

The Hills Development Control Plan (DCP) 2012

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THE
HILLS
Sydney's Garden Shire



Part B Section 3 Dual Occupancy

B3

In Force 21 May 2019

INDEX

1.	INTRODUCTION.....	1
1.1.	LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	1
1.2.	AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP	1
1.3.	DUAL OCCUPANCY.....	2
1.4.	SUBDIVISION	4
2.	OBJECTIVES AND DEVELOPMENT CONTROLS	4
2.1.	SITE REQUIREMENTS	4
2.2.	SITE ANALYSIS.....	5
2.3.	SETBACKS	5
2.4.	LANDSCAPED AREA.....	6
2.5.	PRIVATE OPEN SPACE	7
2.6.	BUILDING HEIGHT	7
2.7.	BUILDING HEIGHT ENVELOPE	7
2.8.	BUILDING DESIGN AND STREETScape	10
2.9.	BUILDING MATERIALS	11
2.10.	SOLAR ACCESS	12
2.11.	VENTILATION	13
2.12.	LIGHTING	13
2.13.	ON-SITE SEWAGE MANAGEMENT	13
2.14.	STORMWATER MANAGEMENT	14
2.15.	BUSHLAND AND BIODIVERSITY	15
2.16.	BUSH FIRE HAZARD MANAGEMENT	15
2.17.	EROSION AND SEDIMENT CONTROL	15
2.18.	PRIVACY – VISUAL AND ACOUSTIC	16
2.19.	VEHICLE ACCESS AND PARKING	17
2.20.	FENCING	18
2.21.	HERITAGE	18
2.22.	WASTE MANAGEMENT – STORAGE AND FACILITIES	19
2.23.	WASTE MANAGEMENT PLANNING	19
2.24.	SERVICES	20
2.25.	DEVELOPER CONTRIBUTIONS	20
3.	INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION	20
	APPENDIX A - DEVELOPMENT CONTROL COMPLIANCE CHECK SHEET	21

1. INTRODUCTION

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

1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

This Section of the DCP applies to land where, under the provisions of The Hills Local Environmental Plan (LEP) 2012, dual occupancy, dual occupancy (attached) and dual occupancy (detached) development is a permissible use.

1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP

The aim of this Section of the DCP is to identify Council's objectives for dual occupancy development in the Shire and identify controls to ensure the objectives are achieved.

Council's overarching objectives for dual occupancy development are:

OBJECTIVES

- (i) *Encourage a high standard of aesthetically pleasing and functional developments that sympathetically relate to adjoining and nearby developments.*
- (ii) *Ensure that development will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development.*
- (iii) *Encourage innovative and imaginative design with particular emphasis on the integration of buildings and landscaped areas that add to the character of the neighbourhood.*
- (iv) *Provide high levels of amenity for future residents of any development.*
- (v) *Implement the principles of Ecologically Sustainable Development.*
- (vi) *To facilitate the implementation of the aims and objectives of residential development as set out in The Hills LEP 2012.*

Additional objectives covering a range of specific issues related to dual occupancy development in the Shire, are identified in section 2 of this Section of the DCP. These specific objectives are all related to the six objectives identified above.

1.3. DUAL OCCUPANCY

Examples of these dwelling types are illustrated in Figures 1 and 2 below.



Figure 1 - Dual Occupancy (attached)

The photographs and site layout show a dual occupancy (attached) development.

This particular dual occupancy is for a corner site which is ideal in that it permits each dwelling to be oriented towards a separate street.

Other design options exist and any proposed design must address the objectives and development controls, detailed in section 2 of this Section of the Development Control Plan.

