

The Hills Development Control Plan (DCP) 2012

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THE
HILLS
Sydney's Garden Shire



Part B Section 6 Business

B6

In Force 12 November 2021

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1. INTRODUCTION

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

1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

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

1.2. ACCESS AND MOBILITY

This Section of the DCP seeks to ensure equitable access to suitable housing is provided for all people and should be read in conjunction with the following policies and legislation where applicable:

Disability Discrimination Act 1992 and Disability (Access to Premises - Buildings) Standards

The Disability Discrimination Act 1992 aims to eliminate discrimination against people on the grounds of disability and includes provisions which make it unlawful to discriminate against a person with disability in relation to access to, or use of, premises.

The Disability (Access to Premises - Buildings) Standards prescribes a set of design and construction standards covering access to new buildings or an extension to/modification of an existing building. Compliance with the Premises Standards ensures compliance with the requirements of the Disability Discrimination Act.

National Construction Code and Australian Standards

The National Construction Code (NCC) is a uniform set of technical provisions for the design and construction of buildings and other structures throughout Australia. The NCC includes provisions that mirror the Premises Standards to ensure reasonable access to buildings for people with a disability.

Standard No.	Description
AS1428.1	Design for access and mobility – general requirements for access – New building work
AS2890.6	Parking facilities Off-street parking for people with disabilities

1.3. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP

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

OBJECTIVES

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

1.4. HIERARCHY OF CENTRES

Refer to Council's Centres Direction.

2. OBJECTIVES AND DEVELOPMENT CONTROLS

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

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

- Part C Section 1 - Parking
- Part C Section 2 - Signage
- Part C Section 3 - Landscaping
- Part C Section 4 - Heritage
- Part C Section 6 - Flood Controlled Land
- Part D Section 6 - Rouse Hill Regional Centre

2.1. PRECINCT PLANS

OBJECTIVES

1. *To ensure the development of specific commercial/retail areas is consistent with the precinct plans adopted by Council for the wider business area.*
2. *To provide for the orderly development of commercial/retail land.*
3. *To provide development controls for particular areas to recognise the specific constraints or characteristics of these areas.*

DEVELOPMENT CONTROLS

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

- i. Terminus St, Castle Hill;

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

OBJECTIVES

1. *To encourage a comprehensive approach to site planning, design and assessment of development.*
2. *To facilitate assessment of how future developments relate to their immediate surroundings and to each other.*
3. *To facilitate development of a design that minimises negative impacts on the amenity of adjoining commercial or residential development in accordance with Council's ESD objective 7.*
4. *To facilitate development of a design that is energy efficient and permits adoption of renewable energy sources in accordance with Council's ESD objective 5.*
5. *To ensure development is compatible with land capability.*
6. *To minimise adverse impacts on the environment in accordance with Council's ESD objective 7.*
7. *To ensure during consideration of the site layout and design that disturbance to the natural*

environment is minimised in accordance with Council's ESD objective 4.

DEVELOPMENT CONTROLS

- (a) Development should be designed to respect site constraints such as topography, drainage, soil landscapes, flora, fauna and bushfire hazard.
- (b) Disturbance to existing natural vegetation, landforms, creeks, wetlands and overland flow paths should be minimised.
- (c) Development on land adjoining bushland reserves should incorporate measures (such as setbacks and buffers) to prevent any impact on these reserves.
- (d) Development should be sited away from steep slopes (particularly those containing natural vegetation) so that, where possible, these features can be kept in a natural state.
- (e) Land with a slope greater than 20% is not suitable for development.
- (f) Development applications for proposals on land with a slope of between 15-20% must be accompanied by a geotechnical report.
- (g) Development on land adjoining Bella Vista Farm Park should incorporate measures (such as setbacks and buffers) to minimise any impact on the Bella Vista Farm Park.

SUBMISSION REQUIREMENTS

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

2.3. DEVELOPMENT SITES

OBJECTIVES

1. *To ensure development sites have sufficient area to provide adequate access, parking, landscaping and building separation in accordance with Council's ESD objective 7.*

2. *To provide for the orderly development of land through subdivision or the consolidation of lots.*
3. *To provide a satisfactory relationship between buildings, landscaping areas and adjoining developments in accordance with Council's ESD objective 7.*
4. *To ensure that development occurs only where adequate sewer, water, drainage, energy supply and telecommunications are available to the satisfaction of the relevant authorities.*
5. *To minimise stormwater runoff and provide for on-site groundwater recharge in accordance with Council's ESD objective 3.*

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

- Site Plan - site coverage calculations (excluding uncovered car parking areas and driveways) with supporting site plan showing the location and size of the proposed buildings/structures.
- Site Analysis Plan
- Evidence of suitable arrangements with the following are required to be submitted with development applications:
 - Sydney Water Corporation for potable and recycled water, sewage and drainage;
 - Telecommunications carrier for telephones and associated equipment;
 - Integral Energy for underground electricity;
 - AGL for gas supplies and
 - NSW Fire Brigades.

2.4. FLOOR SPACE RATIO

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

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

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

2.5. SETBACKS

OBJECTIVES

1. *To provide an attractive streetscape and substantial areas for landscaping and screen planting.*

2. *To ensure adequate sight distance is available for vehicles entering and leaving the site.*
3. *To minimise overshadowing of adjoining properties.*
4. *To protect privacy and amenity of any adjoining land uses.*
5. *To provide a desirable and aesthetically pleasing working environment.*
6. *To ensure endangered ecological communities are protected.*

DEVELOPMENT CONTROLS

For all business zoned land except Norwest Business Park:

- (a) All single and two storey retail/commercial development located along a public road may utilize a zero setback, other than in those site specific areas specified on the precinct plan maps contained in Appendix A of this Section.
- (b) For buildings greater than two storeys or 8 metres in height, the remaining storeys are to be setback within a building height plane of 45° starting from a height of 8 metres.
- (c) Where any proposed development is opposite or adjacent to Residential, Special Purpose or Recreation zones, the building shall be setback a minimum of 6 metres, or as specified on the precinct plan maps contained in Appendix A to this Section. This area is to be used exclusively for landscaping and screening purposes or for the protection of endangered ecological communities present on a site.
- (d) Redevelopment of any commercial/retail development, operating under existing use rights in a residential zone, will be required to comply with the residential setback applying to the locality.
- (e) Council will require written concurrence from Integral Energy for developments proposed within an electricity easement.
- (f) The setback to a creek is to be no less than 40 metres from the top of the bank of the creek or otherwise to the requirements of the Office of Environment and Heritage.
- (g) Where a development site is affected by a road widening proposal the minimum setback will be

measured from the proposed new alignment of the road.

For land zoned B7 Business Park in Norwest Business Park:

- (h) The building setback to all public roads is to be a minimum of 20 metres except where provided below.
- (i) In the case where the development site has two or more public road frontages, the setback to the principal road frontage (as determined by Council) shall be a minimum of 20 metres and 50% of the depth of setback areas to the other road frontages may be used for car parking provided the first 10 metres is formally landscaped to screen that car parking.
- (j) The building setback on corner sites is to be splayed to provide adequate sight distance at the road intersections.
- (k) The setback to side and rear boundaries where the adjoining land use is of an industrial, business or commercial nature shall be a minimum of 10 metres except in the case of car parking where a 5 metre setback applies provided the first 5 metres is landscaped to screen that car parking.
- (l) The side and rear building setbacks from property boundaries adjoining land zoned for residential, rural or open space purposes shall be a minimum of 15 metres. This area is to be exclusively used for landscaping.
- (m) The building setback for property boundaries adjoining the Bella Vista Farm Park conservation area shall be a minimum of 15 metres. The setback area is to be landscaped to screen the development from view from within the Farm, but so as not to obscure significant views available to and from the Farm. Car parking is not permitted within this setback.
- (n) The building setback areas are not to be used for the display or storage of goods / materials.
- (o) The setback to lakes, creeks and other water features may be considered on merit subject to the requirements of the Department of Planning.
- (p) All building setbacks are to be landscaped in accordance with section 2.13 of this Section of the DCP.

For land zoned B2 Local Centre in Norwest Business Park:

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

SUBMISSION REQUIREMENT

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

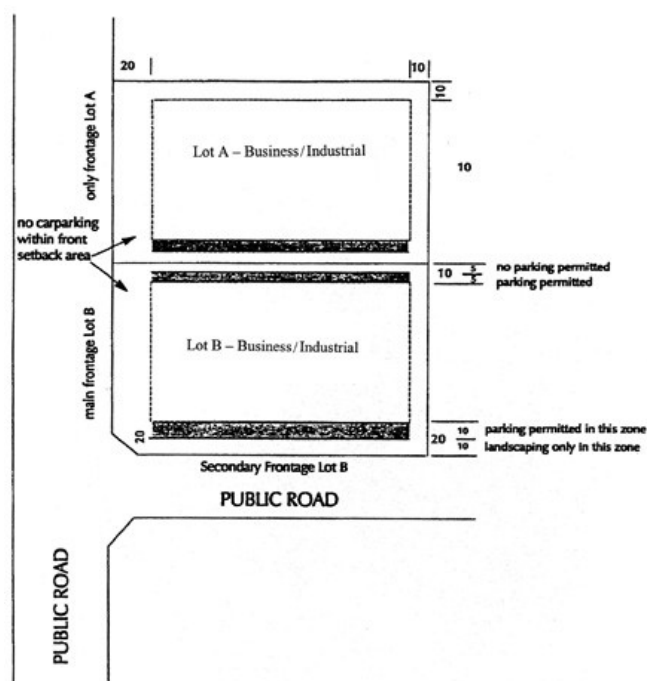


Figure Typical setbacks

2.6. BUILDING HEIGHT

OBJECTIVES

1. To ensure that building heights respond to the existing landform of the neighbourhood, including ridgelines and drainage depressions.

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

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

- Shadow Diagrams where the proposed development is greater than 2 storeys (8 metres) and adjoins residential development.

2.7. BUILDING DESIGN AND MATERIALS

OBJECTIVES

5. *To ensure business developments are of a high quality and demonstrate an appreciation for urban design.*
6. *To promote integrated, visually harmonious and attractive buildings in commercial/retail areas.*
7. *To promote the use of materials that involve minimal impact on the environment in accordance with Council's ESD objective 5.*
8. *To protect the privacy and amenity of any adjoining residential properties.*
9. *To ensure the design and layout takes into account the safety of occupants and visitors to the site.*
10. *To ensure the design permits surveillance of the site to discourage vandalism and criminal activity in commercial and retail areas.*

DEVELOPMENT CONTROLS

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

lifecycle costs and durability. For example, use plantation rather than old growth timbers.

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

For land in Norwest Business Park:

- (l) The following factors must be considered when selecting materials:
 - Suitability for the purpose.
 - Durability.
 - Long term appearance.
 - Local environmental impacts.
 - Broader and longer term environmental impacts.
 - The quantity of material required.
 - Life cycle assessment.
- (m) All building materials are to complement landscaped areas and ensure a high standard of visual and environmental quality.
- (n) Attractive building designs can be achieved at comparatively low cost and applicants are encouraged to consider variations in fascia treatments, rooflines and selection of building materials to achieve an attractive and functional design.
- (o) External finishes of building facades to street frontages are to be constructed of colours and textures that are compatible with surrounding developments and landscape features.
- (p) The roof colour of any built structure to be located south of Norwest Boulevard, and which will be easily viewed from the Bella Vista Farm conservation area shall be of a dark, non-reflective colour (such as dark grey or green).
- (q) Design of the buildings and landscaping should ensure natural surveillance of pathways and open space setback areas around buildings is possible from within the building, and/or from adjoining roads and open space areas.
- (r) Building design should ensure building entrances are visible and discourage entrapment.

- (s) Appropriate lighting and signage is to be provided to identify and promote use of safe access routes.

