

- (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 ingresses/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.

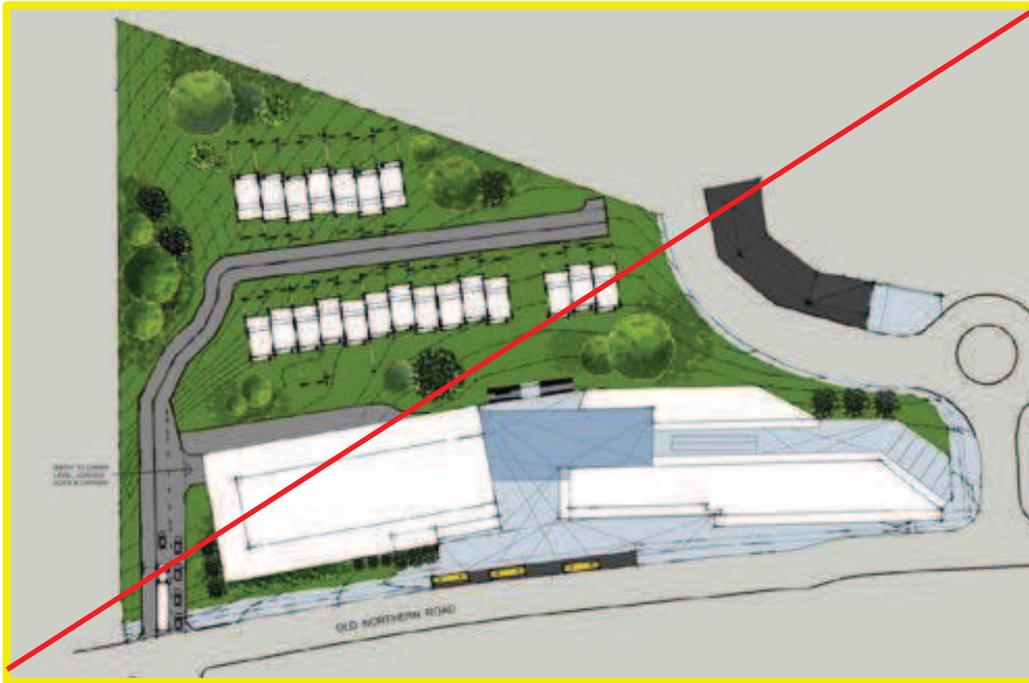


Figure B—Indicative Layout



Figure C—Indicative central plaza area

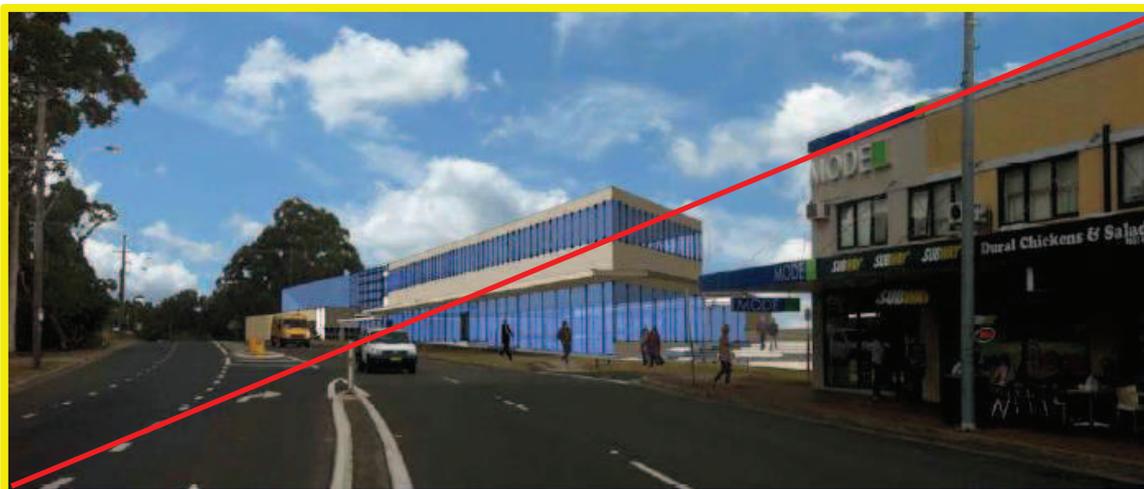


Figure D—Indicative view south from Old Northern Road

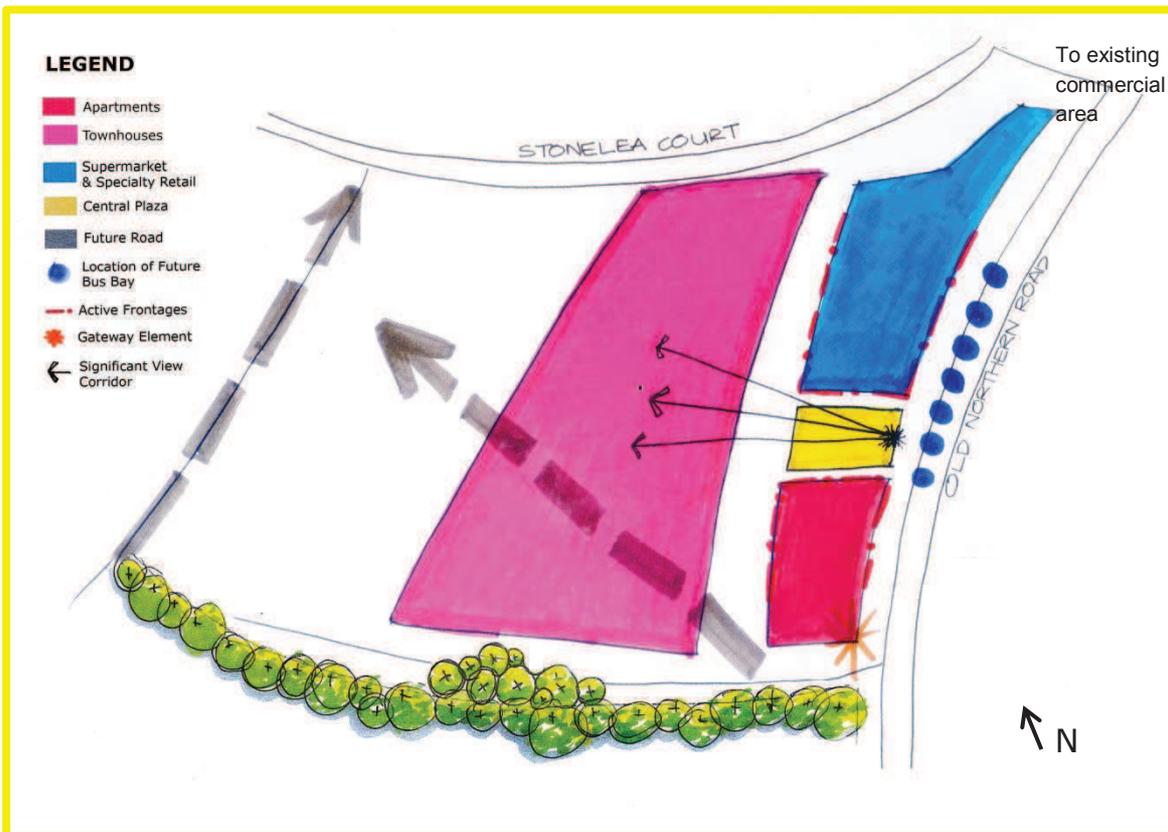
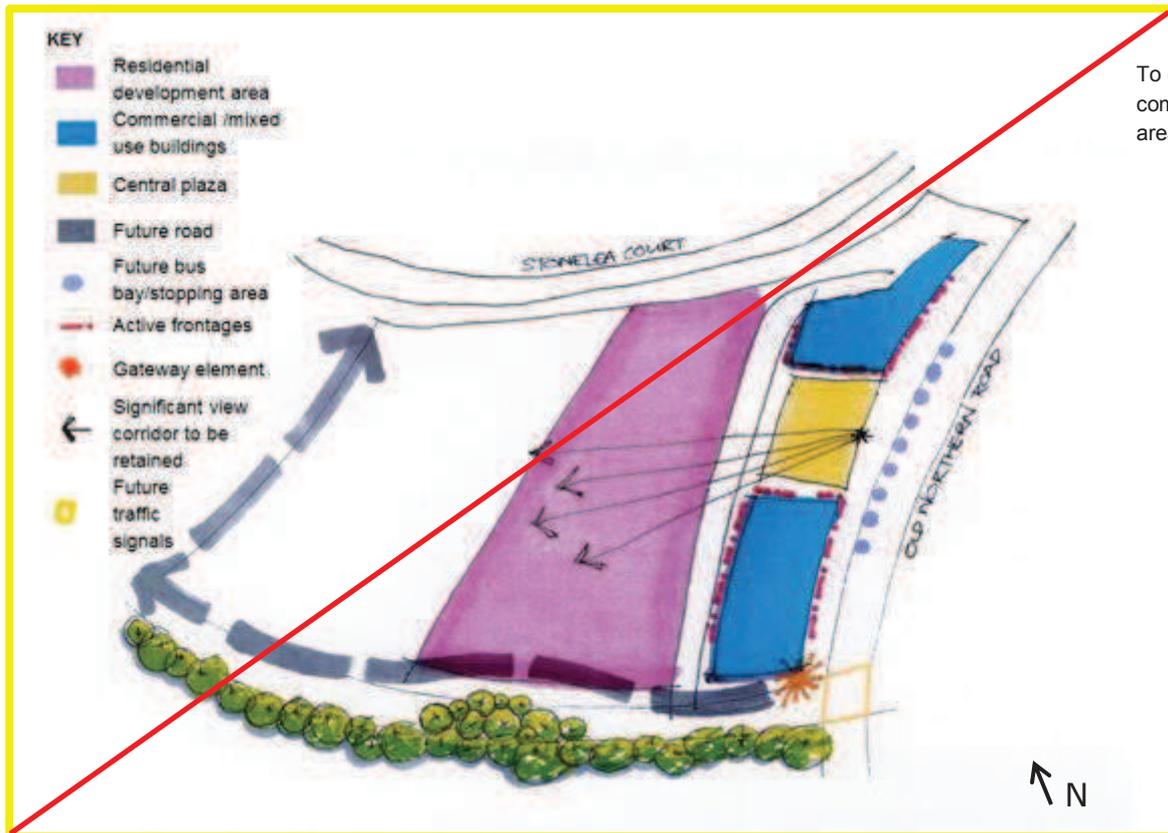


Figure BE – Key principles for development

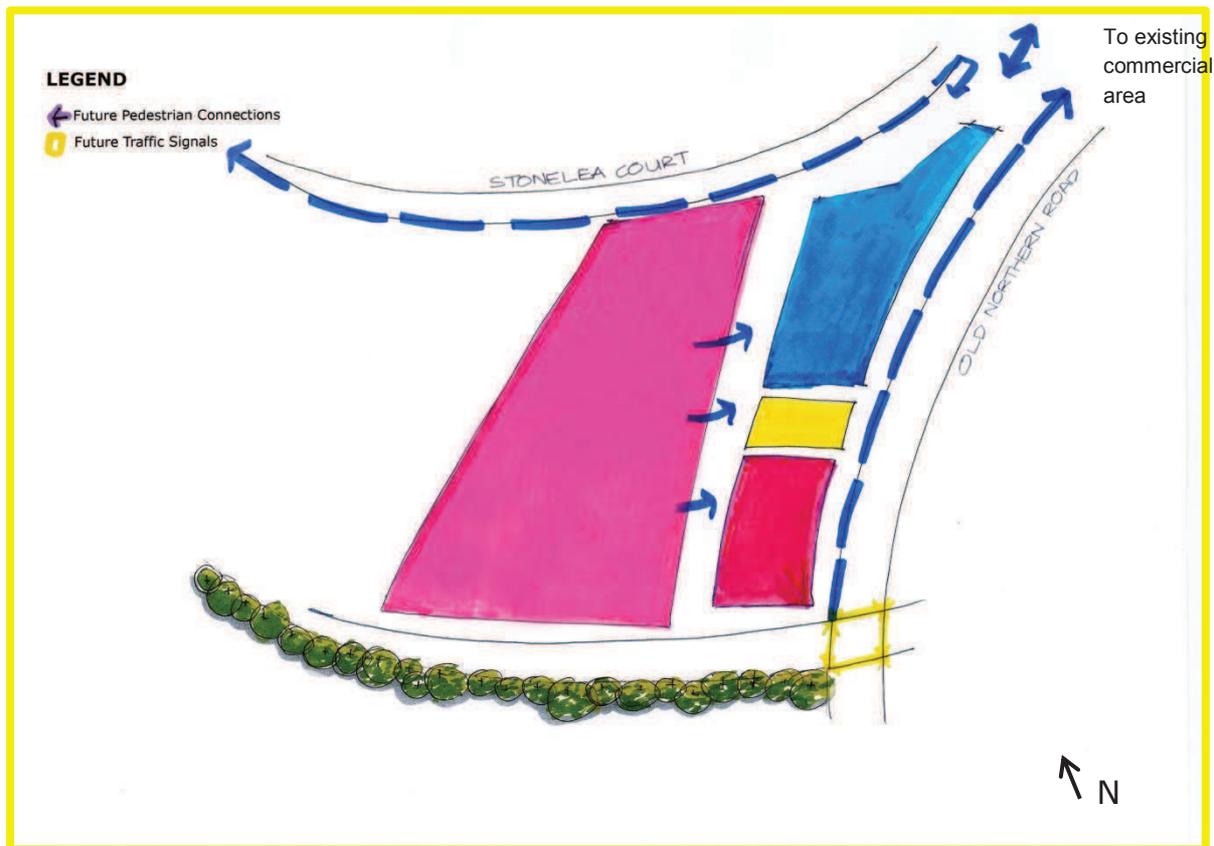
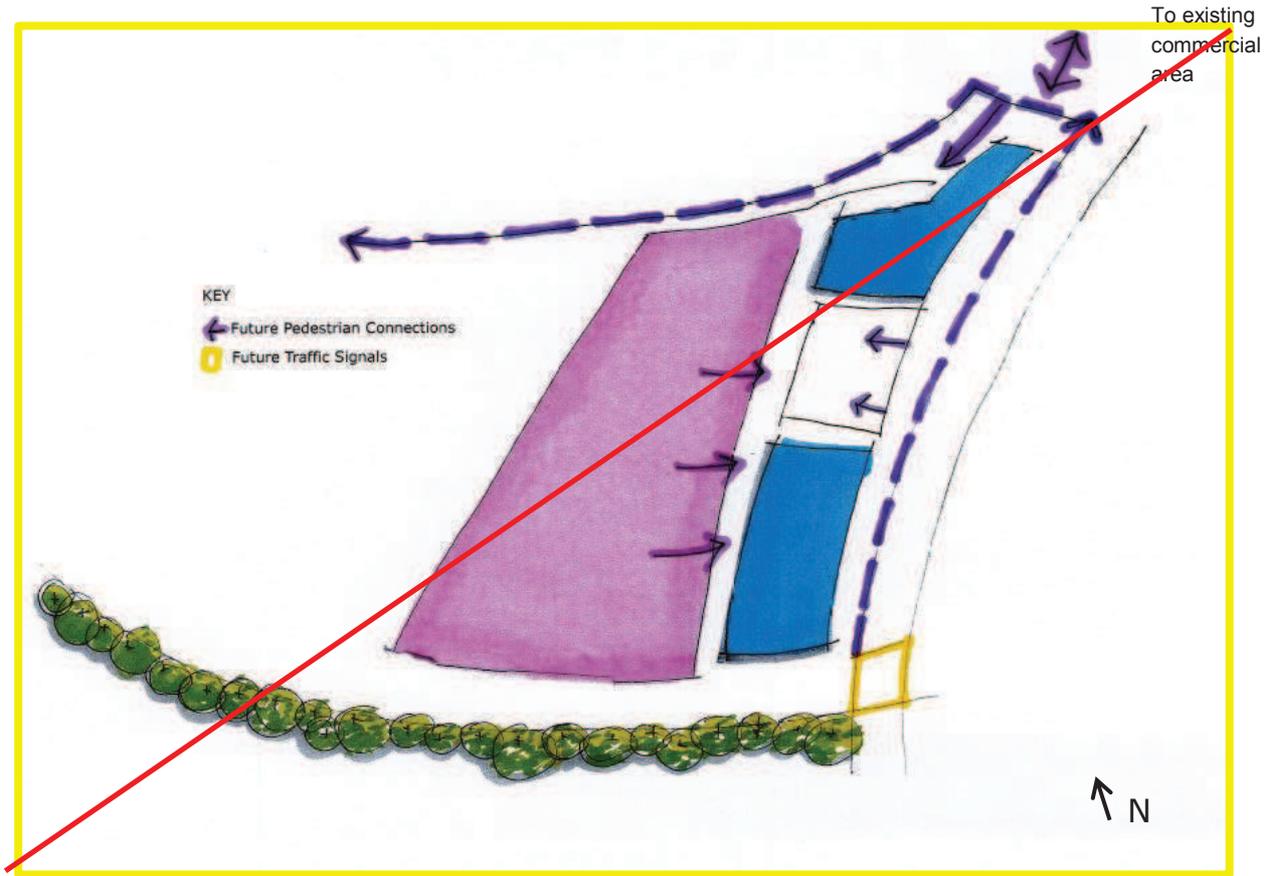


Figure C E – Principles for Pedestrian Connectivity

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 F.
- (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 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:

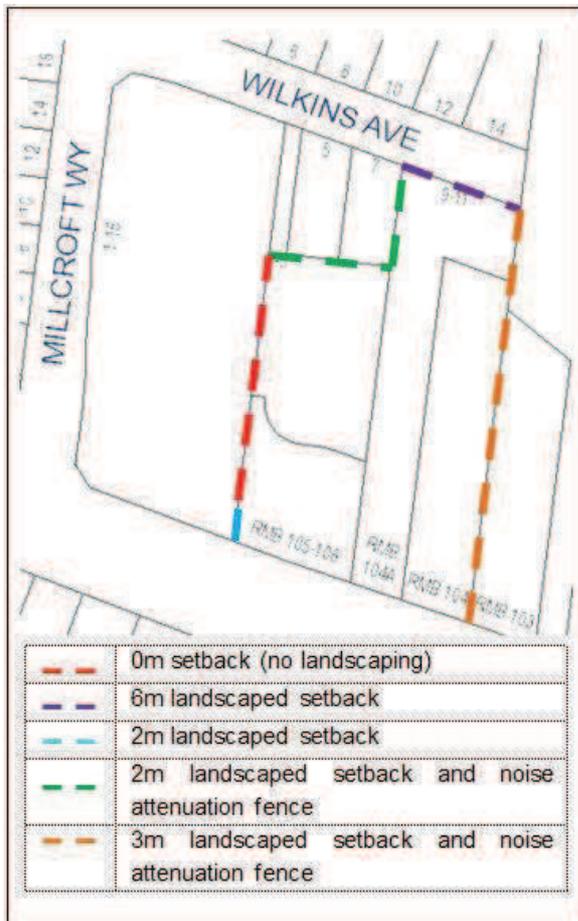


Figure B – Setback

- (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.
- (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.