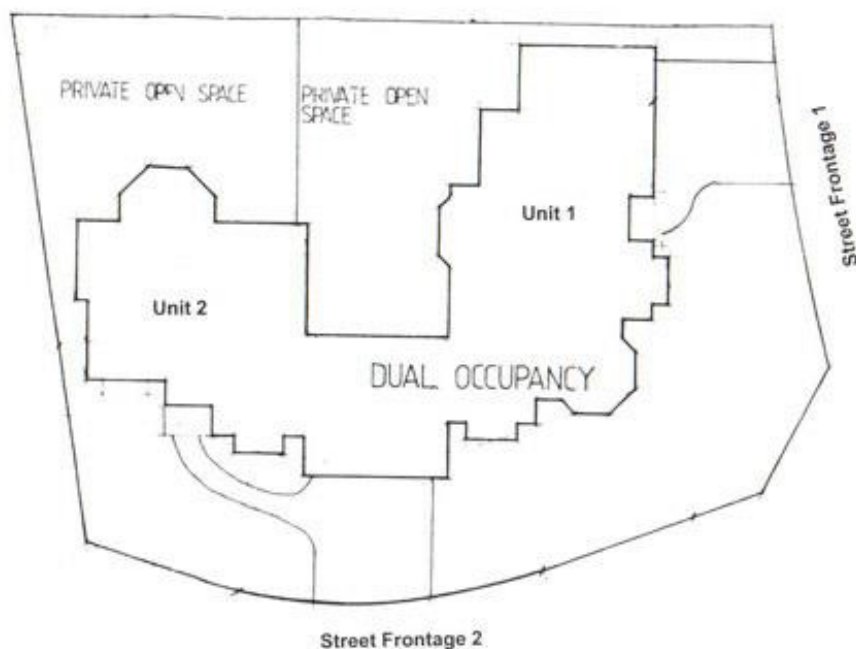


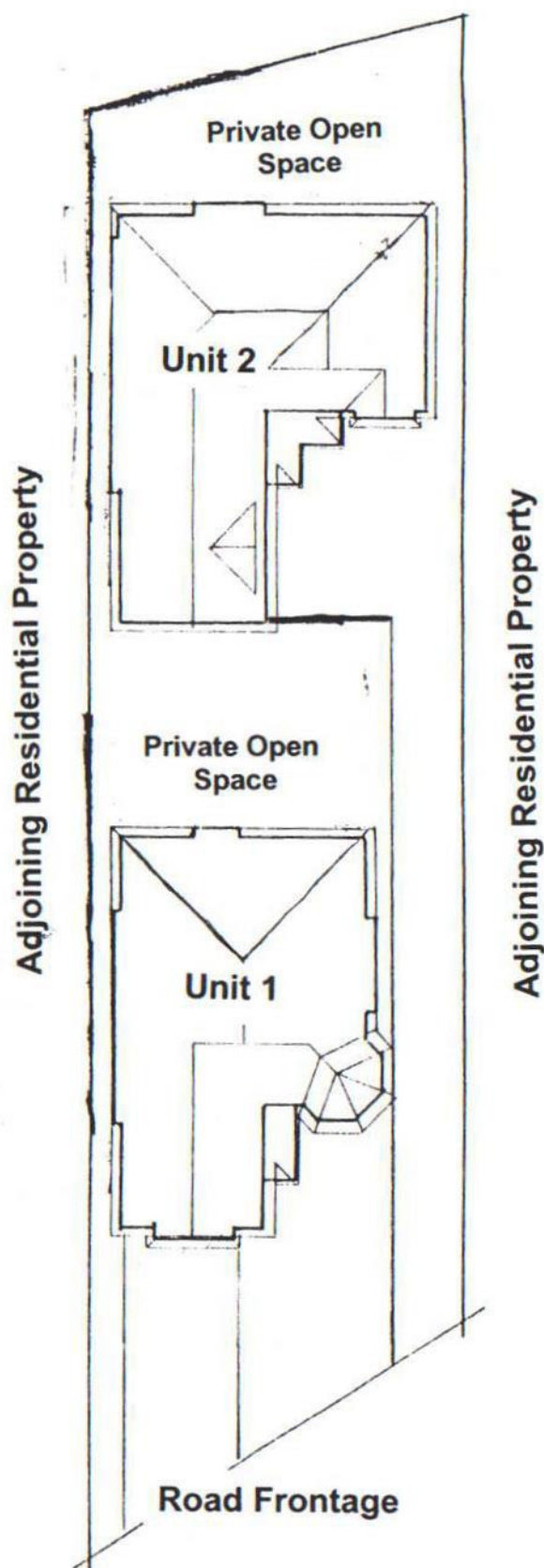


Figure 2 - Dual Occupancy (Detached)

The photographs and site layout show a dual occupancy (detached) development.

This particular dual occupancy is in a battle-axe arrangement.

Again other design options exist and any proposed design must address the objectives and development controls, detailed in section 2 of this Section of the Development Control Plan.



1.4. SUBDIVISION

Subdivision of dual occupancies is prohibited pursuant to Clause 4.1C *Subdivision of dual occupancies* of The Hills Local Environmental Plan (LEP) 2012.

2. OBJECTIVES AND DEVELOPMENT CONTROLS

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

In addition to the policies, guidelines and documents specified in section 1.4 of Part A – Introduction, this dual occupancy Section is to be read in conjunction with other relevant Sections including:

- Part B Section 1 – Rural
- Part C Section 2 - Signage
- Part C Section 3 – Landscaping
- Part B Section 2 – Residential
- Part C Section 4 – Heritage
- Part C Section 1 - Parking
- Part C Section 6 – Flood Controlled Land

A checklist is provided as a summary in Appendix A Development Control Compliance Check Sheet of this Section (Part B Section 3 – Dual Occupancy).

2.1. SITE REQUIREMENTS

OBJECTIVES

- (i) To maintain allotments of sufficient size to satisfy the requirements of this Section of the DCP and to enable flexibility in housing design.
- (ii) To ensure development on a particular site has due regard to adjoining developments in accordance with Council's ESD objective 7.
- (iii) To control the density of residential development.
- (iv) To prevent excessive site coverage.

DEVELOPMENT CONTROLS

- a) The minimum lot size for dual occupancies is prescribed in Clause 4.1A *Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings* of The Hills Local Environmental Plan 2012.

- b) The minimum lot size is exclusive of any restricted development areas or rights of way in favour of other properties.
- c) The floor space ratio of all dwellings shall not exceed 0.5:1.

SUBMISSION REQUIREMENT

- Site Plan

2.2. SITE ANALYSIS

OBJECTIVES

- (i) *To encourage a comprehensive approach to site planning, design and assessment of development.*
- (ii) *To facilitate assessment of how future buildings will relate to their immediate surroundings and each other.*
- (iii) *To facilitate development of a design that minimises the negative impacts on the amenity of adjoining commercial, residential or rural development in accordance with Council's ESD objective 7.*
- (iv) *To ensure development is compatible with land capability.*
- (v) *To minimise adverse impacts on the environment in accordance with Council's ESD objective 4.*
- (vi) *To ensure during consideration of the site layout and design, that disturbance to the natural environment is minimised in accordance with Council's ESD objective 3.*

DEVELOPMENT CONTROLS

- a) Development should be designed to respect site constraints such as topography, drainage, soil landscapes, flora, fauna and bushfire hazard.
- b) Disturbance to existing natural vegetation and landforms, watercourses, wetlands and overland flow paths should be minimised.
- c) Development on land adjoining bushland reserves, should incorporate measures (such as setbacks and buffers) to prevent any impact on the reserves.
- d) Development should be sited on the area of land presenting the least topographic constraints.

- e) Development should be sited away from steep slopes (particularly those containing natural vegetation) so that, where possible, these features can be kept in a natural state.
- f) Land with a slope greater than 20% is generally not suitable for development.
- g) Development applications for proposals on land with a slope of between 15-20% should be accompanied by a geotechnical report.

SUBMISSION REQUIREMENT

- Site analysis

2.3. SETBACKS

OBJECTIVES

- (i) *To provide setbacks that complement the streetscape, protect the privacy of and minimise overshadowing of adjoining properties in accordance with Council's ESD objective 7.*
- (ii) *To provide opportunities for landscaping between dwellings.*
- (iii) *To ensure adequate site area and curtilage is provided to all development.*

DEVELOPMENT CONTROLS

- a) The minimum side and rear boundary setback requirements are:

Table 1 - Side and rear setbacks

Height of Building	Minimum distance of wall to boundary line	Minimum distance of eave to boundary line
1 storey	900 mm	675 mm
2 storey (ground floor)	900mm	675mm
2 storey (second floor)	4 metres	3775mm

Note. The side and rear setbacks must be such that the requirements for private open space can be met.

- b) The minimum road frontage setback requirements for dual occupancy developments are:

Table 2 - Building setback requirements

Frontage	Setback
1. Classified Roads	
- Urban	10 metres
- Rural	30 metres
2. Other Roads	Consistent with the setbacks in the locality to a minimum of 4.5 metres
3. Corner Allotment (setback from each street frontage)	
- Rural	10 metres
- Urban	Consistent with the setbacks in the locality to a minimum of 4.5 metres

Note. The setback listed in 1 above applies for a corner allotment with frontage to a classified road.

- c) Where a development site has a slope such that the minimum setbacks shown in Table 1 and 2 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) The minimum setback requirement between dwellings in detached dual occupancy developments shall be five (5) metres between walls.

