBUTIONS

Applicants should consult with Council's Section 94 Contributions Plans or contact Council's Infrastructure and Release Areas Team to ascertain rates that apply.

2.26. SITE INVESTIGATION**OBJECTIVE**

- (i) *To conserve and protect the health and well being of residents and visitors of the Shire.*

DEVELOPMENT CONTROLS

- (a) A contamination assessment report is to be submitted with any Development Application for the Wrights Road precinct as referred to on Sheet 12 in Appendix A to this Section of the DCP.
- (b) A validation report will be required at the completion of works to ensure the remediation is sufficient to enable appropriate use of the site.

2.27. POLLUTION CONTROL**OBJECTIVES**

- (i) *To ensure that pollution sources are contained on site and not transmitted to non-compatible land uses, in accordance with Council's ESD objective 1.*
- (ii) *To ensure the environmental and social qualities of the surrounding areas are maintained, in accordance with Council's ESD objective 7.*

DEVELOPMENT CONTROLS

- (a) 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.
- (b) Certain uses may be required to be licensed under the Protection of the Environment Operations Act 1997.
- (c) 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.
- (d) The use of mechanical plant and equipment may be restricted where sites are located near existing and proposed residential areas.

- (e) Incinerators are not permitted for waste disposal.

SUBMISSION REQUIREMENT

- Documentation and plans indicating the proposed pollution control measures and their effectiveness.

2.28. BULKY GOODS PREMISES - ADDITIONAL CONTROLS**OBJECTIVES**

- (i) *Ensure that the design of bulky goods premises development contributes positively to the streetscape and public domain by high quality architecture, materials and finishes.*
- (ii) *Establish the requirements for bulky goods premises including minimum size of individual tenancies and ancillary retailing.*

DEVELOPMENT CONTROLS

- (a) An individual tenancy within a bulky goods premises development is to have a sales floor area accessible to the public of greater than 500sqm.
- (b) Bulky goods premises developments are to be designed to:
- Address and activate street frontages with large display windows;
 - Define and enhance the public domain and be in scale with surrounding buildings;
 - Have setbacks consistent with surrounding development, or if there is no setback established, 5m from the street alignment;
 - Incorporate detail and architectural interest especially at visually prominent building locations such as lower level front facades, roof tops and at the terminations of street vistas;
 - Avoid ambiguous external spaces with poor pedestrian amenity and security;
 - Provide a clearly identifiable and dedicated pedestrian access to the building and across the site from the primary street frontage; and
 - Create a visually interesting place for pedestrians, and where possible, enhance

- pedestrian and cycle networks/linkages to surroundings.
- (c) The design is to be flexible to cater for different future uses of the building by providing high ceilings and adaptable open planning for the ground and first floor.
 - (d) Where existing built form contributes significantly to the streetscape it is to be retained and adapted appropriately.
 - (e) A staging plan for the development is to address access to and from the site, building form and scale, landscaping and the location of breakout open space on site.
 - (f) Where the development site has a boundary to residential land, a 15m wide landscaped buffer area is to be provided along this boundary.
 - (g) To minimise the impact of noise on residential properties, the landscape buffer area is to contain appropriate acoustic treatment. For example, this may include vegetation on raised mounds, acoustic feature walls, or a combination of both.
 - (h) No parking areas or access roads are to be within the landscape buffer area.
 - (i) All loading and unloading activity is to be contained within the building to minimise detrimental amenity impacts on residential dwellings.
 - (j) The building is to be sited close to the street alignment, and designed so that key operational spaces are legible from the street. Parking is not to occur between the front boundary and the building.
 - (k) Public toilets are to be provided in a bulky goods premises development at the minimum rate of:
 - 1 male toilet per 1,200 customers visiting the site per day;
 - 1 male urinal per 600 customers visiting the site per day;
 - 1 female toilet per 300 customers visiting the site per day; and
 - 1 unisex disabled toilet.
 - (l) A bulky goods premises development is to provide at least one independent non gender specific parent room.
 - (m) Signage is not permitted to cover fenestration or to detract from the architectural quality of the building design.

- (n) When altering or expanding bulky goods premises development, development should incorporate improvements in the relationship of the development to the streetscape / public domain and to pedestrian access by:
 - Increasing the number of active uses addressing the street frontage; and
 - Ensuring separated and safe pedestrian access is provided from the street to the development.
- (o) Pick-up areas are to be provided to avoid the necessity for customers to carry large items to vehicles.
- (p) A development is to provide sufficient manoeuvring areas on site to accommodate large truck movements, frequency of servicing, and high turnover of client vehicles.

Note. Part B Section 7 – Industrial of the DCP also contains relevant controls where bulky goods developments are permitted within the Castle Hill Industrial Area.

2.29. WRIGHTS ROAD, KELLYVILLE LOCAL CENTRE

OBJECTIVES

- (i) *To enhance the amenity and vitality of the Wrights Road, Kellyville Local Town Centre by providing high levels of civic amenity and a centre that makes a positive contribution to the local area.*
- (ii) *To create a sense of place and identity through quality built form that takes advantage of the proximity of, and integrates with, adjoining retail development, community facilities, open space, vegetation, pedestrian and cycleway linkages.*

DEVELOPMENT CONTROLS

- (a) Development shall demonstrate high quality civic amenity and urban design that will promote a vibrant centre with a sense of identity. The identity of the site shall be enhanced through:
 - Gateway;
 - Architectural elements;
 - Feature tree plantings; and
 - High quality landscaping.

- (b) Where visible from a public place, elevations shall provide articulation, distinct architectural elements, openings and windows, avoiding large, unbroken lengths of solid materials.
- (c) Development shall capitalise on views to the open space and vegetation located along the eastern boundary, and provides passive surveillance.
- (d) A central space should be incorporated into the design to encourage social interaction and form a link between, and through, the development and the natural setting of the adjoining reserve and public areas.
- (e) Convenient and direct pedestrian linkages shall be provided without conflict with vehicles, enabling high levels of accessibility within the precinct and the surrounding area.
- (f) Pedestrian access is to be provided: -
 - In at least one location along the eastern boundary from the adjoining cycle way;
 - In at least one location along the western boundary to facilitate ease of movement to/from existing retail development adjacent to the site; and
 - Along the Wrights Road frontage, to provide convenient access to and from the Wrights Road Reserve and community facilities, pedestrian crossings and bus stops. Pedestrian access point(s) along the Wrights Road frontage shall be determined by Council in relation to the adjoining development on the opposite side of Wrights Road.
- (g) Loading areas shall be located so as to minimise pedestrian and vehicular conflicts, and to minimise the impact on the streetscape and the ability of the site to engage with the adjoining land.
- (h) The bulk of parking should be provided in a basement car park. Some at-grade parking that provides convenient access for patrons and does not detract from the streetscape is acceptable.
- (i) The exact location of vehicle access to the site shall be determined by Council, in relation to the development on the opposite side of Wrights Road.

2.30. KENTWELL AVENUE AND CASTLE STREET, CASTLE HILL

This section of the Development Control Plan applies to the land identified in Sheet 13 of Appendix A – Precinct Plan Maps.

The following objectives and controls aim to promote retail/commercial development of the Castle Hill Centre whilst maintaining and enhancing the amenity of adjoining residential and community uses. Objectives and controls contained in this subsection establish the scale, dimensions, form and separation of buildings appropriate for the Castle Hill Centre.

OBJECTIVES

- (i) To promote a visually aesthetic retail/commercial and sustainable built form.
- (ii) To enhance the vitality of the Castle Hill Centre in the vicinity of Kentwell Ave and Castle St, Castle Hill.
- (iii) To protect the residential and public amenity of the Castle Hill Centre in the vicinity of Kentwell Ave and Castle St, Castle Hill.
- (iv) To provide a high quality, safe and pleasant walking environment.

DEVELOPMENT CONTROLS

Building Design

- (a) Development shall be set back as indicated in Appendix A – Precinct Plan Maps Sheet 13.
- (b) Built form shall contribute to the streetscape with high quality and durable building materials.
- (c) Where visible from a public place, elevations shall provide articulation both in height and mass incorporating distinct architectural elements, openings and windows, avoiding large and unbroken lengths of solid materials.
- (d) Façade should consist of a tripartite vertical composition i.e. distinct architectural elements and treatments for the base, middle and top facades.
- (e) Elevations visible from Castle St, Kentwell Ave and the boundary between Castle Hill Community Centre and Library shall be treated

with similar proportion and high quality detailing as other elements of the primary street façade.

- (f) Development shall use opaque windows only where necessary for the privacy of adjoining residents. Transparent glass should be used in all other windows to promote natural surveillance.
- (g) Development shall use neutral, visually recessive tones in colour schemes, avoiding reflective and overly textured surfaces.
- (h) In the event of staged development, any visible external surfaces of future common walls must be finished to a standard consistent with the high quality and durable materials of the development, until the adjacent development has been undertaken.
- (i) Development shall incorporate natural and electrical surveillance of the retail/commercial development, landscaped areas and undeveloped land on the allotment.
- (j) Internal and external lighting shall not adversely affect the amenity of residential and community use of adjoining development.
- (k) Vehicle ingress/egress points should be integrated into the building design and contribute to high quality architecture.

Plant and equipment

- (l) Roof plant, air-conditioning units, lift towers, vents and communication devices should all be considered as part of roof shape and design. Location and external appearance must not adversely affect the streetscape and sightlines.
- (m) The location and noise emissions of plant and equipment shall not adversely affect residential and public amenity in the vicinity of Castle St and Kentwell Ave. Plant and equipment shall be concealed from view of adjoining residential properties and appropriate noise attenuation measures installed to minimize impact on adjoining land uses.
- (n) Built form should consider measures to reduce visual and acoustic impacts of vehicular ingress/egress in the vicinity of Kentwell Ave and Castle St.

Pedestrian access and articulation

- (o) The following design principles should be considered when locating entrances and exits:

- Entrances and exits shall be provided in visually prominent and convenient locations;
- Entrances should not be obscured by landscaping or other obstacles and shall have clear sight lines;
- Pedestrian access points and paths should not provide opportunities for entrapment;
- Building design should allow for casual surveillance of access ways, entries and driveways;
- Directional signage must be erected for the purposes of pedestrian accessibility at all entrances and exits;
- Entrances shall be clearly identifiable to reduce confusion and unintentional entry by incorporating measures such as architectural features and articulation, awnings, variations in colours and materials, changes in paving and landscaping;
- Location and design of pedestrian entrances traversing vehicular ingress/egress points should provide measures to reduce pedestrian and vehicular conflict;
- Public art installations are encouraged to provide visual interest in these spaces.

Landscaping

- (p) Each of the following landscape features must be included in the Landscape Plan:
 - Deep, terraced garden beds for screening purposes; and
 - Public art in keeping with the scale and mass of the development e.g. sculpture, mural; and
 - Feature tree plantings.
- A Landscape Plan shall include planting of trees species within the setback which reach a height of:
 - 10.0m or greater on Castle St;

- 10.0m or greater in height at the boundary between retail/commercial zoned land and the Castle Hill Community Centre and Library;
 - 5.0m or greater in height on Kentwell Ave.
- (q) Trees shall not impede or obscure view of vehicular ingress/egresses, cycle ways, pedestrian access and movement between adjacent retail/commercial developments, residential development and the Castle Hill Community Centre and Library.
- (r) Extensive landscaping within the setbacks along Kentwell Ave, Castle St and on boundaries between retail/commercial space and Castle Hill Community Centre and Library shall define spaces, link separate visual elements; provide screening, scale and landscape setting for development along Kentwell Ave and Castle St.
- (s) The Landscape Plan should consider measures to reduce visual and noise impact of vehicular ingress/egress in the vicinity of Kentwell Ave and Castle St.
- (t) All plant species shall be selected from Part C Section 3 Landscaping Appendix 2 – Recommended species and street trees.

2.31. 488-494 OLD NORTHERN ROAD, DURAL

This section of the Development Control Plan applies to the redevelopment of land at Lot 2 DP 839151 known as 488-494 Old Northern Road, Dural (Figure A). Land to which this section applies is also identified within Sheet 8 of Appendix A – Precinct Plan Maps.

The controls within this section apply in addition to other relevant controls in this DCP and in Part B Section 4 – Multi Dwelling Housing and Part B Section 5 – Residential Flat Building. ~~however~~ Where there is any inconsistency the provisions of this section shall apply.



Figure A – The Site

2.31.1 SITE ANALYSIS

The site has a total area of approximately 2 hectares and is zoned part B2 – Local Centre and part R3 Medium Density Residential. ~~The eastern portion of the site, zoned B2 – Local Centre is approximately 9,202m² in area. The western portion of the site, zoned R3 – Medium Density Residential is approximately 10,798m² in area.~~

The site is immediately south of the existing Round Corner Town Centre located on the northern side of the Old Northern Road and Stonelea Court intersection.

The topography of the land slopes towards the western boundary of the site resulting in significant views over the Shire and surrounds to the Blue

Mountains. The majority of vegetation on the site has been cleared, however there is a small concentration of Sydney Sandstone Gully Forest vegetation in the south western portion of the site, extending across the majority of the adjacent lots to the south and adjoining Dooral Dooral Creek.

The site has been identified as being geotechnically sensitive and possibly contaminated due to past land uses. Further geotechnical and contamination investigation will be required before development of the site can take place.

2.31.2 SITE OPPORTUNITIES AND KEY PLANNING PRINCIPLES

The site provides an opportunity to contribute to revitalisation of Round Corner and provide improvements to the centre in terms of appearance, amenity and accessibility.

A number of key principles will be addressed as part of the development of the site including:

- Gateway opportunities;
- Active frontages;
- Connectivity and access;
- View corridor preservation;
- Central civic space;
- Environmental protection.

There is opportunity for a well-designed “gateway” element to be established at the southern corner of the site, to provide a sense of arrival to the centre when approached from the south along Old Northern Road. Additionally, active uses including a focus on specialty retail is encouraged to ensure the development is inviting and addresses demand for specialty retailing within Round Corner. ~~The incorporation of higher density residential uses as part of a mixed use development on the southern portion of the B2 Local Centre zoned land is encouraged.~~

The development provides opportunity to protect significant westerly views currently enjoyed from the site. A central civic plaza will address the issue of view preservation and will also assist with enhancing civic amenity by addressing the deficiency of civic space within Round Corner.