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:

- (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:

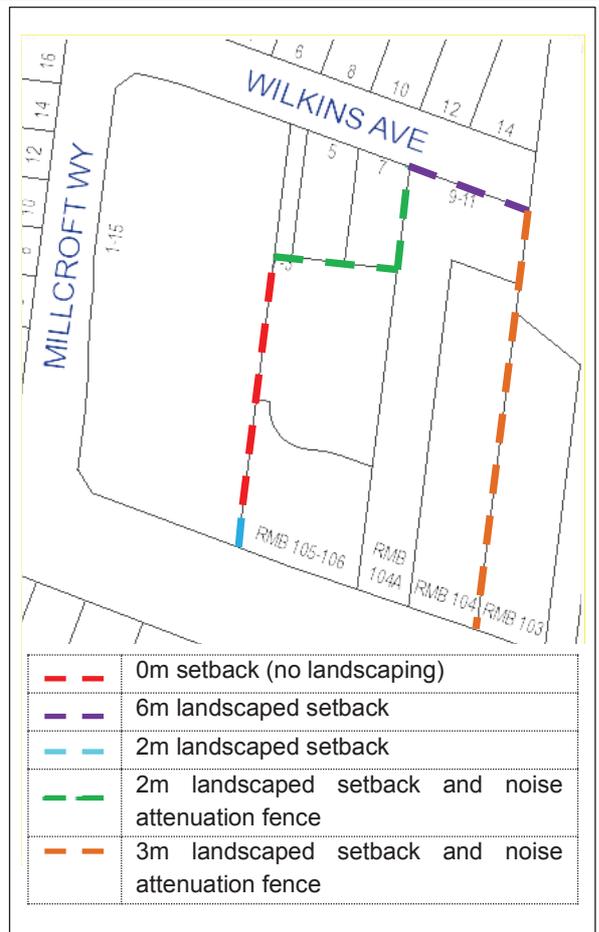


Figure C - Landscaping and fencing requirements

- (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

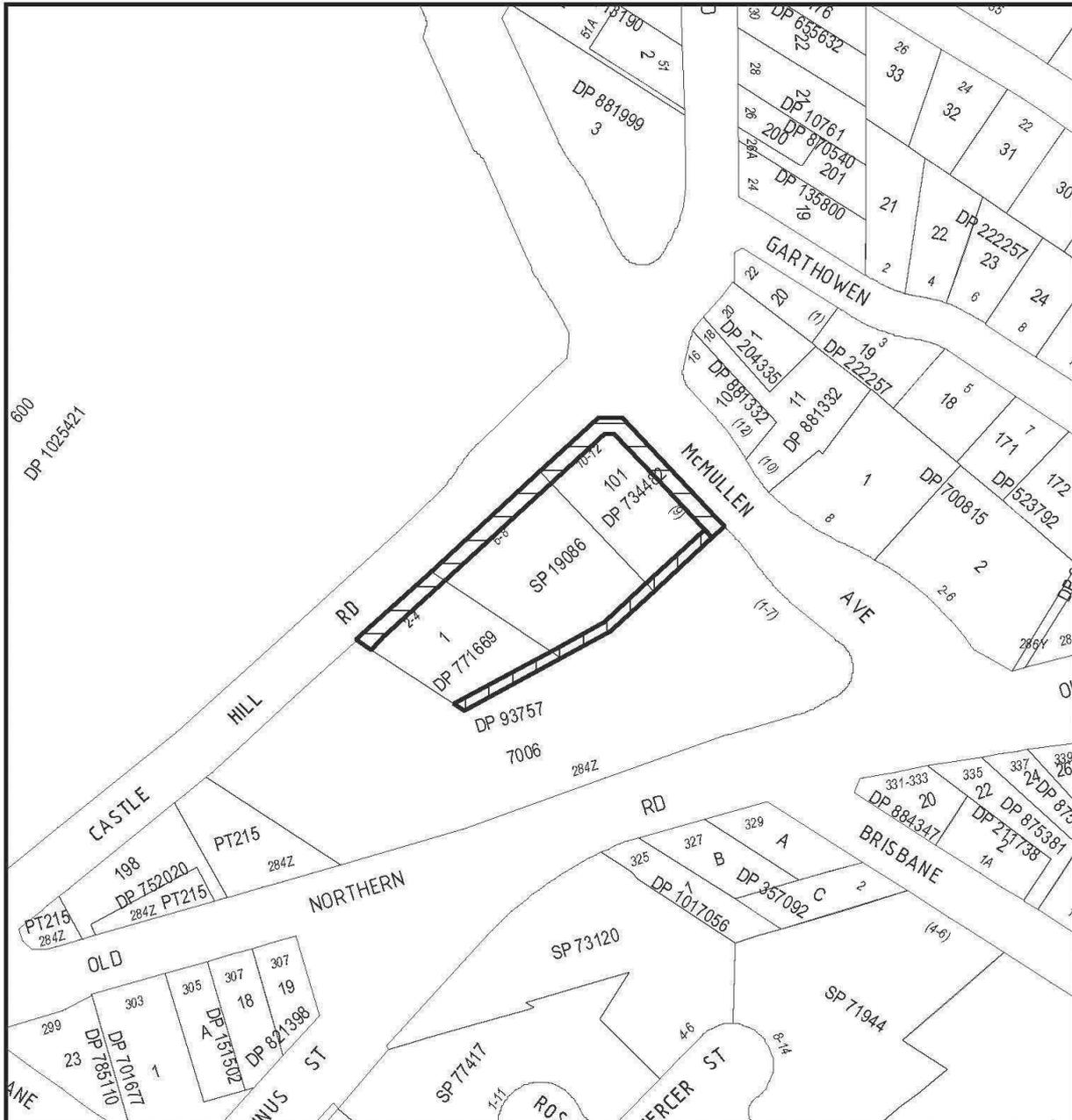
STATEMENT OF ENVIRONMENTAL EFFECTS

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



Legend

4m Building Setback
 6m Building Setback

LOCALITY: Castle Hill

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 2 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption:
FILE No.	FP 171			Minute No.
				Came into Force:

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet2\PartB_Sec6_Sht2.mxd



Legend

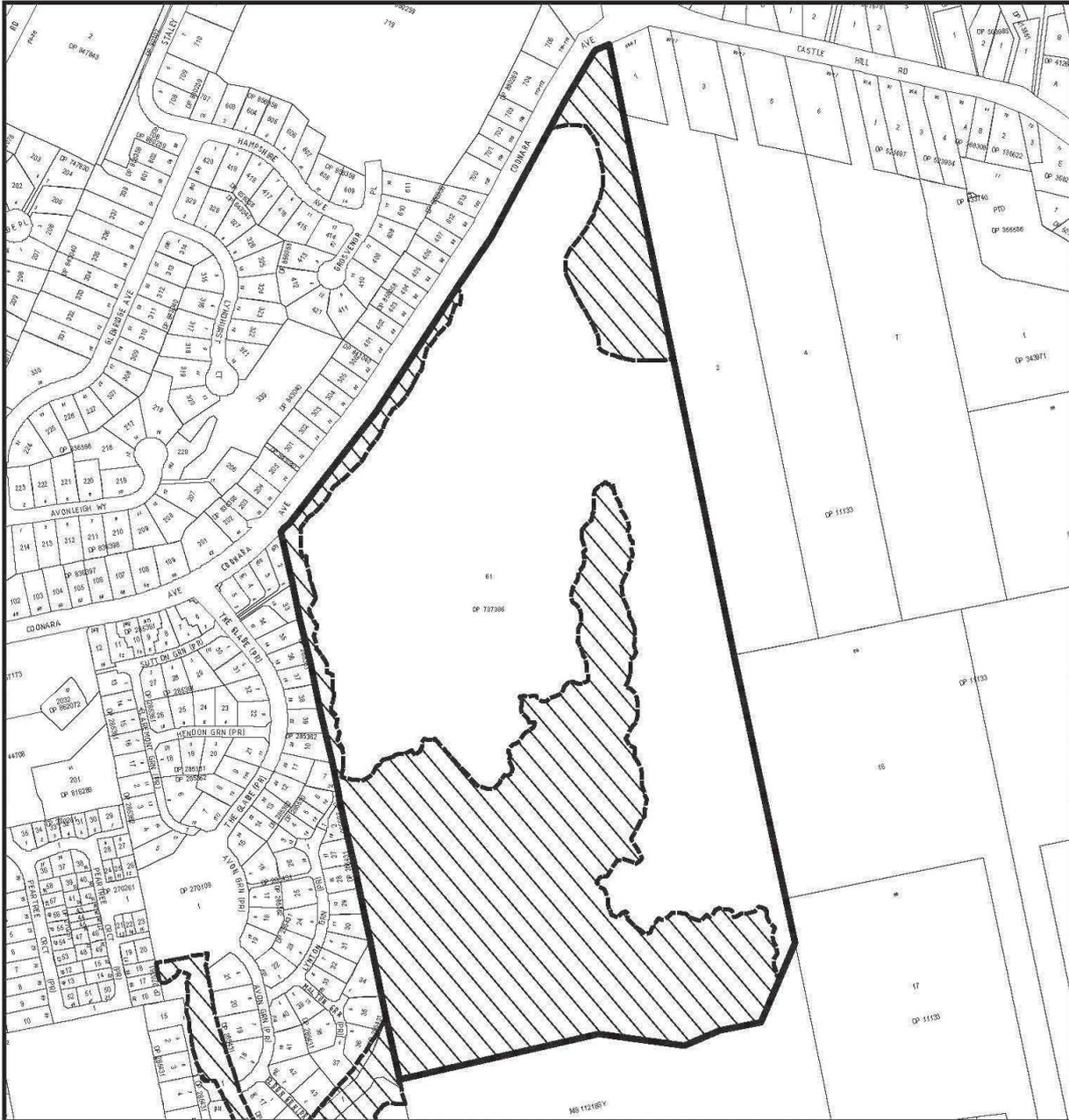
4m Building Setback
 6m Building Setback
 8m Building Setback

LOCALITY: BAULKHAM HILLS

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 3 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: Minute No. Came into Force:
FILE No.	FP 171			

Map Document: S:\Projects\Plan Serv\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet3\PartB_Sec6_Sk3.mxd



Legend

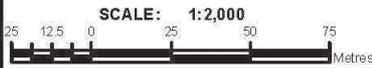
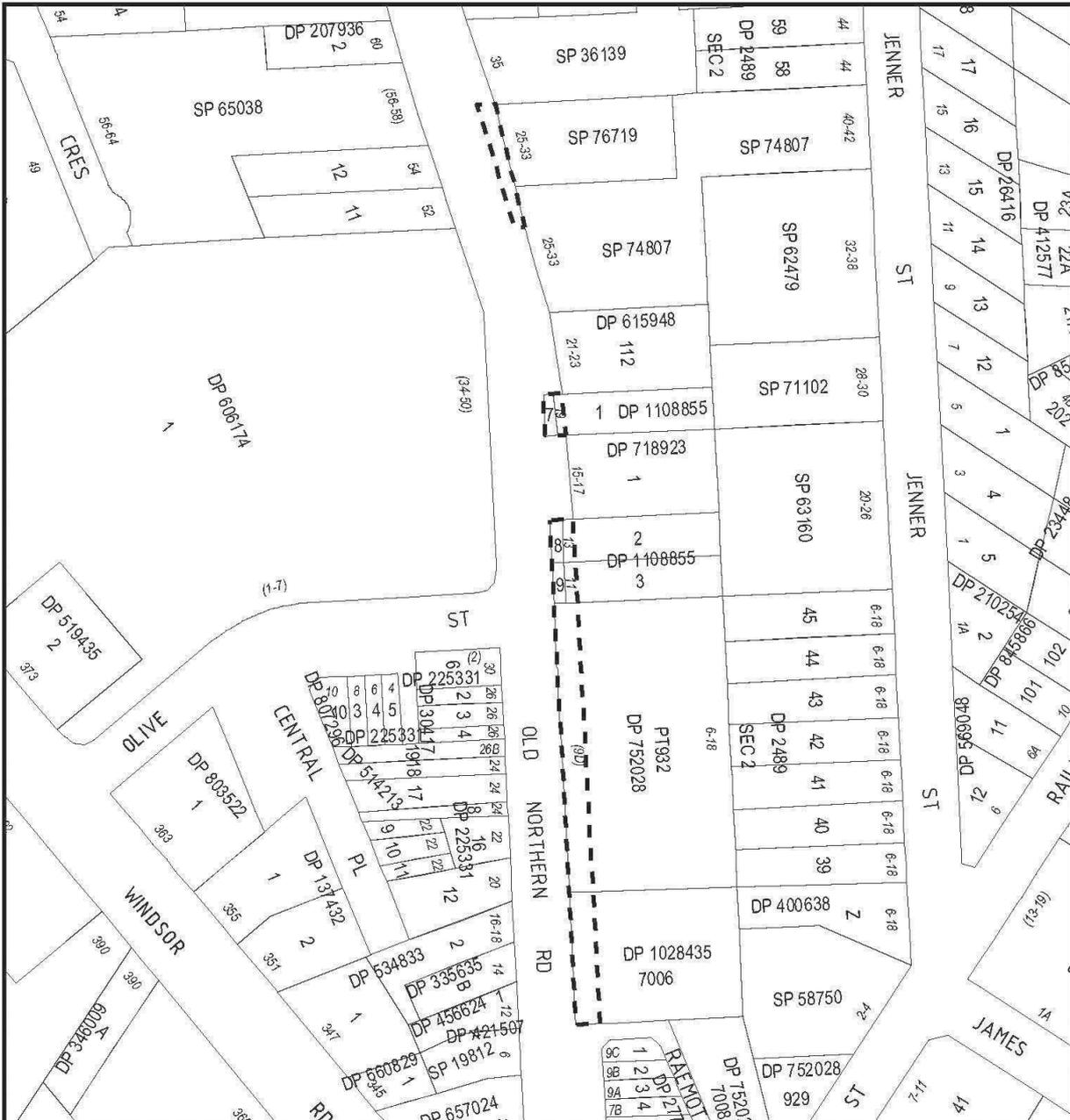
Restricted Development
 Sheet Boundary

LOCALITY: WEST PENNANT HILLS

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 4 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: Minute No. Came into Force:
FILE No.	FP 171			

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet4\PartB_Sec6_S14.mxd



Legend

--- Proposed Road Widening

LOCALITY: BAULKHAM HILLS

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

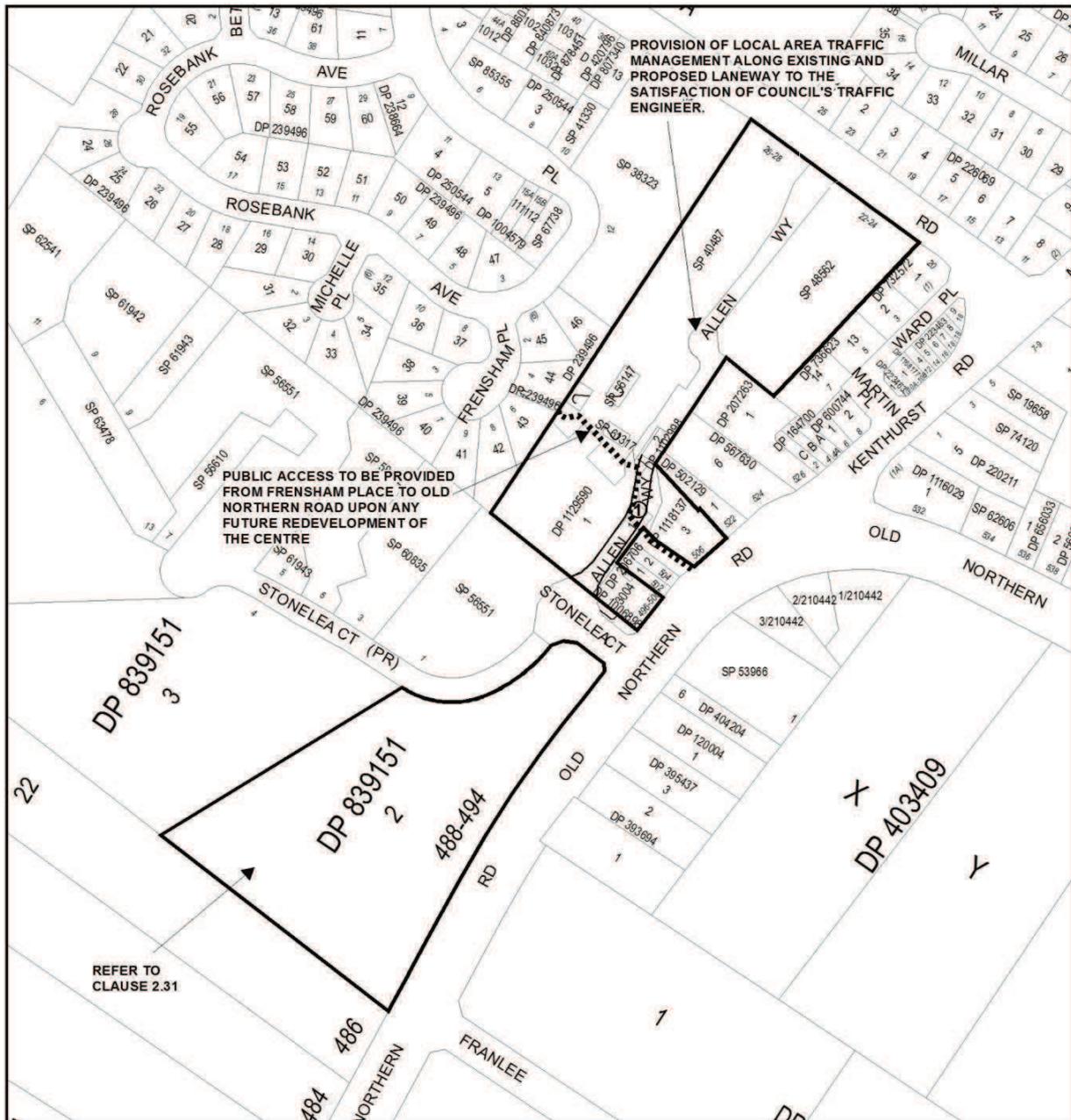
THE HILLS SHIRE COUNCIL

THE HILLS DEVELOPMENT CONTROL PLAN 2012

Part B Section 6 Sheet 7 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption:
FILE No.	FP 171			Minute No.
				Came into Force:

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet7\PartB_Sec6_Sht7.mxd



LEGEND

SCALE: 1:3,000
 25 12.5 0 25 50 75 100 Metres

N

SHEET BOUNDARY

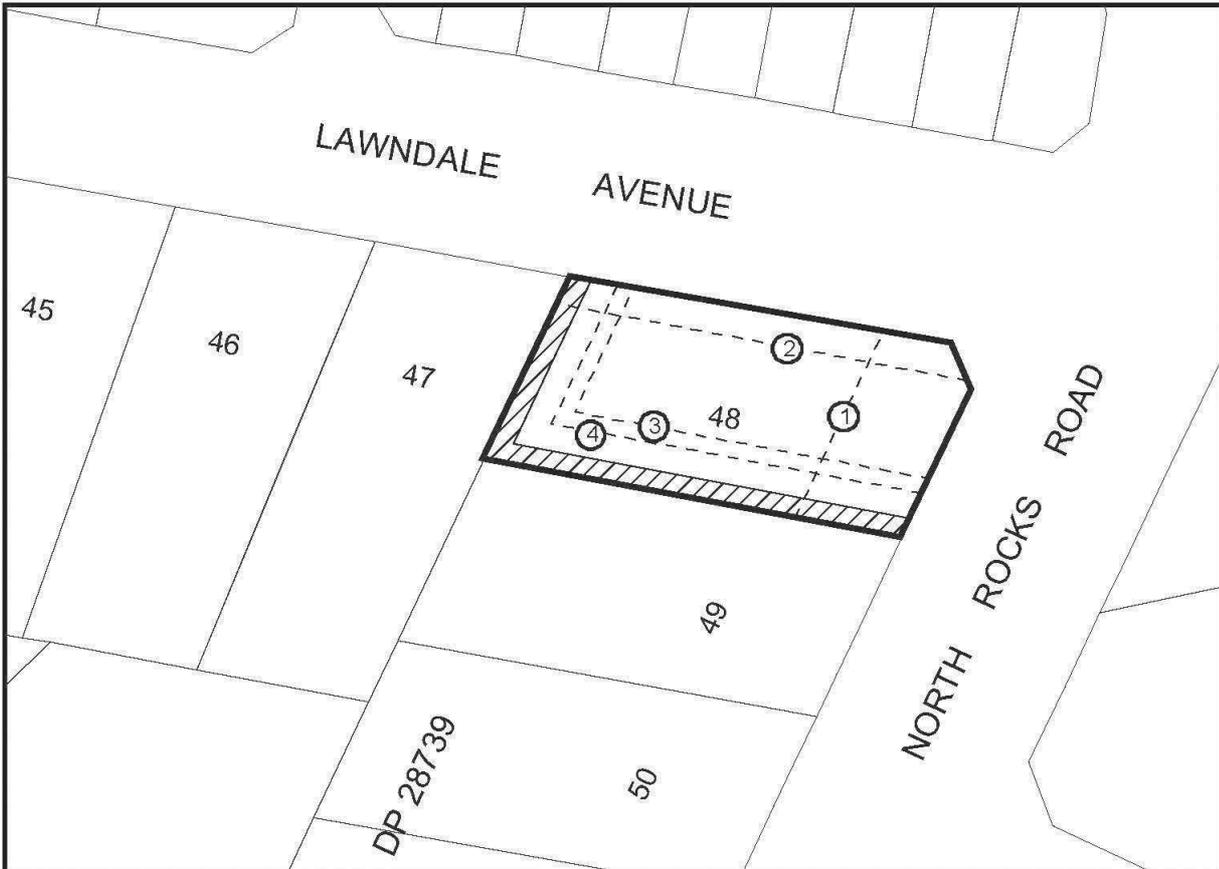
ROAD CLASSIFICATION
 ① 1.5 (footpath) - 7.5 - 2.0 (footpath)

LOCALITY: DURAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 8 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	21/07/2014	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	21/07/2014	
PLANNING OFFICER	A. JENKINS	DATE	21/07/2014	Date of Adoption: Minute No. Came into Force:
FILE No.	FP 171			

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet_8\PartB_Sec6_Sh8.mxd



Notes:

The ratio of the gross floor space of any building to the total site area shall not exceed 0.4:1

Future redevelopment of the site must maintain existing ingress and egress points.

Building height shall not exceed 2 storeys or 8 metres above natural ground level.

 Landscape Screening

Minimum 2 metre wide landscape strip and be used for the purpose of screening so as to protect the amenity of adjoining residential development. This area will consist of tall shrub planting (1.5m to 2.0m centres) and or continuous line of evergreen trees at an average 7.0m centres.



Setbacks

-  North Rocks Road 10 metres
-  Lawndale Avenue 3 metres
- Western and Southern Boundaries
-  Two storey development 6.0 metres
-  Single storey development 4.5 metres

LOCALITY: NORTH ROCKS

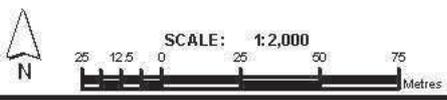
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 9 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption:
FILE No.	FP 171			Minute No.
				Came into Force:

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- Notes:**
- Land to which the plan applies.
Boundary height shall not exceed 2 storeys above natural ground level.
 - Landscape screening:**
 - Minimum 4 metres wide landscape strip to be used for the purpose of screening so as to protect the amenity of the adjoining residential properties. This area will consist of tall shrub planting (1.5m to 2.0m centres) and a continuous line of evergreen trees at 7.0 metre centres.
 - Minimum 2 metre wide landscape strip. With respect to Lot 47 DP 635468, this is to be provided upon any future redevelopment of the existing carpark.
 - Noise Attenuation:**
 - A wooden lapped and capped fence to be placed along the eastern boundary of the property, of a height no less than 1.8 metres.
 - Pedestrian Access:**
 - A separate pedestrian/wheelchair access is to be provided from the public footpath on Campbell Street to the site
 - Vehicle Access:**
 - Vehicle Access to the site is to be limited to the points identified.
 - Drainage:**
 - Any future development of the site is to have regards for existing easements or drainage facilities.