SUBMISSION REQUIREMENTS

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

2.8. SIGNAGE

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

2.9. HOURS OF OPERATION

OBJECTIVES

1. *To ensure that commercial/retail developments operate in a manner compatible with adjoining land uses.*

DEVELOPMENT CONTROLS

- (a) Proposed hours of operation must take into account the operation of loading docks, waste collection services and the use of cleaning/maintenance vehicles, out of hours.
- (b) For land in Norwest Business Park, construction of developments within the area to which this plan applies is to be restricted to 7.00 am to 6.00 pm Monday to Saturday with no work or activity to be carried out on Sundays or Public Holidays.
- (c) For land in Norwest Business Park, hours of operation for developments on land to which this Section of the DCP applies may be 24 hours, 7 days per week provided operations do not adversely affect adjoining properties or businesses.
- (d) Justification is required to be submitted for the hours of operation and which address noise or other operational issues arising from particular developments. Conditions may be imposed to ameliorate any impact on the adjoining land uses.
- (e) For child care centres, refer to Appendix E - Child Care Centres in this Section.

SUBMISSION REQUIREMENTS

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

2.10. ENERGY EFFICIENCY

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

OBJECTIVES

1. *To facilitate the design and construction of energy efficient buildings in accordance with Council's ESD objective 5.*
2. *To require building designs that will minimise energy needs and utilize passive solar design principles in accordance with Council's ESD objective 5.*

DEVELOPMENT CONTROLS

- (a) The design of all buildings shall demonstrate passive solar design principles i.e.
 - Window placement;
 - Building orientation;
 - Shading;
 - Insulation;
 - Thermal mass;
 - Ventilation; and
 - Incorporation of suitable landscaping.
- (b) All buildings shall achieve as a minimum a 4 star Building Greenhouse rating with respect to energy efficiency. Details of the rating for each

building are to be provided with the development application.

Note. Advice on the Building Greenhouse rating can be obtained from the Office of Environment and Heritage or the Australian Building Greenhouse Rating website www.abgr.com.au. Where a hot water service is provided to any sole-occupancy building or unit a hot-water system with a greenhouse gas emission score of 3.5 or greater is to be installed to suit the needs of that building or unit.

For land in Norwest Business Park:

- (c) In designing the building consideration must be given to utilising the large areas of roof space for generating electricity via solar panels or other relevant technology.
- (d) Issues that need to be considered are: -
 - The orientation and pitch of the roof. The portions of the roof suitable for solar panels must be oriented north to maximise sunlight on these areas; and
 - The capability of the roof to accommodate, or to be easily reinforced so it can accommodate solar panels and/or other relevant equipment.

SUBMISSION REQUIREMENT

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

2.11. BIODIVERSITY

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

2.12. EROSION AND SEDIMENT CONTROL

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

OBJECTIVES

1. *To minimise land degradation, water pollution and damage of infrastructure from erosion and accumulated*

sediment in accordance with Council's ESD objective 3.

2. *To provide development controls for all stages of development and to ensure a consistent approach to erosion and sediment control in accordance with Council's ESD objective 3.*

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

- Erosion and Sediment Control Plan

2.13. FENCING, LANDSCAPING AND TREE PRESERVATION

OBJECTIVES

1. *To ensure a high standard of environmental quality of individual developments and of the overall visual amenity and character of the area.*
2. *To ensure that existing landscaping and vegetation is retained and integrated into the design of the development in accordance with Council's ESD objective 4.*
3. *To ensure that landscaped areas can be appropriately maintained.*
4. *To ensure that existing trees are given every opportunity to be retained and incorporated into the final*

development in accordance with Council's ESD objective 4.

5. *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.*
6. *To ensure that fencing does not detract from the overall visual amenity and character of retail and commercial areas.*

DEVELOPMENT CONTROLS

- (a) Existing trees and surrounding shrubs, groundcovers and grasses should be preserved.
- (b) All setback and car parking areas are to be regenerated and maintained to a high standard utilising endemic species.
- (c) Native species are to be used to maintain a strong natural theme for the neighbourhood, owing to their low maintenance characteristics, relative fast growth, aesthetic appeal and suitability to the natural habitat.
- (d) Landscape treatments are to harmonise with building designs and should consist of trees, shrubs, groundcovers and grass (Kikuyu is prohibited in any landscaping or lawn area).
- (e) Landscaping is to be provided in accordance with the provisions set out in Part C Section 3 - Landscaping.
- (f) Grassed embankments are not to exceed a 1:6 slope.
- (g) All landscaped areas are to have a minimum width of 2 metres.
- (h) In accordance with the "Designing Safer Communities Guidelines" landscaping should incorporate natural surveillance, good sightlines, lighting and active use of open space.
- (i) Endangered ecological communities are to be preserved and maintained in accordance with a Vegetation Management Plan.
- (j) For child care centres, refer to Appendix E in this DCP Section.

For land in Norwest Business Park:

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

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

construction or as otherwise specified by Council.

SUBMISSION REQUIREMENTS

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

2.14. TERMINUS STREET CAR PARK

Refer to Part D Section 11 – Terminus Street Precinct.

2.15. VEHICULAR ACCESS

OBJECTIVES

1. *To ensure the safety of all road users in commercial/retail areas.*
2. *To ensure that vehicles can enter and exit sites in a safe and efficient manner.*
3. *To promote the orderly redevelopment of land having frontage to a main road.*
4. *To maintain the performance of roads that provides an arterial or sub-arterial function.*

DEVELOPMENT CONTROLS

- (a) Vehicular access to main roads shall not be permitted where alternative access is available or can be acquired.
- (b) Adequate vehicular entry and exit from the development is to be provided and shall be designed to provide a safe environment for both pedestrians and vehicles using the site and surrounding road network.

- (c) Vehicular ingress and egress to the site must be in a forward direction at all times.
- (d) All internal driveways, circulation and parking areas are to be sealed with a hard-stand, all-weather material that complies with Council's "Work Specification Subdivision/ Development" policy.
- (e) All roads intended to be dedicated to Council as public roads shall be constructed to Council's requirements.
- (f) Driveways from public roads will be:
 - Perpendicular to the road within the building setback;
 - Separated or divided at the property boundary for ingress and egress movements;
 - Sight distances are to be in accordance with Part C Section 1 – Parking of this DCP and Council's Design Guideline for Subdivisions/Developments.

For development within the business zone:-

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

SUBMISSION REQUIREMENTS

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

2.16. CAR PARKING

OBJECTIVES

5. *To ensure the safety of all road users in commercial/retail areas.*
6. *To ensure that all car parking demands generated by the development are accommodated on the development site.*
7. *To ensure the free flow of traffic into and out of the development and the surrounding street network.*
8. *To ensure that the provision of off-street parking facilities does not detract from the overall visual amenity and character of the neighbourhood in relation to streetscape in accordance with Council's ESD objective 7.*

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

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

2.17. BICYCLE PARKING

Cycling is a healthy, low cost, environmentally friendly form of transport which offers a flexible and

low-impact alternative to the use of private motor vehicles.

OBJECTIVES

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

DEVELOPMENT CONTROLS

- (a) Bicycle parking facilities are required for all new and redeveloping commercial/business centres. For all land zoned business (except Norwest Business Park), bicycle facilities are required to be provided for:-
 - Any new commercial/retail development, which exceeds 5,000m² in GFA; and
 - Any extensions to existing commercial/retail developments which will have the effect of increasing the size of the total development to greater than 5,000m².
- (b) For developments in Norwest Business Park: bicycle parking facilities are required for all new developments. At a minimum these facilities are required to be provided for: -
 - Any new development, which exceeds 4,000m² in GFA.
 - Any developments which will have the effect of increasing the size of the total development to greater than 4,000m².
- (c) Bicycle parking spaces for the above developments are to be provided at a minimum rate of 2 spaces plus 5% of the total number of car parking spaces required for the development. Consideration should be given to the provision of undercover facilities.
- (d) Bicycle parking should be located in close proximity to the building's entrance and clustered in lots not exceeding 16 spaces.
- (e) Each bicycle parking space shall be not less than 1.8 metres in length and 600mm in width and shall have a bicycle rack system.

- (f) Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frames or other components.
 - (g) Bicycle parking facilities should be located in highly visible, illuminated areas to minimise theft and vandalism.
 - (h) Bicycle parking facilities shall be securely anchored to the site surface so they cannot easily be removed and shall be of sufficient strength to resist vandalism and theft.
 - (i) Bicycle parking facilities shall not impede pedestrian or vehicular circulation and should be in harmony with their environment and design. Parking facilities should be incorporated wherever possible into building or street furniture.
 - (j) Racks must not be placed so close to any wall or other obstruction so as to make use difficult.
 - (k) Bicycle parking facilities within car parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops or other similar features.
 - (l) Consideration should be given to providing staff change rooms and washing facilities.
- (a) Loading docks shall be located so they are not visible from adjoining residential areas and do not transmit excessive noise to adjoining residential areas.
 - (b) Provision of loading docks is to be commensurate with the size and nature of the development proposed.
 - (c) Where a residential development and commercial development occupy the same site or development, loading docks are to be suitably sized for waste collection vehicles by Council and its contractor.
 - (d) The number of loading bays required for supermarkets, department stores, mixed small shops and offices is specified in DCP Part C Section 1 - Parking. For all other permissible development, there is to be a minimum one loading dock space, suitable to the size of the development.
 - (e) Turning provisions are to be provided within the site for the manoeuvring of vehicles using the loading and unloading facilities in accordance with AUSTROADS Design Vehicular and Turning Templates.
 - (f) For land in Norwest Business Park, the minimum number of loading bays required shall be in accordance with the provisions in Part C Section 1 – Parking of this DCP.

SUBMISSION REQUIREMENTS

- Documentation to demonstrate bicycle facilities.

2.18. LOADING FACILITIES

OBJECTIVES

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

DEVELOPMENT CONTROL

SUBMISSION REQUIREMENTS

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

2.19. ACCESS AND MOVEMENT

OBJECTIVES

1. *To ensure that developers comply with the provisions of the Disability (Access to Premises – Buildings) Standards and Australian Standard AS1428.1, in regard to appropriate and improved access and facilities for all persons.*

2. *To require designers/developers to provide for the needs of people who are mobility impaired and to provide greater than minimum requirements for access and road safety.*
3. *To promote incorporation of pedestrian safety and convenience in all aspects of development design.*
4. *To ensure that building design does not prevent access by people with disabilities and incorporate measures appropriate for people with disabilities.*

DEVELOPMENT CONTROLS

- (a) All new buildings and alterations and additions to existing buildings must comply with the requirements of the Disability (Access to Premises – Buildings) Standards.
- (b) Accessible car parking spaces and layout should be designed to comply with Australian Standard AS2890.6.
- (c) All internal and external pathways and ramps should conform to the requirements set out in AS1428.1 – Design for Access and Mobility.
- (d) In accordance with the “Designing Safer Communities Guidelines” pathways should be open to provide greater visibility and be well-lit at night.
- (e) Proposed development in Norwest Business Park should provide clearly defined pedestrian pathways:
 - Between proposed developments.
 - Along sub-arterial or arterial roads.
 - As links to proposed North West Rail Link and North West T-way stations.

SUBMISSION REQUIREMENTS

- Documentation to demonstrate how the objectives and development controls have been satisfied.
- Any application for new buildings or alterations and additions where the floor area of the building is increased by 50% or more; must be accompanied by an access report prepared by a suitably qualified person, demonstrating the proposed developments ability to comply with the Disability (Access to Premises – Buildings) Standards.

2.20. PARENTING FACILITIES

OBJECTIVES

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

DEVELOPMENT CONTROLS

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

- Hot water thermostat regulators to be installed on taps;
- Comfortable lighting and ventilation or air conditioning;
- Disposable cup dispenser; and
- Separate male and female toilets with sufficient additional space within each cubicle for a pram or a stroller.