A new controlled four-way intersection at the southern edge of the site will facilitate future access for the site and provide connectivity for possible future development of rural land to the west and into the centre. Bus facilities along the Old Northern Road frontage of the site will support the safety and movement of users travelling through the centre and assist in improving northbound traffic flow along this road. Provision of pedestrian connections will enhance accessibility and integrate the site with the existing commercial centre to the north.

Vegetation along the southern boundary provides connectivity between the site and the landscape setting of the adjacent Dooral Dooral Creek. The development will provide opportunity to enhance this landscape setting through the planting of species endemic to the Sydney Sandstone Gully Forest on the site.

~~Potential concepts for future development of the site are shown as Figures B — D.~~ Images of the above development principles are provided as Figures **B E** and **C F**.

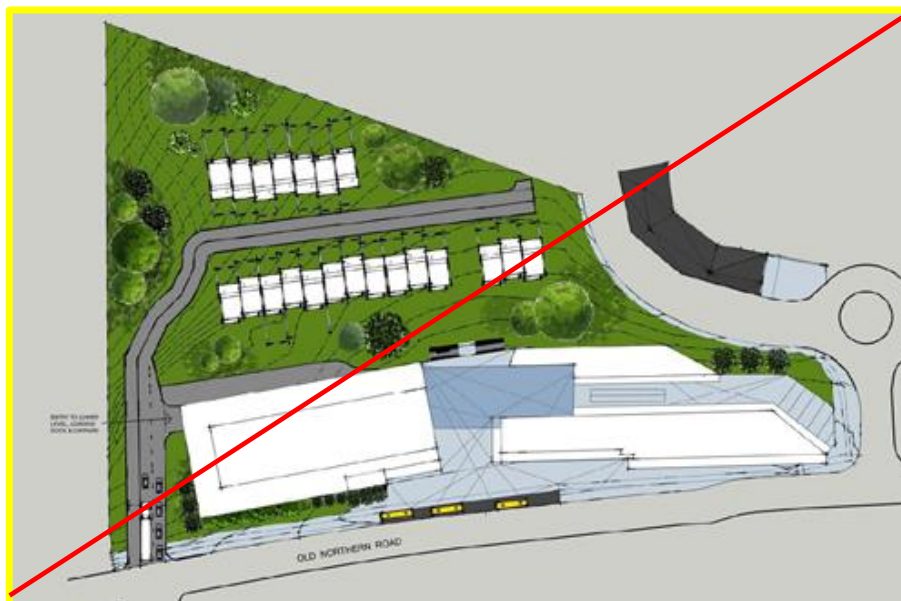


Figure B—Indicative Layout

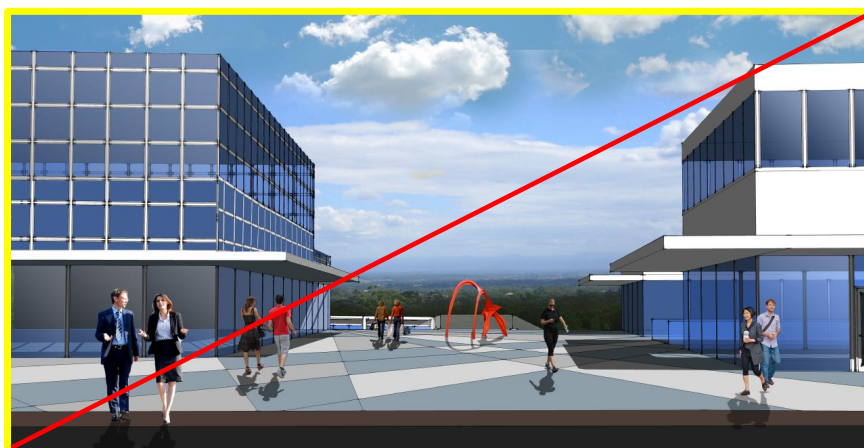


Figure C—Indicative central plaza area



Figure D—Indicative view south from Old Northern Road

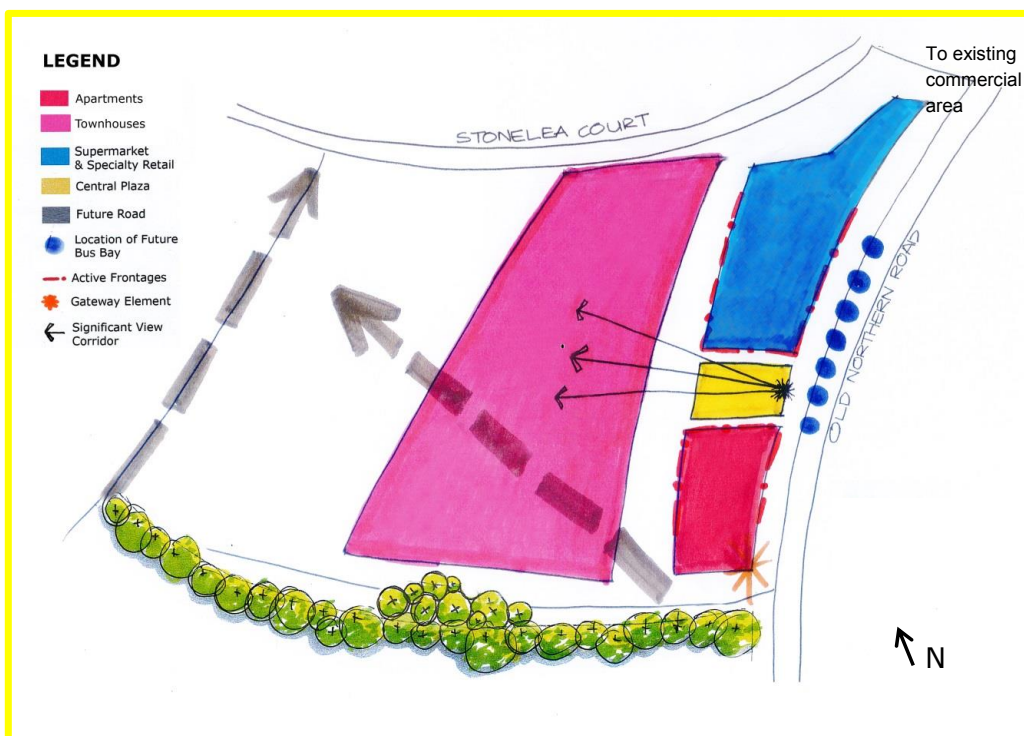
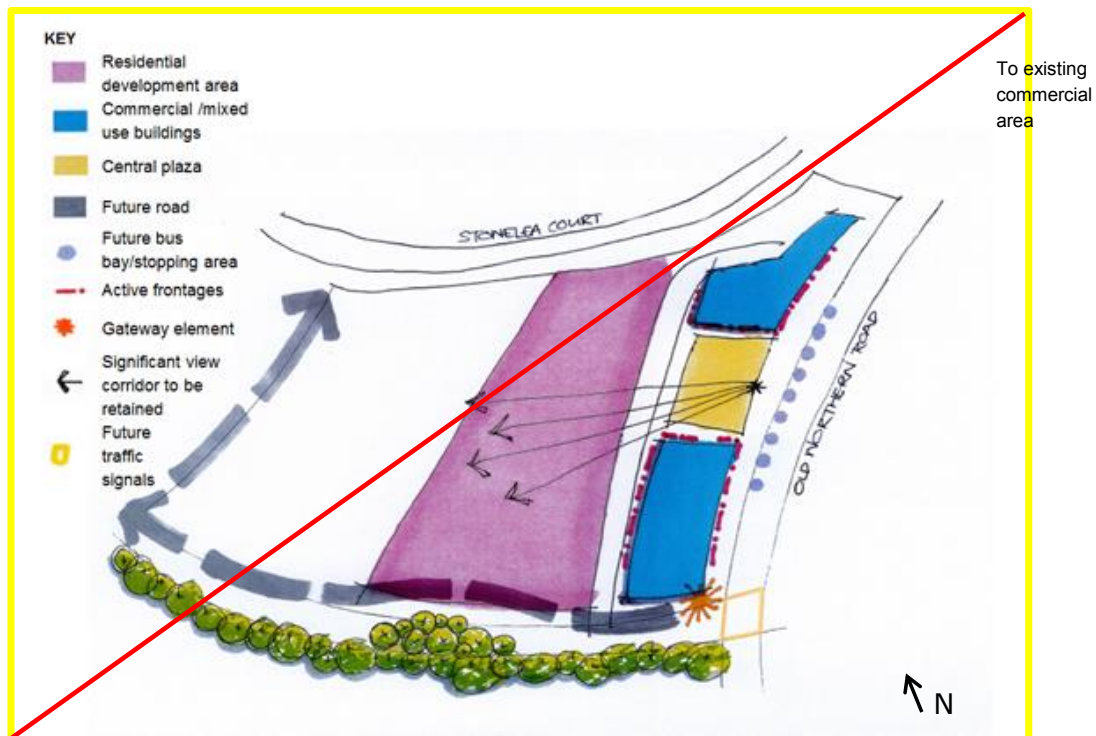


Figure B E – Key principles for development

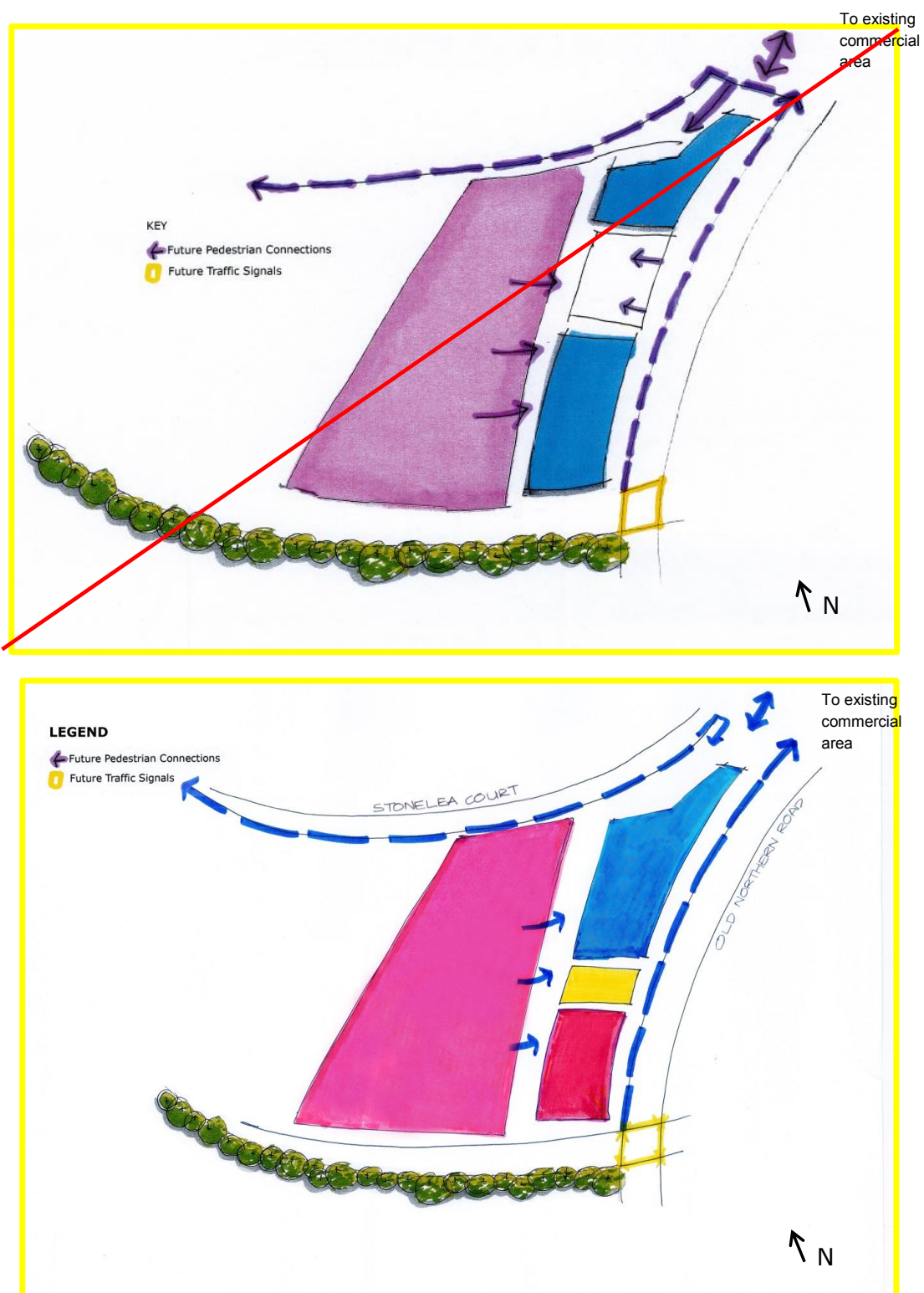


Figure CF— Principles for Pedestrian Connectivity

2.31.3 FUNCTION AND USES**OBJECTIVES**

- (i) *To provide a strong sense of arrival into Round Corner Town Centre.*
- (ii) *To develop and promote a vibrant, integrated and mixed use Town Centre that provides a broad range of retail and commercial uses to service the needs of the community.*
- (iii) *To ensure that the development is active and inviting and emphasises the pedestrian where practical and possible.*

DEVELOPMENT CONTROLS

- (a) An attractive, well-designed gateway element is to be provided at the southern edge of the site in accordance with Figure B E.
- (b) A range of retail and commercial uses including a focus on specialty retailing is to be provided.
- (c) **Mixed use development incorporating higher density residential uses is encouraged on the southern portion of the B2 Local Centre zoned land.**
- (d) Active frontages are required at ground level in accordance with Figure B E. Active frontages are defined as one or a combination of the following:
 - Entrance to retail;
 - Shop front;
 - Café or restaurant if accompanied by an entry from the street;
 - Glazed entryway;
 - Street entryway.

2.31.4 PUBLIC DOMAIN AND VIEWS**OBJECTIVES**

- (i) *To enhance civic amenity and provide a gathering space for community activity and interaction.*
- (ii) *To maintain significant westerly views from the site and Old Northern Road.*

DEVELOPMENT CONTROLS

- (a) The siting of buildings and central civic plaza should be located generally in accordance with Figure B E.

- (b) The centre point for the plaza shall be located approximately 120m from the south western boundary of the site. The plaza should be of a regular shape with a minimum width of 40 metres.
- (c) Building structures are not to obscure views to the west from the central plaza.
- (d) Public domain elements such as landscaping, street trees, paving, street furniture, lighting and signage are to be provided.
- (e) Public art installations that reflect local character are encouraged to provide visual interest.