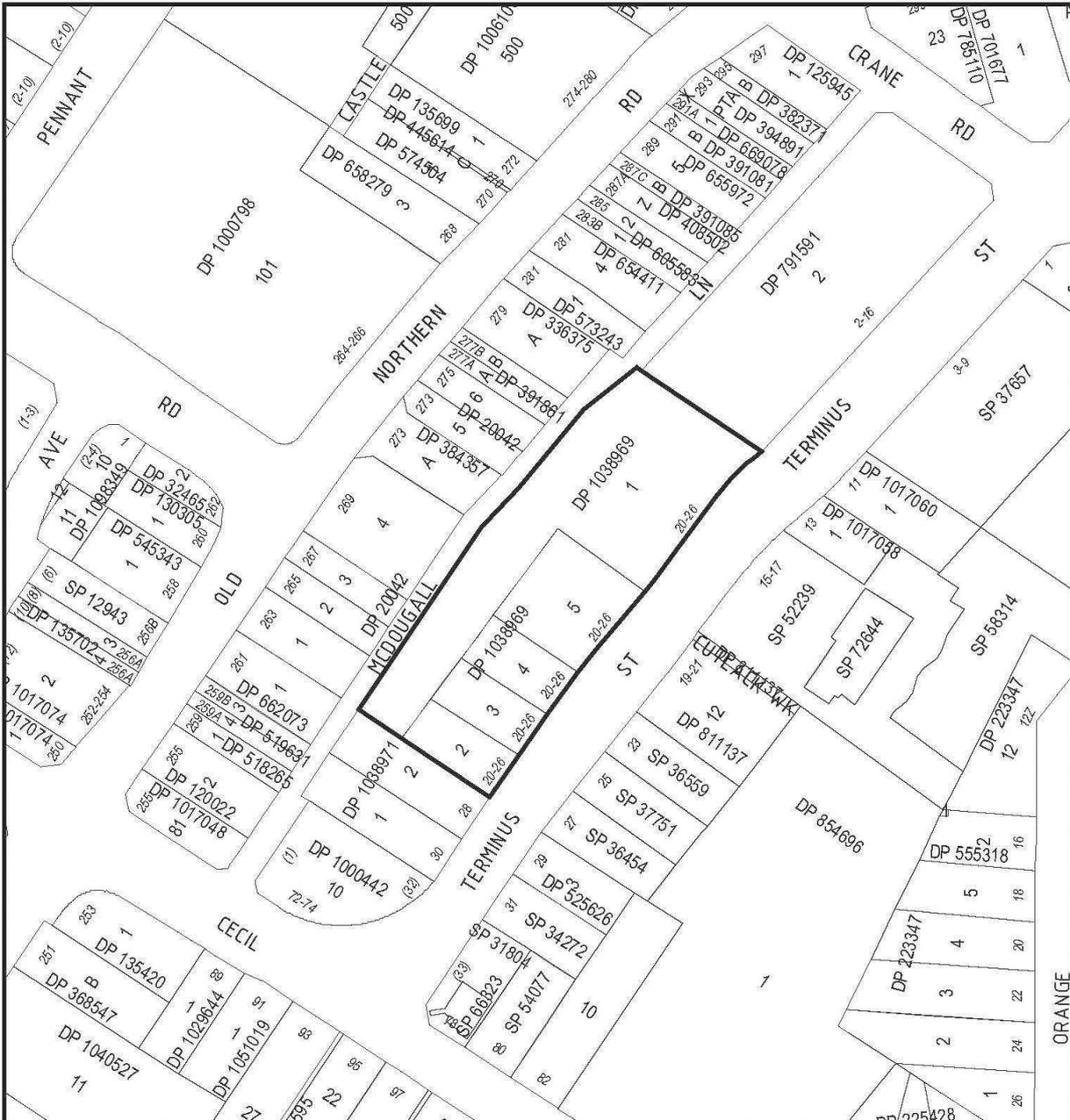


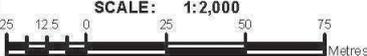
LOCALITY: NORTHMEAD

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 10 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption:
FILE No.	FP 171			Minute No.
				Came into Force:

Map Document: G:\Projects\Part B\Consolidating_DCP\The_Hills_DCP_2012\DraftPartB_Sec6Sheet10of15PartB_Sec6_S10.mxd




SCALE: 1:2,000
 Metres

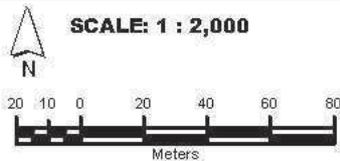
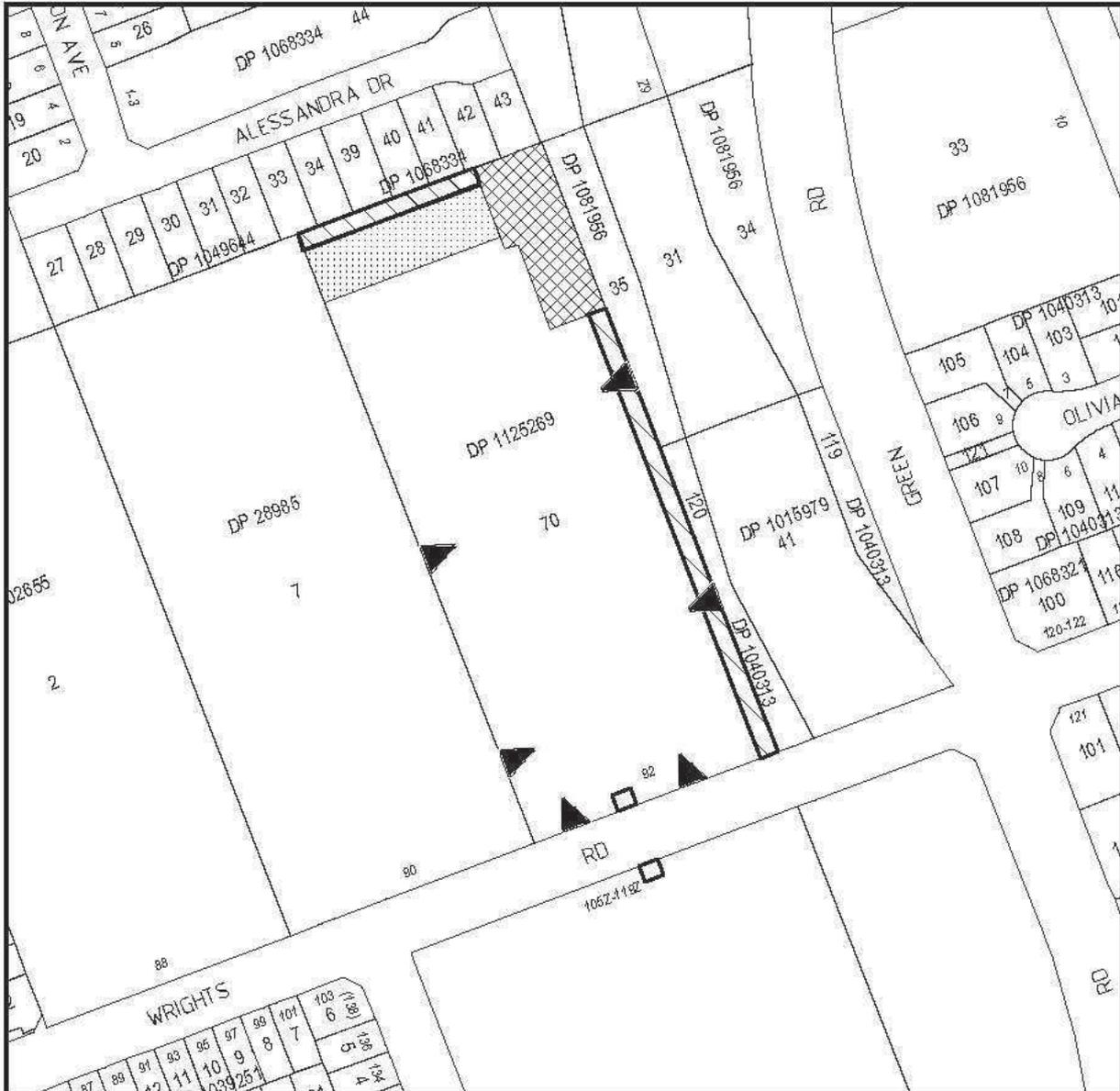
 LAND AFFECTED BY REQUIREMENTS OF SECTION 2.14 OF PART B SECTION 6 - BUSINESS

LOCALITY: CASTLE HILL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 11 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption:
FILE No.	FP 171			Minute No.
				Came into Force:

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet11\PartB_Sec6_Sht11.mxd



SCALE: 1 : 2,000

LEGEND

- 6m Setback
- Max Building Height (5 metres only)
- No Development Area (Threatened Species)
- Primary Vehicle Access Point
- Possible Pedestrian Access Points

LOCALITY: KELLYVILLE

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
 Part B Section 6 Sheet No. 12 of 15 - Business

DRAWN BY	W. WRIGHT	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTER PERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: Minute No: Came into Force:
FILE No.	FP 171			

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SCALE: 1:3,000


BUILDING SETBACKS
 3m Building Setback
  6m Building Setback
  8m Building Setback

LOCALITY: CASTLE HILL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Map Sheet 13 of 15 - Business

DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	V. D'EMANUELE	DATE	31/05/2007	Date of Adoption: Minute No. Came into Force:
FILE No.	FP 171			

Map Document S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2012\Draft\PartB_Sec6\Sheet13\PartB_Sec6_Sh13.mxd

APPENDIX B - NORWEST BUSINESS PARK



Legend	
	Setback 15m
	Setback 20m
	Sheet Boundary
	Business Centre
	Bella Vista Farm Park
	Access Denied

LOCATION: BELLA VISTA

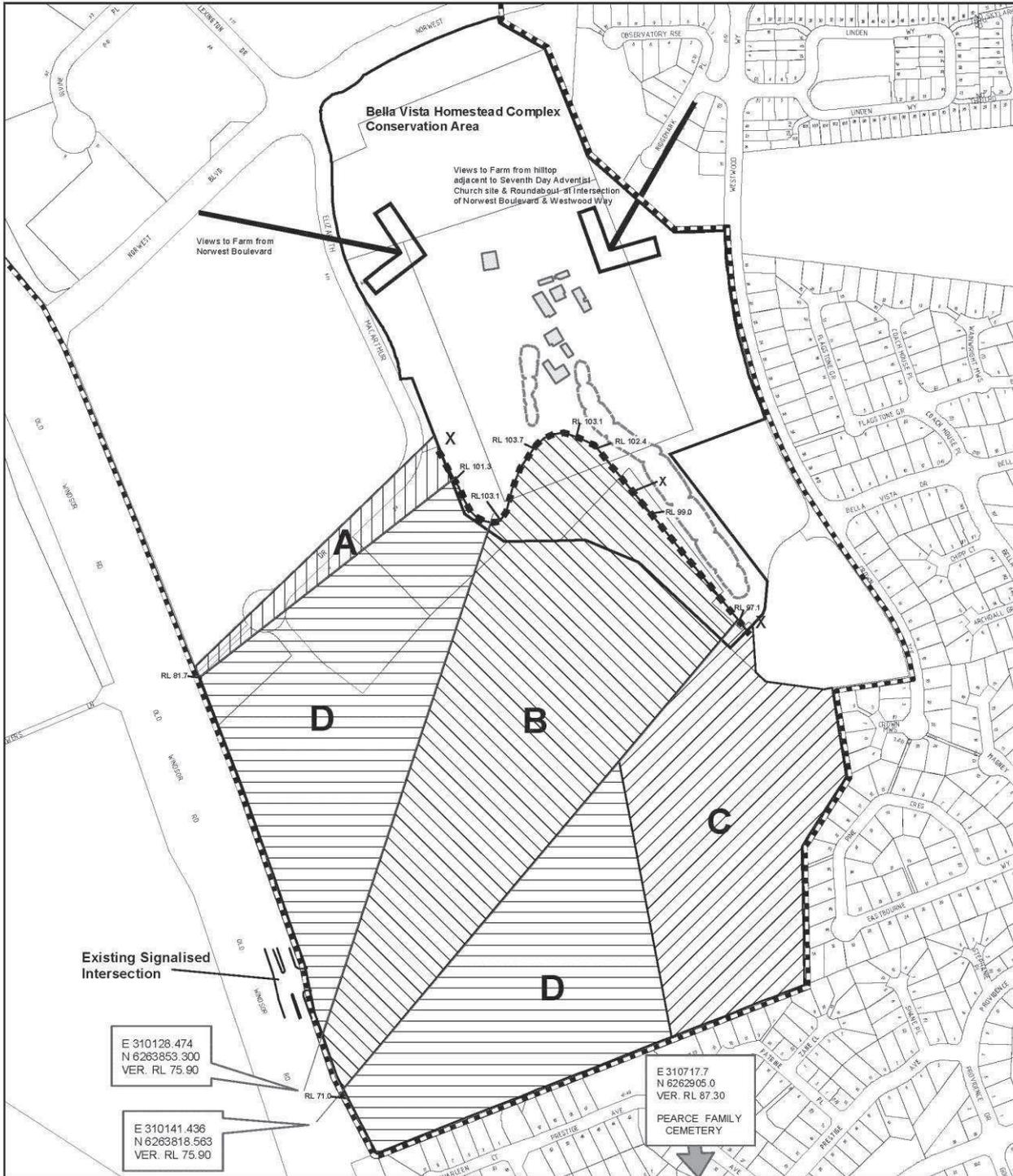
DRAWN BY	B. CLISSOLD	DATE	20/10/2006
SUPERVISING DRAFTSMAN	B. CLISSOLD	DATE	20/10/2006
PLANNING OFFICER	A. HOWARTH	DATE	20/10/2006
FILE No.	FP 171		
DRAFT PLAN NUMBER			

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
 THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
 Part B Section 6 Map Sheet 14 of 15 - Norwest Business Park

STATEMENT OF RELATIONSHIP WITH OTHER PLANS
 This plan is to be read in conjunction with:
 The Hills DCP and The Hills LEP 2012

Date of Adoption:
 Minute No.
 Came into Force:

APPENDIX C - BELLA VISTA PRECINCT



LEGEND

Height Restriction A (refer written document)	Height Restriction C (refer written document)	Sheet Boundary	Significant built structures
Height Restriction B (refer written document)	Height Restriction D (refer written document)	Bella Vista Homestead Complex Conservation Area	Bunya Pine Avenues
		Line X (View Limit)	View to Bella Vista Farm from the North

LOCALITY: BELLA VISTA

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

THE HILLS SHIRE COUNCIL

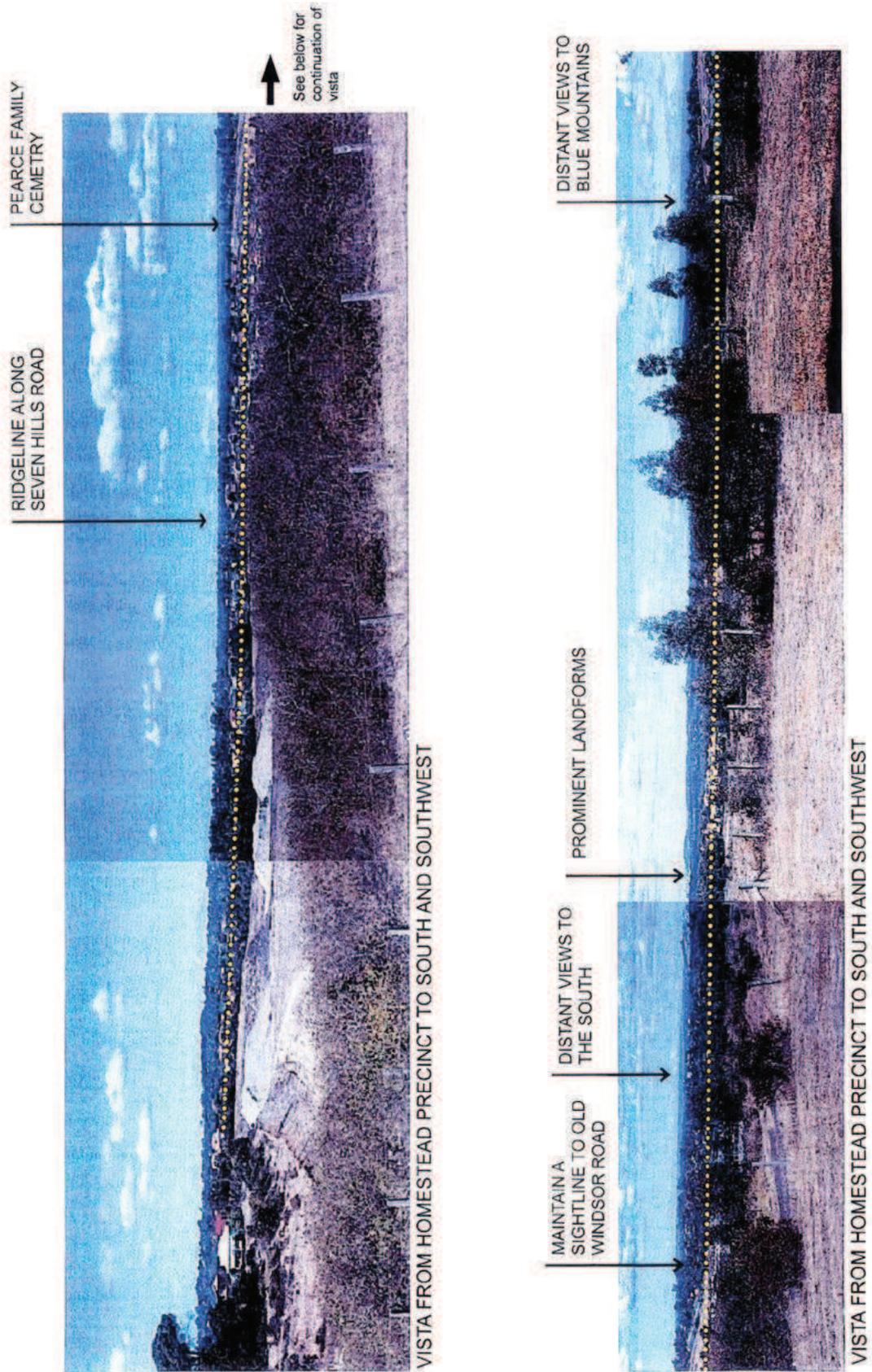
THE HILLS DEVELOPMENT CONTROL PLAN 2012

Part B Section 6 Sheet 15 of 15 - Norwest Business Park

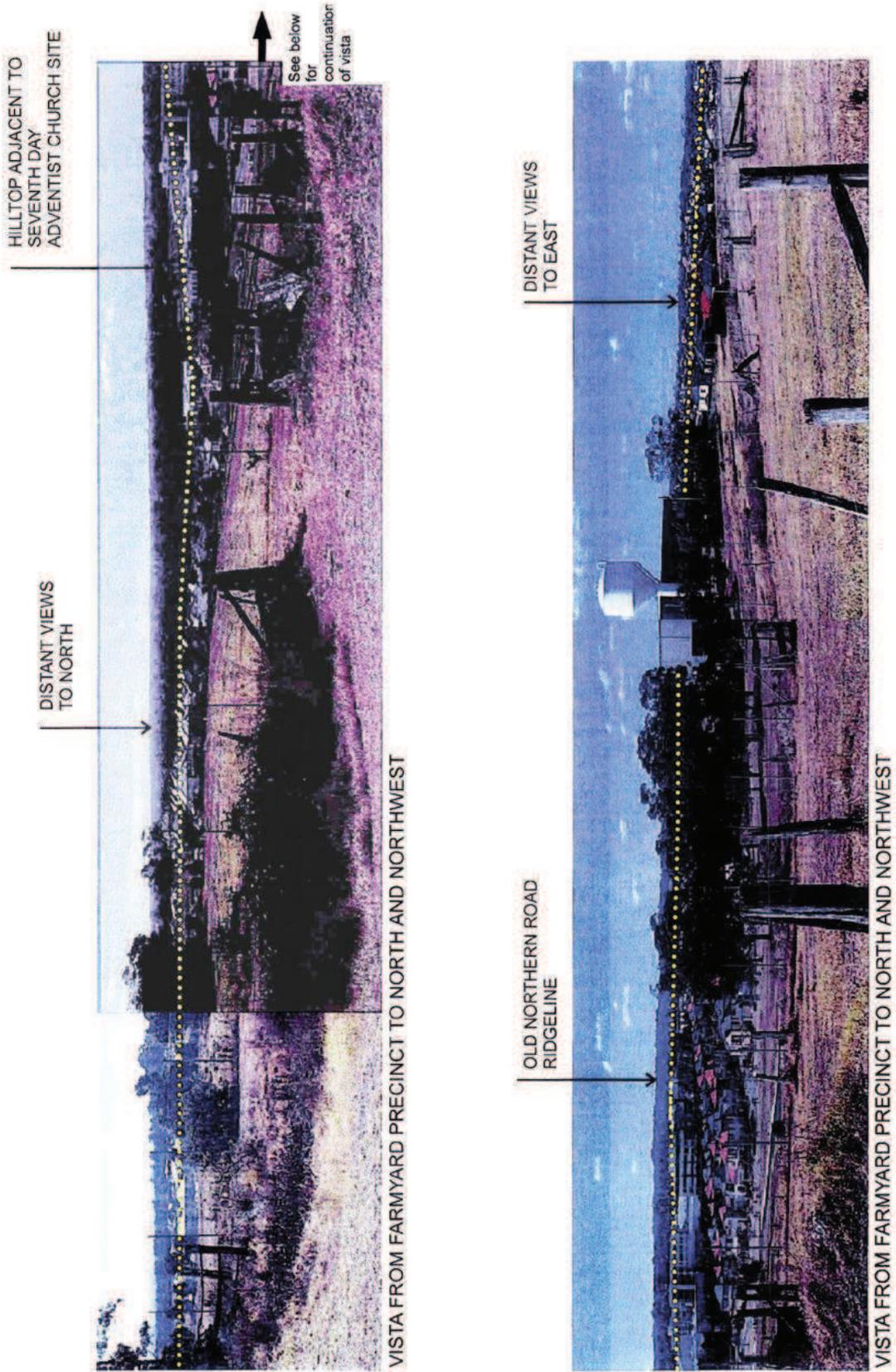
DRAWN BY	B. CLISSOLD	DATE	20/10/2006	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	20/10/2006	
PLANNING OFFICER	A. HOWARTH	DATE	20/10/2006	
FILE No.	FP 171	Date of Adoption: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