SUBMISSION REQUIREMENTS

- Site Plan showing building setback dimensions.

2.4. LANDSCAPED AREA

OBJECTIVES

- (i) *To ensure a high standard of environmental quality of dual occupancy developments and the overall visual amenity and character of the neighbourhood in accordance with Council's ESD objective 7.*
- (ii) *To ensure that landscaped areas can be efficiently maintained.*
- (iii) *To provide useable outdoor open space for residents.*

- (iv) *To provide a satisfactory relationship between buildings, landscaping areas and adjoining developments.*
- (v) *To ensure that existing trees are given every opportunity to be incorporated into the final design.*
- (vi) *To minimise stormwater runoff and provide the opportunity for on-site groundwater recharge in accordance with Council's ESD objective 3.*
- (vii) *To ensure that vegetation removed as a part of the land development process is replaced by suitable endemic species in accordance with Council's ESD objective 4.*

DEVELOPMENT CONTROLS

- a) In urban zones, a minimum of 50% of the site shall be provided with landscaped areas, exclusive of access driveways and parking.
- b) In urban zones a minimum of 30% of the site should retain permeable surfaces to permit infiltration of stormwater into the site.
- c) Landscaped areas created for the purpose of screening shall have a minimum width of 2 metres.
- d) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 - Landscaping.
- e) Existing trees should be preserved.
- f) Consideration should be given to the use of trees that provide shade in summer and allow sunlight to penetrate in winter.
- g) Dwellings should be sited to:
 - protect natural and cultural features; and
 - Acknowledge site constraints including soil erosion, overland flow paths and bush fire risk and special features such as trees and views.
- h) Native species are to be used to maintain a strong natural theme for the neighbourhood and rural areas because of their low maintenance characteristics, relative fast growth, aesthetic appeal and suitability to the natural habitat.
- i) Consideration should be given to Council's Safer by Design Guidelines in respect of natural surveillance, sightlines and lighting.

SUBMISSION REQUIREMENTS

- Landscape Plan.

- Tree Management details.

2.5. PRIVATE OPEN SPACE

OBJECTIVES

- (i) To maximise the area available for private open space.
- (ii) To ensure that the orientation of private open space takes into account solar access for year round use.
- (iii) To provide a service space for clothes drying.

DEVELOPMENT CONTROLS

- a) The minimum useable private open space for each dwelling shall be as follows:

Table 3 - Minimum useable private open space

Dwelling Size	Gross Floor Space (Exclusive of garages)	Private Open Space Required
Small Dwelling	80 m ²	80 m ²
Medium Dwelling	80m ² –125m ²	90m ²
Large Dwelling	>125m ²	100m ²

- b) In assessing the area of useable private open space any driveway area or area with a dimension less than 2.5 metres will not be included.
- c) 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.
- d) Adequate outdoor space with solar access must be provided for clothes drying in accordance with section 2.11 of this DCP.

SUBMISSION REQUIREMENTS

- Site Plan showing private open space areas.

2.6. BUILDING HEIGHT

OBJECTIVES

- (i) To ensure that buildings reflect the existing landform of the neighbourhood, including ridgelines and drainage depressions.
- (ii) To protect privacy and amenity of surrounding allotments and residential development in accordance with Council's ESD objective 7.
- (iii) To minimise overshadowing of adjoining allotments.
- (iv) To minimise the visual bulk of the building.
- (v) To ensure the dwelling does not unreasonably impose on rural landscapes.

DEVELOPMENT CONTROLS

- a) For dual occupancy (detached) developments in residential areas where there is an existing dwelling-house the second dwelling-house shall not exceed 3.6 metres in height when measured from the underside of the ceiling to natural ground level before development is carried out.
- b) If the proposal is to erect two detached houses in residential areas, then the house furthest from the street frontage shall not exceed 3.6 metres in height as described above. If the site has two street frontages or the two dwellings are to have equal setbacks one of the two dwellings must satisfy these criteria.
- c) In any case one of the detached dwellings in a dual occupancy (detached) development shall not exceed 3.6 metres as described above.
- d) Dual occupancies (attached) are permitted to be in the form of a two-storey construction.

SUBMISSION REQUIREMENTS

- Elevation Plans indicating building heights.

2.7. BUILDING HEIGHT ENVELOPE

OBJECTIVES

- (i) To improve and enhance the visual aspect of developments when viewed from the street, public place and surrounding properties in accordance with Council's ESD objective 7.

- (ii) *To provide dual occupancy development of a size and bulk generally in keeping with neighbouring development and the surrounding environment.*
- (iii) *To minimise the impact of dual occupancy development in new release areas and in areas where single dwelling housing is dominant.*

DEVELOPMENT CONTROLS

- a) For dual occupancy (detached) development in residential areas where there is an existing dwelling-house, the second dwelling shall not exceed a building height plane projected at an angle of 45 degrees over the land from a vertical distance of 1.8 metres above the natural ground level at any boundary of the site (refer to Figure 3).
- b) Where a dual occupancy (detached) development in residential areas involves the erection of two dwellings, the dwelling closest to the street shall not exceed a building height plane projected at an angle of 45 degrees over the land from a vertical distance of 5 metres above the natural ground level at any boundary of the site. The dwelling furthest from the street shall not exceed a building height plane projected at an angle of 45 degrees over the land from a vertical distance of 1.8 metres above the natural ground level at any boundary of the site (refer to Figures 3 & 4).
- c) In any case one of the two detached dwellings shall not exceed a building height plane projected at an angle of 45 degrees over the land from a vertical distance of 1.8 metres above the natural ground level at any boundary of the site (refer to Figure 3).
- d) For dual occupancies (attached), the building and any associated structure shall not exceed a building height plane projected at an angle of 45 degrees over the land from a vertical distance of 5 metres above ground level at any boundary of the site (refer to Figure 4).