VARIATIONS

Minor variation to the minimum width for the central plaza may be considered where it can be demonstrated that proposed development demonstrates a high standard of architectural design, civic amenity and does not inhibit key views to Mount Wilson, Mount Tomah and Mount Irvine from any point within the plaza.

2.31.5 ACCESSIBILITY**OBJECTIVES**

- (i) *To ensure safe and efficient vehicular access to and from the site.*
- (ii) *To promote pedestrian movement and provide pedestrian connectivity through the site to the existing centre.*

DEVELOPMENT CONTROLS

- (a) Consent shall not be granted for future development unless the applicant has demonstrated that a Deed of Agreement has been entered into with the Roads and Maritime Services for the provision of traffic signals at the Old Northern Road and Franlee Road intersection.
- (b) The design of the intersection is to include pedestrian crossings on all lengths, minimum 50 metre long right turn bays on Old Northern Road and provision of dual lanes for both approaches of Old Northern Road.
- (c) The access road along the southern boundary of the site shall be constructed to Council's specifications for local roads contained within

The Hills Shire Council Subdivision and Development Design Guidelines.

- (d) Pedestrian connections within and surrounding the site shall be provided in accordance with Figure C E.

- (e) Individual vehicular and pedestrian access to medium density dwellings on site must be independent from any commercial, retail, residential flat building or mixed use development components on the site.

2.31.6 PUBLIC TRANSPORT

OBJECTIVES

- (i) *To facilitate and maintain well managed public transport infrastructure and support the safety and movement of all users travelling through the centre.*

DEVELOPMENT CONTROLS

- (a) Bus facilities including a public bus stop and bus bay are to be provided in conjunction with the development of the site, along the Old Northern Road frontage of the site. An indicative location for the bus facilities is shown in Figure B E. Detailed plans to the satisfaction of Transport for NSW, RMS, Council and the relevant bus operators shall be submitted with any development application for the site.

2.31.7 SERVICING AND LOADING FACILITIES

OBJECTIVES

- (i) *To ensure development presents attractively to the street and maintains the amenity of adjoining and surrounding properties.*

DEVELOPMENT CONTROLS

- (a) All servicing, loading, and waste collection and storage facilities are to be located wholly within the site and underground.

2.31.8 LANDSCAPING

OBJECTIVES

- (i) *To provide connectivity between the site and the landscape setting of the adjacent Dooral Dooral Creek.*

DEVELOPMENT CONTROLS

- (a) Existing vegetation should be protected and enhanced through the provision of groundcovers, shrubs and canopy species endemic to the Sydney Sandstone Gully Forest. Landscaping outside of turfed areas will achieve a minimum 70% native plants from Sydney Sandstone Gully Forest (by area) across the site.

2.31.9 SETBACKS AND LANDSCAPED AREA

OBJECTIVES

- (i) *To ensure appropriate levels of privacy and amenity for occupiers of medium density housing on the site*
- (ii) *To establish appropriate setbacks and interface treatments between the mixed use/retail commercial components of future development and medium density residential housing.*

DEVELOPMENT CONTROLS

- (a) A minimum setback of 8m inclusive of 2m of deep soil planting is to be provided to any interface area between commercial, retail, residential flat building or mixed use development components on the site and medium density housing.

2.32. SITE AT RMB104, RMB104A, RMB105 WINDSOR ROAD AND PART 1-3 WILKINS AVENUE, BEAUMONT HILLS

This section of the Development Control Plan applies to the land at RMB104, RMB104A, RMB105 Windsor Road and part 1-3 Wilkins Avenue, Beaumont Hills identified in Figure A below.



Figure A – The Site

The controls within this section apply in addition to other relevant controls in this DCP, however where there is any inconsistency, the provisions of this section shall apply.

The following objectives and controls aim to guide development of land as a landscape material supply and/or garden centre whilst maintaining the amenity of adjoining residential uses. Objectives and controls contained in this subsection establish the setbacks, traffic and access, odour, dust, visual and noise mitigation requirements, fencing and landscaping for the site.

OBJECTIVES

- a) *To facilitate the development of a landscaping material supplies and/or garden centre which promotes a functional retail/commercial and sustainable built form.*
- b) *To provide controls to minimise the impact of air, noise, traffic, odour, water and visual pollution;*
- c) *To ensure that the traffic generated by the development does not adversely affect the safety and efficiency of the road network by limiting vehicle movements and access.*
- d) *To ensure that landscaping material supplies and/or garden centre does not have an adverse impact on the natural environment or amenity of the surrounding residential areas.*
- e) *To ensure the provision of on-site facilities which accommodate off-street loading/unloading manoeuvring and parking.*
- f) *To ensure the storage of bulk goods such as sand, soil and similar landscaping products are appropriately located and contained.*
- g) *To ensure the development of the site promotes an appealing streetscape.*

DEVELOPMENT CONTROLS:

Landscaping Material Supplies and Garden Centres

2.32.1 BUILDING DESIGN

Objectives:

- a) *To facilitate development that minimises negative impacts on the amenity of the adjoining residential or commercial development.*
- b) *To provide for the orderly development of the site.*
- c) *To encourage the comprehensive approach to planning, design and assessment of development.*

Development Controls:

- (a) Buildings shall be designed to ensure compatibility with surrounding land uses in terms of bulk and scale and architectural form and shall have regard to the qualities and character of the surrounding land uses. The scale and appearance of the building shall be compatible with the surrounding development.
- (b) Site planning must provide adequate areas for:
 - Landscaping buffers;
 - Dams/ponds or rainwater tanks;
 - Wastewater treatment/ Gross pollutant trap;
 - Water quality treatment; and
 - Driveways and parking areas; and
 - Amenities for staff and customers.

2.32.2 SETBACKS

Objectives:

- a) *To provide an attractive streetscape and areas for landscaping and screen planting.*
- b) *To ensure adequate sight distance is available for vehicles entering and leaving the site.*
- c) *To minimise overshadowing of adjoining properties.*
- d) *To protect privacy and amenity of any adjoining land uses.*

- e) *To provide a desirable and aesthetically pleasing working environment.*

Development Controls:

- (a) Development shall be set back as indicated in the diagram below:

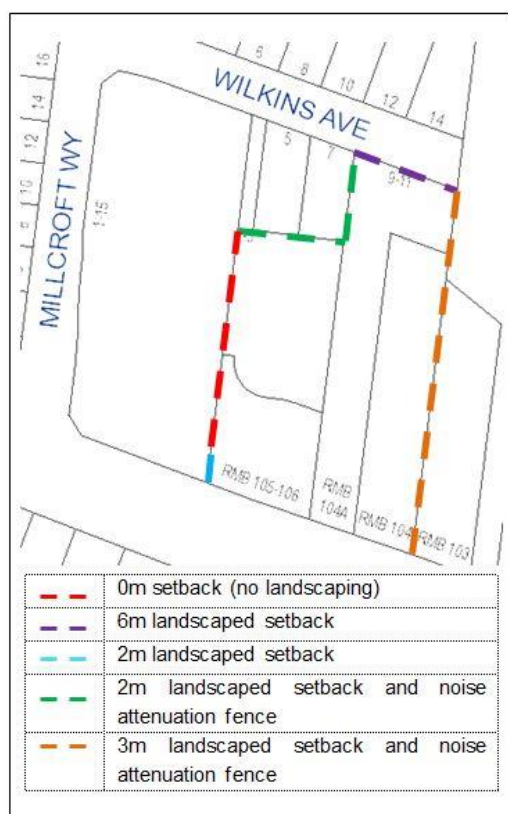


Figure B – Setback

- (a) A zero lot setback is permissible to the western boundary but only for the distance adjoining the blank wall on the property known as Lot 1-3 SP82566 and subject to the owners of the property raising no objection.

2.32.3 HOURS OF OPERATION

Objectives:

- a) *To ensure the activities on the site do not unduly impact upon the amenity of the adjoining properties.*

Development Controls:

- (a) The proposed hours of operation are restricted to 7:00am - 5:00pm Monday to Friday, 7:00am - 4:00pm Saturday and 8:30am - 4:00pm Sunday and public holidays. The hours of operation must take into account the operation of loading areas, waste collection services and the use of cleaning and maintenance vehicles.
- (b) Notwithstanding (a) above, where it can be demonstrated that operations will not interfere with the amenity of surrounding development, consideration may be given to allowing the dispatch of pre-loaded goods and material from the site via Windsor Road entry/exit outside normal hours of operation.
- (c) A statement of compliance from an acoustic consultant may be required to demonstrate that the noise generated by the development generally does not exceed 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property.
- (d) A schedule of truck movements, types and times, shall be submitted.

2.32.4 LIGHTING

Objectives:

- a) *To ensure that all lighting is adequate for the safety of the site without interfering with nearby residents or traffic.*

Development Controls:

- a) All lighting is to be erected to ensure that lights do not interfere with traffic movement both on site and on nearby roads.
- b) No floodlighting will be installed on the development site.
- c) No lights are to interfere with the enjoyment of nearby properties.

2.32.5 ANCILLARY USES

Objectives:

- a) *To provide a satisfactory relationship between aspects of the development including buildings, landscaped areas and adjoining developments.*

- b) *To ensure that the development is compatible with land capability.*

Development Controls:

- (a) A maximum of 20% of the site area is to be used for ancillary uses such as plan retailing and cafe/restaurant combined.

2.32.6 DUST

Objectives:

- a) *To minimise the impact of dust associated with the operation of the development through appropriate planning and by using best management practices available.*

Development Controls:

- (a) Dust control procedures shall be implemented such as:
- Erection of dust screens around the perimeter of the site;
 - Securely covering all loads entering and exiting the site;
 - Use of water sprays across the site to suppress dust; and/or
 - Covering of stockpiles of soil, manure, mulch, fertiliser etc. to reduce dust impact.

2.32.7 ODOUR

Objectives:

- a) *To ensure that the odour impacts associated with the development does not unreasonably compromise the enjoyment of the amenity of the neighbouring residents.*

Development Controls:

- (a) Only composted manure shall be stocked on-site.
 (b) Odour control measures shall be implemented such as:
- Use of appropriate covering techniques such as plastic sheeting to cover sources of odour;
 - Use of fine mist sprays; and/or

- Appropriately locating materials with potential sources of odour away from nearby residences.

2.32.8 STORMWATER MANAGEMENT

Objectives:

- a) *To ensure that on-site stormwater is disposed into the existing stormwater system in an efficient and environmentally sensitive manner.*
 b) *To ensure that the water used for the normal operation of the garden centres does not enter the stormwater system.*
 c) *To ensure that the development does not increase downstream flooding.*

Development Controls:

- (a) A strategy shall be submitted with the Development Application indicating the proposed method of collection and recycling of water to prevent the release of fertilisers and run-off into the local drainage stormwater system or adjacent properties and to protect groundwater from contamination by “nutrient-enriched waters.”
 (b) The development must use an efficient irrigation system that minimises run-off.
 (c) Any water used in the irrigation of plants must be treated for nutrients before being released into the local water catchment.

Submission Requirements

- The development must include a Site Water Management Plan submitted to Council for approval. The Site Water Management Plan must include methods for removal of silt and suspended solids from stormwater discharge.

2.32.9 STORAGE FACILITIES

Objectives:

- a) *To ensure that all stored goods are contained on site and do not cause nuisance to adjoining owners.*

Development Controls:

- (a) All stored goods are to be contained within the designated areas for storage.
- (b) All stored goods are to be kept in a tidy manner at all times.
- (c) Materials stored within the display area between adjoining residential properties and the driveway are not to exceed two (2) metres in height, and materials stored within the display area between the internal driveways are not to exceed four (4) metres in height.
- (d) External storage areas, including bulk bin storage may be required to be:
 - Located following careful consideration of the proximity of the adjoining residences and the possible noise and/or dust impact on them;
 - Set back a minimum of 10 metres from side and rear boundaries except from the property on the western boundary where a zero lot setback is permitted (refer Section 2.31.2 control b); and
 - Landscaped and integrated with significant foliage to screen storage items and structures to limit their visual intrusion.
- (e) Provision must be made for all bulk bins to be covered when not in use.
- (f) The storage, distribution and use of fuels, chemicals etc. shall only be permitted in designated areas which are designed based on NSW Environment Protection Authority (EPA) guidelines for bunding and spill management.
- (g) Pesticide use, storage and handling and disposal should be conducted in accordance with the relevant Australian standards.
- (h) Protective measures must be used to avoid attracting nuisance insects and disease transfer when handling garden and horticultural produces.

2.32.10 NOISE

Objectives:

- a) *To ensure that the level of noise emitted from the development does not significantly impact on the adjoining residents.*

Development Controls:

- (a) The location of noise generating activities (such as loading areas) shall consider the proximity of adjoining residences and potential impacts.
- (b) If the use of machinery such as generators, pumps, or heating appliances is proposed, the applicant must demonstrate that adequate measures will be taken to reduce potential for land use conflict and lessen the impact of noise on adjoining properties.
- (c) Measures such as insulation of machinery, vegetation buffers or limited or scheduled use may be implemented.
- (d) Where a noise impact may occur the applicant shall submit an acoustic report from an appropriately qualified acoustic engineer identifying noise amelioration measures to be implemented.
- (e) A statement of compliance from an acoustic consultant may be required to demonstrate that the noise generated by the development generally does not exceed 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property.

2.32.11 TRAFFIC, PARKING AND ACCESS

Objectives:

- a) *To ensure that adequate parking is provided on-site;*
- b) *To ensure that the provision of parking on site does not detract from the amenity of adjoining properties; and*
- c) *To ensure the proposed parking area operates in a safe and convenient manner.*

Development Controls:

- (a) Access to the site for customer vehicles is to be restricted to Wilkins Avenue and be appropriately signposted.
- (b) Access to the site is to be restricted to left in/ left out for heavy vehicles only from Windsor Road and be appropriately signposted.
- (c) Traffic signals at the intersection at Windsor Road and Millcroft Way to facilitate right hand turn movements from Millcroft Way into Windsor Road are to be provided as part of the development.