Map Document: S:\Projects\PlanDev\Consolidating_DCP\The_Hills_DCP_2012\Drawn\PartB_Sec6\Sheet15\PartB_Sec6_Sht15.mxd

APPENDIX D - BELLA VISTA PHOTO MONTAGES



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



VISTAS FROM 'BELLA VISTA' FARM 2 of 3



VISTAS FROM 'BELLA VISTA' FARM 3 of 3

APPENDIX E - CHILD CARE CENTRES

E1.1 LAND TO WHICH THIS APPENDIX APPLIES

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

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

E1.2 AIMS AND OBJECTIVES OF THIS APPENDIX

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

OBJECTIVES

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

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

E1.3 ROLE OF THE STATE GOVERNMENT

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

E1.4 DEPARTMENT OF COMMUNITY SERVICES

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

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

E1.5 DEVELOPMENT APPLICATION PROCESS

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

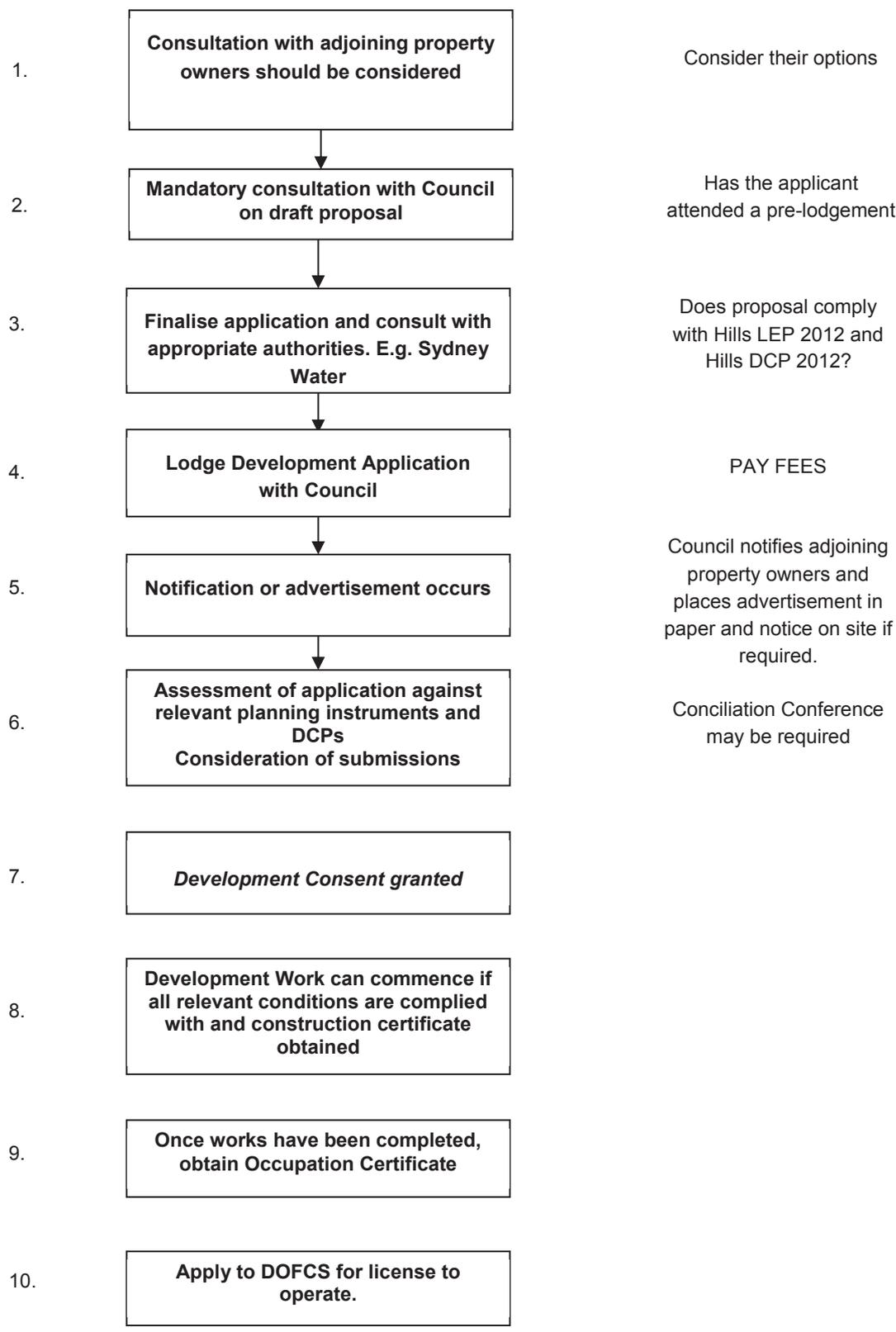


Figure 1 - Child Care Centre Development Application Process

E2 OBJECTIVES AND DEVELOPMENT CONTROLS

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

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

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

- The Hills LEP 2012 which specifies the permissibility of a land use and when Council consent is required;
- Other relevant Sections of the Development Control Plan including:-
- Part A – Introduction
- Part B Section 1– Rural
- Part B Section 2 – Residential
- Part B Section 6 – Business
- Part B Section 7 – Industrial
- Part C Section 1 – Parking
- Part C Section 2 – Signage
- Part C Section 3 – Landscaping
- Part C Section 4 – Heritage
- Part C Section 5 – Telecommunications Facilities
- Part D Section 5 – Kellyville / Rouse Hill Release Area
- Part 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

- To ensure that the building is integrated with the surrounding environment, and is visually harmonious and attractive.*
- 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.*
- To reduce waste generation and wastage of resources in accordance with Council's ESD objective 6.*
- To encourage consideration of the long-term impact of the production and use of materials used in construction of the development.*

DEVELOPMENT CONTROLS

- 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

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

DEVELOPMENT CONTROLS

Visual Privacy

- 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.
- 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

- 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.
- 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.
- 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.

PROPOSED DEVELOPMENT

488 - 494 OLD NORTHERN ROAD

DURAL, NSW.



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20. DA110 - ORTH & SOUTH ELEVATIONS
21. PERSPECTIVES

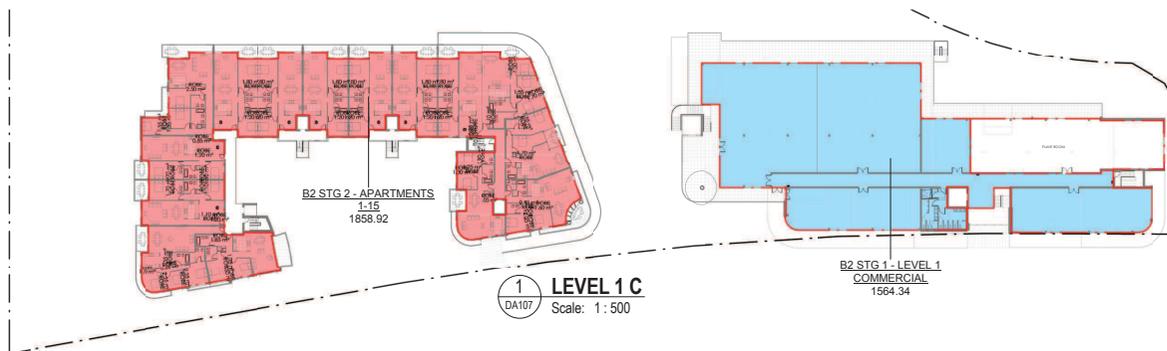




3 LOWER GROUND
DA312 Scale: 1:500

4 GROUND FLOOR C
DA107 Scale: 1:500

ISSUE	AMENDMENT	DATE	CHK'D
P1	ISSUE FOR INFORMATION	22/06/15	
P2	ISSUE FOR PLANNING AMENDMENT	02/07/15	
P3	AREAS & FSR CALC'S REVISED	21/07/15	
P4	AREAS & FSR CALC'S REVISED	24/11/15	



PRELIMINARY

GROSS FLOOR AREA SCHEDULE - APARTMENTS			
Name	Comments	Level	Area
B2 STG 2 - APARTMENTS 1-2	RESIDENTIAL	LOWER GROUND	279.51
B2 STG 2 - APARTMENTS 1-10	RESIDENTIAL	GROUND FLOOR C	1220.39
B2 STG 2 - APARTMENTS 1-15	RESIDENTIAL	LEVEL 1 C	1858.92
B2 STG 2 - APARTMENTS 1-15	RESIDENTIAL	LEVEL 2 C	1858.92
B2 STG 2 - APARTMENTS 1-3	RESIDENTIAL	LEVEL 3 C	389.76
B2 STG 2 - APARTMENTS 4-12	RESIDENTIAL	LEVEL 3 C	1101.51
B2 STG 2 - APARTMENTS 1-3	RESIDENTIAL	LEVEL 4 C	444.45
TOTAL			7153.46

GROSS FLOOR AREA SCHEDULE - COMMERCIAL/RETAIL			
Name	Comments	Level	Area
B2 STG 1 - ALDI & RETAIL TENANTS 6-12	COMMERCIAL/RETAIL	GROUND FLOOR C	2162.60
B2 STG 2 - RETAIL TENANCY 1 - 5	COMMERCIAL/RETAIL	GROUND FLOOR C	685.37
B2 STG 1 - LEVEL 1 COMMERCIAL	COMMERCIAL/RETAIL	LEVEL 1 C	1564.34
TOTAL			4412.31

FSR ZONE	USE	AREA	FSR
B2 (9480m ²)	COMMERCIAL/RETAIL	4412.31 m ²	0.50
B2	RESIDENTIAL	7153.46 m ²	0.75
B2	TOTAL	11,565.77 m²	1.22

FSR CALCULATIONS
SHEET 2

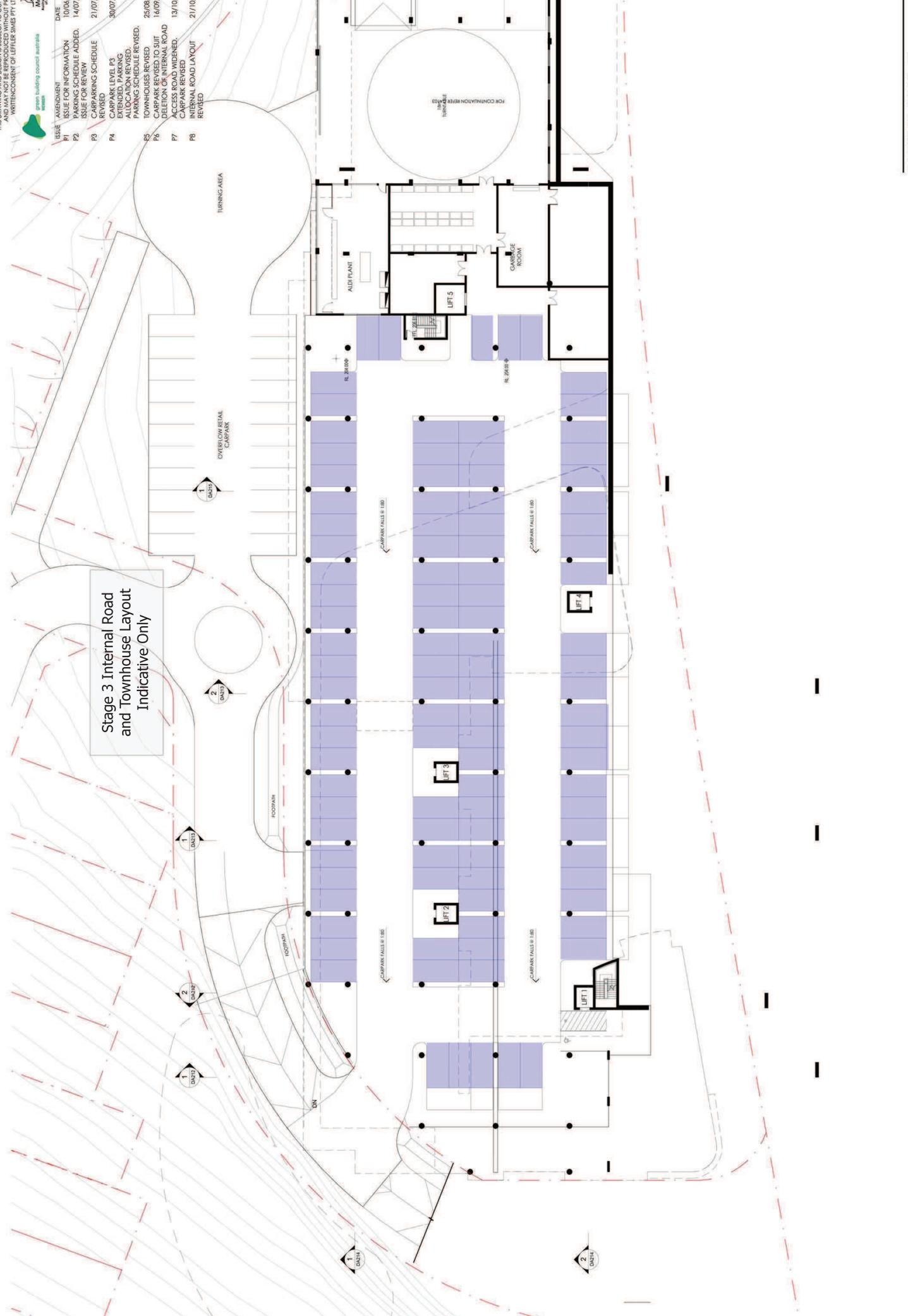
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P1	ISSUE INFORMATION	10/09/15	
P2	PARKING SCHEDULE ADDED.	14/07/15	
P3	ISSUE FOR REVIEW	21/07/15	
P4	CARPARKING SCHEDULE REVISED.	30/07/15	
P5	CARPARK LEVEL P3 EXTENDED. PARKING ALLOCATION REVISED.	26/09/15	
P6	TOWNHOUSES REVISED. CARPARK REVISED TO SUIT DELETION OF INTERNAL ROAD	16/09/15	
P7	ACCESS ROAD WIDENED. CARPARK REVISED	13/10/15	
P8	INTERNAL ROAD LAYOUT REVISED	21/10/15	

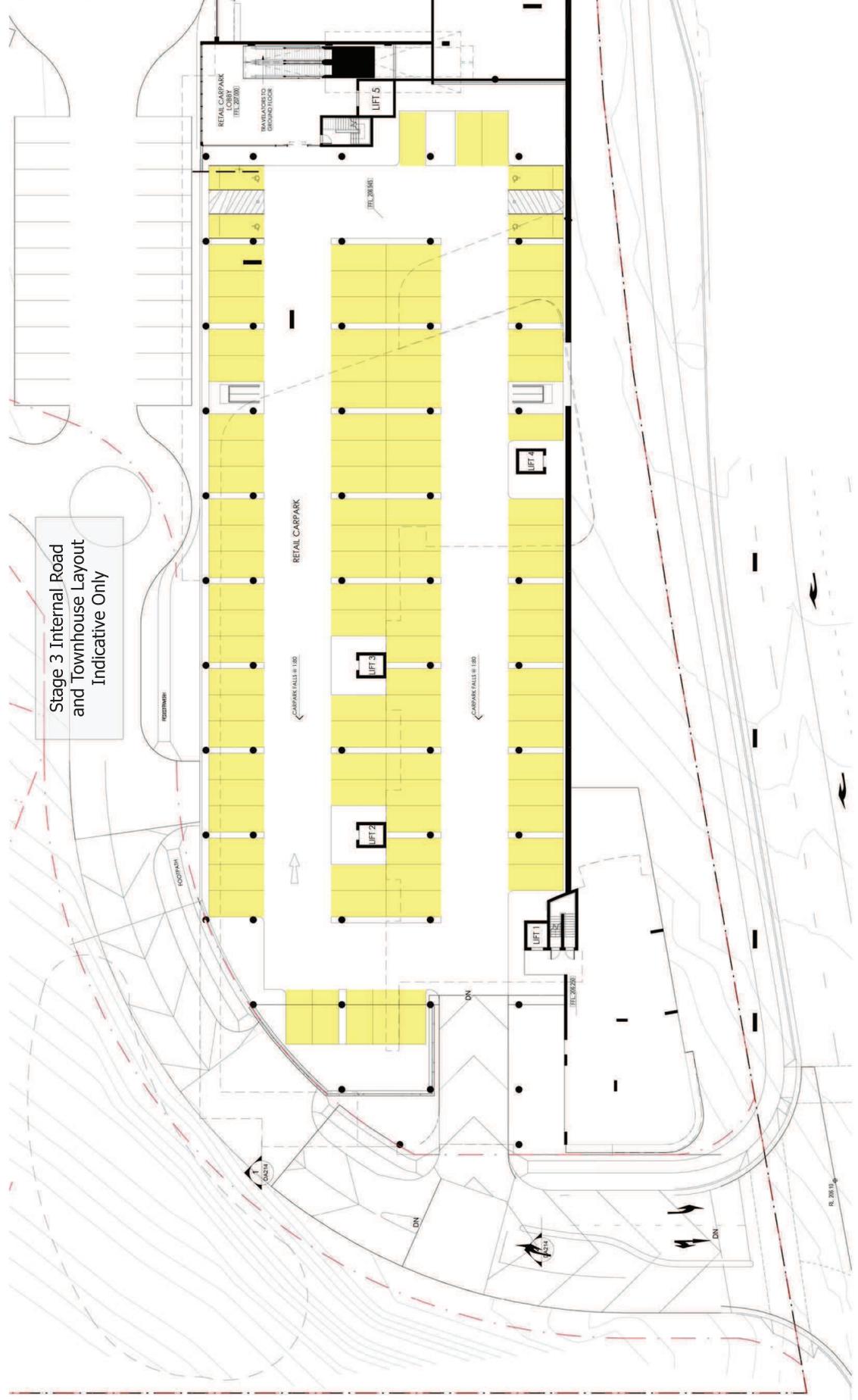
PRELIMINARY

Stage 3 Internal Road and Townhouse Layout and Townhouse Only Indicative Only



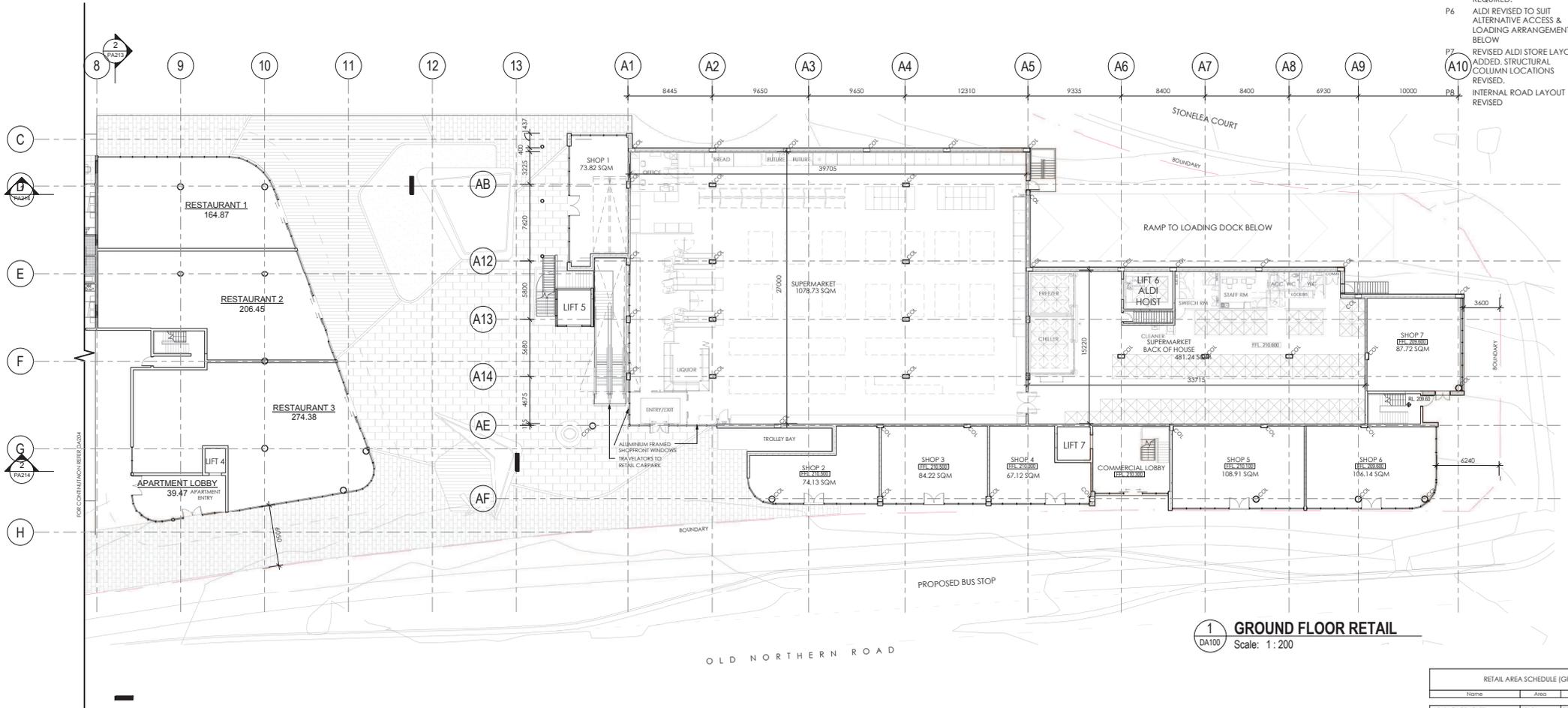
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P1	ISSUE INFORMATION	10/07/15	
P2	PARKING SCHEDULE ADDED.	14/07/15	
P3	ISSUE FOR REVIEW		
P3	CARPARKING SCHEDULE REVISED	21/07/15	
P4	CARPARK LEVEL P3	30/07/15	
	EXTENDED PARKING ALLOCATION REVISED		
P5	APARTMENTS REVISED	19/08/15	
P6	TOWNHOUSES REVISED	25/08/15	
P7	CARPARK REVISED TO SUIT DELETION OF INTERNAL ROAD	16/09/15	
P8	UNIT LG02.LG02.102.202&302 REVISED, STAIR / LIFT LOBBIES UPDATED.	01/10/15	
P9	ACCESS ROAD WIDENED.	13/10/15	
P10	CARPARK REVISED INTERNAL ROAD LAYOUT REVISED	21/10/15	