Figure 3 - Building height envelopes: single storey dwellings

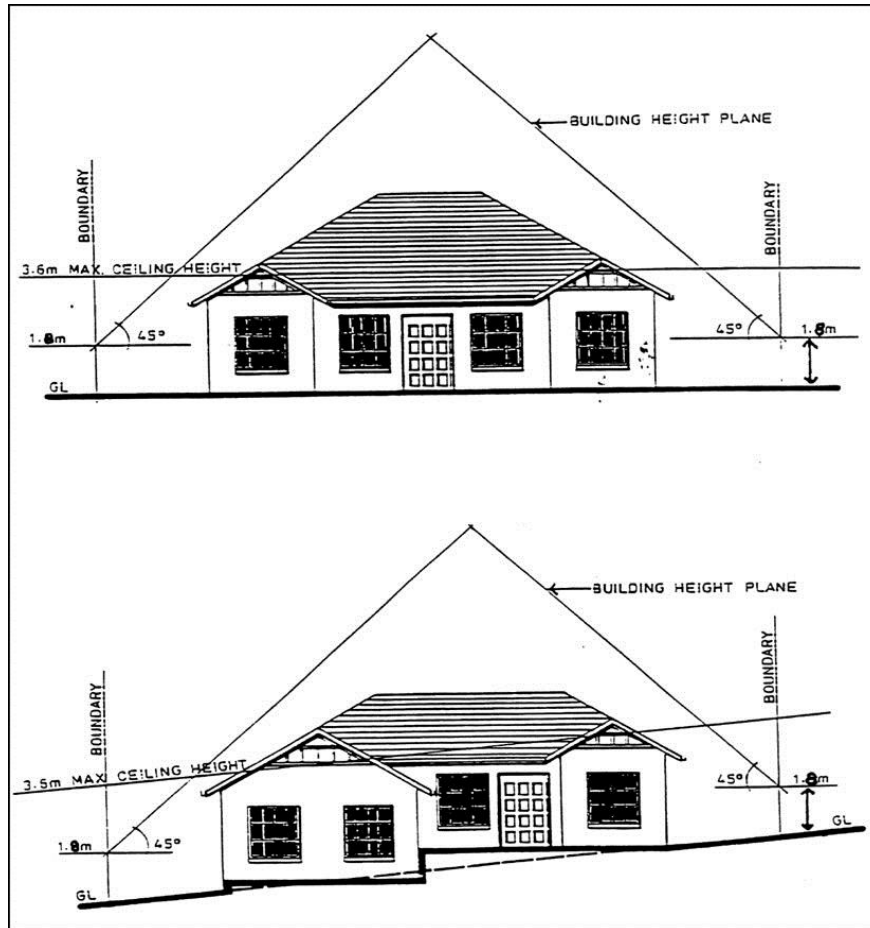
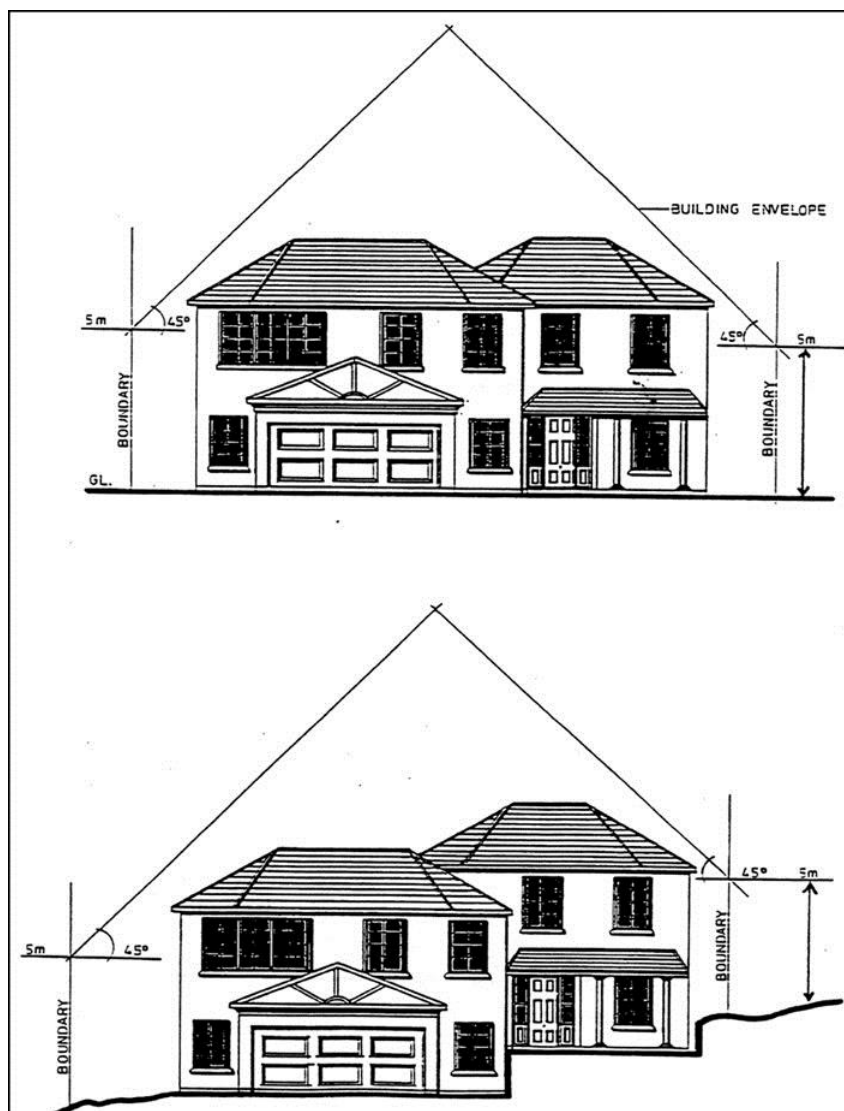


Figure 4 - Building height envelopes: two-storey dwellings



2.8. BUILDING DESIGN AND STREETScape

OBJECTIVES

- (i) To ensure the appearance of dual occupancy developments enhance the streetscape, complement adjoining and surrounding residential or rural development in terms of scale and character.
- (ii) To ensure dual occupancy developments are compatible with the desired nature of housing within the Shire, in accordance with Council's ESD objective 7.
- (iii) To achieve dual occupancy development that is of a high standard of design and construction in terms of both internal and external appearance.

DEVELOPMENT CONTROLS

- a) Dual occupancies (attached) are to portray an external appearance of a single dwelling.
- b) Mirror imaged designs are not acceptable.
- c) Architectural relief to facades is encouraged to avoid the appearance of excessive scale and bulk.
- d) Where a dual occupancy development is to be created by extensions to an existing dwelling, the design, roofline and materials should be compatible with the existing building. The roof forms of buildings should be designed so as to avoid unduly increasing the bulk of the building.
- e) The roof forms of new dual occupancy developments must be compatible with adjoining and surrounding dwellings in the neighbourhood.