- (d) Provision of a deceleration lane leading into the Windsor Road entrance designed in accordance with AUSTRROADS and other Australian Codes of Practice.
- (e) The number of car parking spaces provided should be consistent with the rate required in Part C Section 1 – Parking.
- (f) The development must provide a car parking area designed and constructed in accordance with the provisions of Part C Section 1 – Parking.
- (g) The development must provide a designated area for employee car parking contained wholly within the site and indicate the location of a dedicated area for loading/unloading.
- (h) Parking shall be provided for cars towing trailers. Trailer parking spaces shall have a minimum length of 10.8 metres. A minimum of two (2) car trailer spaces shall be provided.
- (i) Disabled parking spaces are to be provided.
- (j) Adequate area shall be provided on-site to facilitate loading/unloading of goods. Such area shall be sufficient to enable a large rigid truck to complete a three-point turn. Service vehicle movements should not restrict access to or manoeuvring areas for normal patron parking.
- (k) Access to car parking areas shall be in a visible location to discourage on-street parking.
- (l) The location of parking areas shall have regard to the site constraints and the relationship to neighbouring residential areas. Parking areas shall closely relate to the location of pedestrian entranceways.
- (m) All vehicles must enter and leave in a forward direction.
- (n) Access driveways shall be located to obtain maximum sight distances and shall be situated so that only vehicles entering or exiting the site can be readily seen by the driver of an approaching vehicle or a pedestrian.
- (o) The location of entry-exit driveways to be appropriately signposted. Schedule involving one-way circulation patterns to be delineated by signposting and line marking.
- (p) Driveway widths shall be in accordance with Roads and Maritime Services requirements and Council's Engineering Specifications based

upon the number of on-site parking spaces and the frontage classification.

- (q) Driveway edges adjacent to landscaped areas shall be delineated with a kerb.
- (r) The following design principles should be considered when locating entrances and exits:
 - Entrances and exits shall be provided in visually prominent and convenient locations;
 - Entrances should not be obscured by landscaping or other obstacle and shall have clear sight lines;
 - Pedestrian access points and paths should be clearly defined; and
 - Location and design of pedestrian entrances traversing vehicular ingress/egress points should provide measures to ensure safe pedestrian access and no conflict with driveways.

2.32.12 SIGNAGE

Objectives:

- a) *To ensure that all signs are considered as part of the development of the site.*
- b) *To ensure that all signs are safely erected and not interfere with sight distances on Windsor Road or the amenity of the neighbours.*
- c) *To ensure that all signs comply with Part C Section 2 – Signage.*

Development Controls:

- a) No signs are to be erected without the consent of Council.
- b) All signs are to comply with Part C Section 2 – Signage.
- c) No signs are to be located outside the boundaries of the subject land.

2.32.13 FENCING, LANDSCAPING AND TREE PRESERVATION

Objectives:

- a) *To reduce the visual impact of the development upon adjoining residents.*

- b) To ensure existing landscaping and vegetation is retained and integrated into the design of the development.
- c) To ensure that the landscaped area can be appropriately maintained.
- d) To ensure that vegetation removed as part of the land development process is replaced by suitable endemic species.
- e) To ensure that fencing does not detract from the overall visual amenity and character of retail and commercial areas.

Development Controls:

- (a) Landscape material supplies and/or garden centres shall be designed to ensure the retention of existing trees on-site to act as a feature within display areas.
- (b) Adjacent to the boundaries of the site, planting shall be used to provide visual buffer for adjoining residents. Planting shall be chosen having regard to its screening qualities and its suitability to the local area whilst retaining solar access on adjoining properties.
- (c) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 – Landscaping.

Provision of appropriate landscaping at the following locations indicated on the map below:

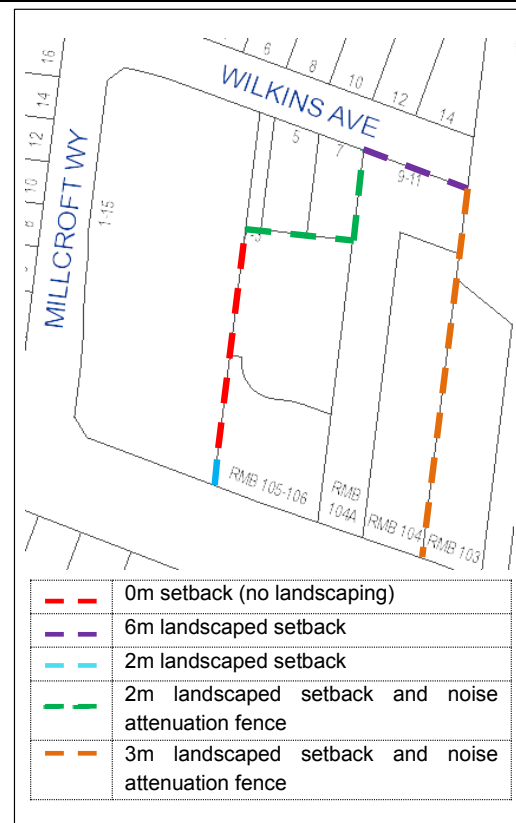


Figure C - Landscaping and fencing requirements

- (d) Provision of noise attenuation fencing along the boundaries between the site and RMB 103 and Lot 32 Windsor Road, between the site and two adjoining dwellings (Lot 102 DP 1124350 and Lot 103 DP 1124350). The final height and position will be determined by a suitably qualified person based on the results of an acoustic assessment.

3. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION

3.1. OCCUPATION / CHANGE OF USE FOR INTERNAL ALTERATIONS

COMPLETED 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 are proposed as part of the development.

SITE PLANS (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)

- Internal layout of shop/building (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 2 – Parking in this DCP; and
- Compliance with any other relevant objective and/or development control of this Section of the DCP.

Note. Some 'change of use' and 'internal alteration' applications may be eligible for consideration as 'Complying Development' under the State Environmental Planning Policy (Exempt & Complying Development) Code 2008.

3.2. NEW DEVELOPMENTS, EXTENSIONS OR REDEVELOPMENT OF EXISTING SITES

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

SITE PLANS

Including an assessment of potential noise impacts on adjoining developments

SITE ANALYSIS

ARCHITECTURAL PLANS

LANDSCAPE PLAN

EARTHWORKS PLAN

- Existing and proposed levels/contours.

SIGNAGE PLAN

See Part C Section 2 – Signage in this DCP and Advertising Signs Fact Sheet.

STREETSCAPE PERSPECTIVE

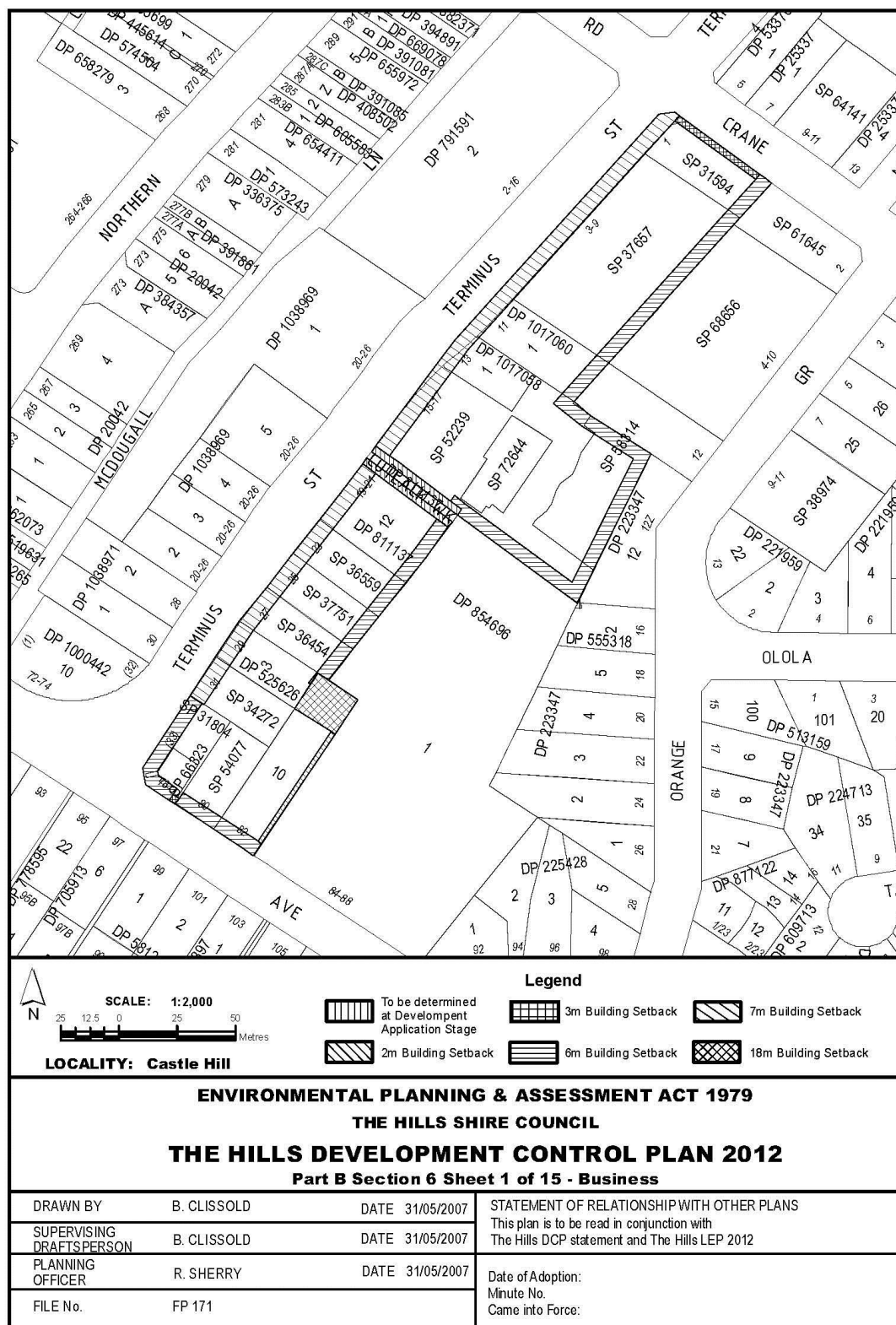
STATEMENT OF ENVIRONMENTAL EFFECTS

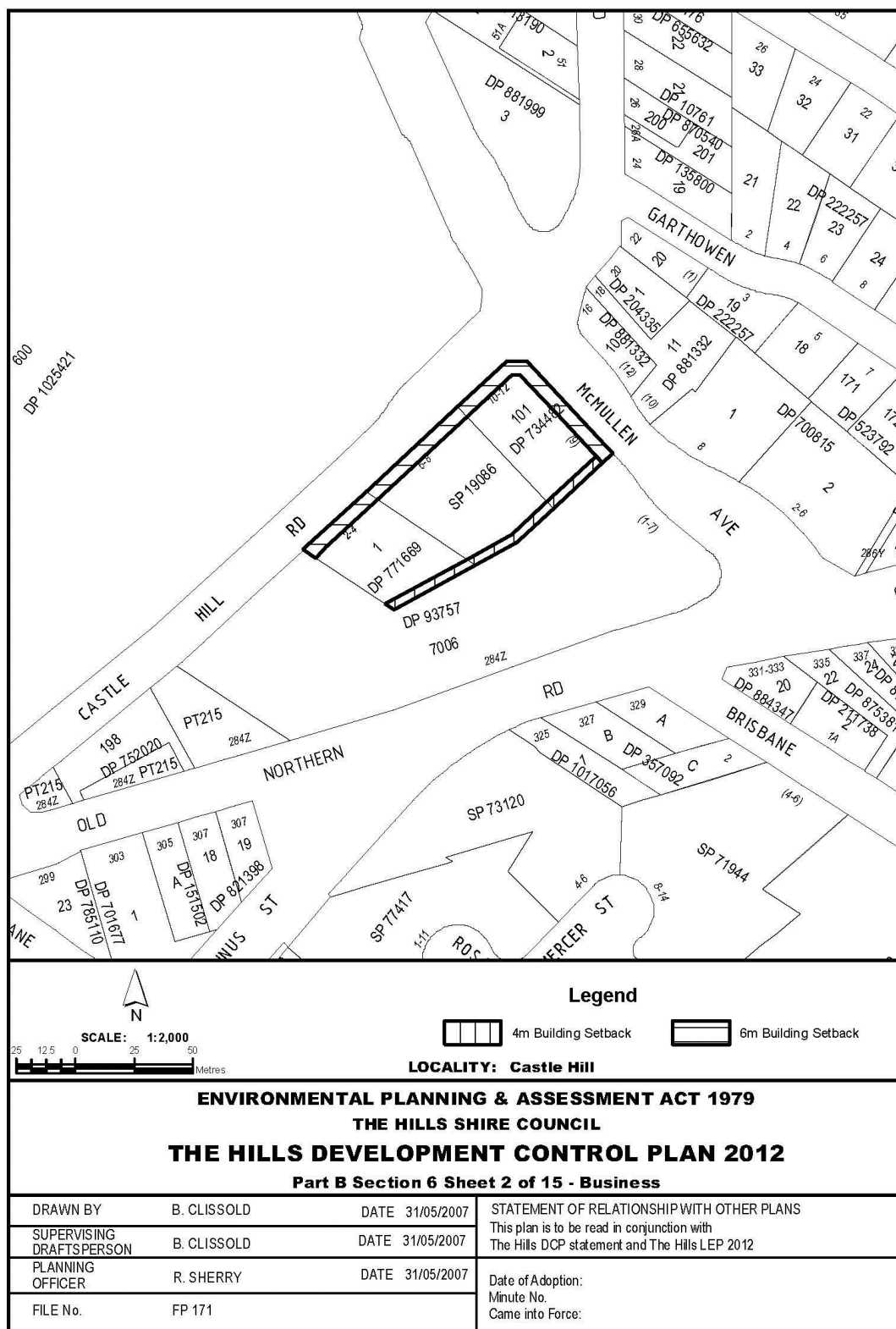
Note. Refer to Part A – Introduction section 4.0 for general lodgement requirements and detailed requirements to be included in each of the above documentation.