PRELIMINARY



Stage 3 Internal Road and Townhouse Layout Indicative Only

ISSUE	AMENDMENT	DATE	CHK'D
P1	ISSUE FOR INFORMATION	18/06/15	
P2	PRELIMINARY STRUCTURAL DESIGN ADDED. ISSUE FOR REVIEW.	14/07/15	
P3	AREA SCHEDULE REVISED	21/07/15	
P4	ISSUE FOR INFORMATION	25/08/15	
P5	LOAD REVISED ALDI LAYOUT. COLUMNS REPOSITIONED AS REQUIRED.	26/08/15	
P6	ALDI REVISED TO SUIT ALTERNATIVE ACCESS & LOADING ARRANGEMENTS BELOW	02/09/15	
P7	REVISED ALDI STORE LAYOUT ADDED. STRUCTURAL COLUMN LOCATIONS REVISED.	14/10/15	
P8	INTERNAL ROAD LAYOUT REVISED	21/10/15	



1 GROUND FLOOR RETAIL
Scale: 1:200

RETAIL AREA SCHEDULE (GFA)		
Name	Area	Level
ALDI BACK OF HOUSE	481.24	GROUND FLOOR C
ALDI TRADING FLOOR	1078.73	GROUND FLOOR C
APARTMENT LOBBY	39.47	GROUND FLOOR C
RESTAURANT 1	164.87	GROUND FLOOR C
RESTAURANT 2	206.45	GROUND FLOOR C
RESTAURANT 3	274.38	GROUND FLOOR C
SHOP 1	73.82	GROUND FLOOR C
SHOP 2	74.13	GROUND FLOOR C
SHOP 3	84.22	GROUND FLOOR C
SHOP 4	67.12	GROUND FLOOR C
SHOP 5	106.91	GROUND FLOOR C
SHOP 6	106.14	GROUND FLOOR C
SHOP 7	87.72	GROUND FLOOR C
2847.19		

PRELIMINARY

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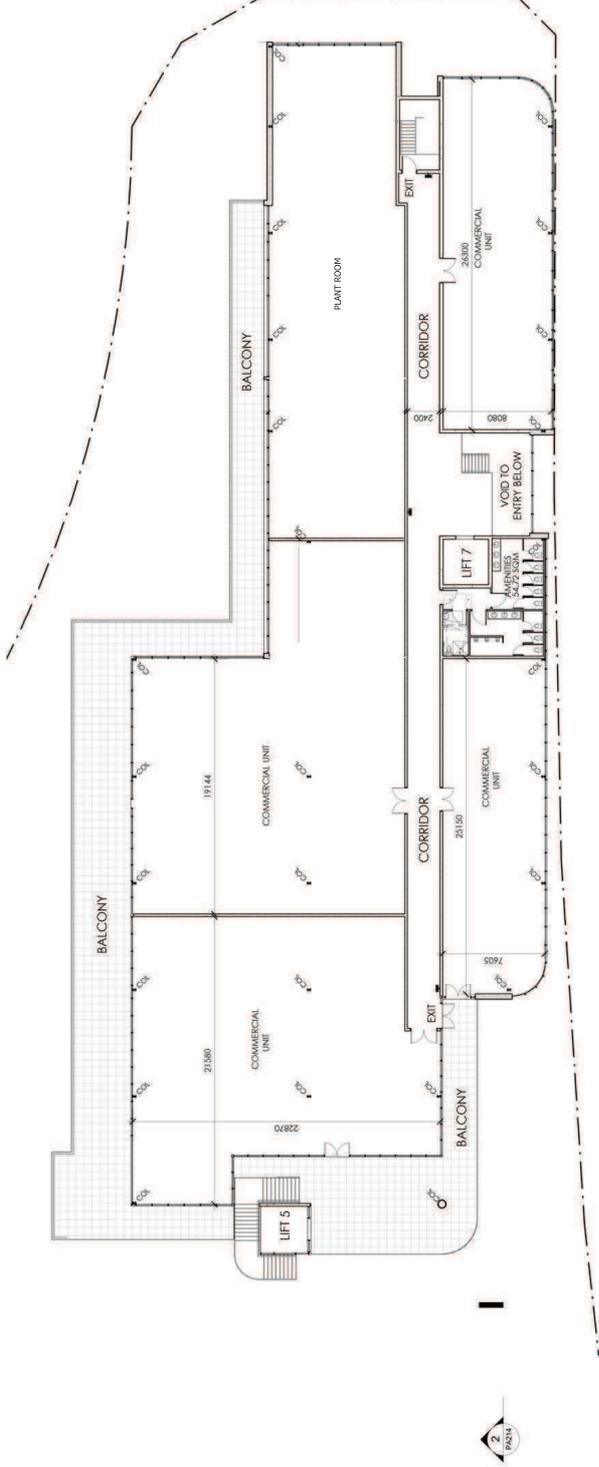
Issue Building Council Australia

ISSUE AMENDMENTS
 P1 DESIGN AND STRUCTURAL DESIGN ADDED, ISSUE FOR REVIEW.
 P2 AREA SCHEDULE REVISED
 P3 AMENITIES RELOCATED

DATE 14/07/15
 DATE 21/07/15
 DATE 21/10/15

CHKD

PRELIMINARY



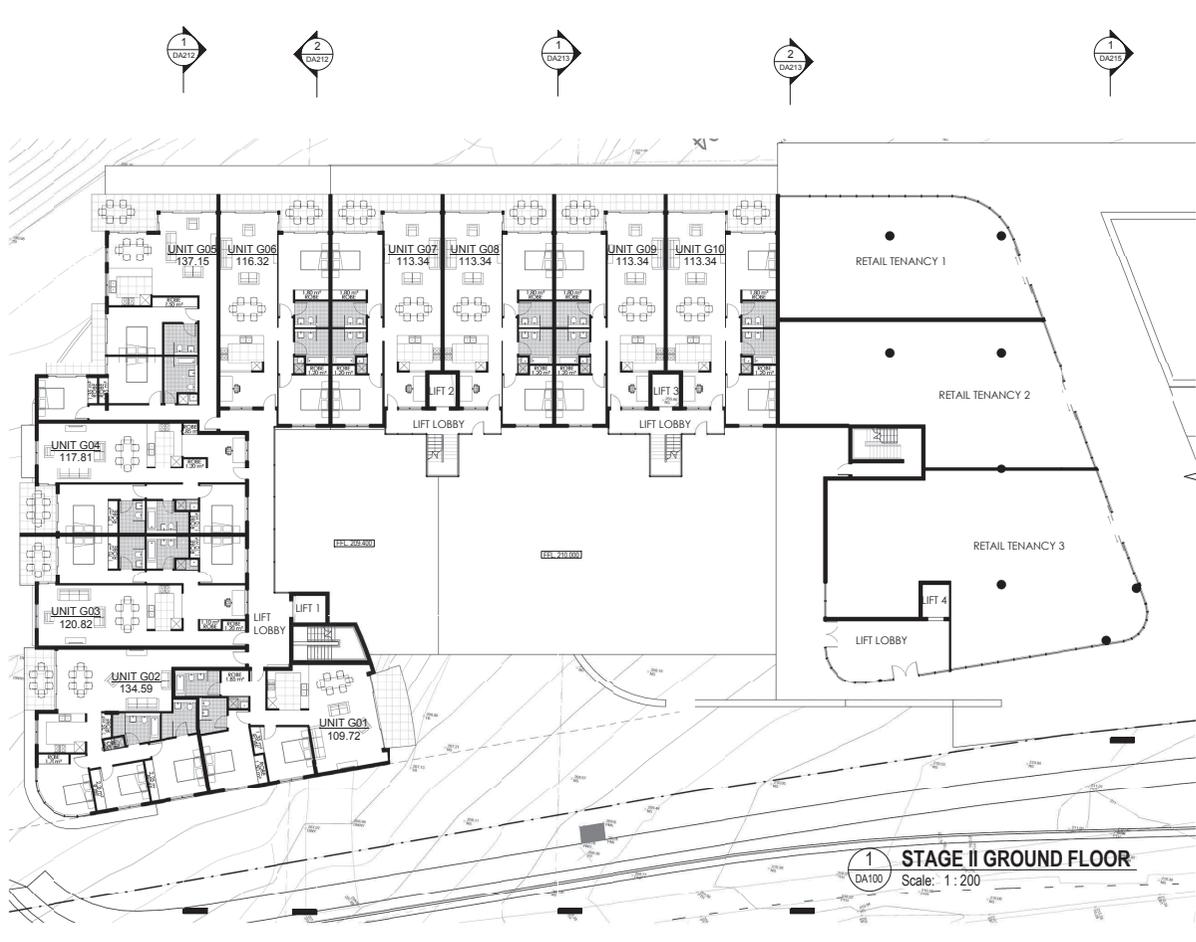
1 COMMERCIAL LEVEL 1
 DA108 Scale: 1:200

Name	Area	Level
COMMERCIAL UNIT 1	26195	PARKING LEVEL 1
COMMERCIAL UNIT 2	4754	COMMERCIAL LEVEL 1
COMMERCIAL UNIT 3	21319	COMMERCIAL LEVEL 1
COMMERCIAL UNIT 4	24850	COMMERCIAL LEVEL 1
COMMERCIAL UNIT 5	24850	COMMERCIAL LEVEL 1
COMMERCIAL UNIT 6	19258	COMMERCIAL LEVEL 1
COMMERCIAL UNIT 7	19258	COMMERCIAL LEVEL 1

STAGE 1
 COMMERCIAL LEVEL 1

ISSUE	AMENDMENT INFORMATION	DATE	CHK'D
P1	ISSUE FOR INFORMATION	10/06/15	
P2	APARTMENTS REVISED	19/08/15	
P3	UNIT G02, L002, 102, 202&302 REVISED, STAIR / LIFT LOBBIES UPDATED.	01/10/15	
P4	APARTMENT LAYOUTS REVISED	07/10/15	

PRELIMINARY



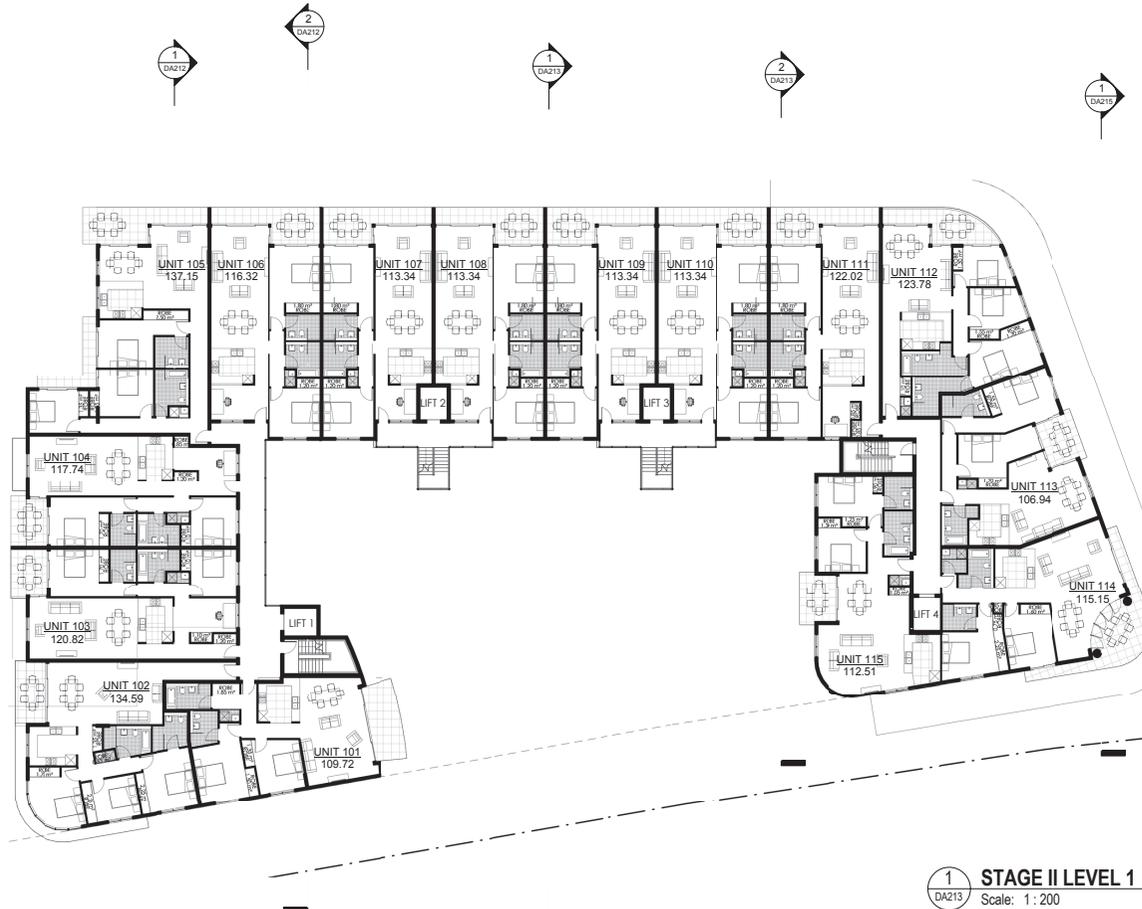
1
DA100
STAGE II GROUND FLOOR
Scale: 1 : 200

GROUND FLOOR AREA SCHEDULE (NSA)

Name	Area
UNIT G01	109.72 m ²
UNIT G02	134.59 m ²
UNIT G03	120.82 m ²
UNIT G04	117.81 m ²
UNIT G05	137.15 m ²
UNIT G06	116.32 m ²
UNIT G07	113.34 m ²
UNIT G08	113.34 m ²
UNIT G09	113.34 m ²
UNIT G10	113.34 m ²
	1189.76 m ²

ISSUE	AMENDMENT	DATE	CHK'D
P1	ISSUE FOR INFORMATION	09/06/15	
P2	ISSUE FOR INFORMATION	10/06/15	
P3	APARTMENTS REVISED	19/08/15	
P4	UNIT LG02, LG02.102, 202&302 REVISED, STAIR / LIFT LOBBIES UPDATED.	01/10/15	
P5	APARTMENT LAYOUTS REVISED	07/10/15	

PRELIMINARY

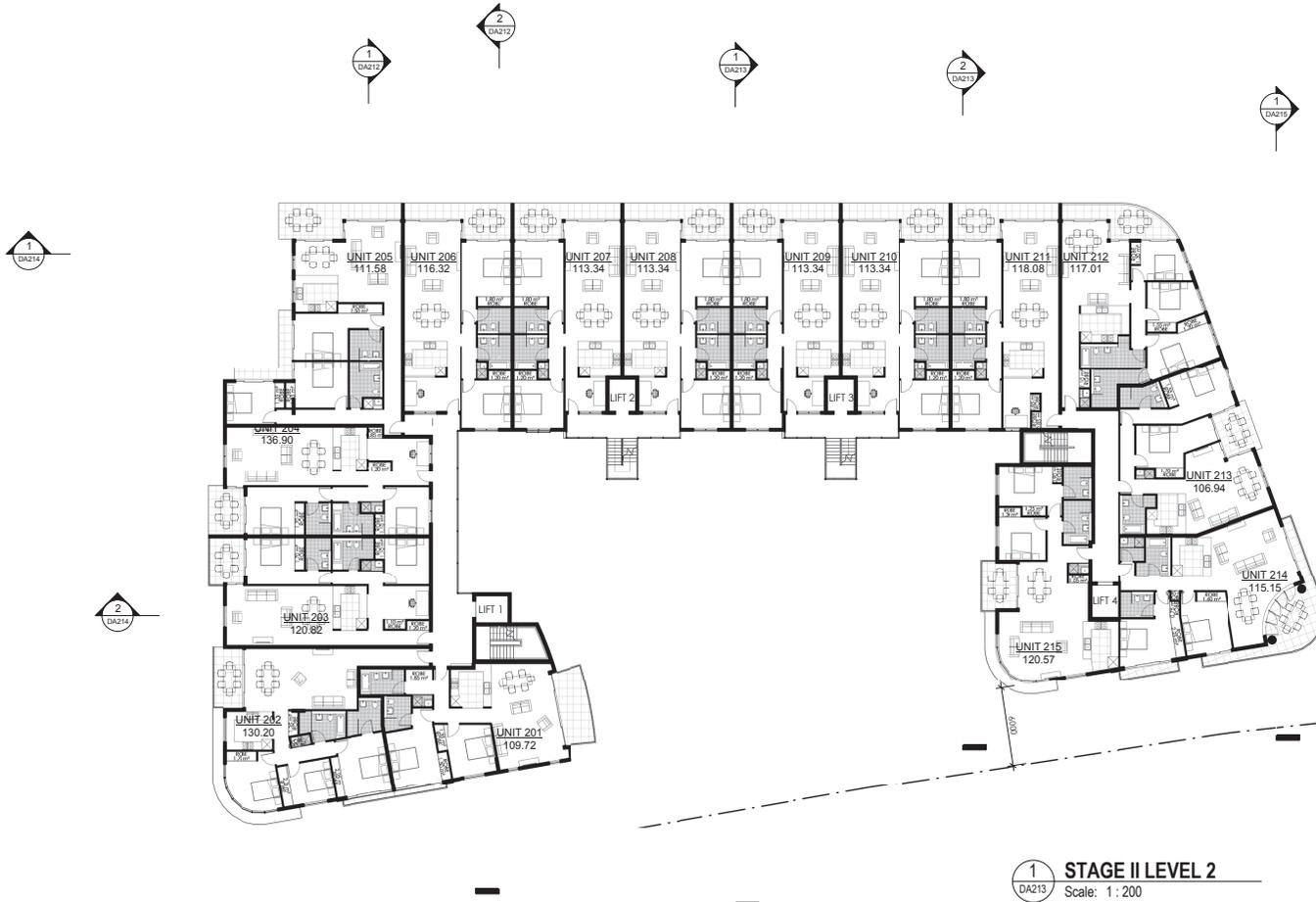


1 STAGE II LEVEL 1
DA213 Scale: 1:200

LEVEL 1 AREA SCHEDULE (NSA)	
Name	Area
UNIT 101	109.72 m ²
UNIT 102	134.59 m ²
UNIT 103	120.82 m ²
UNIT 104	117.74 m ²
UNIT 105	137.15 m ²
UNIT 106	116.32 m ²
UNIT 107	113.34 m ²
UNIT 108	113.34 m ²
UNIT 109	113.34 m ²
UNIT 110	113.34 m ²
UNIT 111	122.02 m ²
UNIT 112	123.78 m ²
UNIT 113	106.94 m ²
UNIT 114	115.15 m ²
UNIT 115	112.51 m ²
TOTAL	1770.09 m²