- f) Applicants should avoid repeating designs used in other developments, particularly those located in close proximity to the proposal.
- g) Relocatable or moveable dwellings and conversions of detached garages to create a dual occupancy development will only be permitted where the design, external materials and rooflines are compatible with the existing housing in the area.
- h) Carports and garages should be located behind the building line and should not be prominent elements in the streetscape. They should be incorporated into the overall building design to complement the dwellings and streetscape rather than dominate them.
- i) Dual occupancies (attached) must be connected by a common wall separating habitable rooms of each respective dwelling, or by a garage with each sharing a wall of the garage. In all cases, the area of the common wall shall not be less than half the area of the wall on each elevation.
- j) Where the method of attachment is by way of a garage, such a connecting link is to include a continuous roofline, having a design and external appearance similar to that of the two dwellings and that physically connects to the opposing walls of each dwelling.
- k) Attachment by way of a pergola, breezeway, verandah or the like that does not integrate the design of the two dwellings is not permitted.
- l) Wherever possible and without endangering any trees, dual occupancies (attached or detached) on corner allotments should endeavour to site buildings so that each dwelling addresses a separate street frontage.
- m) Consideration should be given to Council's Safer by Design Guidelines in regards to ensuring entrances are highly visible and that entrapment spaces are eliminated.

SUBMISSION REQUIREMENTS

- Elevations (including proposed and existing dwellings).
- Isometric Presentation.

2.9. BUILDING MATERIALS

OBJECTIVES

- (i) *To promote integrated, visually harmonious and attractive buildings in residential and rural areas.*
- (ii) *To encourage the use of renewable, energy efficient materials that are durable and cost effective in accordance with Council's ESD objective 5.*
- (iii) *To reduce waste generation and wastage of resources in accordance with Council's ESD objective 6.*
- (iv) *To encourage consideration of the long-term impact of the production and use of materials used in construction of the development.*

DEVELOPMENT CONTROLS

- a) All building construction must comply with the Environmental Planning and Assessment Act 1979, Local Government Act 1993, and Building Code of Australia.
- b) The choice of materials and external finishes are to be compatible with surrounding developments and landscape features in terms of colours, textures and quality.
- c) The following factors must be considered when selecting materials:
 - suitability for the purpose;
 - durability;
 - long term appearance;
 - local environmental impacts;
 - broader and longer term environmental impacts; and
 - the quantity of material required.
- d) Avoid oversupply and waste of materials by careful assessment of quantities needed.
- e) Avoid materials that are likely to contribute to poor internal air quality such as those generating formaldehyde or those that may create a breathing hazard in the case of fire (eg polyurethane).
- f) Select materials that will minimise the long-term environmental impact over the whole life of the development.
- g) Preference should be given to recycled materials and subsequently to materials derived from renewable sources or those that are sustainable and generate a lower environmental cost,

recycled material or materials with low embodied energy, better lifecycle costs and durability.

- h) Choice of materials should be based on consideration of both their environmental and economic costs.

SUBMISSION REQUIREMENTS

- Schedule of external materials and finishes.
- Detailed descriptions and samples of internal materials.
- Streetscape perspective including landscaping.

2.10. SOLAR ACCESS

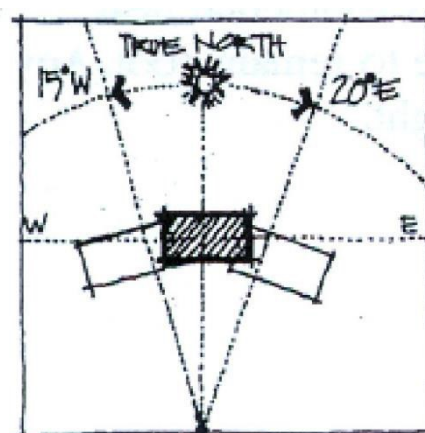
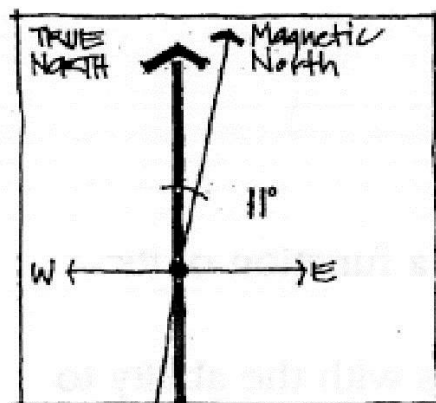
OBJECTIVES

- To maximise solar access to internal living and open space areas in winter.*
- To ensure no adverse overshadowing of adjoining allotments/developments.*
- To orient the development in a way that best allows for appropriate solar access and shading, to ensure energy efficient outcomes in accordance with Council's ESD objective 5.*
- To minimise the need for artificial lighting in dwellings during the day, to ensure energy efficient outcomes in accordance with Council's ESD objective 5.*
- To orientate dwellings so that the living areas face north.*

DEVELOPMENT CONTROLS

- At least 50% of the required private open space is to receive direct sunlight for a minimum of 3 hours between 9am and 3pm on 21 June.
- Dwellings should be sited to allow adequate provision for access of 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.
- Living areas of dwellings shall be orientated to the north wherever possible.
- Maximise the amount of direct sunlight available to clothes drying areas.

- e) Orient buildings so that each dwelling obtains direct sunlight where possible. Ideally, face the long axis of the development up to 30 degrees east and 20 degrees west of true north. This is illustrated in the following diagrams:



Source: BDP Environment Design Guide

- Where winter solar access is not optimum consider the use of double-glazing or high performance glass.
- Main windows should have suitable shading or other solar control to avoid summer overheating.
- Consider the use of horizontal shading devices (for north facing windows) including eaves, verandahs, pergolas, awnings and external horizontal blinds to allow low winter sun whilst providing shade from high summer sun.
- West facing windows can cause excess heat in summer. If suitable, minimise the size of east and west facing windows, or consider external vertical shading devices such as vertical blinds, blade walls and thick vegetation.
- Shading elements are to be integrated into the overall elevation design.

SUBMISSION REQUIREMENTS

- Shadow diagram(s) for two storey dual occupancies or where development exceeds 4 metres.

2.11. VENTILATION

OBJECTIVES

- To maximise ventilation flows in dual occupancy dwellings.*
- To minimise the filtering of cold or warm air through gaps in the construction of dwellings in accordance with Council's ESD objective 5.*

DEVELOPMENT CONTROLS

- Consider ventilation in early design stages.
- Consider prevailing breezes in relation to building orientation, window design and internal circulation.
- Place windows to allow for cross ventilation.
- Consider the installation of fans, roof vents, louvered windows and high-level windows for rooms or spaces where cooling the room rather than heating is the priority.
- Windows should be lockable in a partly open position.
- Provide security screen doors at dwelling entries.
- Minimise air gaps by incorporating door and window seals.