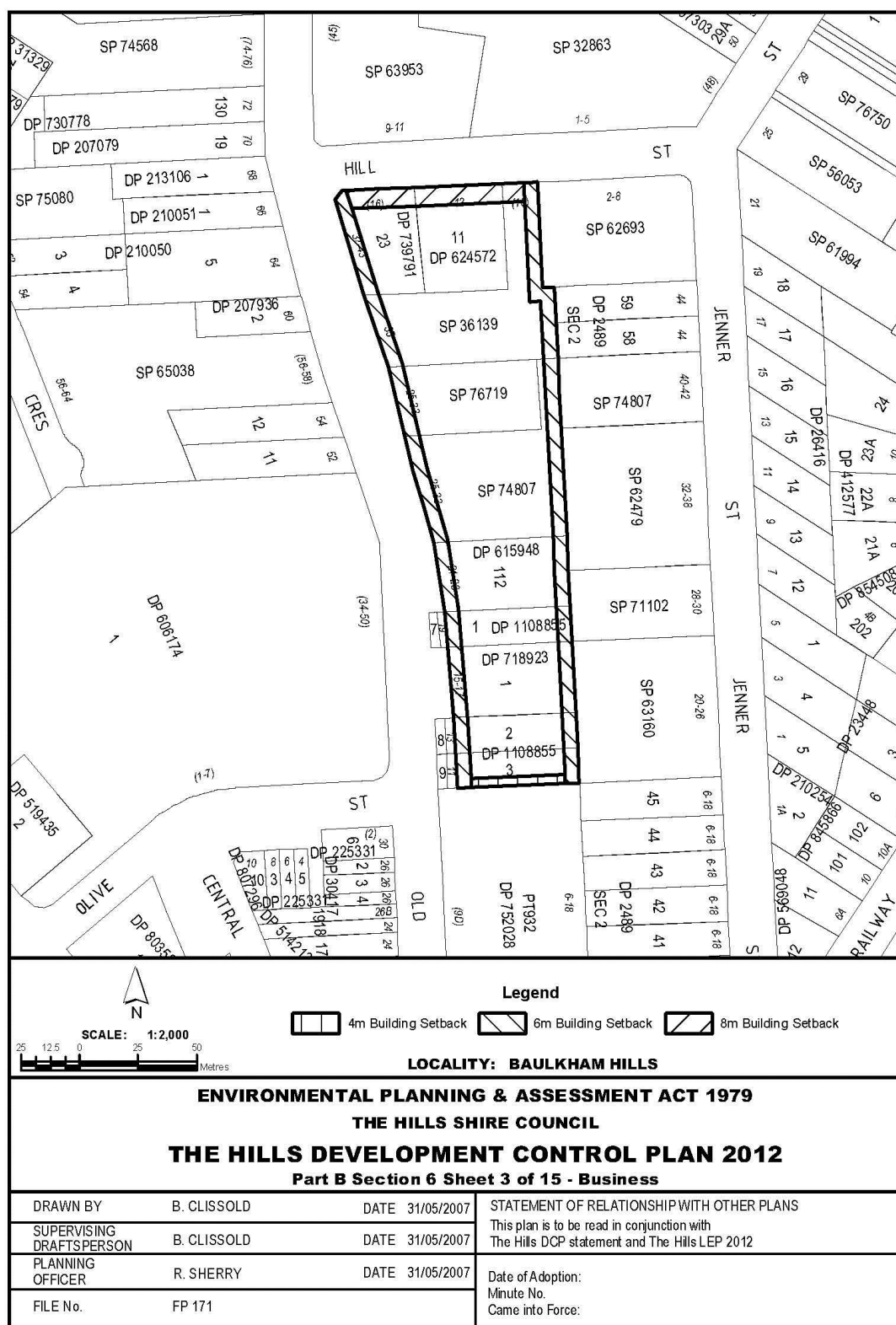
REFERENCES

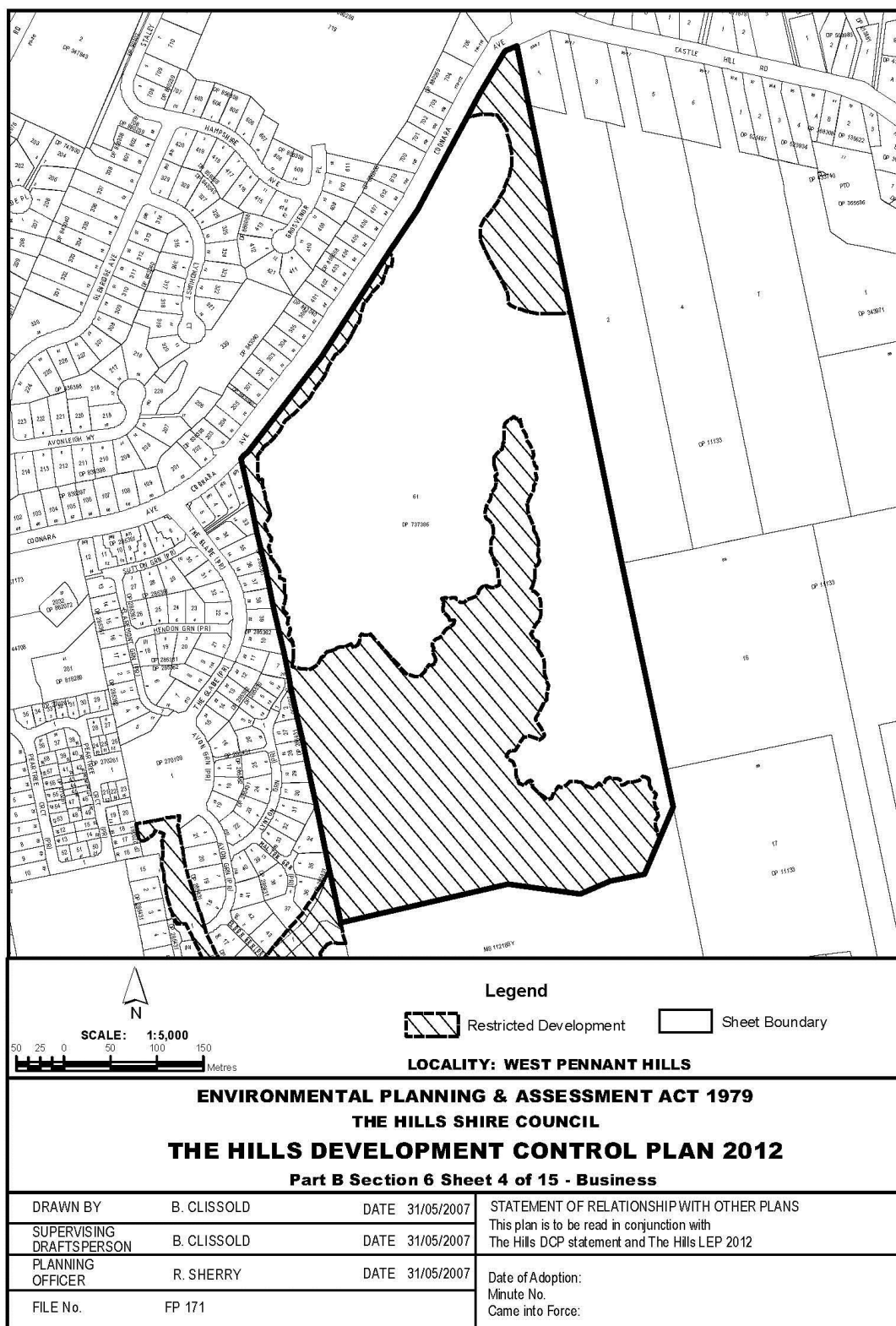
Baulkham Hills Shire Council, Making Access for All 2002