ISSUE	AMENDMENT	DATE	CHK'D
P1	APARTMENTS REVISED	19/08/15	
P2	UNIT LAYOUT, L02, L02, 202&302 REVISED, STAIR / LIFT LOBBIES UPDATED.	01/10/15	
P3	APARTMENT LAYOUTS REVISED	21/10/15	

PRELIMINARY



LEVEL 2 AREA SCHEDULE (NSA)	
Name	Area
UNIT 201	109.72 m ²
UNIT 202	130.20 m ²
UNIT 203	120.82 m ²
UNIT 204	136.90 m ²
UNIT 205	111.58 m ²
UNIT 206	116.32 m ²
UNIT 207	113.34 m ²
UNIT 208	113.34 m ²
UNIT 209	113.34 m ²
UNIT 210	113.34 m ²
UNIT 211	118.08 m ²
UNIT 212	117.01 m ²
UNIT 213	106.94 m ²
UNIT 214	115.15 m ²
UNIT 215	120.57 m ²
TOTAL	1756.64 m²

1 DA213 **STAGE II LEVEL 2**
Scale: 1:200

ISSUE	AMENDMENT	DATE	CHK'D
P1	ISSUE FOR INFORMATION	10/06/15	
P2	APARTMENTS REVISED	19/08/15	
P3	UNIT L002, L002.102.202&302 REVISED, STAIR / LIFT LOBBIES UPDATED.	01/10/15	
P4	APARTMENT LAYOUTS REVISED	07/10/15	

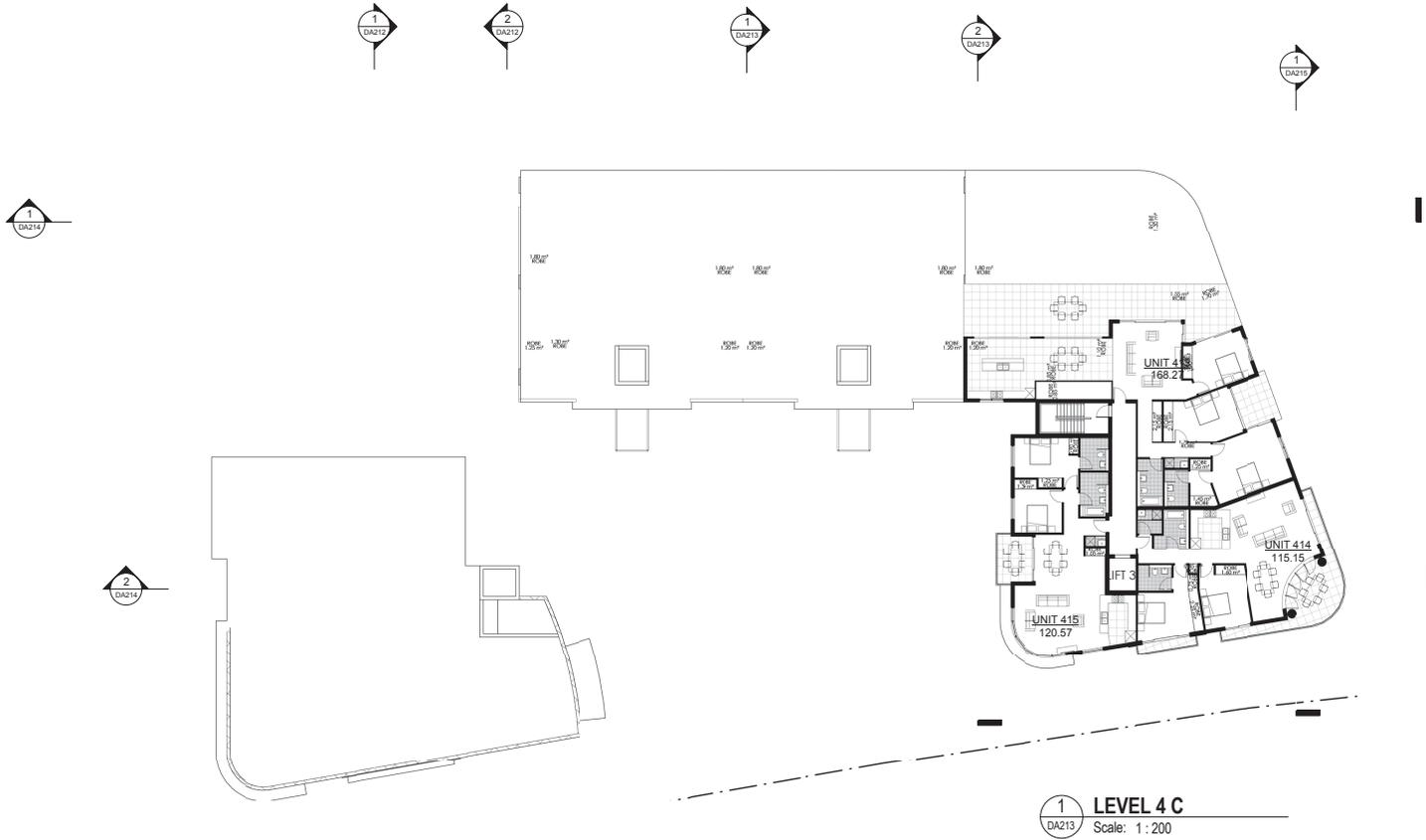


PRELIMINARY

LEVEL 3 AREA SCHEDULE (NSA)	
Name	Area
UNIT 301	109.72 m ²
UNIT 302	134.59 m ²
UNIT 303	138.65 m ²
UNIT 307	113.34 m ²
UNIT 308	113.34 m ²
UNIT 309	113.34 m ²
UNIT 310	113.34 m ²
UNIT 311	122.02 m ²
UNIT 312	123.78 m ²
UNIT 313	106.94 m ²
UNIT 314	115.15 m ²
UNIT 315	112.51 m ²
TOTAL	1416.71 m²

1 STAGE II LEVEL 3
Scale: 1 : 200

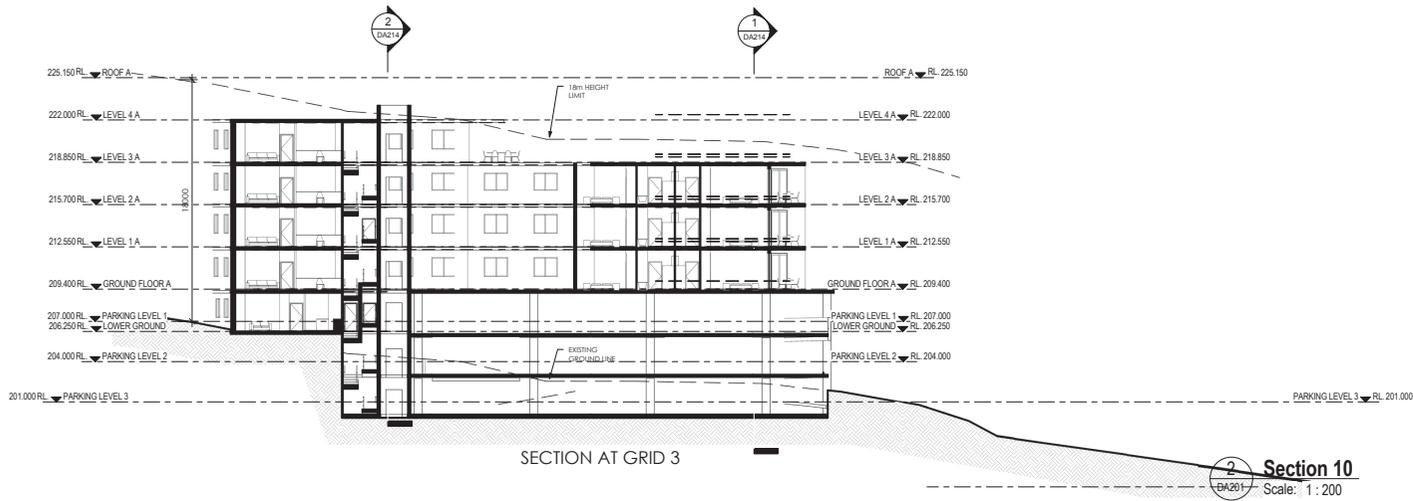
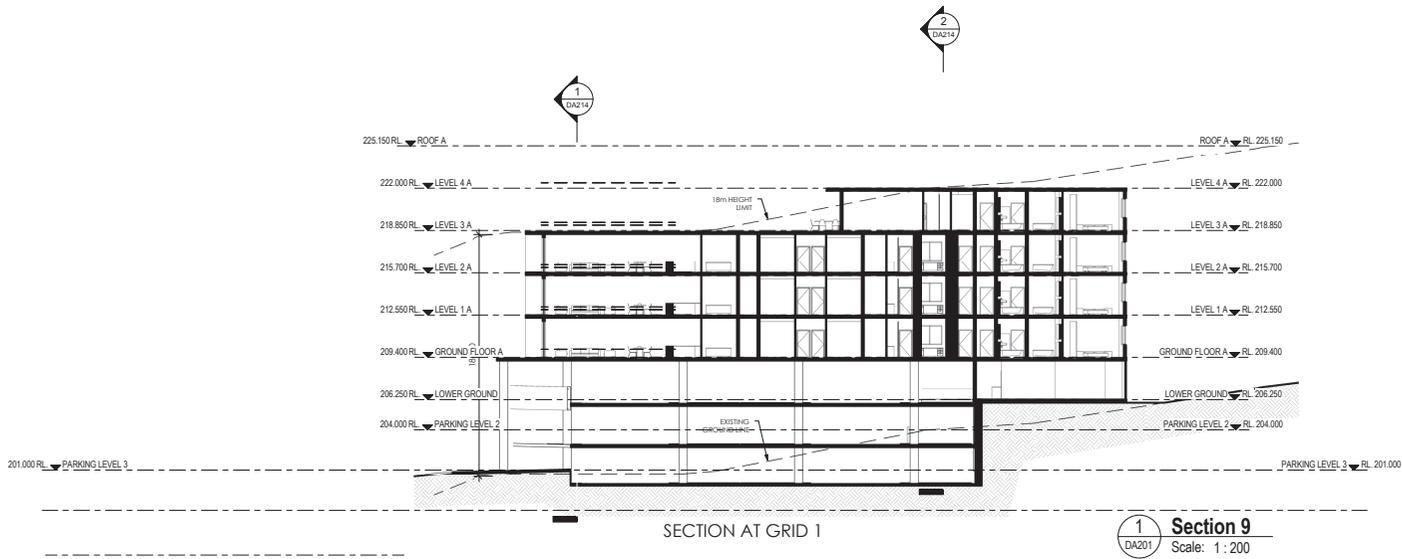
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P1	ISSUE FOR INFORMATION	10/06/15	
P2	APARTMENTS REVISED	19/08/15	
P3	APARTMENT LAYOUTS REVISED	21/10/15	



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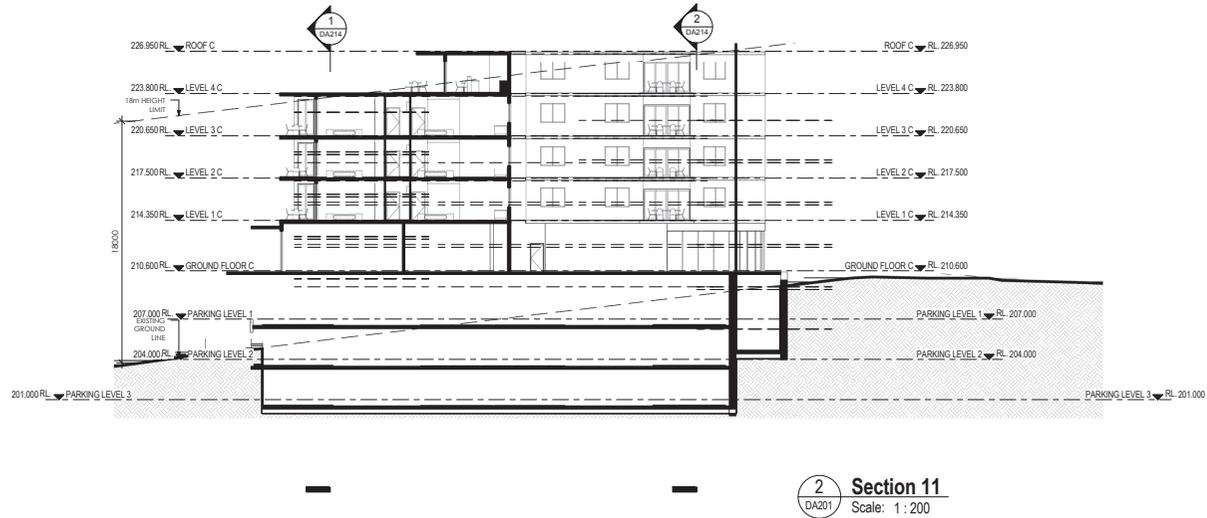
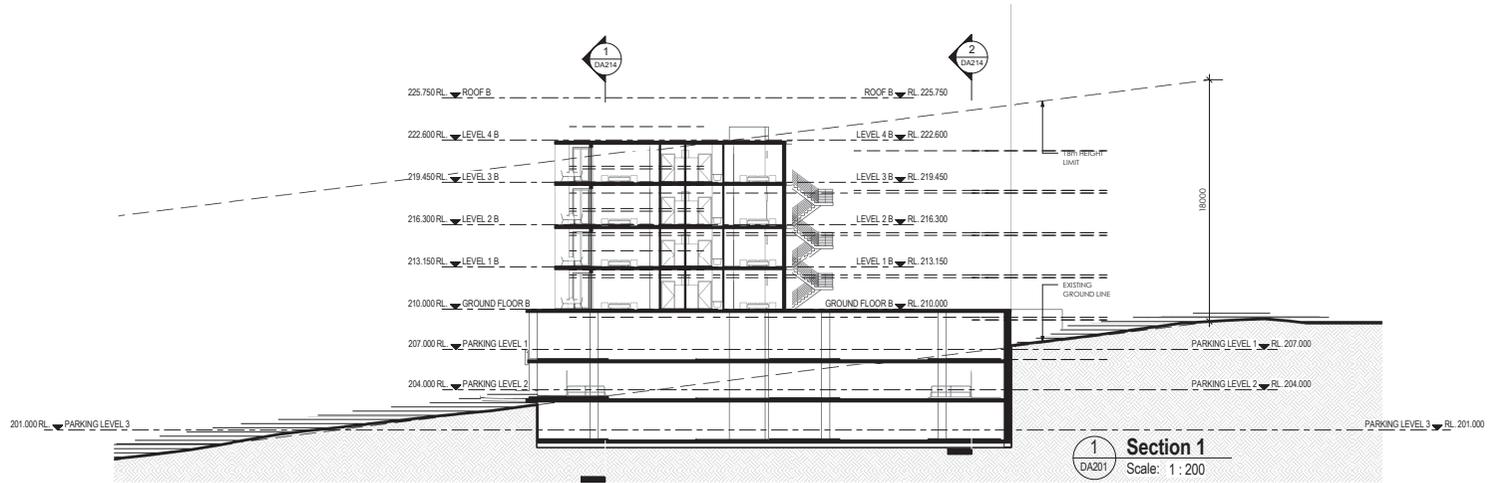
Name	Area
UNIT 415	120.57 m ²
UNIT 414	115.15 m ²
UNIT 413	168.27 m ²
	404.00 m ²

ISSUE	AMENDMENT	DATE	CHK'D
P1	ISSUE FOR INFORMATION	10/06/15	
P2	ISSUE FOR INFORMATION	22/06/15	
P3	CARPARK REVISED TO SUIT DELETION OF INTERNAL ROAD	16/09/15	

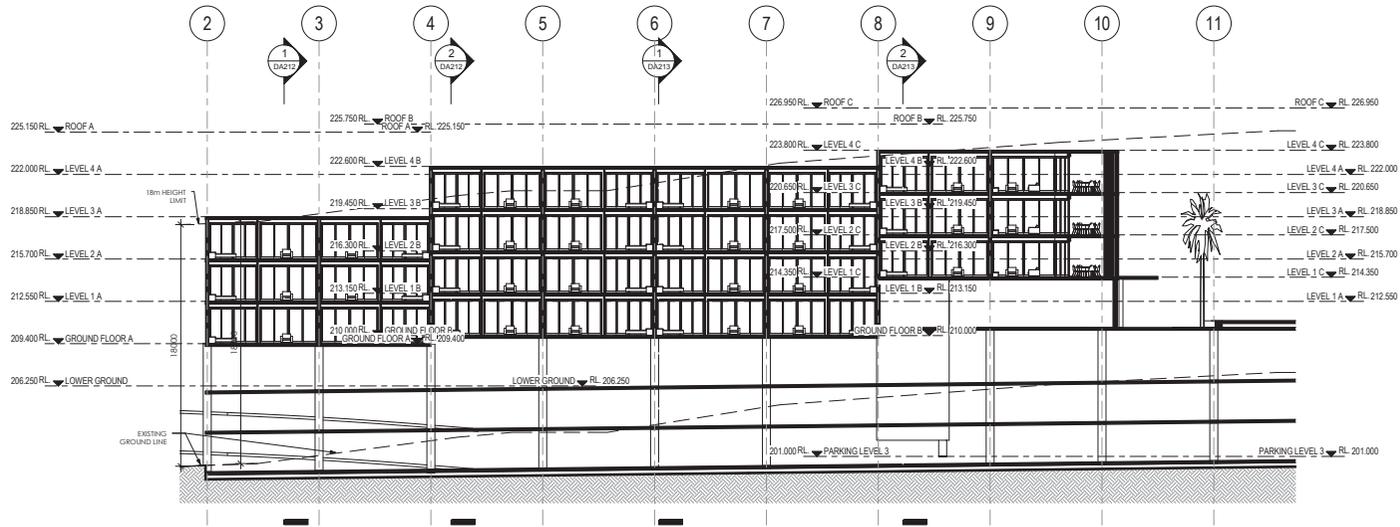


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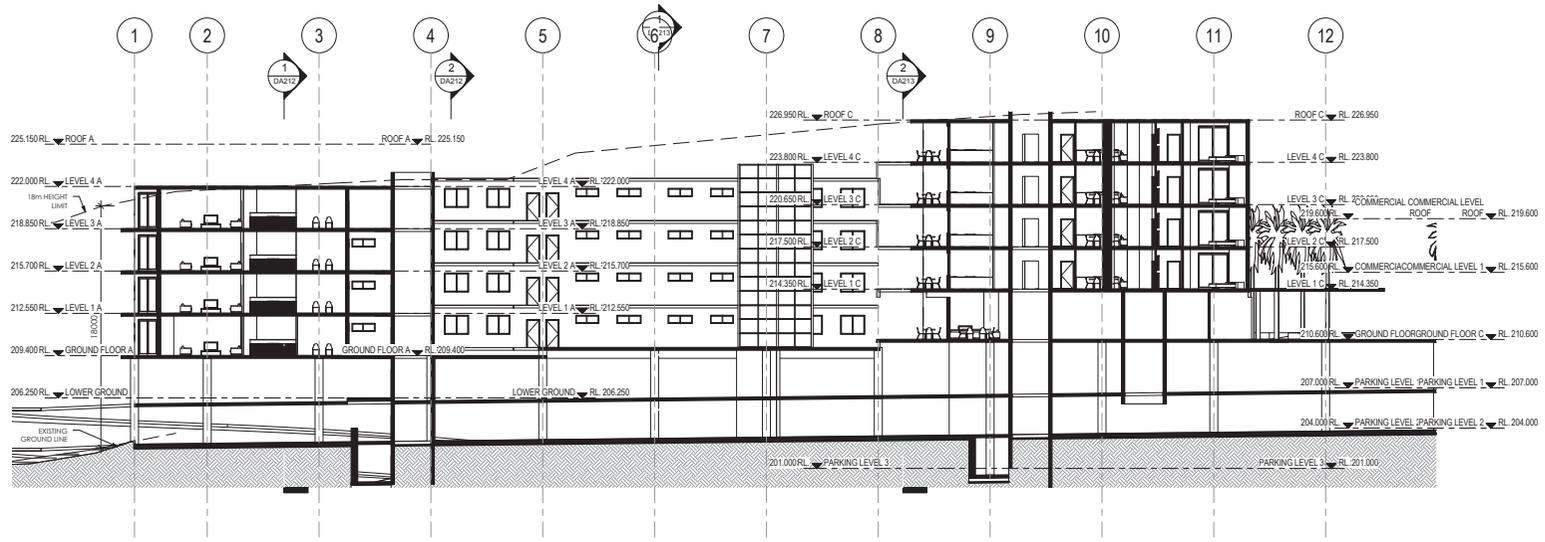
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P1	ISSUE FOR INFORMATION	10/06/15	
P2	ISSUE FOR INFORMATION	22/06/15	
P3	CARPARK REVISED TO SUIT DELETION OF INTERNAL ROAD	16/09/15	