2.21. STORMWATER MANAGEMENT

OBJECTIVES

1. *To ensure that commercial/retail development does not impact on the water quality of adjacent properties or creeks in accordance with Council's ESD objective 2.*
2. *To ensure that development does not increase downstream flooding.*
3. *To encourage reuse, recycling and harvesting of stormwater to reduce wastage of water in accordance with Council's ESD objective 2.*
4. *To encourage the re-use of stormwater for the irrigation of landscaped areas, particularly during establishment periods in accordance with Council's ESD objective 2.*
5. *To provide for the disposal of stormwater from the site in efficient, equitable and environmentally sensible ways.*

DEVELOPMENT CONTROLS

- (a) Water Sensitive Urban Design (WSUD) principles shall be employed in the management of the site's/development's stormwater in terms of water retention, reuse and cleansing.
- (b) In all development, two of the following water sensitive urban design measures must be implemented in the development:-
 - M1 Low Impact Building Design
 - M2 Low Impact Landscape Design
 - M3 Porous Paving
 - M4 Rainwater Utilisation – toilet, hot water
 - M5 Grey Water Utilisation – toilet
 - M6 On-site Infiltration System

- M7 Stormwater Treatment System
- M8 Infiltration or Retention Basin
- M9 Stormwater Utilisation – irrigation
- M10 Grey Water Utilisation – irrigation

- (c) For development in Norwest Business Park, two of the measures M1 to M8 inclusive must be implemented. Details on the actions required to implement each of these measures is included in Appendix B – Water Sensitive Urban Design of The Hills DCP 2012.
- (d) No adverse effects are to be experienced by downstream landowners from discharges from site that slope down from the fronting street.
- (e) Discharge points are to be accessible for water quality testing.
- (f) Discharge points are to be controlled and treated to prevent soil erosion, and may require energy dissipating devices on steeper topography, to Council's requirements.
- (g) On-site detention may be required to Council's satisfaction to counteract an increase in stormwater runoff.
- (h) Where required, on-site detention (OSD) plans will be required to be submitted with the development application. OSD plans are to be prepared in accordance with the Upper Parramatta River Catchment Trust OSD Handbook, (which also includes controls for the Hawkesbury/Nepean Catchment) by a suitably qualified design consultant.
- (i) Concentrated stormwater flows must be connected to Council's drainage system. In some cases this may require the creation of drainage easements over downstream properties. In this circumstance, a letter of consent from the owner(s) of the downstream properties is to be submitted with the development application. Development consent will be conditional upon registrations of the created easement.
- (j) Reference should be made to the Restriction As to User on the title of the land, or the development consent to which the development is proposed in relation to requirements for on-site detention.
- (k) The design of drainage systems is to be in accordance with Council's Design Guidelines for Subdivisions/Developments.

- (l) Natural drainage lines and creeks should be retained.
- (m) The piping of creeks is not encouraged.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Plans indicating the proposed drainage infrastructure.
- Method of pollutant removal during and after development.

If required, easements are to be created over downstream properties prior to the Council granting operative development consent.



Wetland To Improve Water Quality

2.22. WASTE MANAGEMENT – STORAGE AND FACILITIES

OBJECTIVES

1. *To minimise the overall environmental impacts of waste.*
2. *To maximise, through design, the opportunities to deal with commercial waste according to the waste hierarchy as given in Council's ESD Objective 6 – reduce, reuse and recycle.*
3. *To reduce the demand for waste disposal by providing detailed criteria for the consideration of design and management of recycling, composting and waste storage and collection facilities within developments.*
4. *To provide commercial waste management systems that allow for ease of use by occupants; and ease of service by collection contractors.*

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

DEVELOPMENT CONTROLS

- (a) Adequate storage for waste materials must be provided on site. Ideally waste storage containers should be kept inside units and under no circumstances should waste storage containers be stored in locations that restrict access to any of the car parking spaces provided on site.
- (b) Where a residential development and commercial development occupy the same site or development, the waste handling, storage and collection systems for residential and commercial waste are to be completely separate and self-contained.
- (c) All waste must be removed at regular intervals and not less frequently than once per week.
- (d) All waste storage areas must be screened from view from any adjoining residential property or public place.
- (e) Waste storage areas must be kept clean, tidy and free from offensive odours at all times.

SUBMISSION REQUIREMENTS

- Waste Management Plan (WMP).
- Appendix A of The Hills Shire DCP 2012 contains a Waste Management Plan Template that can assist in the preparation of a Waste Management Plan.
- Applications for development are to be accompanied by a Waste Management Plan (WMP). The WMP accompanying the application must demonstrate appropriate design of facilities and on-going management techniques that minimise waste and the WMP will include the following details:
 - Type of future use for the development.
 - Types of waste to be generated.

- Estimated volume of waste to be generated per week.
- Show on plans and describe on-site storage and/or treatment facilities for waste.
- State the destination for waste produced.
- A Trade Waste Licence is required for the disposal of wastewater from any proposed retail or commercial development, prior to the issue of a Construction Certificate. A Trade Waste Licence must be obtained from Sydney Water before discharge into the sewer can commence. A Trade Waste application can be obtained from at the Section 73 Certificate application stage.

2.23. WASTE MANAGEMENT PLANNING

OBJECTIVES

1. *To promote improved project management and to reduce the demand for waste disposal during demolition and construction.*
2. *To maximise reuse and recycling of building/construction materials.*
3. *To encourage building designs and construction techniques that will minimise waste generation.*
4. *Minimise waste generation to landfill via the waste hierarchy.*
5. *To assist in achieving Federal and State Government waste minimisation targets.*

A Demolition

DEVELOPMENT CONTROLS

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

WorkCover in accordance with Office of Environment and Heritage requirements.

- (c) Project management must seek firstly to re-use and then secondly to recycle solid waste materials either on or off site. Waste disposal to landfill must be minimised to those materials that are not re-useable or recyclable.
- (d) When separated, materials are to be kept uncontaminated to guarantee the highest possible reuse value.
- (e) Details of waste sorting areas and vehicular access are to be provided on plan drawings.
- (f) Prior to any demolition works commencing on the site, the applicant is to notify all adjoining and adjacent neighbours and Council, five (5) working days prior to work commencing.
- (g) All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Work Cover Authority and Office of Environment and Heritage requirements.

B Construction

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

- Waste Management Plan

2.24. HERITAGE

OBJECTIVES

1. *To ensure that the development of land within the vicinity of the Bella Vista Farm does not isolate the item from its context, thereby retaining its significance.*

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

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



Southern Elevation – “Bella Vista”
Homestead

2.25. DEVELOPER CONTRIBUTIONS

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

2.26. SITE INVESTIGATION

OBJECTIVE

1. *To conserve and protect the health and wellbeing of residents and visitors of the Shire.*

DEVELOPMENT CONTROLS

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

2.27. POLLUTION CONTROL

OBJECTIVES

1. *To ensure that pollution sources are contained on site and not transmitted*

to non-compatible land uses, in accordance with Council's ESD objective 1.

2. *To ensure the environmental and social qualities of the surrounding areas are maintained, in accordance with Council's ESD objective 7.*

DEVELOPMENT CONTROLS

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

SUBMISSION REQUIREMENTS

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

2.28. BULKY GOODS PREMISES - ADDITIONAL CONTROLS

OBJECTIVES

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

DEVELOPMENT CONTROLS

- (a) An individual tenancy within a bulky goods premises development is to have a sales floor area accessible to the public of greater than 500sqm.
- (b) Bulky goods premises developments are to be designed to:
 - Address and activate street frontages with large display windows;
 - Define and enhance the public domain and be in scale with surrounding buildings;
 - Have setbacks consistent with surrounding development, or if there is no setback established, 5m from the street alignment;
 - Incorporate detail and architectural interest especially at visually prominent building locations such as lower level front facades, roof tops and at the terminations of street vistas;
 - Avoid ambiguous external spaces with poor pedestrian amenity and security;
 - Provide a clearly identifiable and dedicated pedestrian access to the building and across the site from the primary street frontage; and
 - Create a visually interesting place for pedestrians, and where possible, enhance pedestrian and cycle networks/linkages to surroundings.
- (c) The design is to be flexible to cater for different future uses of the building by providing high ceilings and adaptable open planning for the ground and first floor.
- (d) Where existing built form contributes significantly to the streetscape it is to be retained and adapted appropriately.
- (e) A staging plan for the development is to address access to and from the site, building form and scale, landscaping and the location of breakout open space on site.
- (f) Where the development site has a boundary to residential land, a 15m wide landscaped buffer area is to be provided along this boundary.
- (g) To minimise the impact of noise on residential properties, the landscape buffer area is to contain appropriate acoustic treatment. For example, this may include vegetation on raised mounds, acoustic feature walls, or a combination of both.

- (h) No parking areas or access roads are to be within the landscape buffer area.
- (i) All loading and unloading activity is to be contained within the building to minimise detrimental amenity impacts on residential dwellings.
- (j) The building is to be sited close to the street alignment, and designed so that key operational spaces are legible from the street. Parking is not to occur between the front boundary and the building.
- (k) Public toilets are to be provided in a bulky goods premises development at the minimum rate of:
 - 1 male toilet per 1,200 customers visiting the site per day;
 - 1 male urinal per 600 customers visiting the site per day;
 - 1 female toilet per 300 customers visiting the site per day; and
 - 1 unisex disabled toilet.
- (l) A bulky goods premises development is to provide at least one independent non gender specific parent room.
- (m) Signage is not permitted to cover fenestration or to detract from the architectural quality of the building design.
- (n) When altering or expanding bulky goods premises development, development should incorporate improvements in the relationship of the development to the streetscape / public domain and to pedestrian access by:
 - Increasing the number of active uses addressing the street frontage; and
 - Ensuring separated and safe pedestrian access is provided from the street to the development.
- (o) Pick-up areas are to be provided to avoid the necessity for customers to carry large items to vehicles.
- (p) A development is to provide sufficient manoeuvring areas on site to accommodate large truck movements, frequency of servicing, and high turnover of client vehicles.

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

2.29. WRIGHTS ROAD, KELLYVILLE LOCAL CENTRE

OBJECTIVES

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

DEVELOPMENT CONTROLS

- (a) Development shall demonstrate high quality civic amenity and urban design that will promote a vibrant centre with a sense of identity. The identity of the site shall be enhanced through:
 - Gateway;
 - Architectural elements;
 - Feature tree plantings; and
 - High quality landscaping.
- (b) Where visible from a public place, elevations shall provide articulation, distinct architectural elements, openings and windows, avoiding large, unbroken lengths of solid materials.
- (c) Development shall capitalise on views to the open space and vegetation located along the eastern boundary, and provides passive surveillance.
- (d) A central space should be incorporated into the design to encourage social interaction and form a link between, and through, the development and the natural setting of the adjoining reserve and public areas.
- (e) Convenient and direct pedestrian linkages shall be provided without conflict with vehicles, enabling high levels of accessibility within the precinct and the surrounding area.
- (f) Pedestrian access is to be provided: -
 - In at least one location along the eastern boundary from the adjoining cycle way;

- In at least one location along the western boundary to facilitate ease of movement to/from existing retail development adjacent to the site; and
 - Along the Wrights Road frontage, to provide convenient access to and from the Wrights Road Reserve and community facilities, pedestrian crossings and bus stops. Pedestrian access point(s) along the Wrights Road frontage shall be determined by Council in relation to the adjoining development on the opposite side of Wrights Road.
- (g) Loading areas shall be located so as to minimise pedestrian and vehicular conflicts, and to minimise the impact on the streetscape and the ability of the site to engage with the adjoining land.
- (h) The bulk of parking should be provided in a basement car park. Some at-grade parking that provides convenient access for patrons and does not detract from the streetscape is acceptable.
- (i) The exact location of vehicle access to the site shall be determined by Council, in relation to the development on the opposite side of Wrights Road.