APPENDIX A - PRECINCT PLAN MAPS

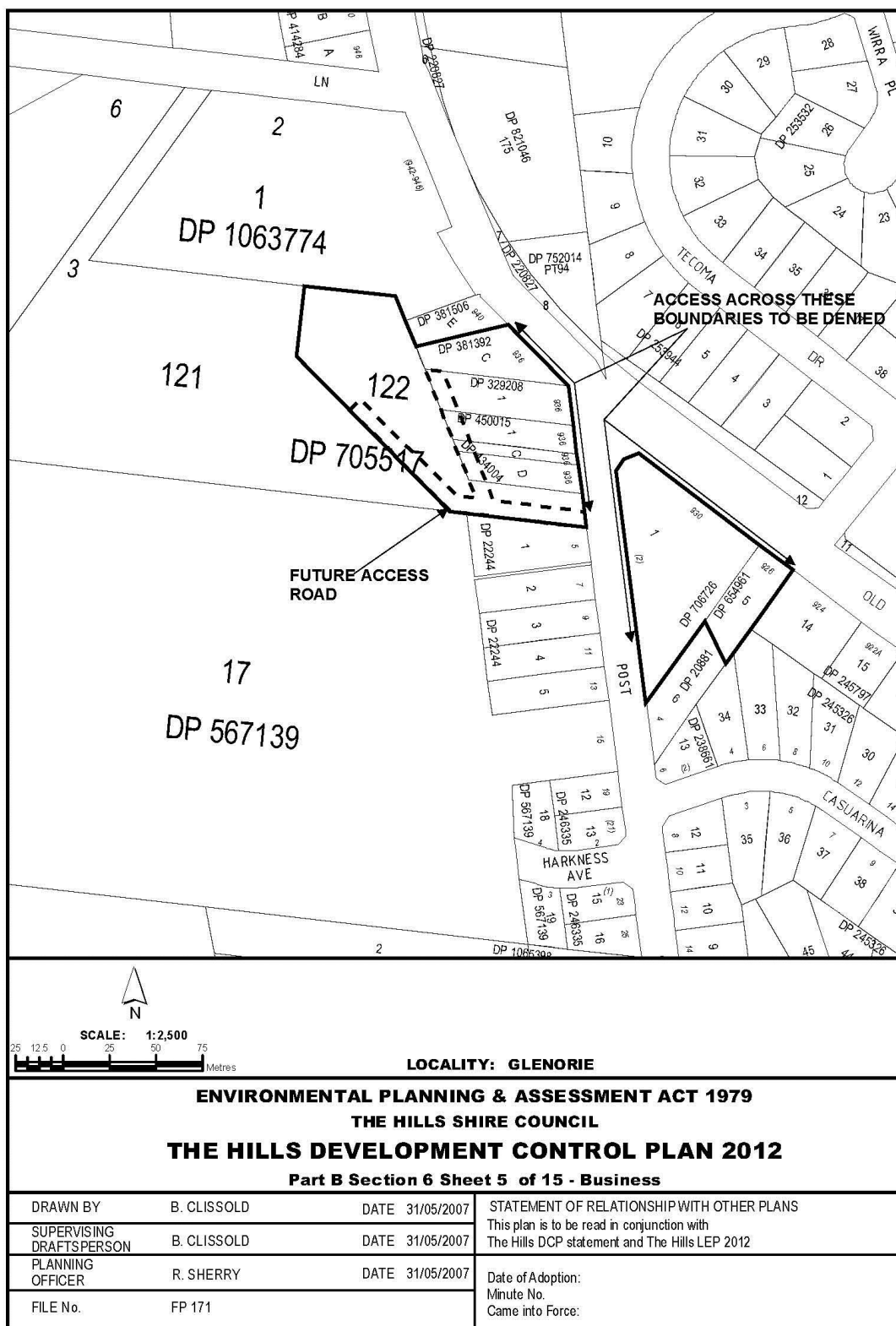




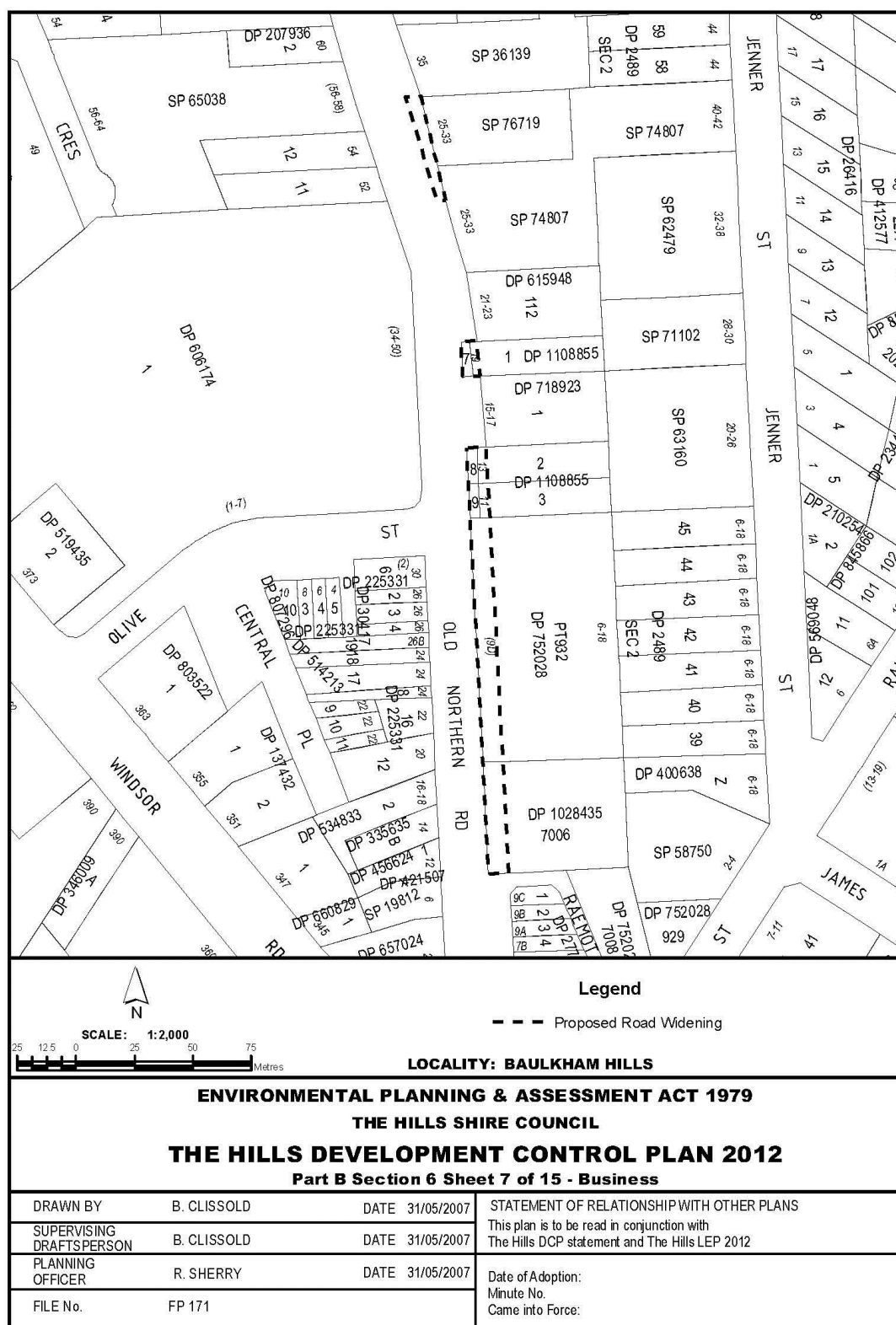




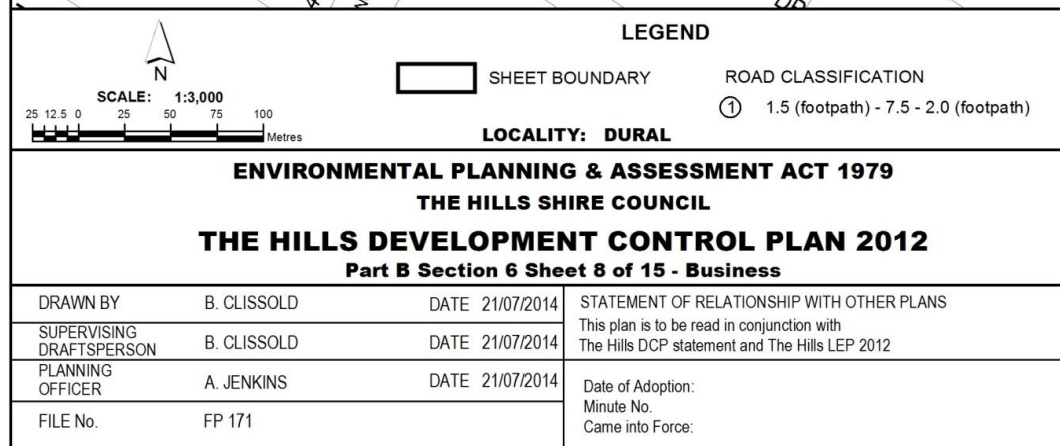
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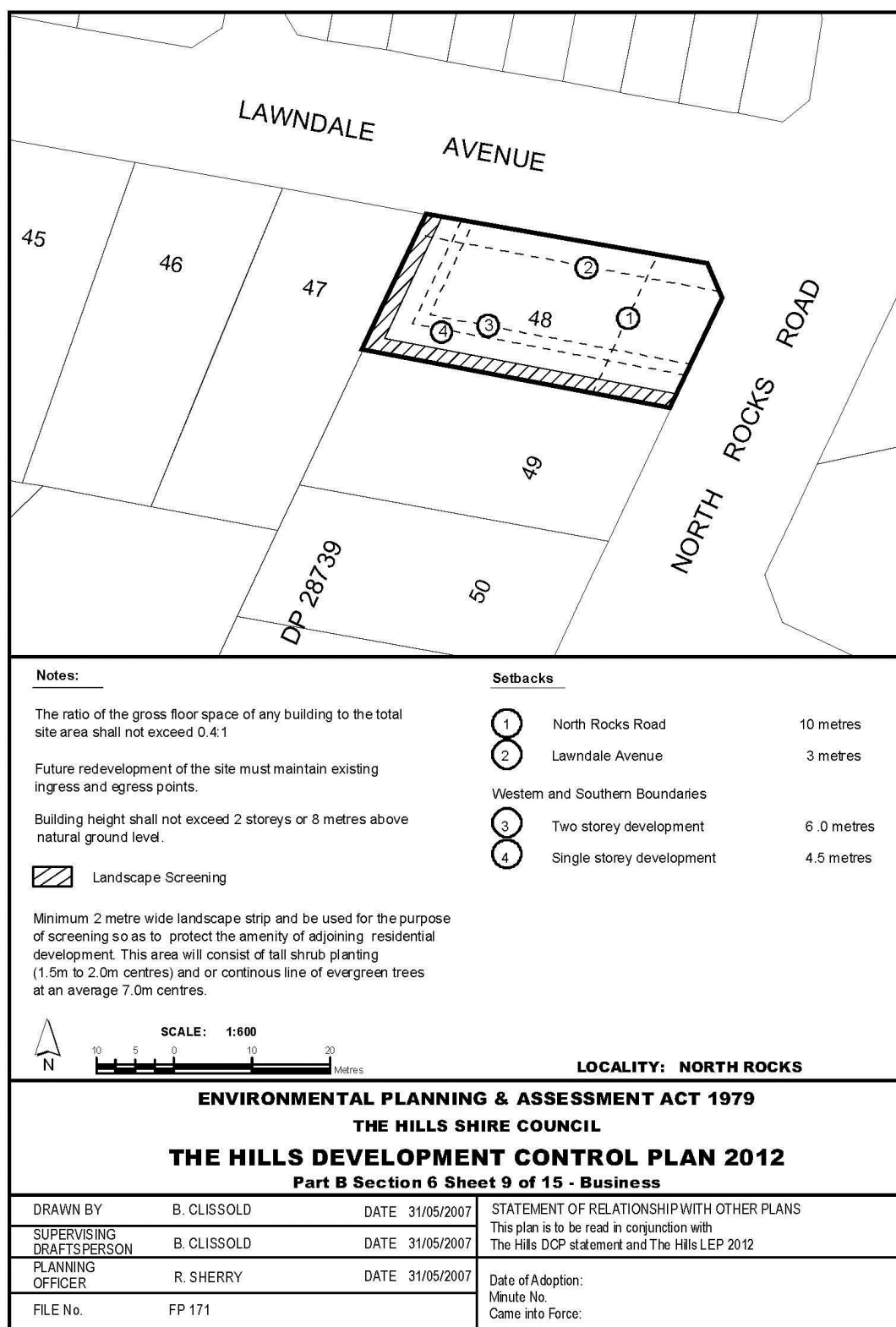




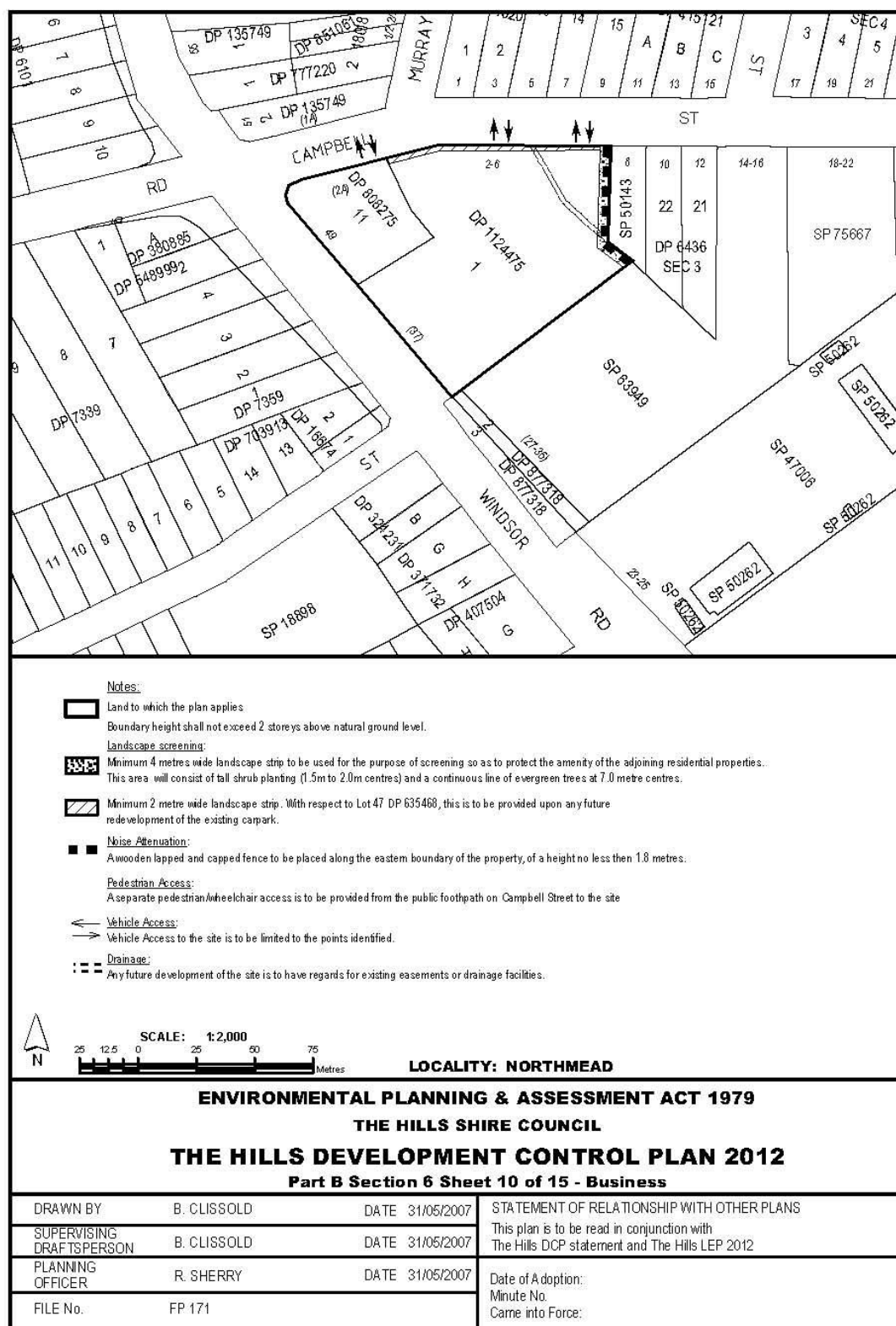


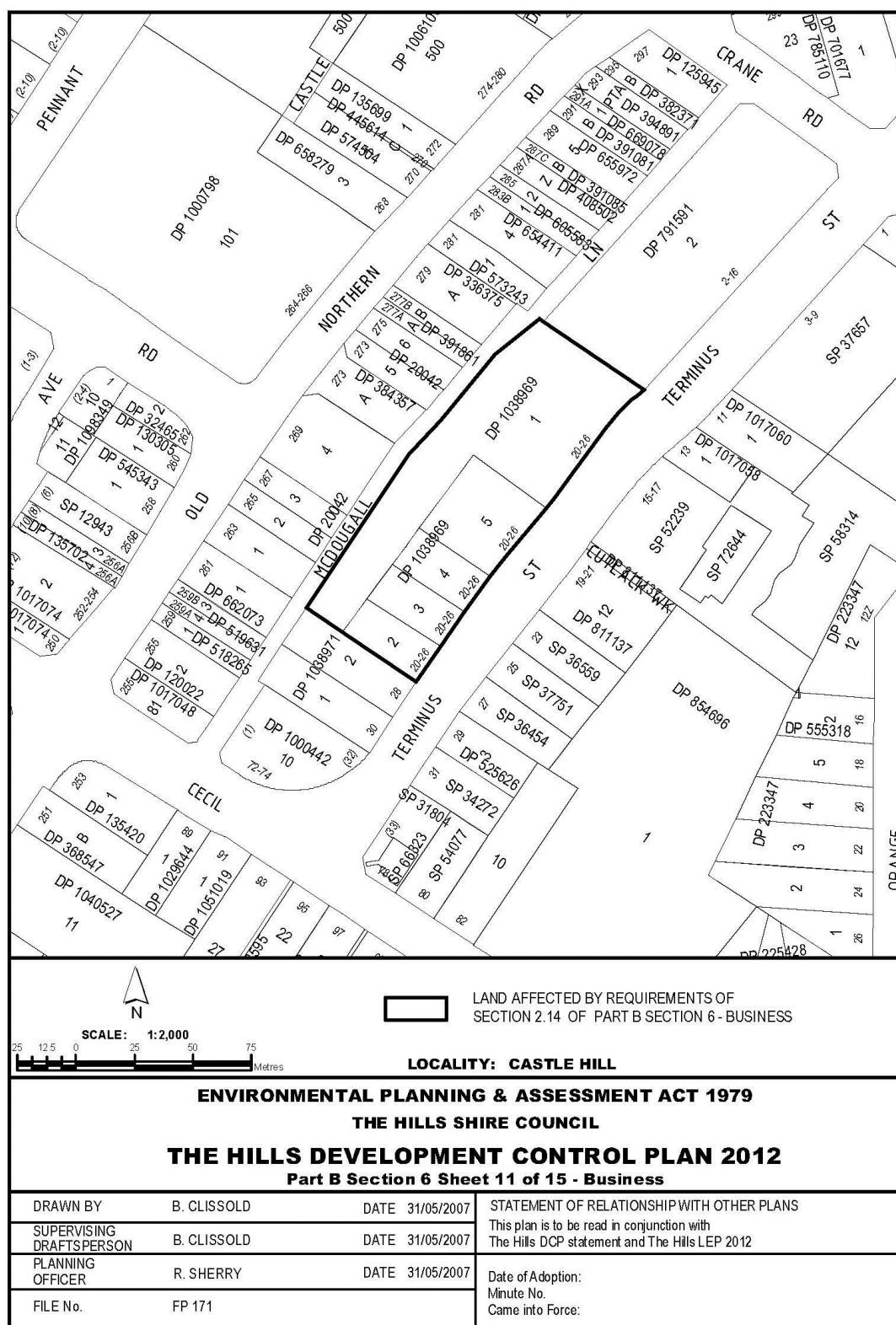
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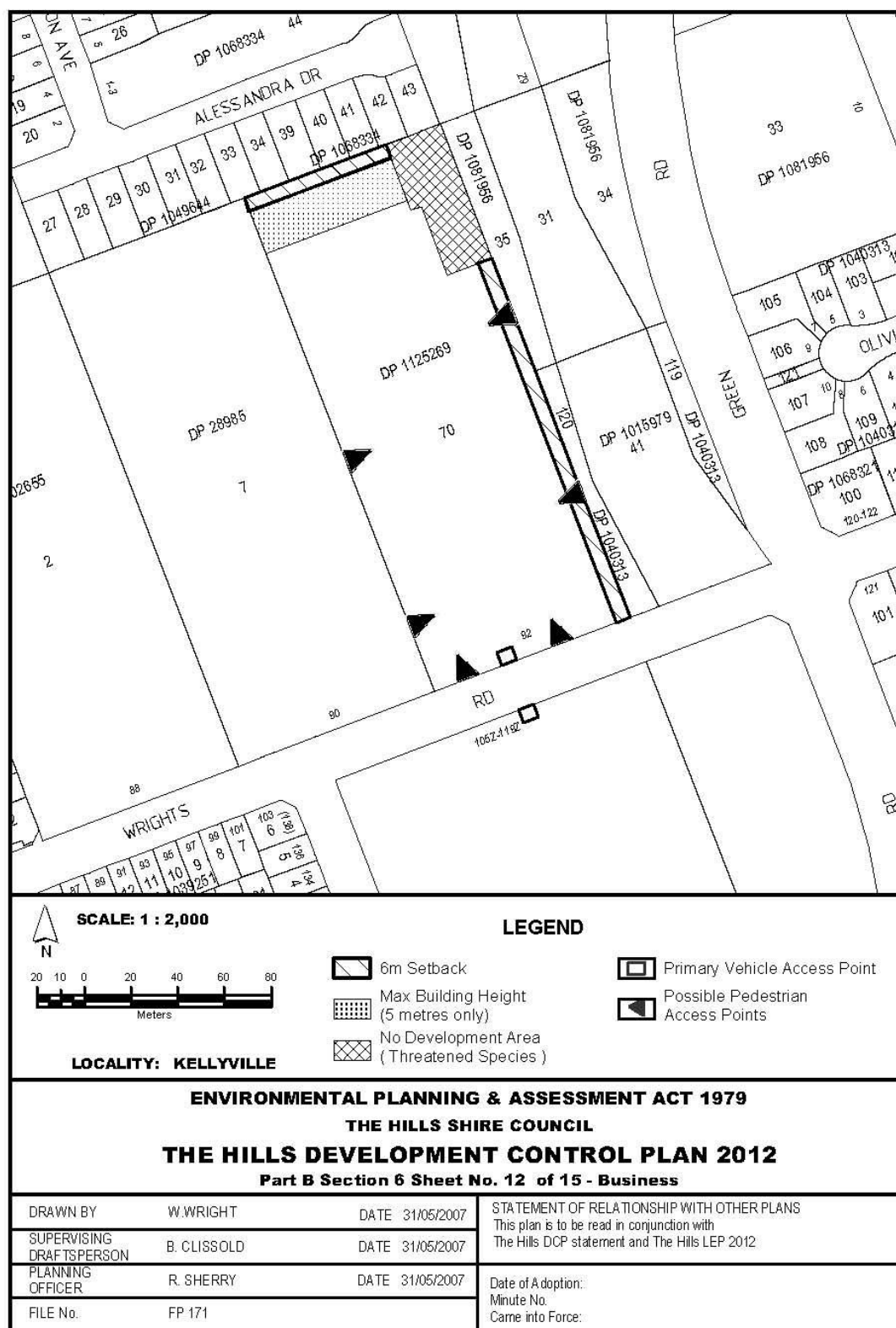