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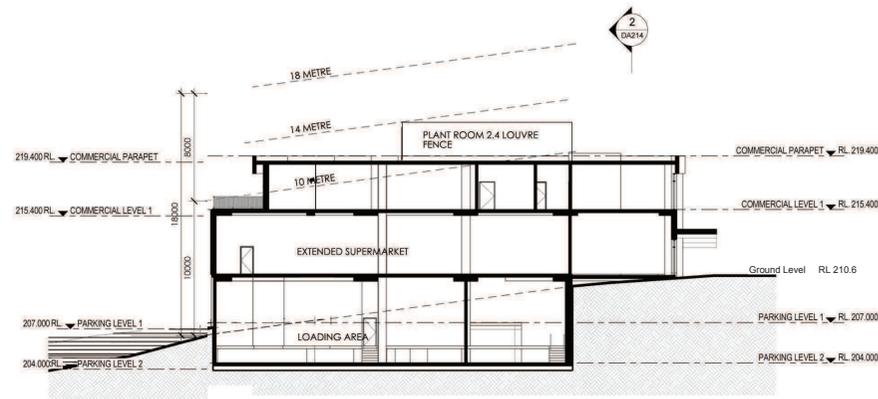


1 Section 12
DA104 Scale: 1:200



2 Section 13
DA104 Scale: 1:200

PRELIMINARY

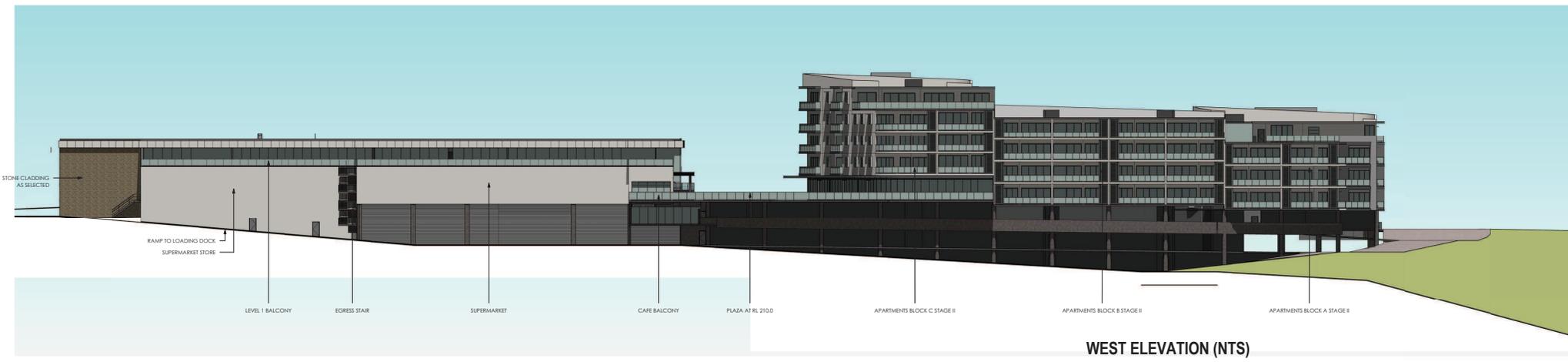


1 SUPERMARKET CROSS SECTION
Scale: 1 : 200

PRELIMINARY



PRELIMINARY



ELEVATIONS 1



NORTH ELEVATION (NTS)

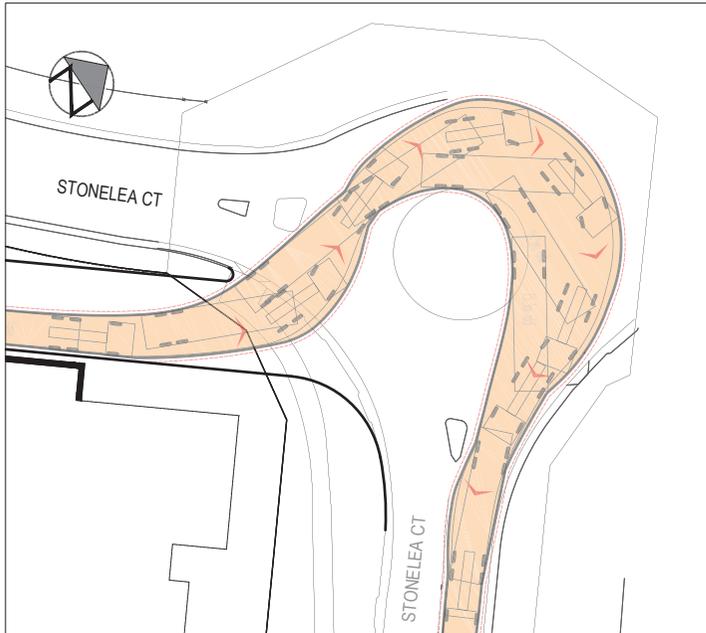


SOUTH ELEVATION (NTS)

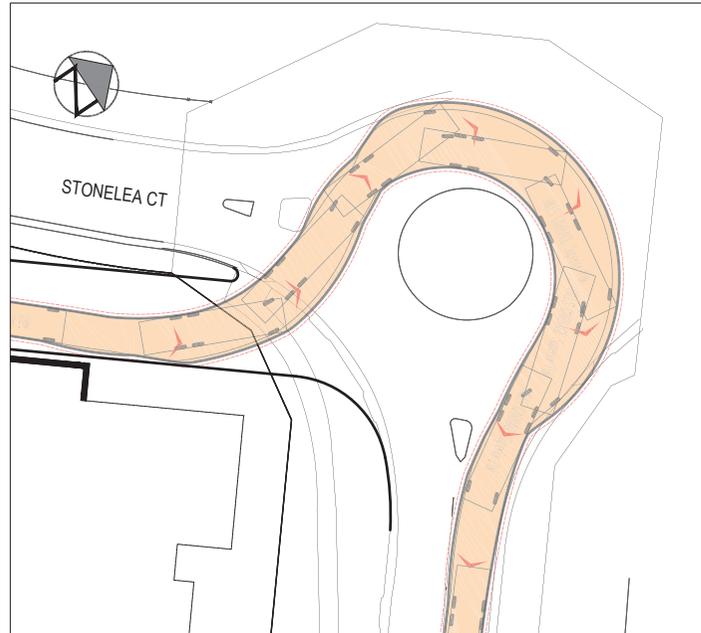
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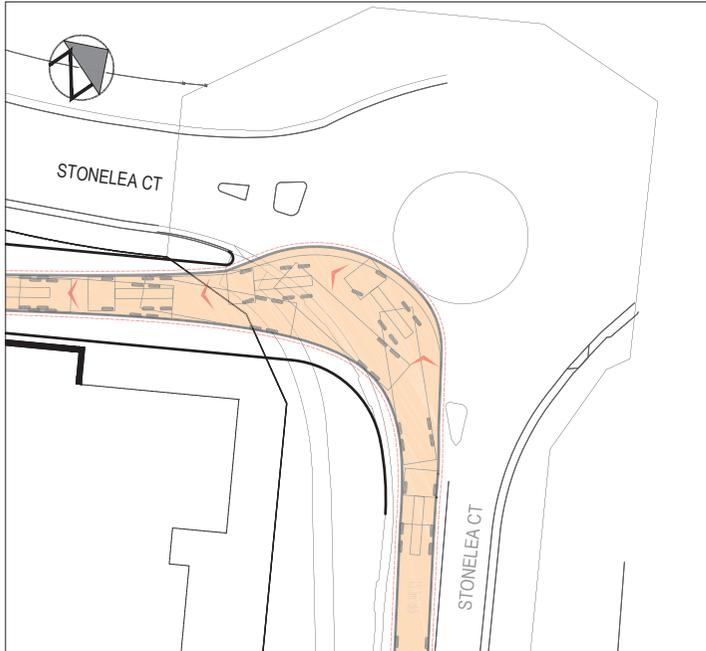
PRELIMINARY CONCEPT DESIGN



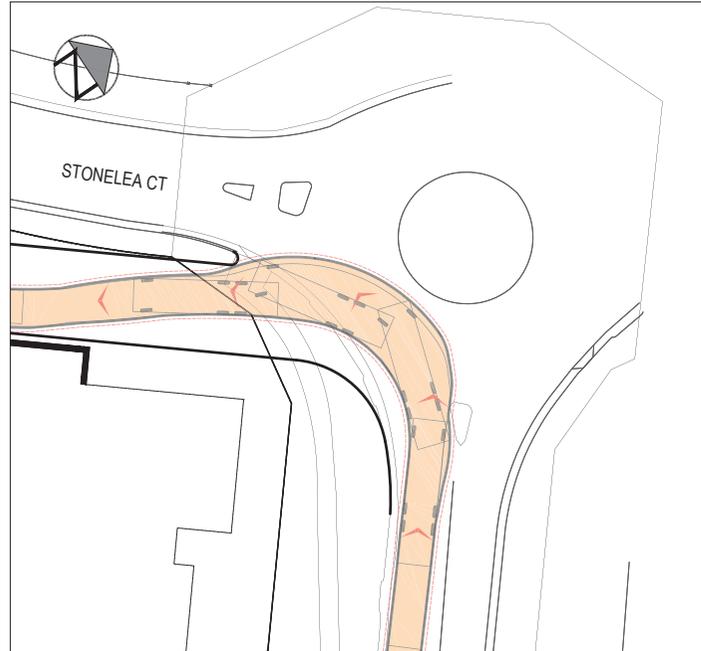
ARTICULATED VEHICLE (15m) EXITING LOADING DOCK



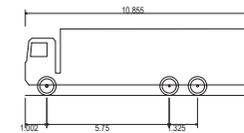
GARBAGE TRUCK EXITING LOADING DOCK



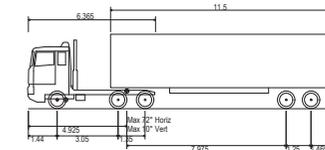
ARTICULATED VEHICLE (15m) ENTERING LOADING DOCK



GARBAGE TRUCK ENTERING LOADING DOCK



Overall Length 10.855m
 Overall Width 2.500m
 Overall Body Height 3.102m
 Min Body Ground Clearance 0.337m
 Track Width 2.500m
 Lock-to-lock time 4.00s
 Curb to Curb Turning Radius 12.500m
HILLS GARBAGE Superior Pak



Overall Length 15.615m
 Overall Width 2.500m
 Overall Body Height 3.635m
 Min Body Ground Clearance 0.332m
 Track Width 2.500m
 Lock-to-lock time 6.00s
 Curb to Curb Turning Radius 10.000m
15.3m aird

CONCEPT DESIGN IN ACCORDANCE
 WITH AUSTRROADS PUBLICATION
 "GUIDE TO ROAD DESIGN PART 4B:
 ROUNDABOUTS "

DURAL 3136 SKC06

15-09-2015

1:200 UNO

www.scpconsult.com.au ABN 88 083 076 024
 LEVEL 2 - DANCHEN HOUSE, 587 KENT STREET SYDNEY
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 TEL (02)9267 9312 FAX (02)9261 5871



Planning Proposal – Amendments to Building Height & Floor Space Ratio

Lot 2 DP 839151
no. 488-494 Old Northern Road, Dural

Prepared by Calibre Consulting

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488 ONR DURAL FSR BUILDING HEIGHTV2.DOCX

Issue	Date	Issue Details	Author	Checked	Approved
A	28/07/2015	DRAFT PLANNING PROPOSAL	EK	PL	
B	03/08/2015	FINAL PLANNING PROPOSAL	EK	PL	PL

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APPENDICES

APPENDIX A	CONCEPT ARCHITECTURAL PLANS
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1 INTRODUCTION

This Planning Proposal supports planning amendments to *The Hills Local Environmental Plan (LEP) 2012* in seeking an increase in building height and floor space ratio (FSR) on part Lot 2 in Deposited Plan (DP) 839151 being no.488-494 Old Northern Road, Dural (the Site). The amendments relate to the B2 Local Centre zoned area of the Site including the following:

- Increasing the maximum building height from 10m to 18m over the B2 land;
- Replacement of commercial floor space with a residential flat building on the B2 land; and
- Increasing the FSR on the B2 land from 0.75:1 to 1.22:1 as a result of the residential flat building (the commercial floor space component is proposed at 0.45:1, under the current 0.75:1 FSR provision).

The amendments to the building height and FSR provisions are to facilitate a residential flat building (RFB) on the southern part of the B2 Local Centre area on the Site. The benefits of a residential flat building component within the redevelopment of the Site include:

- The RFB will positively contribute to the streetscape through aesthetically pleasing architecture, further enhancing this Site as a 'gateway' into the Round Corner town centre
- The RFB will activate the area after hours with a mixed use development
- The RFB will enhance local centres viability, supporting the growth and function of the Local Centre
- The RFB is supporting transit orientated development with public transport options available at the front door
- Creates a wider diversity of housing choice in close proximity to facilities and services while ensuring that the development with enhance and integrate with the existing urban environment through architectural design
- The view corridor to the Blue Mountains was a key consideration in the architectural design as shown in the concept architectural design supporting this Planning Proposal.

This Planning Proposal seeks amendments to the building height and FSR provisions to permit a residential flat building as a result of the feedback with representatives from community groups, including the Dural and Round Corner Chamber of Commerce and the Dural residents group. As an outcome of this feedback it was indicated that the community would support a reduction in the amount of retail space and the inclusion of a residential flat building to increase the diversity in residential accommodation in the Round Corner area. As a result of this feedback, the development concept has been revised to include a residential flat building.

One of the key elements of this Planning Proposal is ensuring that the commercial floor space is restricted to under 0.75:1 which was endorsed by Council in the LEP amendment (No.15) for this Site. Concept architectural plans prepared by Leffler Simes Architects support this application (Appendix A) and demonstrate that the Commercial/Retail component has an FSR of 0.45:1, under the current 0.75:1 FSR provision. The FSR component for the residential flat building is 0.69:1, totalling an FSR provision of 1.22:1 for the B2 land on the Site. This FSR provision of 1.22:1 is a result of the envisaged development responding to environmental constraints, specifically the slope of the Site. The Site slopes in a westerly direction, with the most appropriate location for the commercial and residential development fronting Old Northern Road. As such, the FSR provision is higher in the B2 land than surrounding areas in order for the development of the Site to respond to the topography, while on the R3 land the FSR is only 0.33:1.

The Planning Proposal is consistent with Council's and State Government's strategic planning policies which support providing good quality housing close to public transport options. The Planning Proposal is consistent with Council's Residential and Integrated Transport Directions through accommodating population growth, facilitating good quality housing near public transport options. The Planning Proposal also supports the State Government's '*A Plan for Growing Sydney*', providing housing to suit different needs and lifestyles in a location serviced by public transport and consistent with Council's Local Strategy.

This Planning Proposal is submitted to Council for consideration and if supported, the Proposal will be submitted to the Department of Planning and Environment for a Gateway determination. All strategic planning policies and statutory planning instruments have been taken into consideration and addressed within this Planning Proposal including: A Plan for Growth Sydney, relevant Section 117 Direction, relevant State Environmental Planning Policies, and The Hills LEP 2012.

Council is requested to proceed with the amendments to the planning controls to enable the development to proceed for a gateway development on the Site.

2 BACKGROUND

2.1 LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

This Planning Proposal applies to Lot 2 DP 839151 being no.488-494 Old Northern Road, Dural and is owned by Australian United Securities. Figure 1 is a cadastre plan of the Site.



Figure 2-1: Cadastre Plan of the Site
(Source: SIX Viewer)

2.2 SITE DETAIL & CONTEXT

2.2.1 SITE DETAIL

The subject site is situated on the corner of Old Northern Road and Stonelea Court, adjacent to a nursing home, retirement village and the existing Round Corner shopping centre, as shown in Figure 2. The site of approximately 2 hectares, slopes towards the western property boundary, is largely vacant with a concentration of vegetation on the southern edge of an otherwise sparsely vegetated site. The Site has existing access off Old Northern Road as shown in Figure 2.



Figure 2-2: Aerial Image of the Site
(Source: SIX Viewer)

2.2.2 BACKGROUND

The Site has been subject to a Planning Proposal which amended the land use zone of the Site from RU6 – Transition to part B2 – Local Centre and part R3 – Medium Density Residential under *The Hills Local Environmental Plan (LEP) 2012 (Amendment No. 15)*. Feedback was received from representatives from community groups including the Dural and Round Corner Chamber of Commerce and the Dural residents group. An outcome of this feedback was that the community would support a reduction in the amount of retail space and inclusion of a residential flat building to increase the diversity in residential accommodation in the Round Corner area. As a result of this feedback the development concept has been revised to include a landmark residential flat building.

The LEP Amendment 0.15 to rezone the Site came into force on 11 July 2014, introducing a Floor Space Ratio of 0.75:1 over the part of the site zoned B2 – Local Centre. In support of these amendments to *The Hills LEP 2012* a number of amendments were also prepared for *The Hills Development Control Plan 2012 (Part B Section 6 – Business)* to guide built form and public domain outcomes to ensure future development contributes to the appearance, amenity and accessibility of Round Corner Town Centre.

As a result of the community feedback and the proponent’s vision for re-developing the Site with residential flat building on the southern part, an LEP amendment is required to increase the building height and FSR provisions.

2.2.3 SITE CONTEXT

The Site is situated within Road Corner, Dural which is in a unique location within The Hills Shire as it is one of the first northern areas within The Hills Local Government Area (LGA) to transition from a residential land use to rural through a RU4 Rural Small Holdings zoning. Areas to the north of Round Corner are characterised by small rural holdings and further north are Middle Dural and Galston villages. To the south of the site, residential development exists in areas such as Glenhaven which then extends to the southern part of the Shire and Castle Hill.

2.3 THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

The land use zone, FSR and Building Height development standards under *The Hills Local Environmental Plan 2012* are shown in Figure 3 below.

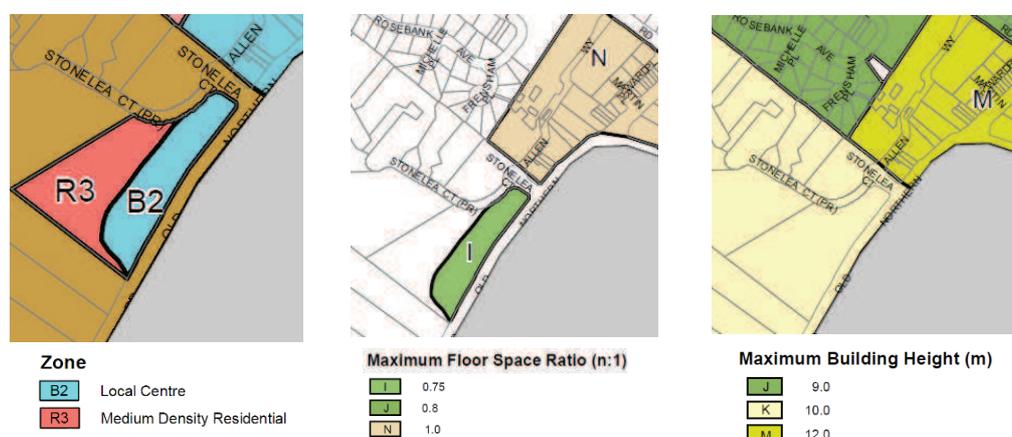


Figure 2-3: Land Use Zone, FSR and Building Height Development Standards under *The Hills LEP 2012*

3 STRATEGIC PLANNING CONTEXT

This Planning Proposal seeks to increase the FSR and building height controls under *The Hills LEP 2012* to facilitate a residential flat building development on the southern part of the B2 Local Centre component of the Site. This is consistent with the State Government's 'A Plan for Growing Sydney' and Council's Local Strategy.

3.1 A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney (the Strategy) is the NSW Government's latest strategy to guide Sydney's growth as an iconic global city, based on four goals including:

- A competitive economy with world-class services and transport
- A city of housing choice, with homes that meet our needs and lifestyles
- A great place to live with communities that are strong, healthy and well connected
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

This Planning Proposal supports the State Government's target of achieving an additional 664,000 new dwellings by 2031, and supports providing different types of housing to suit different needs and lifestyles. The Planning Proposal is also consistent with the desired location for new housing, with the most suitable locations recognised as being serviced by public transport and being in and around centres to be close to employment opportunities.

3.2 THE HILLS SHIRE LOCAL STRATEGY

The Hills Shire Local Strategy focuses on 7 key areas of direction including residential, waterways, environment and leisure, centres, employment lands, integrated transport and rural lands strategy. This section will provide comments to the consistency of the proposal with the applicable directions including Residential and Integrated Transport.

- Residential Direction

The Residential Direction reviews progress in achieving additional dwellings and demonstrates that capacity to accommodate State Government dwelling targets into the future. There are four actions within the Residential Direction including accommodating population growth, responding to changing housing needs, providing a sustainable living environment and facilitating quality housing outcomes. The Planning Proposal is consistent with the Residential Direction as the proposal facilitates accommodating population growth and assisting in providing a variety of good quality housing.

- Integrated Transport Direction

The Integrated Transport Direction provides a package of solutions to provide greater connectivity between key destinations and ensure that residents can access a range of integrated travel options. This Planning Proposal is consistent with the Integrated Transport Direction as the increase in FSR and building height are to facilitate a residential flat building development on the Site, which has good accessibility to public transport. A bus interchange is located on Old Northern Road which is serviced by bus services to Castle Hill, Rouse Hill, Blacktown, Baulkham Hills and M2 interchanges.

4 PLANNING PROPOSAL

This Planning Proposal has been prepared in accordance with the NSW Department of Planning and Environment's (formerly Department of Planning & Infrastructure) 'Guide to Preparing Planning Proposals' (October 2012). The Proposal addresses the relevant matters for the rezoning.