2.30. KENTWELL AVENUE AND CASTLE STREET, CASTLE HILL

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

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

OBJECTIVES

1. *To promote a visually aesthetic retail/commercial and sustainable built form.*
2. *To enhance the vitality of the Castle Hill Centre in the vicinity of Kentwell Ave and Castle St, Castle Hill.*
3. *To protect the residential and public amenity of the Castle Hill Centre in the vicinity of Kentwell Ave and Castle St, Castle Hill.*
4. *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. 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 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.

Images of the above development principles are provided as Figures B and C.

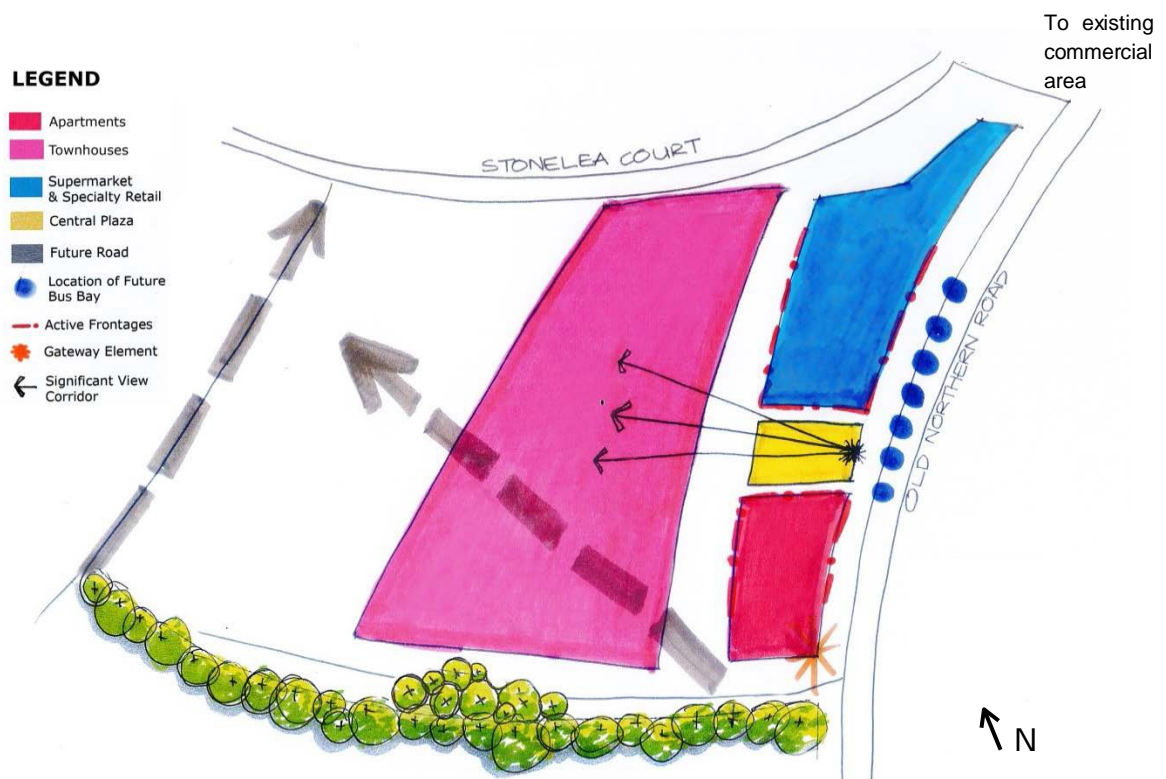


Figure B – Key principles for development



Figure C – 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.
- (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. 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.

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

VARIATIONS

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

2.31.5 ACCESSIBILITY

OBJECTIVES

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

DEVELOPMENT CONTROLS

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

The Hills Shire Council Subdivision and Development Design Guidelines.

- (d) Pedestrian connections within and surrounding the site shall be provided in accordance with Figure C.
- (e) Individual vehicular and pedestrian access to medium density dwellings on site must be independent from any commercial, retail, residential flat building or mixed use development components on the site.

2.31.6 PUBLIC TRANSPORT

OBJECTIVES

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

DEVELOPMENT CONTROLS

- (a) Bus facilities including a public bus stop and bus bay are to be provided in conjunction with the development of the site, along the Old Northern Road frontage of the site. An indicative location for the bus facilities is shown in Figure B. 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.

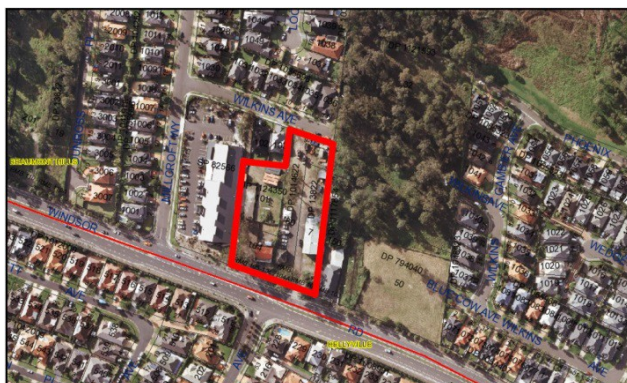


Figure A – The Site

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

- (i) *To facilitate the development of a landscaping material supplies and/or garden centre which promotes a functional retail/commercial and sustainable built form.*
- (ii) *To provide controls to minimise the impact of air, noise, traffic, odour, water and visual pollution;*
- (iii) *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.*
- (iv) *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.*
- (v) *To ensure the provision of on-site facilities which accommodate off-street loading/unloading manoeuvring and parking.*
- (vi) *To ensure the storage of bulk goods such as sand, soil and similar landscaping products are appropriately located and contained.*
- (vii) *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

1. *To facilitate development that minimises negative impacts on the amenity of the adjoining residential or commercial development.*
2. *To provide for the orderly development of the site.*
3. *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

1. *To provide an attractive streetscape and areas for landscaping and screen planting.*
2. *To ensure adequate sight distance is available for vehicles entering and leaving the site.*

3. To minimise overshadowing of adjoining properties.
4. To protect privacy and amenity of any adjoining land uses.
5. To provide a desirable and aesthetically pleasing working environment.

DEVELOPMENT CONTROLS

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

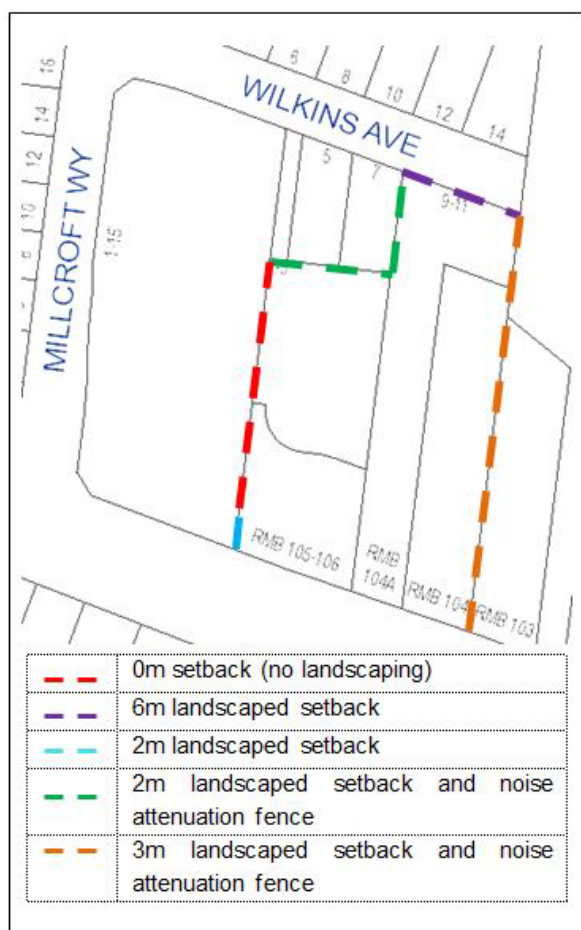


Figure B – Setback

- (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

1. 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

1. 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

1. *To provide a satisfactory relationship between aspects of the development including buildings, landscaped areas and adjoining developments.*
2. *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

1. *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

1. *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

1. *To ensure that on-site stormwater is disposed into the existing stormwater system in an efficient and environmentally sensitive manner.*
2. *To ensure that the water used for the normal operation of the garden centres does not enter the stormwater system.*
3. *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

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

DEVELOPMENT CONTROLS

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

- (h) Protective measures must be used to avoid attracting nuisance insects and disease transfer when handling garden and horticultural produces.

2.32.10 NOISE

OBJECTIVES

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

DEVELOPMENT CONTROLS

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

2.32.11 TRAFFIC, PARKING AND ACCESS

OBJECTIVES

1. *To ensure that adequate parking is provided on-site;*
2. *To ensure that the provision of parking on site does not detract from*

*the amenity of adjoining properties;
and*

3. *To ensure the proposed parking area operates in a safe and convenient manner.*

DEVELOPMENT CONTROLS

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

1. *To ensure that all signs are considered as part of the development of the site.*
2. *To ensure that all signs are safely erected and not interfere with sight*

distances on Windsor Road or the amenity of the neighbours.

3. *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

1. *To reduce the visual impact of the development upon adjoining residents.*
2. *To ensure existing landscaping and vegetation is retained and integrated into the design of the development.*
3. *To ensure that the landscaped area*
4. *To ensure that vegetation removed as part of the land development process is replaced by suitable endemic species.*
5. *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.
- (d) Provision of appropriate landscaping at the following locations indicated on the map below:

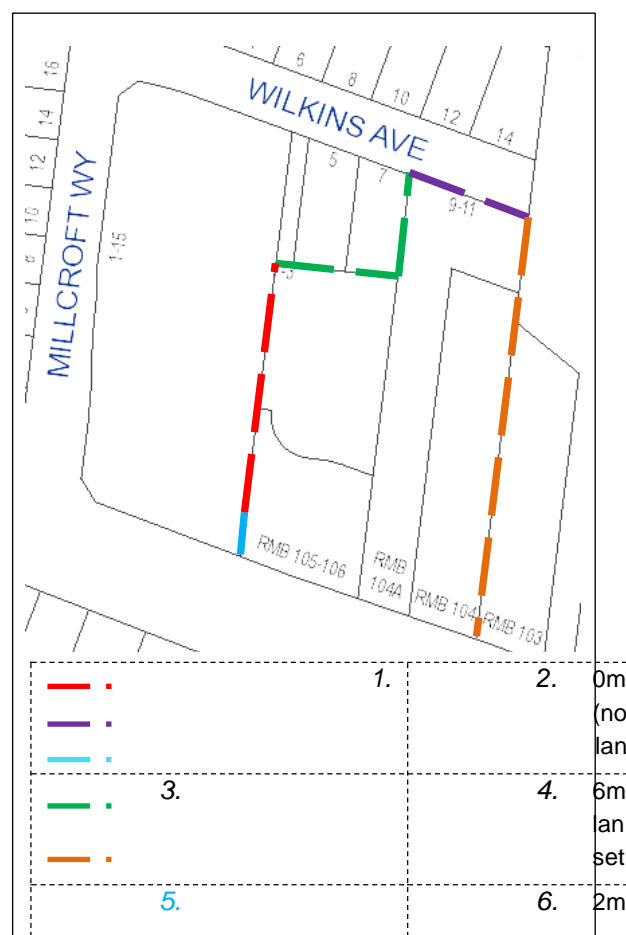


Figure C - Landscaping and fencing requirements

- (e) 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.

2.33. 11-13 SOLENT CIRCUIT, BAULKHAM HILLS

This section of the Development Control Plan applies to the redevelopment of land known as 11-

13 Solent Circuit, Baulkham Hills (lot 5074 DP 1003042) (Figure A).



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.