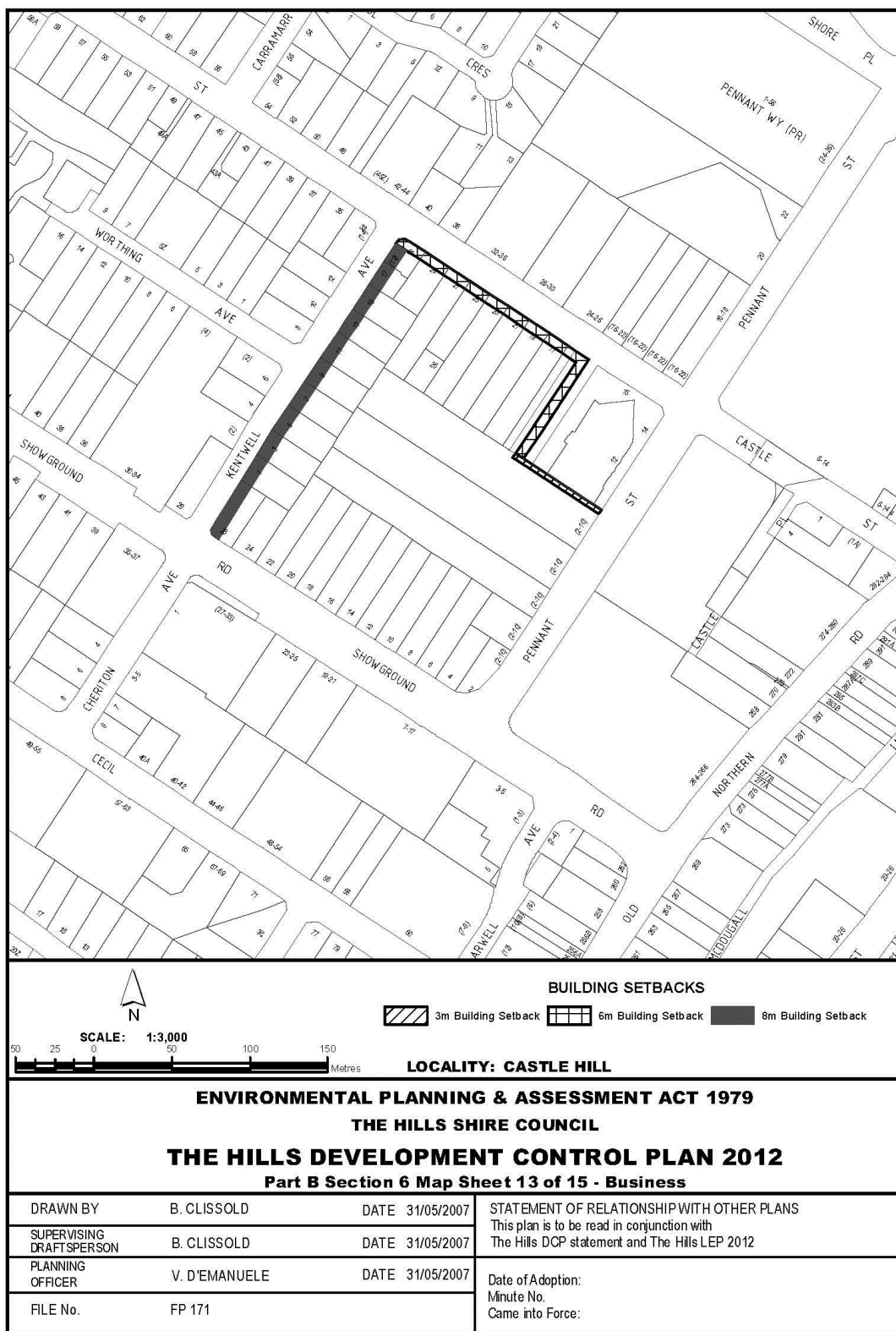
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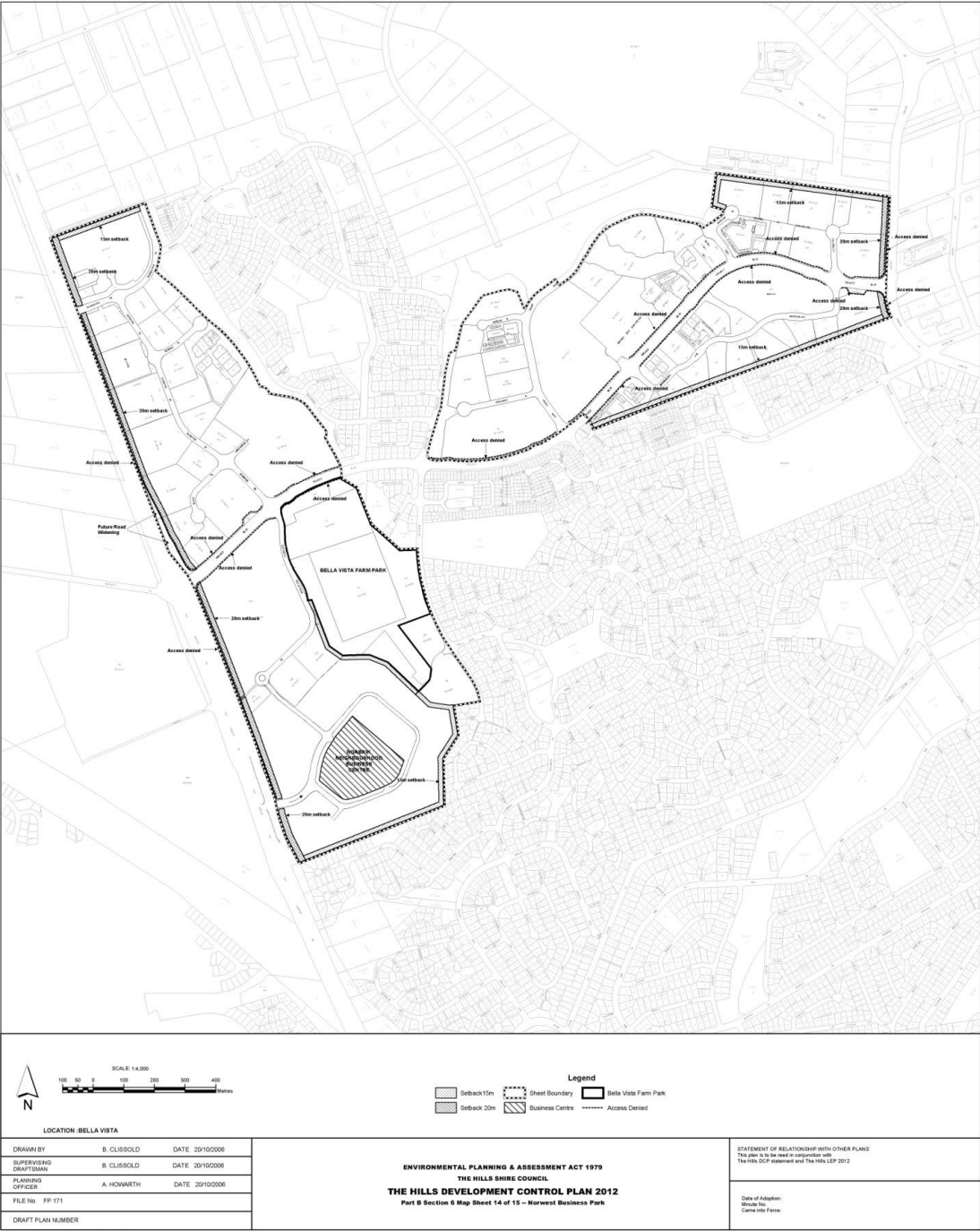


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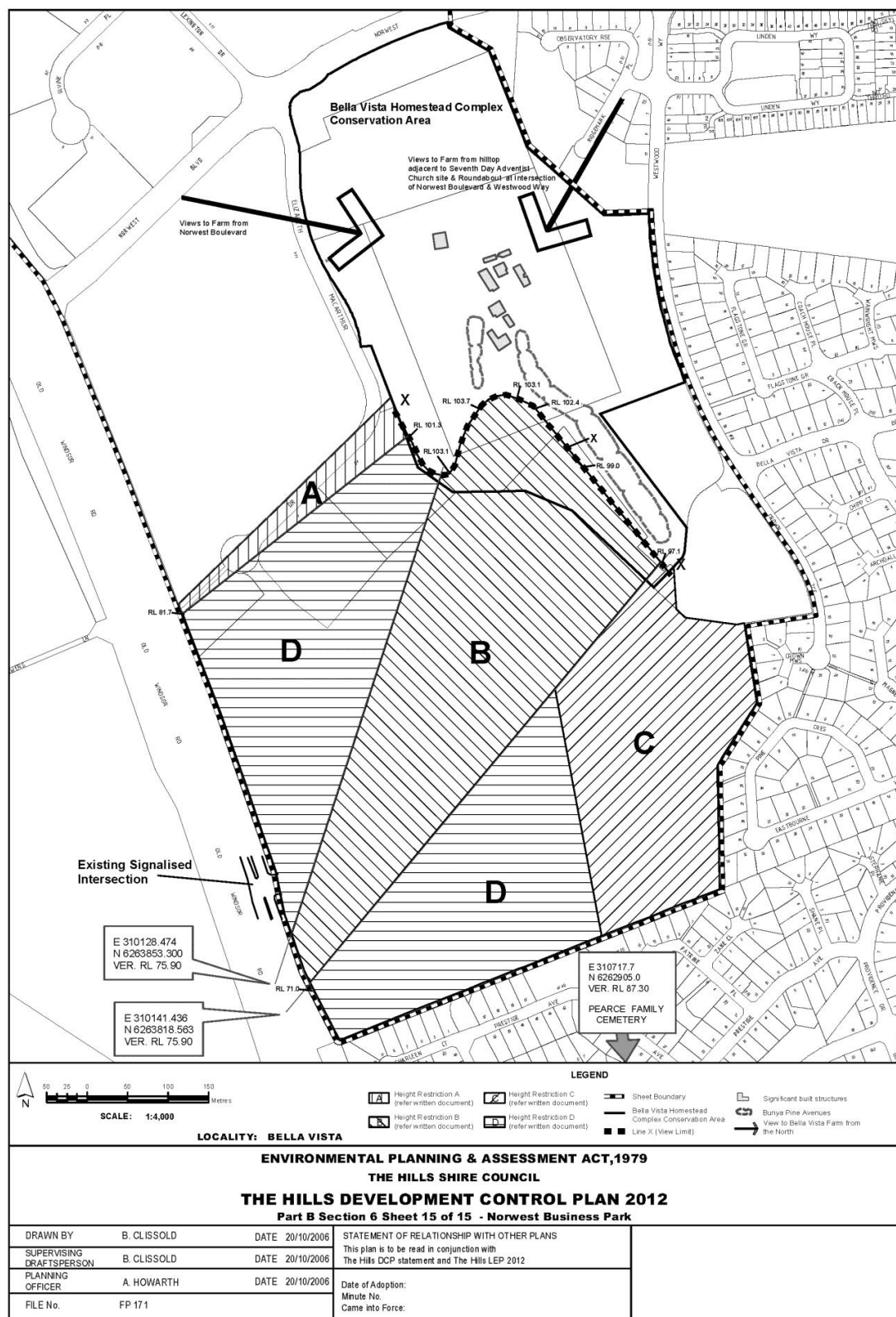