4.1 PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to enable the redevelopment of the B2 Local Centre zoned area at no.488-494 Old Northern Road, Dural to include a residential flat building development on the southern portion of the Site to support the B2 Local Centre.

As discussed under *Section 2.2.2 Background* of this report, LEP Amendment No.15 rezoned the Site to part B2 Local Centre and part R3 Medium Density Residential, with the purpose of this Planning Proposal seeking to increase the building height and FSR provisions to allow for a residential flat building to form part of the redevelopment of the privately owned Site. The benefits of including a residential flat building component within the redevelopment of the Site are as follows:

- The RFB will positively contribute to the streetscape through aesthetically pleasing architecture, further enhancing this Site as a gateway into the Round Corner town centre
- The RFB will activate the area after hours with a mixed use development
- The RFB will enhance local centres viability, supporting the growth and function of the Local Centre
- The RFB is supporting transit orientated development with public transport options available at the front door
- Creates a wider diversity of housing choice in close proximity to facilities and services while ensuring that the development with enhance and integrate with the existing urban environment through architectural design
- The view corridor to the Blue Mountains was a key consideration in the architectural design as shown in the concept architectural design supporting this Planning Proposal.

4.2 PART 2 – EXPLANATION OF PROVISIONS

The Proposal seeks to achieve the objectives through site-specific amendments to *The Hills LEP 2012* for part of no.488-494 Old Northern Road, Dural by amending the development standards and associated LEP maps to facilitate the construction of a residential flat building on the Site. The amendments relate to the B2 Local Centre zoned area of the Site including the following:

- Increasing the maximum building height from 10m to 18m over the B2 land;
- Replacement of commercial floor space with a residential flat building on the B2 land; and
- Increasing the FSR on the B2 land from 0.75:1 to 1.22:1 as a result of the residential flat building (the commercial floor space component is proposed at 0.45:1, under the current 0.75:1 FSR provision).

This Planning Proposal seeks amendments to the building height and FSR provisions to permit a residential flat building as a result of the feedback with representatives from community groups, including the Dural and Round Corner Chamber of Commerce and the Dural residents group. As an outcome of this feedback it was indicated that the community would support a reduction in the amount of retail space and the inclusion of a residential flat building to increase the diversity in residential accommodation in the Round Corner area. As a result of this feedback, the development concept has been revised to include a residential flat building.

One of the key elements of this Planning Proposal is ensuring that the commercial floor space is restricted to under 0.75:1 which was endorsed by Council in the LEP amendment (No.15) for this Site. Concept architectural plans attached at

Appendix A demonstrate that the Commercial/Retail component has an FSR of 0.45:1, under the current 0.75:1 FSR provision. The FSR component for the residential flat building is 0.69:1, totalling an FSR provision of 1.22:1 for the B2 land on the Site. This FSR provision of 1.22:1 is a result of the envisaged development responding to environmental constraints, specifically the slope of the Site. The Site slopes in a westerly direction, with the most appropriate location for the commercial and residential development fronting Old Northern Road. As such, the FSR provision is higher in the B2 land than surrounding areas in order for the development of the Site to respond to the topography, while on the R3 land the FSR is only 0.33:1. In addition, the FSR (at this stage) on the total Site area of 2ha is approximately 0.75:1.

In respect of the areas in which the FSR calculations are based, The Hills Shire Development Control Plan (DCP) Part B Section 6 Business contains site specific objectives and controls for the development of the Site as a result of the LEP Amendment no.15. The DCP states that the B2 – Local Centre is approximately 9,202m² in area and the R3 – Medium Density Residential is approximately 10,798m² in area. A Site Plan is included in the architectural drawings package supporting this Planning Proposal, which identifies the split in areas indicate a minor change in the areas stated in the DCP. An excerpt in Figure 4.1.

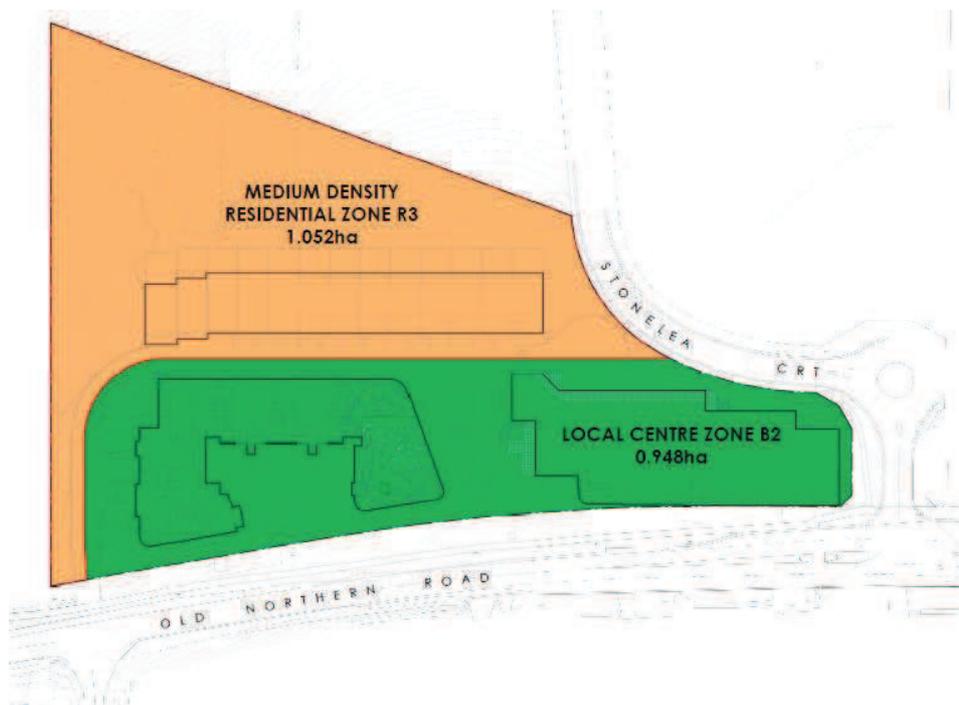


Figure 4-1: Site Plan showing split of B2 and R3 land use zone areas

The FSR calculation of 1.22:1 of the B2 Local Centre is based on the site area of 9,480m². This is a minor increase to the DCP area of 9,202m² by approximately 278m². Subsequently, the area for the R3 Medium Density Residential has decreased from 10,798m² to 10,520m² (278m²).

As shown in Figure 4.1, the split in land use areas is based on a natural boundary between the B2 Local Centre and R3 Medium Density Residential areas, sharing the area of the proposed internal road. This approach is considered equitable and has resulted in a minor change in the land use zone areas.

4.3 PART 3 – JUSTIFICATION

This Planning Proposal is supported by Concept Architectural Plans (Appendix A) which demonstrates how the development of the Site will act as a 'Gateway' development to Round Corner incorporating a residential flat building on the southern part of the Site. As shown in the architectural plans, one of the key design considerations was maintaining the view corridor to the Blue Mountains which is demonstrated in the perspectives included within the set of plans. The design treatment with Old Northern Road ensures a pedestrian friendly environment, supporting by landscaping and high quality urban design built form.

The criteria to be addressed under 'Justification' as per the Department of Planning & Infrastructure's guidelines (2012) '*A guide to preparing planning proposals*' is discussed in detail in Section 5 of this Report.

4.4 PART 4 – MAPPING

'A guide to preparing planning proposals' states that Planning Proposals should be supported by relevant and accurate mapping where appropriate. This section includes the existing and proposed LEP maps to support the LEP amendments sought within this Planning Proposal. The following maps are provided:

- The existing and proposed Floor Space Ratio maps
- The existing and proposed Maximum Building Height maps

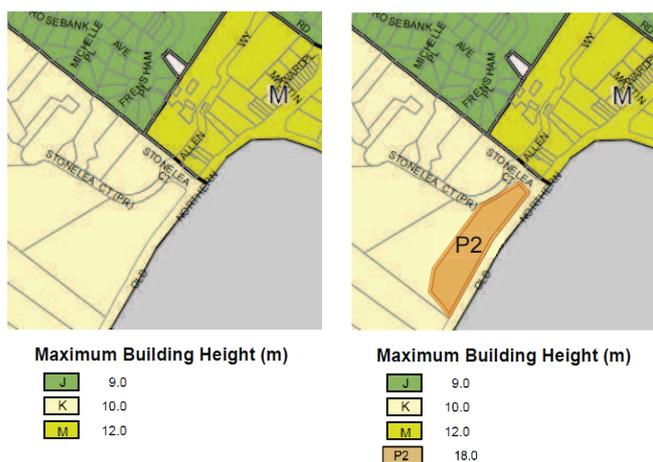


Figure 4-2: Existing (left) and proposed (right) maximum building height maps

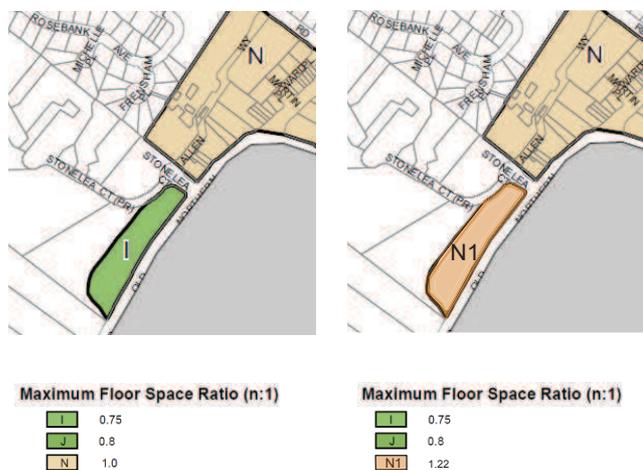


Figure 4-3: Existing (left) and proposed (right) maximum FSR maps

4.5 PART 5 – COMMUNITY CONSULTATION

The Department of Planning & Infrastructure's 'A guide to preparing planning proposals' (2012) states that as part of the Planning Proposal an outline of the community consultation strategy is to be provided. This Planning Proposal is not considered as major therefore the standard community consultation length of 28 days should apply. However, the Gateway Determination will confirm the degree of community consultation required. Following the Gateway Determination, the community consultation will be undertaken in accordance with the Gateway conditions.

5 JUSTIFICATION

5.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal does not implement the outcomes of a strategic study or report. This Planning Proposal is a result of an application on behalf of the land owner seeking to increase the FSR and building height provisions on the B2 Local Centre area on the Site under The Hills LEP 2012. Supporting information provided with this Planning Proposal includes the Architectural Concept Plans prepared by Leffler Simes Architects (Appendix A).

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes – the Planning Proposal seeking to increase FSR and building height provisions on the B2 Local Centre component of the Site is considered the most appropriate means of achieving the intended outcomes to develop the Site to include a residential flat building.

5.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

- A Plan for Growing Sydney

The strategic plan prepared by the NSW Government entitled *A Plan for Growing Sydney* aims guide Sydney's growth as an iconic global city, based on four goals focusing on providing a competitive economy, housing choice, creating communities and a sustainable city. The Planning Proposal is generally consistent with this direction as it would provide living opportunities in a location which is highly accessible by public transport, walking cycling.

- Draft North West Subregional Strategy

The draft *North West Subregional Strategy* was prepared by the NSW Government to implement the Metropolitan Plan and the State Plan. The planning proposal is consistent with the draft strategy as it provides living opportunities capitalising on public transport infrastructure.

Is the Planning Proposal is consistent with the local Council's community Strategic Plan, or other local strategic plan?

The Planning Proposal is consistent with Council's local strategy, being The Hills Shire Local Strategy. The relevant components (Directions) of this Strategy to the Planning Proposal are provided below with a supporting commentary. The relevant Directions include: Residential Direction and Integrated Transport Direction.

- Residential Direction

The Residential Direction is based on four actions including accommodating population growth, responding to changing housing needs, providing a sustainable living environment and facilitating quality housing outcomes. As the Planning

Proposal seeks amendments to the FSR and building height provisions to facilitate residential flat building development on the southern part of the Site, this Planning Proposal supports the four actions.

- Integrated Transport Direction

This Planning Proposal is consistent with the Integrated Transport Direction as the increase in FSR and building height are to facilitate a residential flat building development on the Site, which is has good accessibility to public transport. A bus interchange is located on Old Northern Road which is serviced by bus services to Castle Hills, Rouse Hill, Blacktown, Baulkham Hills and M2 pickup/drop off points.

Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Table 5-1 below identifies the applicable State Environmental Planning Policies (SEPP) and the extent of the Planning Proposal's consistency with these policies.

Table 5-1: Applicable State Environmental Planning Policies

SEPP	Requirement	Planning Proposal
SEPP No. 55 Remediation of Land	The aim of this Policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.	Prior to future development, appropriate investigations will be undertaken to ensure that any contamination of the property is identified and remediated.
SEPP No.65 – Design Quality of Residential Flat Development	The aim of this Policy is to raise the design quality of residential flat development across the state through the application of a series of design principles.	The design principles of this Policy will be taken into consideration prior to the submission of a development application for the residential flat building component of the Site.
SEPP Infrastructure 2007	The aim of this Policy is to support greater flexibility in the location of infrastructure and service facilities along with improve regulatory certainty and efficiency.	Future development of the Site will consider the provisions of this SEPP. Consultation may be required with the Roads and Maritime Services (RMS) as Old Northern Road is a classified road.
SREP 20 Hawkesbury Nepean River	The aim of this Policy is to ensure that the impacts of land uses within the Hawkesbury Nepean River Catchment are effectively managed.	A Stormwater Management Plan will be submitted with an application for the residential flat building to ensure stormwater is managed appropriately.

Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 Directions)?

Table 5-2 identifies the applicable ministerial directions and the extent of the Planning Proposal's consistency with these directions.

Table 5-2: Applicable Ministerial Directions (s.117 Directions)

Direction	Objective	Response
1.1 Business and Industrial Zones	This direction applies to existing or proposed business or industrial zones (including the alteration of any existing	The Planning Proposal is consistent with the objectives of this Direction as this application is seeking additional FSR and building height provisions

Direction	Objective	Response
	business or industrial zone boundary). The objectives of this direction are to: <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations (b) protect employment land in business and industrial zones (c) support the viability of identified strategic centres 	to permit a residential flat building so as to not affect commercial development in the B2 Local Centre zone. This approach retains the areas and locations of the existing business zone and does not reduce the potential floor space area for employment uses and related public services in the B2 Local Centre zone. This Planning Proposal is consistent with this Direction.
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This Direction applies when a relevant planning authority prepares a planning proposal.	The purpose of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The Planning Proposal has no impact on the existing conservation provisions in <i>The Hills LEP 2012</i> .
3.3 Home Occupations	This direction applies when a planning authority prepares a planning proposal. The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Home occupations are permissible in the B2 Local Centre land use zone under <i>The Hills LEP 2012</i> . This Planning Proposal is not inconsistent with this Direction.
3.4 Integrating Land Use and Transport	The purpose of this direction is to ensure that housing and jobs are easily accessible through a variety of means including walking, cycling and public transport, reliance on private vehicle use is minimised, and that development supports the viable operation of public transport.	This Direction applies to a Planning Proposal that seeks to create, alter or remove a zone or a provision relating to urban land, including land zoned for business purposes. As such, this Direction is relevant to this Planning Proposal as the Proposal seeks to amend provisions relating to urban land zoned for business purposes. This Planning Proposal seeks to increase FSR and building height provisions on part of the Site in order to permit a residential flat building development. This Planning Proposal is consistent with this Direction as the location of these amendments are within an area that has high accessibility by public transport, cycling and walking.
4.4 Planning for Bushfire Protection	This direction applies when a relevant planning authority prepares a planning proposal that has land mapped as bushfire prone land. The objective of this Direction is to protect life, property and the environment from bushfire hazards.	The majority of the Site is situated within bushfire prone land vegetation buffer of Council's Bushfire Prone Land Map. A Bushfire Report would be submitted with a Development Application for the re-development of the Site.
6.1 Approval and Referral Requirements	This direction aims to ensure the LEP provision encourages the efficient and appropriate assessment of development, minimising the inclusion of designated development.	This Planning Proposal does not include provisions that require the concurrence, consultation or referral of DAs to a Minister or public or identify the development as designated development. This Planning Proposal is consistent with this Direction.

Direction	Objective	Response
6.3 Site Specific Provisions	This direction aims to discourage unnecessarily restrictive site specific planning.	This Direction applies to Planning Proposals seeking for a particular development to be carried out. The amendments sought in this Planning Proposal are to allow for a residential flat building to be constructed on the Site. However, does not encourage restrictive site specific planning. This Planning Proposal is consistent with this Direction.
7.1 Implementation of A Plan for Growing Sydney	This direction states that Planning Proposals are to be consistent with the NSW Government's A Plan for Growing Sydney.	This Planning Proposal supports the State Government's 'A Plan for Growing Sydney', providing housing to suit different needs and lifestyles in a location serviced by public transport. This Planning Proposal doesn't undermine the achievement of its planning principles, directions, priorities for subregions, strategic centres and transport gateways. This Planning Proposal is consistent with this Direction.

5.3 SECTION C – ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACTS

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Site is predominately vacant, generally void of vegetation and significant trees. As such, the Planning Proposal will not adversely affect critical habitat or threatened species, populations or ecological communities or their habitats.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are no other likely environmental effects except for the land being identified as bushfire prone land either Category 1 or Buffer Zone as per Council's Bush Fire Prone Land Map. A Development Application for the development of this site will include a supporting Bushfire Hazard report with the proposed development complying with the relevant requirements under the *NSW Rural Fires Act 1997*.

How has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal is not anticipated to have any negative social or economic impacts on the locality. Any increase in the residential population will be support transit orientated development and support the viability of the B2 Local Centre.

5.4 SECTION D – STATE & COMMONWEALTH INTERESTS

Is there adequate public infrastructure for the Planning Proposal?

The development of the Site will increase demand for public amenities and services. This information will form part of a Development Application for the Site once the extent of the development is known. The site is located immediately adjacent to a bus interchange on Old Northern Road and is supported by good public transport infrastructure.

What are the views of State & Commonwealth public authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

The views of the State and Commonwealth public authorities will not be known until after the initial Gateway determination. The determination will identify the relevant State agencies to be consulted as part of the Planning Proposal.

6 CONCLUSION

This Planning Proposal supports planning amendments to *The Hills Local Environmental Plan 2012* in seeking an increase in building height and floor space ratio on part Lot 2 in DP 839151 being no.488-494 Old Northern Road, Dural. The amendments relate to the B2 Local Centre zoned area of the Site including the following:

- Increasing the maximum building height from 10m to 18m over the B2 land;
- Replacement of commercial floor space with a residential flat building on B2 land area; and
- Increasing the FSR on the B2 land from 0.75:1 to 1.22:1 as a result of the residential flat building (the commercial floor space component is proposed at 0.45:1, under the current 0.75:1 FSR provision).

The amendments to the building height and FSR provisions are to facilitate a residential flat building (RFB) on the southern part of the B2 Local Centre area on the Site. The benefits of a residential flat building component within the redevelopment of the Site include:

- The RFB will positively contribute to the streetscape through aesthetically pleasing architecture, further enhancing this Site has a gateway into the Round Corner town centre
- The RFB will activate the area after hours with a mixed use development
- The RFB will enhance local centres viability, supporting the growth and function of the Local Centre
- The RFB is supporting transit orientated development with public transport options within close proximity to the Site
- Creates a wider diversity of housing choice in close proximity to facilities and services while ensuring that the development with enhance and integrate with the existing urban environment through architectural design
- The view corridor to the Blue Mountains was a key consideration in the architectural design as shown in the concept architectural design supporting this Planning Proposal

This Planning Proposal seeks amendments to the building height and FSR provisions to permit a residential flat building as a result of the feedback with representatives from community groups, including the Dural and Round Corner Chamber of Commerce and the Dural residents group. As an outcome of this feedback it was indicated that the community would support a reduction in the amount of retail space and the inclusion of a residential flat building to increase the diversity in residential accommodation in the Round Corner area. As a result of this feedback, the development concept has been revised to include a residential flat building.

One of the key elements of this Planning Proposal is ensuring that the commercial floor space is restricted to under 0.75:1 which was endorsed by Council in the LEP amendment (No.15) for this Site. Concept architectural plans (Appendix A) demonstrate that the Commercial/Retail component has an FSR of 0.45:1, under the current 0.75:1 FSR provision. The FSR component for the residential flat building is 0.69:1, totalling an FSR provision of 1.22:1 for the B2 land on the Site. This FSR provision of 1.22:1 is a result of the envisaged development responding to environmental constraints, specifically the slope of the Site. The Site slopes in a westerly direction, with the most appropriate location for the commercial and residential development fronting Old Northern Road. As such, the FSR provision is higher in the B2 land than surrounding areas in order for the development of the Site to respond to the topography, while on the R3 land the FSR is only 0.33:1.

The Planning Proposal is consistent with the State Government's '*A Plan for Growing Sydney*', providing housing to suit different needs and lifestyles in a location serviced by public transport and consistent with Council's Local Strategy.

This Planning Proposal is submitted to Council for consideration and if supported, the Proposal will be submitted to the Department of Planning and Environment for a Gateway determination. All strategic planning policies and statutory planning

instruments have been taken into consideration and addressed within this Planning Proposal including: A Plan for Growth Sydney, relevant Section 117 Direction, relevant State Environmental Planning Policies, and The Hills LEP 2012.

APPENDICES

APPENDIX A CONCEPT ARCHITECTURAL PLANS