2.33.1 BUILT FORM

OBJECTIVES

- (i) *To promote an attractive mixed use development on the site that responds appropriately to its context in terms of built form and scale.*
- (ii) *To contribute to building diversity and the regeneration of Norwest.*

DEVELOPMENT CONTROLS

- (d) Development shall consist of a four (4) to five (5) storey podium containing restaurants, commercial uses and car parking. Slender, twin residential towers shall be placed in an offset position atop the podium.
- (e) The bulk and scale of the development is to be minimised through the use of setbacks, materials and colours that emphasise the podium levels rather than upper levels when viewed from the surrounding area.

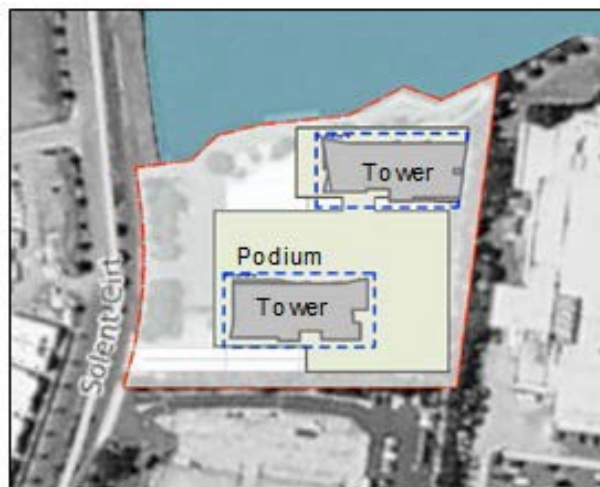


Figure B - Offset residential towers atop podium



Figure C - Photomontage of possible future development

2.33.2 VIEWS

OBJECTIVES

- (i) *To minimise impacts on views to and from Bella Vista Farm Park.*

DEVELOPMENT CONTROLS

- (f) Development shall be designed to reduce the appearance of bulk and scale of the building, particularly when perceived from ground level, nearby residential development and with consideration of view corridors to and from Bella Vista Farm Park.

2.33.3 SETBACKS

OBJECTIVES

- (i) *To protect privacy and amenity of adjoining land uses and to reduce bulk and scale.*

DEVELOPMENT CONTROLS

- (g) Development shall be set back from the Solent Circuit property boundary by:
- a minimum of 23 metres to the podium levels; and
 - a minimum of 29 metres and 65 metres to each residential tower.

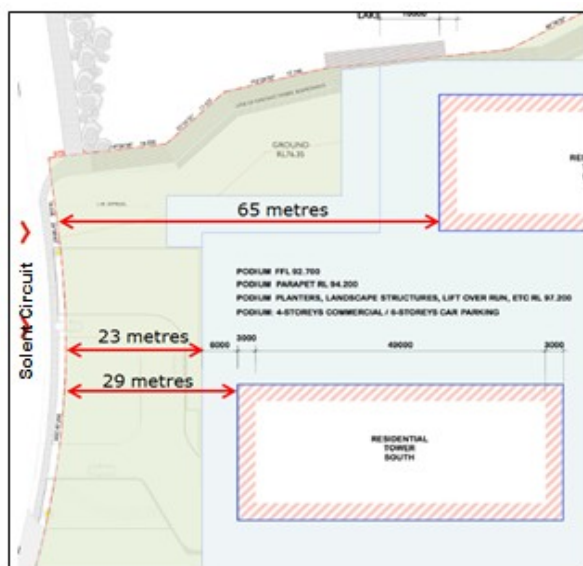


Figure D - Illustration of setbacks to podium and residential components towers from Solent Circuit

2.33.4 PARKING

OBJECTIVES

- (i) *To minimise the impact of above ground parking on the amenity of adjoining properties and the streetscape.*

DEVELOPMENT CONTROLS

- (h) Above ground parking levels shall be sleeved by residential or commercial uses or otherwise appropriately screened from public areas using decorative screening, green walls or similar.
- (i) Parking for the residential and commercial components of the development must be clearly delineated.

2.33.5 PUBLIC DOMAIN

OBJECTIVES

1. *To provide a high quality pedestrian environment.*

DEVELOPMENT CONTROLS

- (j) A functional, open and high quality landscaped setting including seating and shading shall be provided at ground level.
- (k) A timber boardwalk of at least 3 metres in width must be maintained or replaced along the lake frontage of the site.
- (l) Pedestrian access shall be provided through the site in accordance with the easement for public access shown on Deposited Plan 1003042. This easement is to remain free of any restaurant seating or commercial use.

2.33.6 COMMUNITY FACILITIES

OBJECTIVES

2. *To provide sufficient recreational opportunities for all residents of the development.*

DEVELOPMENT CONTROLS

- (a) The development must incorporate podium level recreational spaces for residents including facilities such as a children's playground, pool and terrace, gymnasium, gardens / passive areas, tennis court and a club room or similar that can accommodate private resident functions.

2.34. CENTRE-BASED CHILD CARE FACILITIES – ADDITIONAL CONTROLS

This DCP should be read in conjunction with State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and associated Child Care Planning Guideline.

OBJECTIVES

1. *To ensure that adequate area is provided to permit high-quality landscape planting for the development.*
2. *To ensure that external play areas are located to provide a safe environment for children.*

3. *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.*
4. *To provide a satisfactory relationship between buildings, landscaped areas and adjoining developments.*
5. *To ensure that food is handled in a safe and healthy manner.*

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.
- (h) The location of external child play areas in the front setback area is not permitted.
- (i) 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.
- (j) 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.
- (k) Trees and shrubs shall be provided alongside and rear boundaries to screen outdoor play areas.
- (l) Food preparation areas in a child care centre must comply with:
 - a. Food Act 2003;
 - b. Children's Services Regulation 2004;
 - c. Food Safety Standards; and
 - d. Australian Standard 4674-2004 – Design, Construction and Fit-out of Food Premises.
 - e. Premises are required to register with: NSW Food Authority and The Hills Shire Council.

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

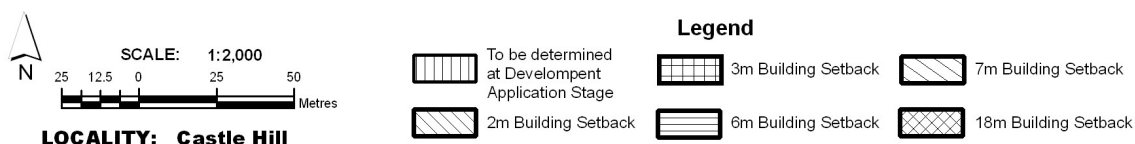
See Part C Section 2 – Signage in this DCP and Advertising Signs Fact Sheet.

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.

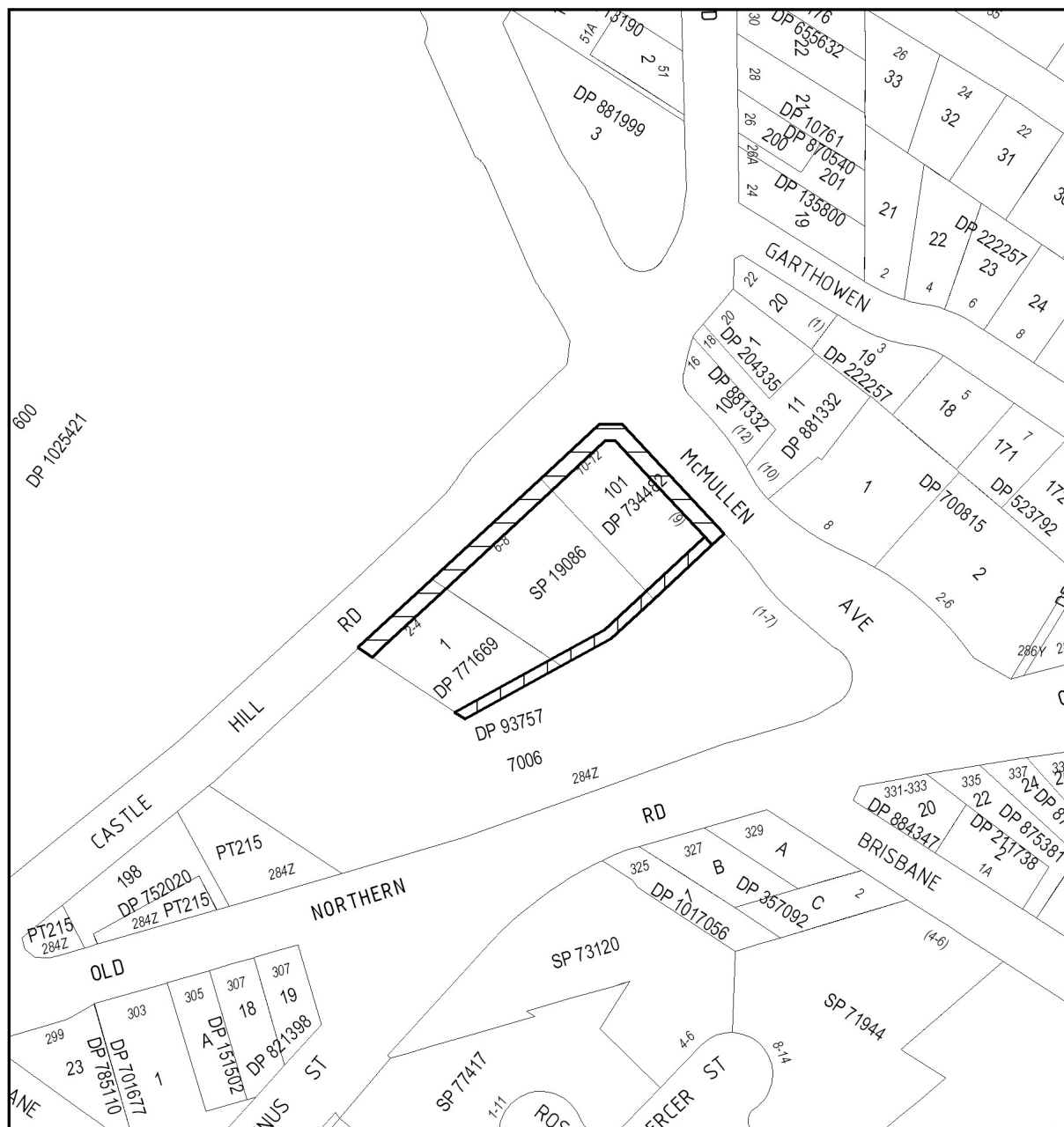
APPENDIX A - PRECINCT PLAN MAPS







ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
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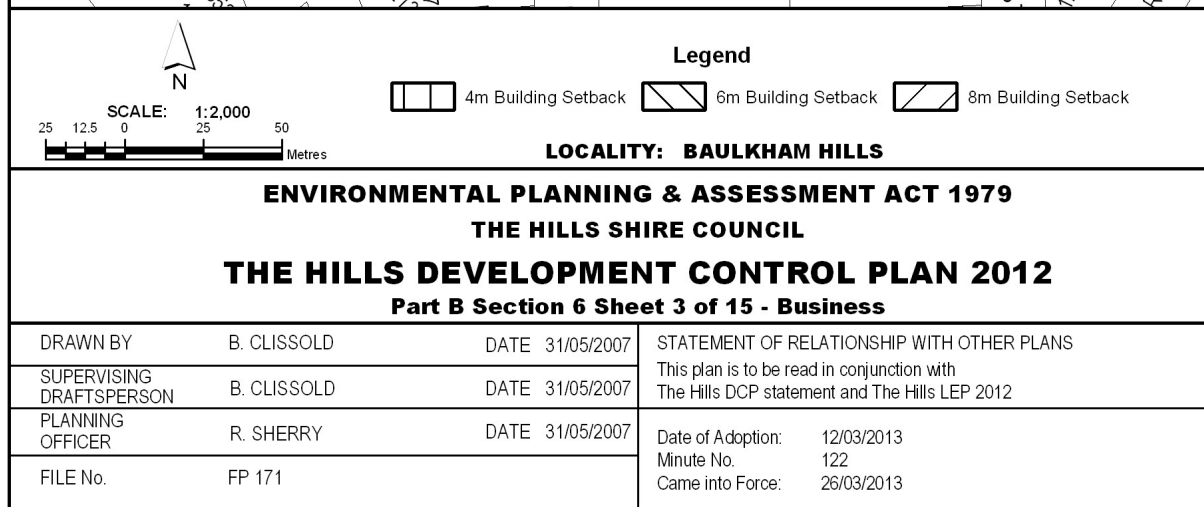
DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013
FILE No.	FP 171			