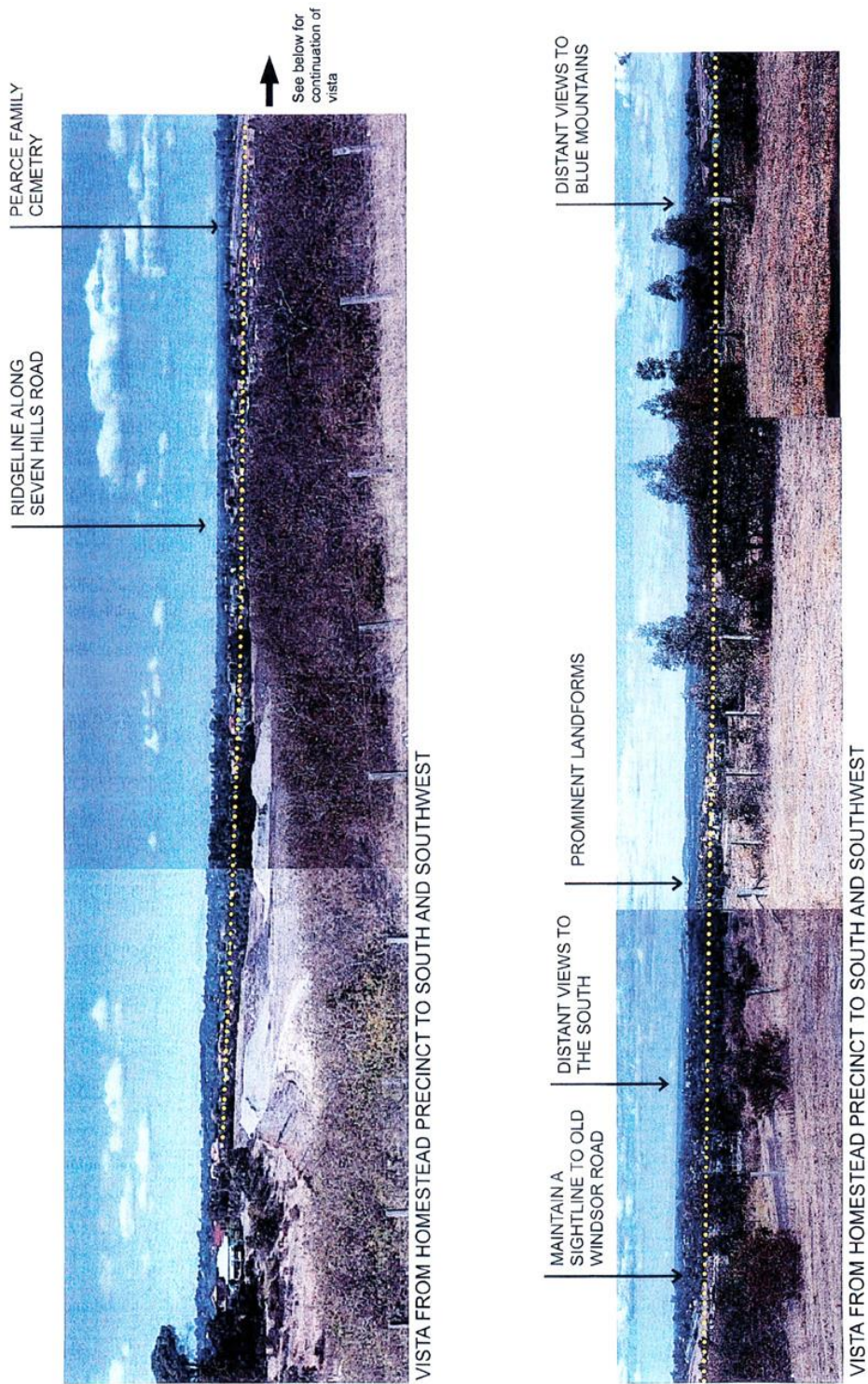
APPENDIX B - NORWEST BUSINESS PARK



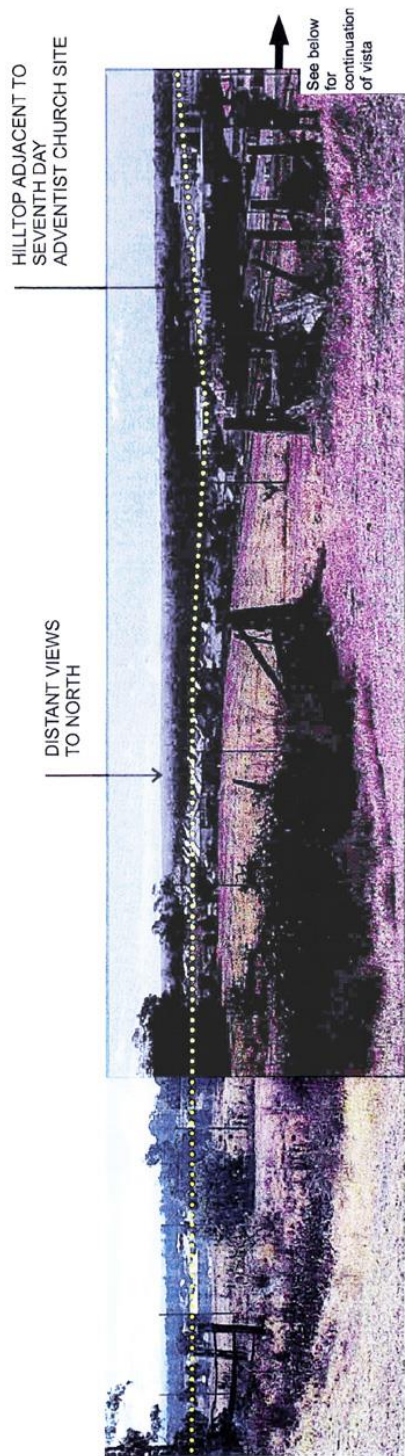
APPENDIX C - BELLA VISTA PRECINCT



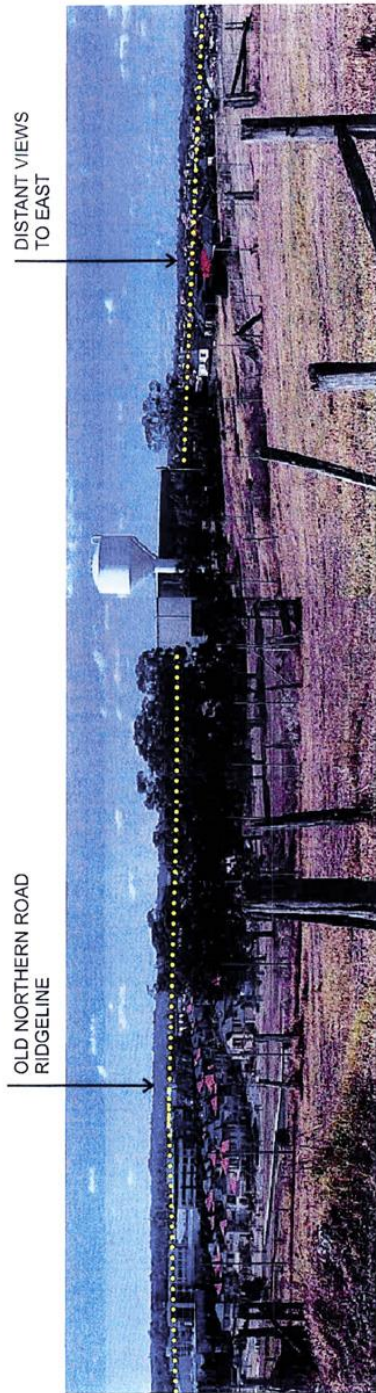
APPENDIX D - BELLA VISTA PHOTO MONTAGES



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

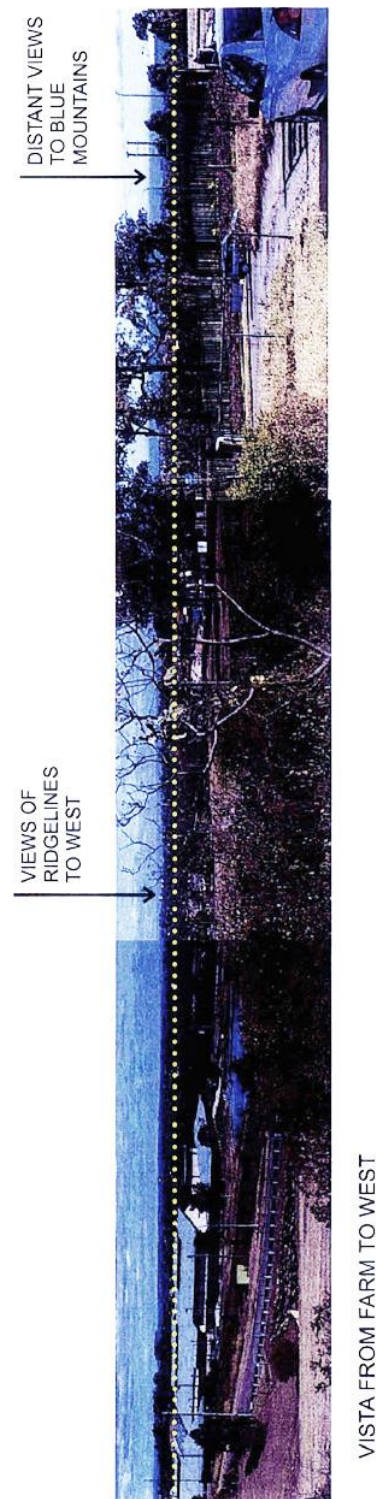


VISTA FROM FARMYARD PRECINCT TO NORTH AND NORTHWEST



VISTA FROM FARMYARD PRECINCT TO NORTH AND NORTHWEST

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.

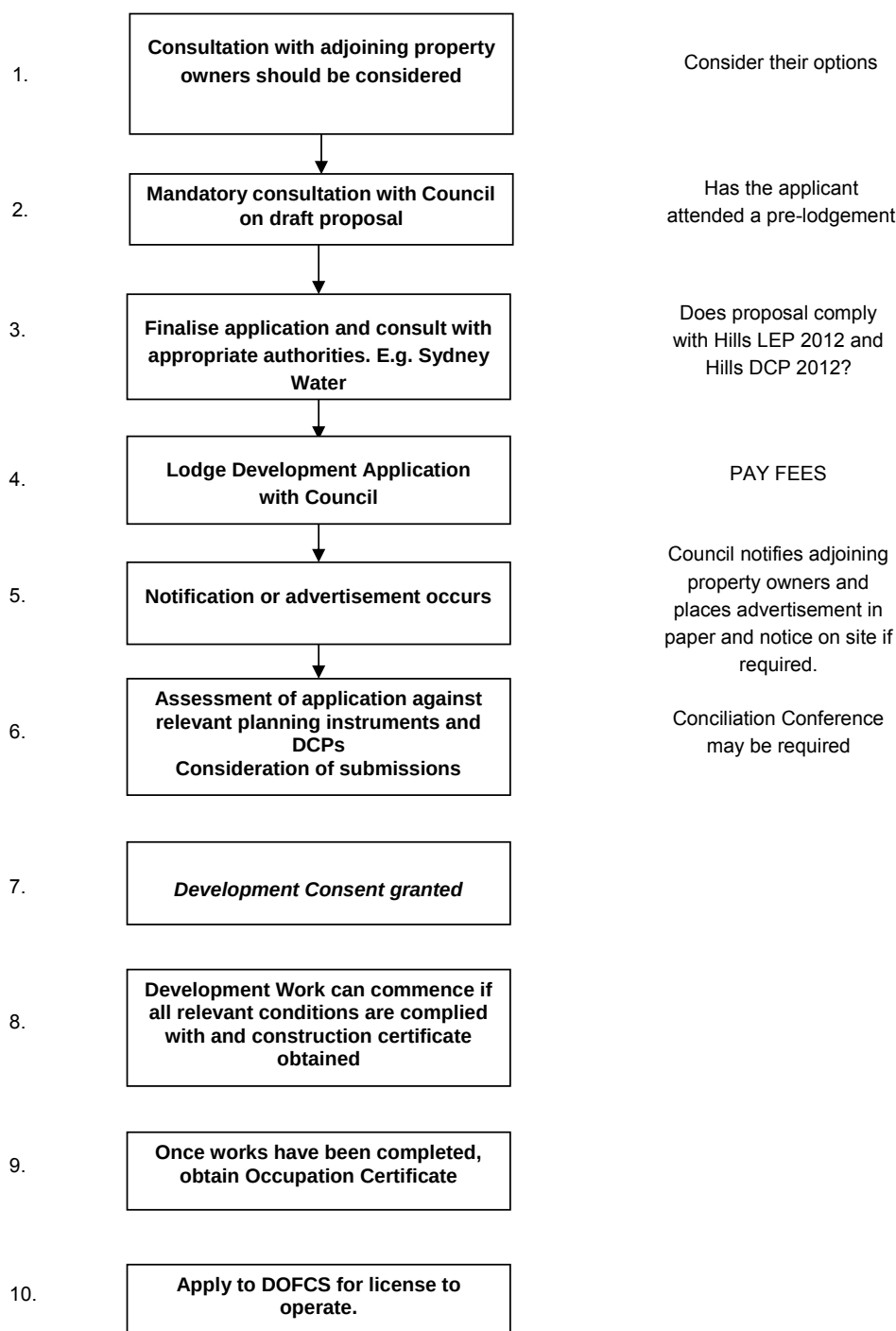


Figure 1 - Child Care Centre Development Application Process

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 C Section 6 – Flood Controlled Land
- 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.

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 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 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

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

DEVELOPMENT CONTROLS

- (a) Residential components shall make provision for separate kitchen, bathroom, laundry and toilet facilities for the exclusive use of residents only.
- (b) Where development is located in rural zones, the child care centre and the residential dwelling shall be attached.
- (c) 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.
- (d) Architectural relief to facades is required to avoid the appearance of excessive bulk and scale.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) A separate and clearly identifiable front door is to be provided to the residential component of any dual-use development.
- (i) 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.*
- 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.

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

- 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

- 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

FLOOR PLANS

ELEVATION PLANS

ENGINEERING PLANS

- 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**SHADOW DIAGRAMS****LANDSCAPE PLANS****EARTHWORKS PLAN**

- Existing and proposed levels/contours.

EROSION AND SEDIMENT CONTROL PLAN**SIGNAGE PLAN****FOOD PREPARATION FACILITIES – PLANS**

- 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 (where relevant)****TRAFFIC STUDY**

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 (where relevant)**SPECIES IMPACT STATEMENT (where relevant)****STREETSCAPE PERSPECTIVE (where relevant)****ARBORIST REPORT****GEOTECHNICAL CONTAMINATION ASSESSMENT (where relevant)****SOCIAL IMPACT ASSESSMENT**

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)**NOISE MANAGEMENT PLAN****ENVIRONMENTAL HEALTH ASSESSMENT**

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 (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 (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

Note. Refer to Part A – Introduction section 4.0 for general lodgement requirements and detailed requirements to be included in each of the above documentation.