SUBMISSION REQUIREMENT

- Details outlining how natural ventilation is to be achieved in a development.

2.12. LIGHTING

OBJECTIVES

- To maximise the use of natural lighting and to minimise the energy consumption of dual occupancy developments in accordance with Council's ESD objective 5.*

DEVELOPMENT CONTROLS

- Lighting is to be provided and installed in accordance with the Building Code of Australia.
- The design should maximise the use of natural lighting through window placement and skylights.
- Incorporate dimmers, motion detectors and automatic turn-off switches where appropriate.
- Provide separate switches for special purpose lights.

SUBMISSION REQUIREMENT

- Details of the fittings to be used within the dwellings.

2.13. ON-SITE SEWAGE MANAGEMENT

Dual occupancies (attached) in rural areas or the unsewered residential areas of Wisemans Ferry, Glenorie, Kenthurst and Lower Portland will need to address on-site sewage management requirements.

OBJECTIVES

- To ensure all new installations are appropriate for the situation and site.*
- To ensure all development has adequate provision for water and sewage facilities. Where sewage services are not provided by Sydney Water, adequate provision must be made for an on-site sewage system.*
- To provide guidance on the minimum requirements and land size needed for the commonly required systems.*
- To protect the amenity of an area.*
- To ensure the protection of the environment and public health.*

DEVELOPMENT CONTROLS

- All applications proposing an On-site Sewage Management System (OSMS) shall be accompanied by a full site assessment with consideration to topography, soil composition and absorption capacity and vegetation of areas to be used for effluent disposal. Site assessments and designs of on-site sewage management systems shall be in accordance with AS/NZS 1547: 2000 "Onsite Domestic

Waste Water Management” and the Environment & Health Protection Guidelines: “Onsite Sewage Management for Single Households” February 1998.

- b) In unsewered areas Council will require a separate OSMS for each dual occupancy dwelling. An exception will be made if one of the dwellings is small (i.e. 1 bedroom dwelling) where a common OSMS can be used.
- c) Pump-out systems will not be permitted in residential zones.
- d) Any alteration to a system shall require Council approval.
- e) OSMS should be selected, sited, designed, constructed, operated and maintained so that surface waters and groundwater are not contaminated.
- f) Effluent from primary treatment systems (i.e. septic tank) shall only be disposed of through soil absorption or removed from the site.
- g) Contact with effluent from aerated systems shall be minimised or eliminated.
- h) There shall be no contact with effluent from any other type of system.
- i) Treated sewage shall not be used on edible crops.
- j) Surface irrigation shall only occur with disinfected effluent from an aerated system.
- k) Disposal areas should be fenced off from children’s play areas.

SUBMISSION REQUIREMENTS

- Plans and details of the OSMS proposed including a detailed site assessment addressing the requirements of the documents referred to in (a) above.

2.14. STORMWATER MANAGEMENT

OBJECTIVES

- (i) *To provide for the management of stormwater on the site in efficient, equitable and environmentally sustainable ways in accordance with Council’s ESD objective 3.*
- (ii) *To control stormwater and to ensure that dual occupancy developments do not increase downstream drainage flows or adversely impact adjoining and downstream properties.*

(iii) *To ensure the integrity of watercourses is protected and enhanced in accordance with Council’s ESD objective 4.*

(iv) *To provide for on-site detention of site drainage.*

(v) *To encourage the use of storm water on site.*

DEVELOPMENT CONTROLS

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

In all dual occupancy development, one of the following water sensitive urban design measures should be utilised:-

M1 Low Impact Building Design

M2 Low Impact Landscape Design

Detailed description of the actions required to implement each of these measures is included in Appendix B Water Sensitive Urban Design of the DCP.

- b) Rainwater tanks to reuse rainwater must be installed for each dwelling. The requirements for the installation and use are included in Appendix B under the heading:

M3 Rainwater Utilisation – toilet, irrigation

[*Applies only where BASIX exemption is relied on.]

- c) Drainage systems are to be designed and constructed in accordance with the design guidelines set out in “Australian Rainfall and Runoff 1987” published by the Institute of Engineers, Australia.
- d) On-site detention systems (OSD) where required, are to be designed in accordance with (a) above and the specific requirements of (as relevant) the Upper Parramatta River Catchment Trust On-site Detention Handbook.
- (e) Concentrated stormwater flows must be connected to Council’s drainage system. In some cases this may require the creation of drainage easements over downstream properties. In this circumstance, a letter of consent from the owner(s) of the downstream properties is to be submitted with the development application. On rural properties overflow from rainwater tanks must be dispersed

on site to ensure concentrated flows do not impact on adjoining properties or cause erosion.

- (f) Reference should be made to the Restriction As To User on the title of the land to which the development is proposed in relation to requirements for on-site detention.
- (g) Council is to be contacted prior to the submission of plans to confirm when OSD is required.
- (h) Discharge points are to be controlled and treated to prevent soil erosion, and may require energy dissipating devices on steeper topography, to Council's requirements.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Plans
- If required, easements are to be created over downstream properties prior to the release of the Building or Occupation certificate.
- On-Site Detention (OSD) Plans
- Details/plans of the water sensitive urban design measures incorporated into the design of the dwellings and site.

2.15. 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 objective 1 and 4.*
- (ii) *To ensure that development is consistent with the Threatened Species Conservation Act 1995.*

DEVELOPMENT CONTROLS

- a) Significant flora and fauna species, communities and ecological communities should be preserved.
- 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 Section 5A of 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. Reference should be made to the requirements of the Environmental Planning & Assessment Act 1979, and the Threatened Species Conservation Act 1995.

SUBMISSION REQUIREMENT

- Fauna and Flora Assessment.

2.16. BUSH FIRE HAZARD MANAGEMENT

OBJECTIVES

- (i) *To promote the use of design guidelines for the development of land in areas subject to bushfire risk.*
- (ii) *To reduce the risk to life and property in areas of bushfire risk.*
- (iii) *In determining Development Applications, Council will have regard to any likely bushfire hazard.*

DEVELOPMENT CONTROLS

- a) Development subject to bushfire risk will be required to comply with the NSW Rural Fire Service guidelines entitled "Planning for Bushfire Protection 2006".

2.17. EROSION AND SEDIMENT CONTROL

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

OBJECTIVES

- (i) *Minimise land degradation, water pollution and damage to infrastructure from accumulated sediment in accordance with Council's ESD objective 5.*
- (ii) *To provide development controls for all stages of development and to ensure a consistent approach to erosion and sediment control in*

accordance with Council's ESD objectives 1 and 4.