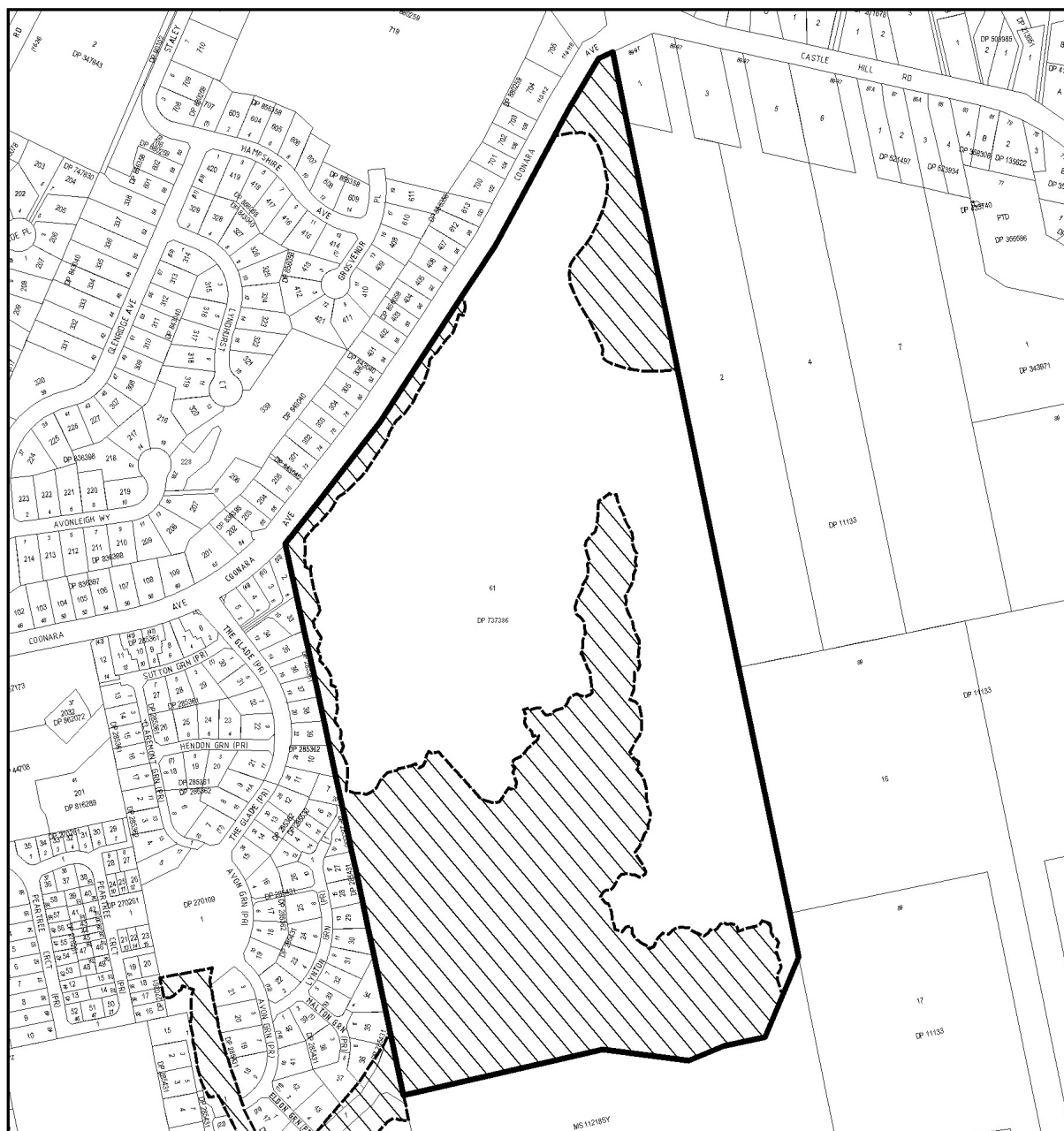
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


		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
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007
FILE No.	FP 171	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012 Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013	

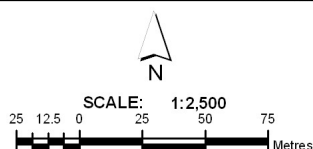
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 SCALE: 1:5,000 		Legend  Restricted Development  Sheet Boundary	
LOCALITY: WEST PENNANT HILLS			
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 THE HILLS SHIRE COUNCIL THE HILLS DEVELOPMENT CONTROL PLAN 2012 Part B Section 6 Sheet 4 of 15 - Business			
DRAWN BY	B. CLISSOLD	DATE	31/05/2007
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007
FILE No.	FP 171	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012 Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013	

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2011\PartB_Sec6\Sheet4\PartB_Sec6_Sh4.mxd

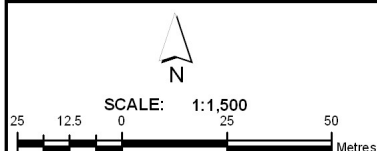
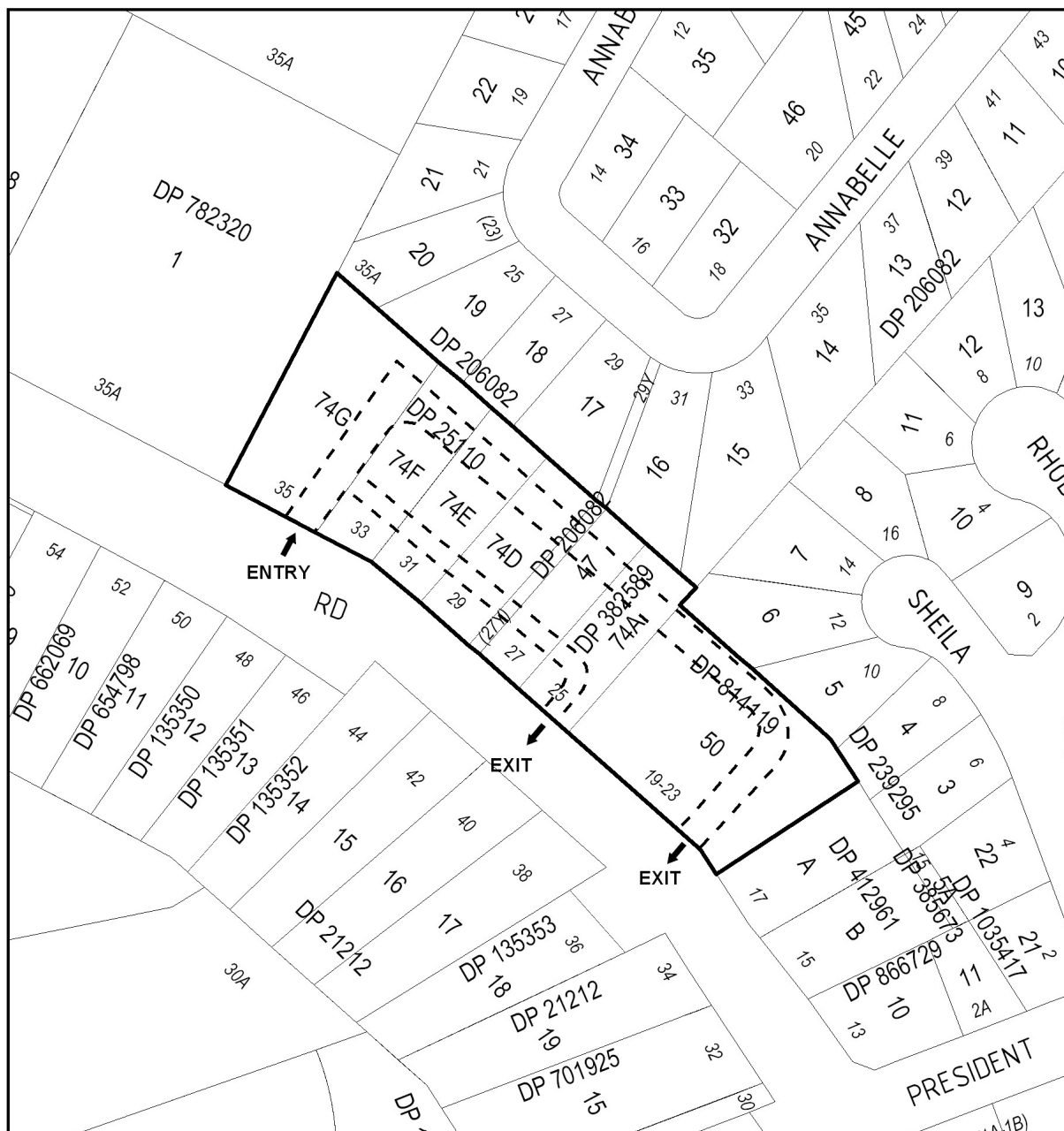


LOCALITY: GLENORIE

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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THE HILLS DEVELOPMENT CONTROL PLAN 2012
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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: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013
FILE No.	FP 171			

Map Document: S:\Projects\PlanServ\Consolidating DCP\The Hills DCP 2011\PartB_Sec6\Sheet5\PartB_Sec6_Sh5.mxd

**LEGEND**

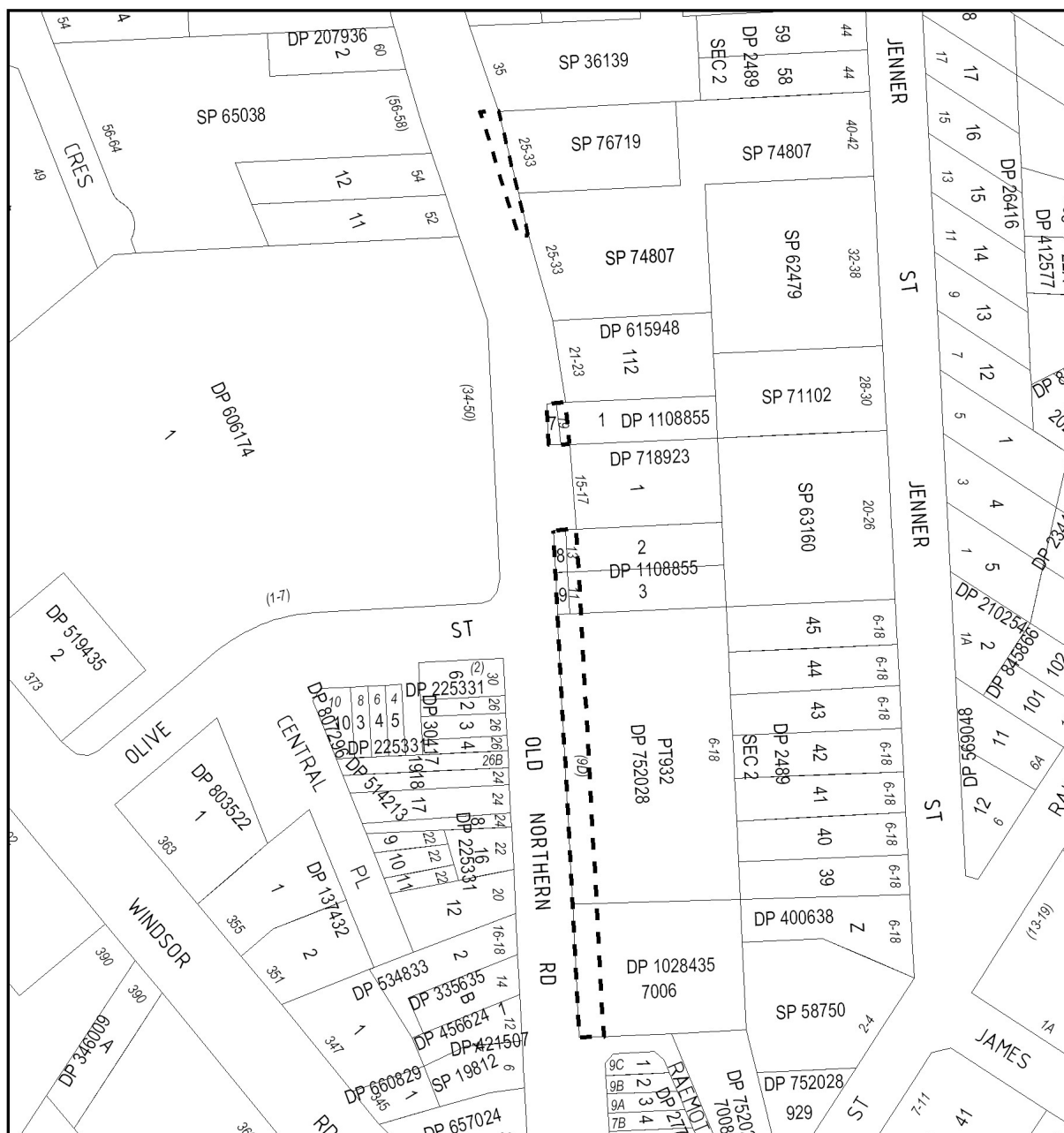
- Rights of Carriageway diagrammatic only.
Final location & width to be determined at
development application stage.