DEVELOPMENT CONTROLS

- a) Applications for development including subdivision are to be accompanied by an Erosion and Sediment Control Plan (ESCP) that will describe the measures to be taken at development sites to minimise land disturbance and erosion and control sediment pollution of waterways. ESCPs are to clearly identify the erosion and sediment control measures to be used.
- b) Erosion and Sediment Control Plans shall be prepared in accordance with "Managing Urban Stormwater (Blue Book) – Soils and Construction", produced by the NSW Department of Housing.
- c) The erosion and sediment control measures proposed may need to change during the development process to reflect alterations in soil and drainage patterns during the process. The erosion sediment control plan (ESCP) should address all these phases.
- d) Erosion and sediment controls must be in place before work commences and be retained, and revised to reflect changes in site conditions, until the development is finalised and the site stabilised.

SUBMISSION REQUIREMENTS

- Erosion and Sediment Control Plan

2.18. PRIVACY – VISUAL AND ACOUSTIC

OBJECTIVES

- (i) *To site and design buildings to ensure visual privacy between dwellings in accordance with Council's ESD objective 7.*
- (ii) *To avoid overlooking of living spaces in dwellings and private open spaces.*
- (iii) *To contain noise within dwellings and communal areas without unreasonable transmission to adjoining dwellings.*

DEVELOPMENT CONTROLS

- a) Buildings are to be designed to ensure maximum protection of privacy, and, where appropriate:
 - using windows that are narrow, translucent, obscured or in the case of bathrooms, they have window sills a minimum of 1.5 metres above the upper storey floor level; and
 - ensuring that windows that face directly to the windows, balconies or yards of adjoining dwellings are appropriately screened.
- b) First floor balconies will not be permitted where they overlook living areas of adjacent dwellings.
- c) Windows should be placed to minimise direct viewing between dwellings.
- d) Dwellings are to be designed to limit the potential for noise transmission to the living and sleeping areas of adjacent existing and future developments.
- e) Careful consideration should be given to the location of air-conditioning systems, swimming pools and the like to minimise the impact on the amenity of adjoining properties.
- f) Private open space areas and driveways are to be designed to minimise noise impacts.
- g) Dwellings that adjoin arterial roads are to be designed to acceptable internal noise levels, based on Environmental Protection Authority – Environmental Criteria for Road Traffic Noise and Australian Standard 3671 – Road Traffic Noise Intrusion – Building Siting and Construction.

SUBMISSION REQUIREMENTS

- For dwellings that adjoin arterial roads, a statement is required from a qualified acoustic consultant certifying that the design and construction of the building meets the Environmental Protection Authority – Environmental Criteria for Road Traffic Noise and Australian Standard 3671 – Road Traffic Noise Intrusion – Building Siting and Construction.

2.19. VEHICLE ACCESS AND PARKING

OBJECTIVES

- (i) *To provide sufficient convenient parking and manoeuvring for residents in order to maintain the amenity of adjoining properties, the efficiency of the road network and the safety of road users in accordance with Council's ESD objective 7.*
- (ii) *To ensure that all carparking demands generated by the development are accommodated on the development site.*

DEVELOPMENT CONTROLS

- a) Parking spaces required per dwelling are shown in the following table:

Dwelling Floor Space	Spaces Required
<125m ²	1
>125m ²	2 (one must be undercover)

- b) The minimum dimensions of car parking spaces should be 2.6 metres x 5.5 metres.
- c) Minimum internal dimensions of a single lock-up garage are to be 3 metres x 6 metres unobstructed with any car access opening being at least 2.4 metres wide, free of any encroachment from jamb fittings and hinges.
- d) Parking spaces are to be an extra 300mm in width where they adjoin a solid wall.
- e) Vehicle turning areas must be in accordance with Australian Standard 2890.1 – Off Street Car Parking, with the exception of the width of the turning areas for garages, which must be 6.7 metres wide.
- f) Driveways should have a width of 3 metres.
- g) Parking spaces forward of the building line will only be permitted where they are designed and landscaped to blend into the streetscape.
- h) If vehicle access is proposed to a classified road, all entry and exit movements must be in a forward direction.
- i) If vehicle access is not to a classified road, it is desirable for all entry and exit movements to and from the site, to be in a forward direction.

- j) For further requirements, refer to Part C Section 1 – Parking.

SUBMISSION REQUIREMENTS

- Plans 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.

2.20. FENCING

OBJECTIVE

- (i) *To ensure that fencing is of a high visual quality, compliments the character of the area and is compatible with the proposed development.*

DEVELOPMENT CONTROLS

- a) Boundary fencing constructed behind the road frontage building setback, shall be a maximum of 1.8 metres in height and of materials similar to the type and colour used in the construction of the dwelling situated on the property.
- b) Any boundary fencing shall be subject to the requirements of the Dividing Fences Act.
- c) Front fencing is discouraged to maintain an open streetscape appearance in areas where there are no existing front fences.
- d) Where fencing within the road frontage setback areas, greater than one metre in height, is proposed it shall be of materials compatible with type and colour used in the construction of the dwelling.
- e) Any fencing in the front setback shall be setback in from the front boundary to allow opportunities for landscaping when the fence exceeds 1.2 metres in height.
- f) Consideration will be given to fencing on secondary road frontage setbacks, subject to there being no adverse affect on the immediate area and on traffic visibility and be of a design to incorporate features such as landscaping bays or a variation/combination of materials.

- g) Fencing of private open space for dual occupancies in rural areas will not be required where access to extensive open space areas is available to each dwelling.
- h) Consideration must be given to Council's Safer By Design Guidelines, particularly in regard to sightlines and materials.

SUBMISSION REQUIREMENTS

- Details of all fencing proposed for the site.

2.21. HERITAGE

OBJECTIVES

- (i) *To ensure that the development of land does not isolate a heritage item from its setting or context, thereby retaining its significance.*
- (ii) *To ensure that the development of land in the vicinity of a heritage item is undertaken in a manner that has regard to the significance of the heritage item, particularly its setting and context.*
- (iii) *To ensure that any development within a conservation area is compatible with the important or significant characteristics of the conservation area as a whole.*

DEVELOPMENT CONTROLS

- a) All developments must address and comply with the provisions of Part C Section 4 - Heritage where:
 - The development site is listed as a heritage item or heritage conservation area in Schedule 5 of The Hills Local Environmental Plan 2012; or
 - The development site adjoins a site listed in Schedule 5 of The Hills Local Environmental Plan 2012.
 - The Site is identified in any Draft LEP or Heritage Study that identifies potential heritage items or sites.
 - If the development site is within the Annangrove Road – Rouse Hill Development Area, additional controls under SREP No. 19 will apply.

SUBMISSION REQUIREMENTS

- When applicable, documentation to demonstrate how the objectives and controls of Part C Section 4 – Heritage are satisfied.

2.22. WASTE MANAGEMENT – STORAGE AND FACILITIES

OBJECTIVES

- (i) *To minimise the overall environmental impacts of waste.*
- (ii) *To minimise, through appropriate design, the opportunities to deal with domestic waste according to the Waste Hierarchy as given in Council's ESD objective 6.*
- (iii) *To provide domestic waste management systems that allow for ease of use by occupants; and ease of service by collection contractors.*
- (iv) *To provide waste storage areas that is integrated with the design of the development.*
- (v) *To ensure minimum visual impact of the waste storage facilities.*
- (vi) *To assist in achieving Federal and State Government waste minimization targets.*

DEVELOPMENT CONTROLS

- a) Waste collection and separation facilities must be provided for each dwelling. Each dwelling should have a waste storage cupboard in the kitchen capable of holding at least a single days waste, and be sufficient to enable separation of recyclable material.
- b) All waste storage areas must be screened from view from any adjoining property or public place.
- c) Waste storage areas must be kept clean, tidy and free from offensive odours at all times.
- d) Bin storage space is to be:
 - incorporated into the landscape design of each dwelling; and
 - adequate for one 240 litre garbage bin and one 240 litre recycling bin at each dwelling.

- e) Location of the bin storage space:
 - is to be convenient to the occupant(s) of the dwelling; and
 - must allow the bins to be wheeled to the street kerb over flat or ramped surfaces with a maximum grade of 7% and not over steps, landscape edging or gutters or through the dwelling.
- f) The design of the bin storage facilities and on-going use by the occupants is to be addressed in the Design of Facilities and On-Going Management sections of the Waste Management Plan as required in the Submission Requirements of section 2.24 – Waste Management Planning.

2.23. WASTE MANAGEMENT PLANNING

OBJECTIVES

- (i) *To promote improved project management and to reduce the demand for waste disposal during demolition and construction.*
- (ii) *To minimize, reuse and recycle building/construction materials.*
- (iii) *To encourage building designs and construction techniques that will minimise waste generation.*
- (iv) *Minimise waste generation to landfill via the waste hierarchy in accordance with Councils ESD objective 6.*
- (v) *To assist in achieving Federal and State Government waste minimization targets.*

2.23.1. DEMOLITION

DEVELOPMENT CONTROLS

- a) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste.
- b) Traditional comprehensive demolition should be replaced by a process of selective deconstruction and reuse of materials. Careful planning is also required for the correct removal and disposal of hazardous materials such as asbestos.

- c) Project management must seek firstly to re-use and then secondly to recycle solid waste materials either on or off site. Waste disposal to landfill must be minimised to those materials that are not re-useable or recyclable.
- d) When separated, materials are to be kept uncontaminated to guarantee the highest possible reuse value.

2.23.2. CONSTRUCTION

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

- Waste Management Plan.

2.24 SERVICES

OBJECTIVES

- (i) *To ensure adequate provision is made for services for each dwelling including garbage, sewer, water, drainage, electricity and telecommunications.*

DEVELOPMENT CONTROLS

- a) Unless it is satisfied that adequate provision has been made for the supply of water and disposal of sewage, Council may not grant consent to the development. In this regard pump out sewage systems will not be acceptable in residential zones.

- b) All power, communication and gas services are to be located underground.

2.25. DEVELOPER CONTRIBUTIONS

OBJECTIVES

- (i) *To address the likely demands placed on public amenities and public services by an increasing residential population.*
- (ii) *To determine a reasonable development contribution based upon the impact of residential development.*

Refer to Council's Developer Contribution Plans. Where a Developer Contribution (Section 94) levy applies, development consents permitting additional dwellings will include a condition requiring the payment of Developer Contributions.

Applicants should consult with Council's Section 94 Contributions Plan and Council Officers to determine the required amount of Section 94 Contributions payable.

3. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION

The following plans and details are required as part of the formal submission with the relevant application form(s). In preparing plans applicants must also address the submission requirements in each Section is DCP.

STATEMENT OF ENVIRONMENTAL EFFECTS SITE PLANS

SITE ANALYSIS

ARCHITECTURAL PLANS

- Floor Plan (existing and proposed)
- Elevations

ENGINEERING DRAINAGE PLANS INCLUDING ANY ON SITE DETENTION PLANS

LANDSCAPE PLAN SIGNAGE PLAN

WASTE MANAGEMENT PLAN

BASIX CERTIFICATE

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

APPENDIX A - DEVELOPMENT CONTROL COMPLIANCE CHECK SHEET

Give appropriate detail and/or explanation where applicable to demonstrate compliance (or non-compliance) with the development controls in this Section of the DCP.

Development Controls		Proposed Development	Compliance
1	2.1 Minimum lot size		
2	2.2 Site Analysis		
3	2.3 Setbacks (refer to Tables 1 & 2)		
	➤ Primary Road Frontage		
	➤ Secondary Road Frontage		
	➤ Side		
	➤ Rear		
4	2.4 Landscaped area – 50% landscape area and 3-% permeable landscaping.		
5	2.5 Private Open Space – Minimum 4m x 6m. (refer to Table-3)		
6	2.6 Building Heights		
7	2.7 Building Height Envelope		
8	2.8 Building Design and Streetscape		
9	2.9 Building Materials		
10	2.10 Solar Access ➤ Private Open Space – 50% for four hours between 9am – 3pm on 21 June.		
11	2.11 Ventilation		
12	2.12 Lighting		
13	2.13 On Site Sewage Management		

Development Controls		Proposed Development	Compliance
14	2.14 Stormwater Management – WSUD measures		
15	2.15 Bushland and Biodiversity		
16	2.16 Bush Fire Hazard Management		
17	2.17 Erosion and Sediment Control		
18	2.18 Privacy		
19	2.19 Parking		
	➤ <125m ² – 1 under cover spaces		
	➤ >125m ² – 2 under cover spaces		
	➤ Min. internal dimensions – car parking spaces 2.6 metres x 5.5 metres.		
	➤ Min. internal dimensions – single lock-up garage 3 metres x 6 metres		
20	2.20 Fencing		
21	2.21 Heritage		
22	2.22 Waste Management		
23	2.23 Waste Management Planning		
24	2.24 Services		
25	2.25 Developer Contribution		