LOCALITY: KELLYVILLE

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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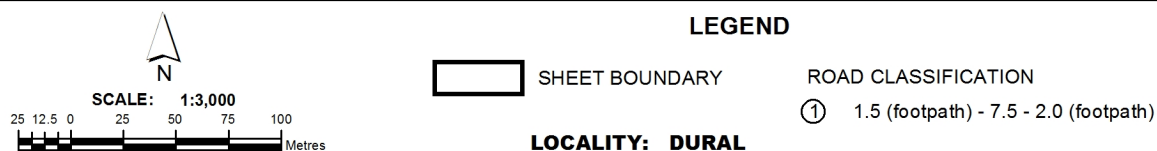
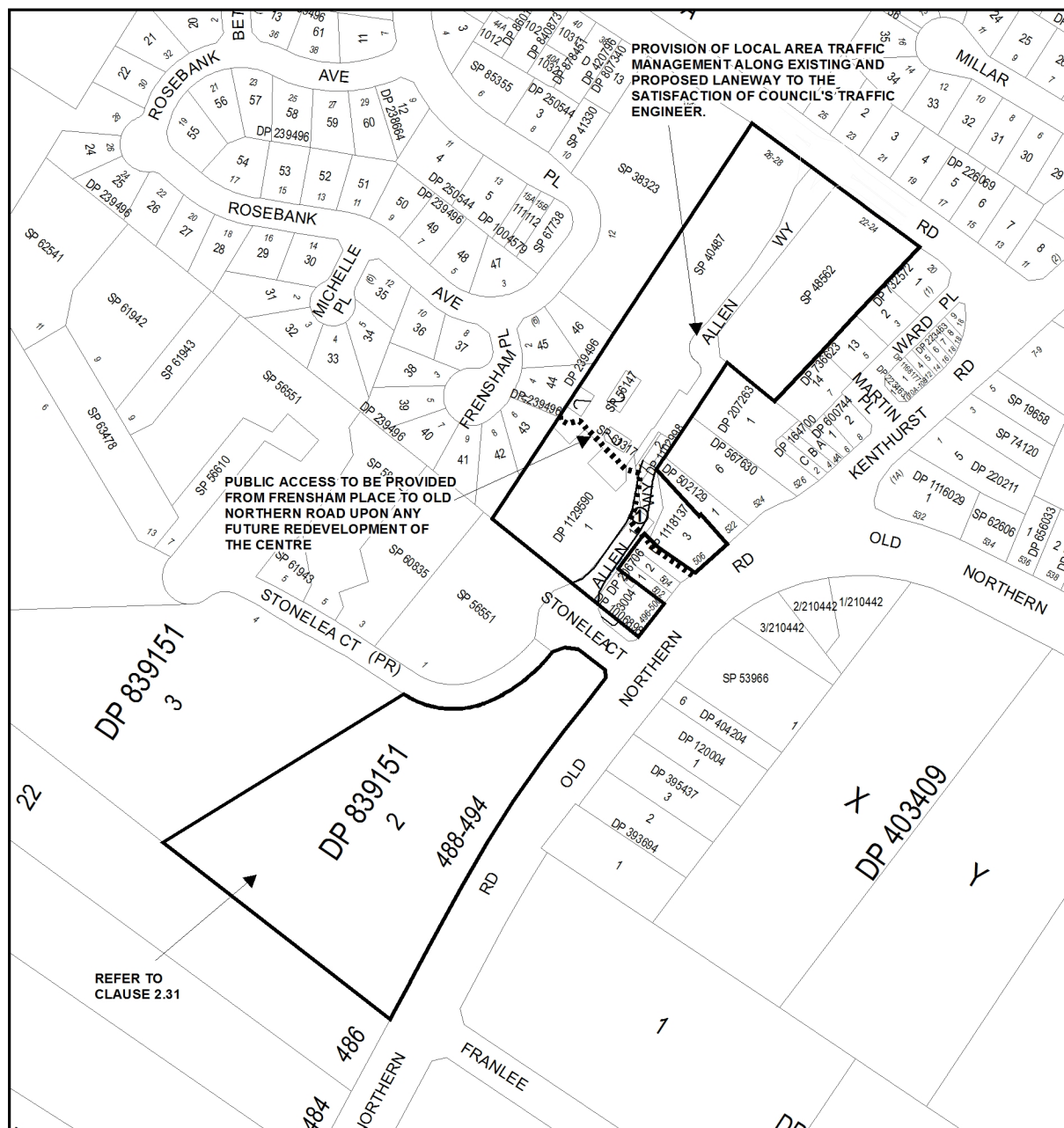
DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013
FILE No.	FP 171			

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2011\PartB_Sec6\Sheet6\PartB_Sec6_Sh6.mxd



		Legend --- Proposed Road Widening	
SCALE: 1:2,000 25 12.5 0 25 50 75 Metres		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
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007
FILE No.	FP 171	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012 Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013	

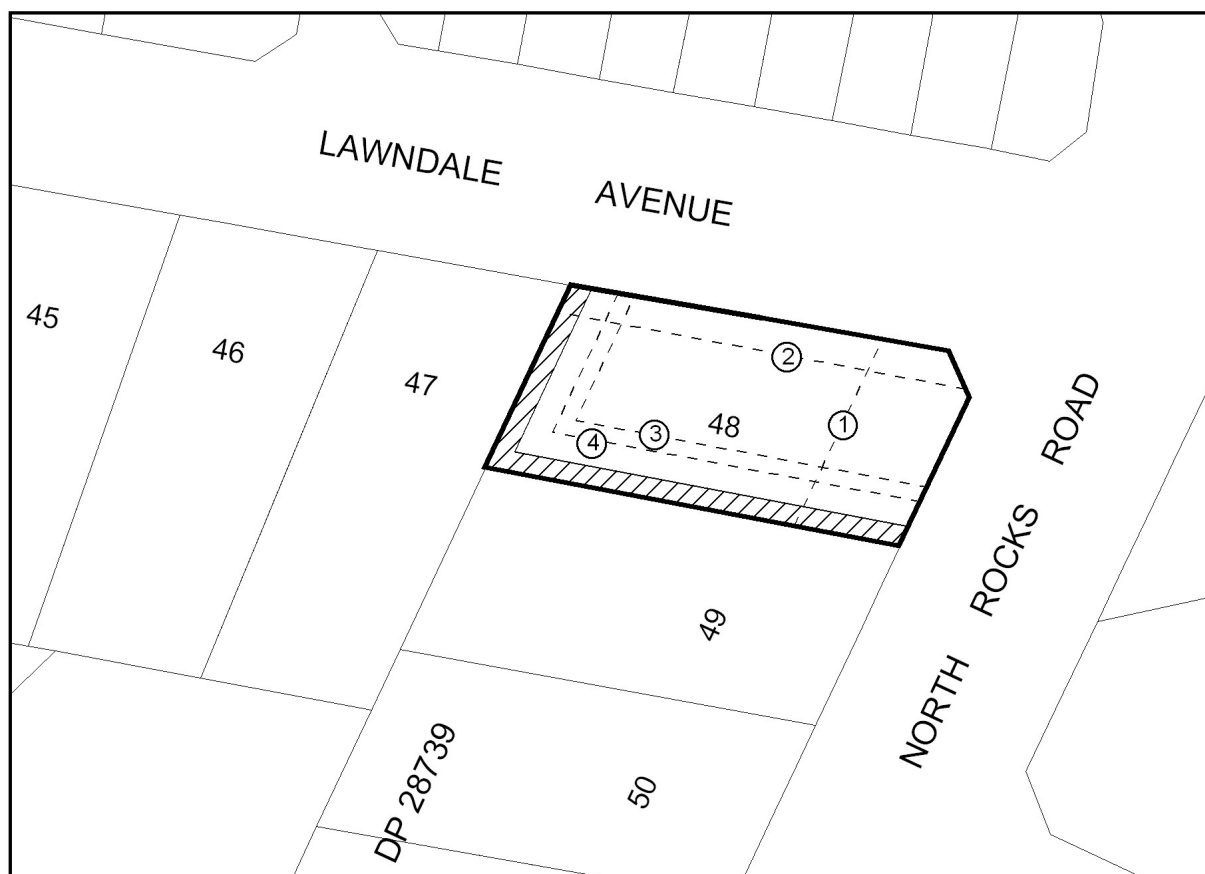
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ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
THE HILLS SHIRE COUNCIL
THE HILLS DEVELOPMENT CONTROL PLAN 2012
Part B Section 6 Sheet 8 of 15 - Business

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.



SCALE: 1:600
10 5 0 10 20 Metres

Setbacks

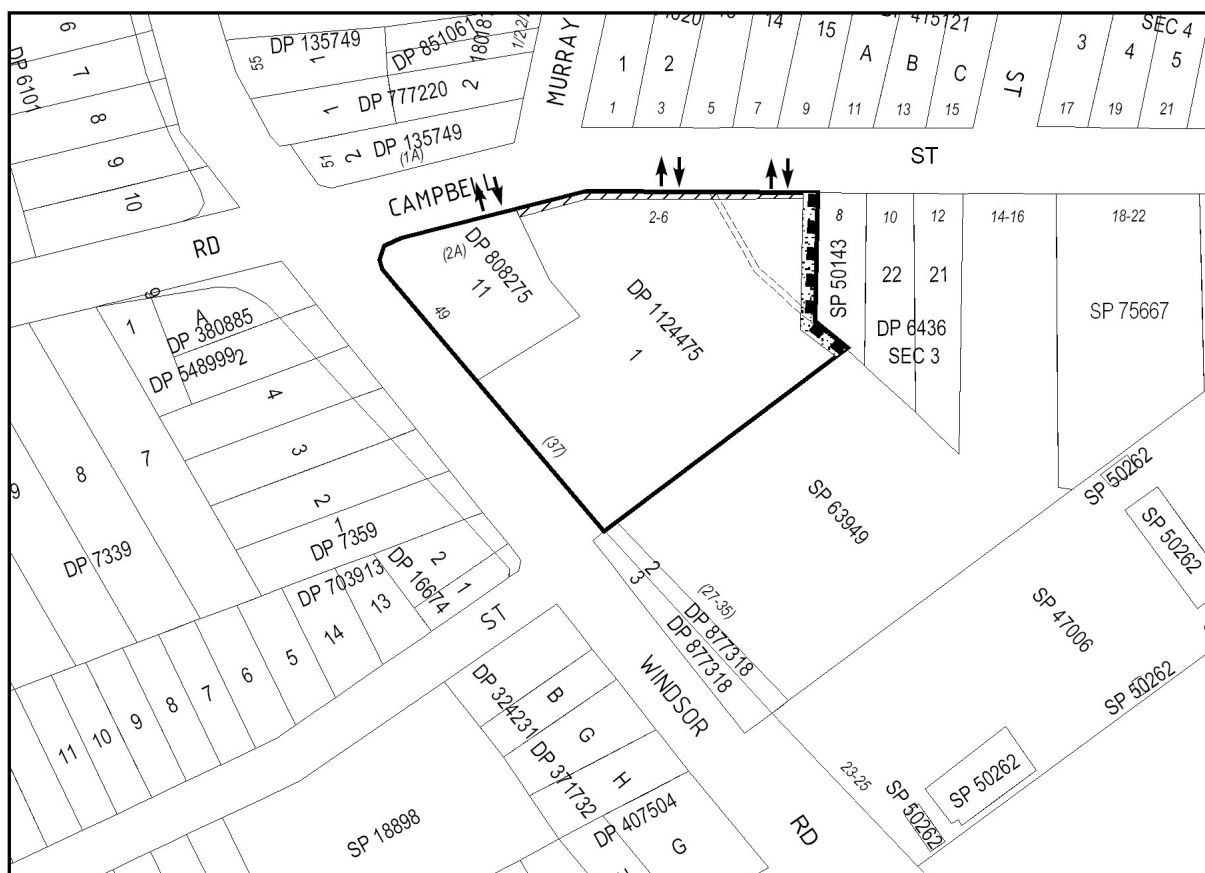
①	North Rocks Road	10 metres
②	Lawndale Avenue	3 metres
Western and Southern Boundaries		
③	Two storey development	6.0 metres
④	Single storey development	4.5 metres

LOCALITY: NORTH ROCKS

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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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
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PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013
FILE No.	FP 171			

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2011\PartB_Sec6\Sheet9\PartB_Sec6_Sh9.mxd

**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:

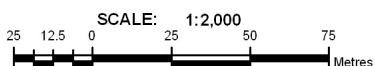
A separate pedestrian/wheelchair access is to be provided from the public footpath on Campbell Street to the site

**Vehicle Access:**

Vehicle Access to the site is to be limited to the points identified.

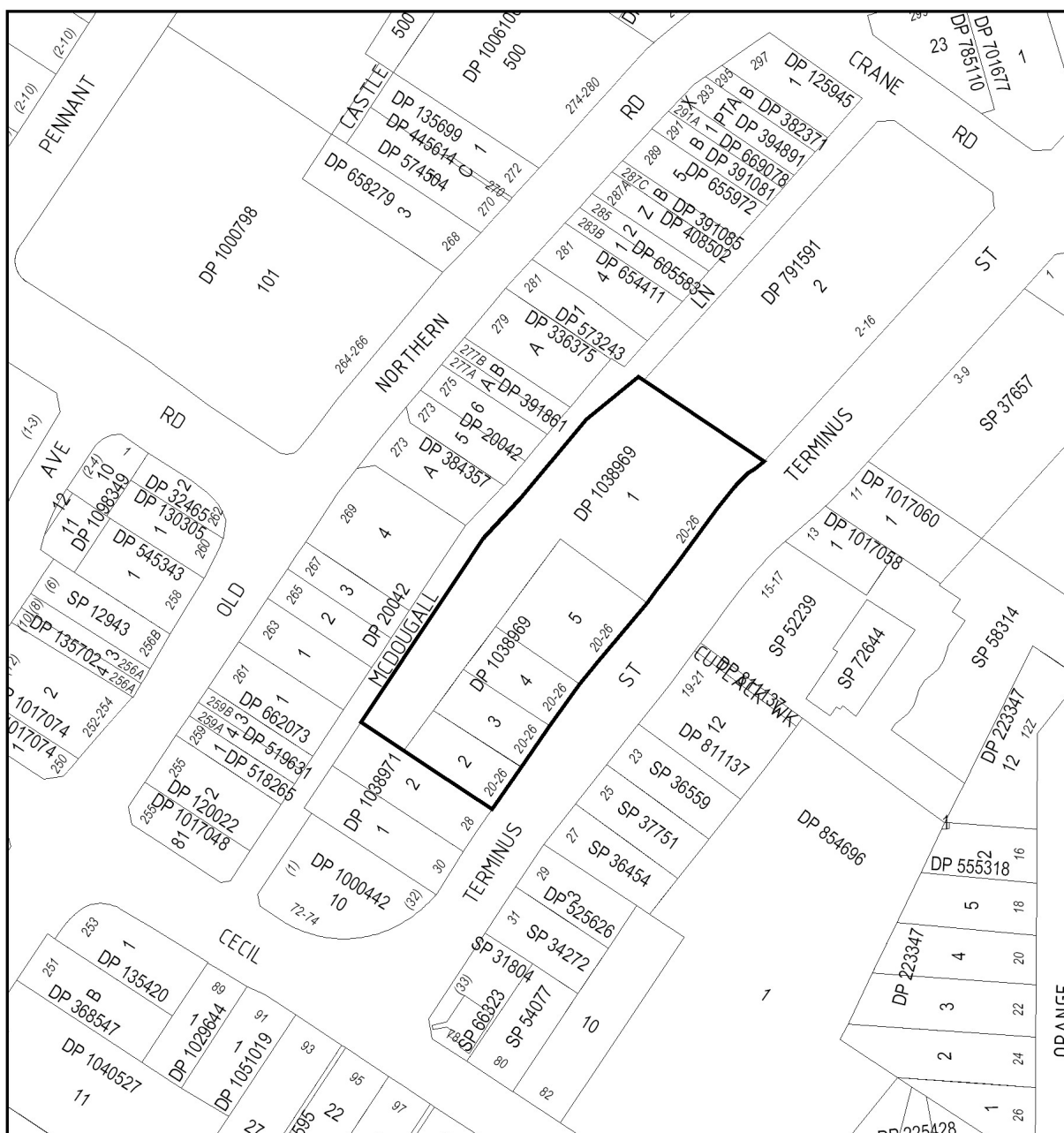
**Drainage:**


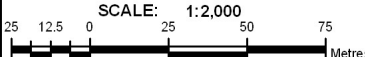

Any future development of the site is to have regards for existing easements or drainage facilities.

**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**

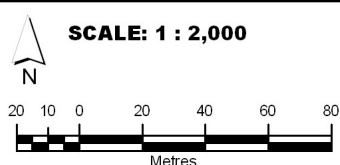
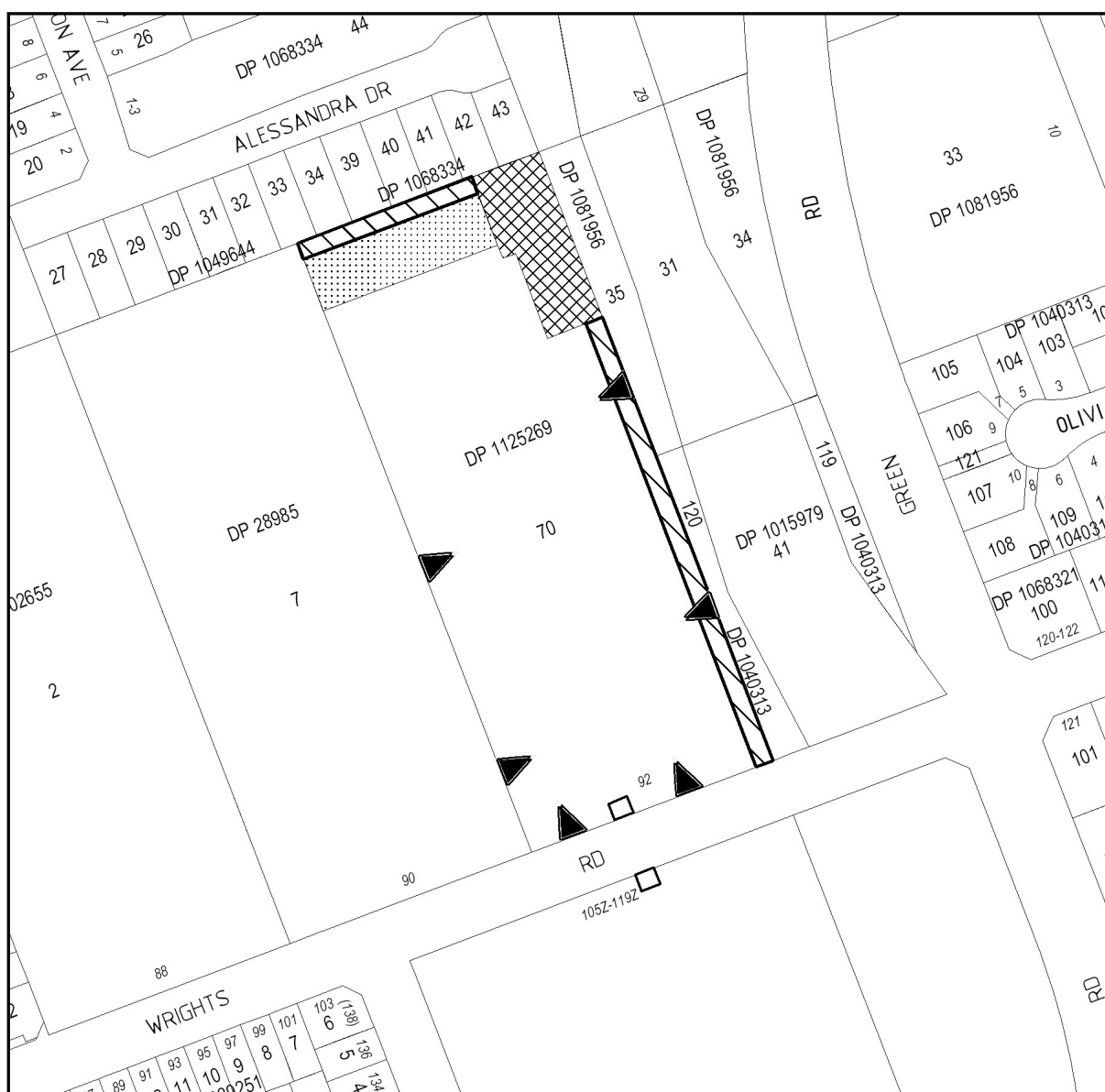
DRAWN BY	B. CLISSOLD	DATE	31/05/2007	STATEMENT OF RELATIONSHIP WITH OTHER PLANS This plan is to be read in conjunction with The Hills DCP statement and The Hills LEP 2012
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013
FILE No.	FP 171			

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				 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 Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013	
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007		
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007		
FILE No.	FP 171				

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2011\PartB_Sec6\Sheet11\PartB_Sec6_Sh11.mxd



LOCALITY: KELLYVILLE

LEGEND

- 6m Setback
- Max Building Height (5 metres only)
- No Development Area (Threatened Species)

- Primary Vehicle Access Point
- Possible Pedestrian Access Points

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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 DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	R. SHERRY	DATE	31/05/2007	Date of Adoption: 12/03/2013
FILE No.	FP 171			Minute No. 122
				Came into Force: 26/03/2013

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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 Date of Adoption: 12/03/2013 Minute No. 122 Came into Force: 26/03/2013
SUPERVISING DRAFTSPERSON	B. CLISSOLD	DATE	31/05/2007	
PLANNING OFFICER	V. D'EMANUELE	DATE	31/05/2007	
FILE No.	FP 171			

Map Document: S:\Projects\PlanServ\Consolidating_DCP\The_Hills_DCP_2011\PartB_Sec6\Sheet13\PartB_Sec6_Sh13.mxd

APPENDIX B - NORWEST BUSINESS PARK

