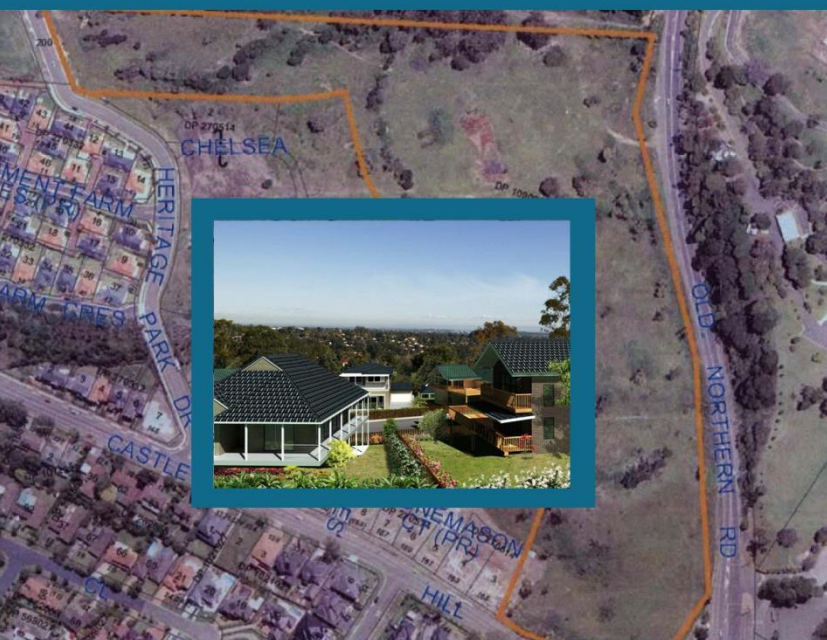


The Hills Development Control Plan (DCP) 2012

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THE
HILLS
Sydney's Garden Shire



Part D Section 13
354-368 Old Northern Road
Castle Hill

D13

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1. INTRODUCTION

1.1. NAME AND STATUS OF THIS SECTION OF THE DCP

This Section of the DCP must be read in conjunction with Part A – Introduction of The Hills DCP 2012.

This Section of the DCP has been prepared to guide future residential development on the site at 354-368 Old Northern Road, Castle Hill (subject site) in The Hills Shire, and is to be referred to as “The Hills

Development Control Plan 2012 Part D Section 13 - 354-368 Old Northern Road, Castle Hill”.

1.2. LAND TO WHICH THIS SECTION OF THE DCP APPLIES

This Section applies to all land identified in Figure 1.1 below and legally identified as:

- Lot 2002 DP 1090990



Figure 1.1 Subject site

1.3. OBJECTIVES OF THIS SECTION OF THE DCP

OBJECTIVES

- (i) *To achieve a low density residential development.*
- (ii) *To implement a development framework that will ensure anticipated future development of the site does not hinder the use or development of surrounding land for their intended or future purposes.*
- (iii) *To incorporate and demonstrate best practice urban design on the site.*
- (iv) *To provide design and environmental standards for the residential redevelopment of the site.*
- (v) *To ensure that any development on the site is appropriate to the site's context and enhances the surrounding natural characteristics.*
- (vi) *To protect, rehabilitate and conserve areas of environmental sensitivity or significance.*
- (vii) *To encourage development that is sympathetic with and that does not impact upon the heritage significance of the adjoining Heritage Park.*

1.4. STRUCTURE OF THIS SECTION

This document has been divided into four parts:

1. Introduction
2. The Urban Context / Site Analysis
3. The Development Strategy
4. Development Controls

2. URBAN CONTEXT/SITE ANALYSIS

Part Two of this Section of the DCP analyses the site's existing regional and local context. It outlines the site's placement and relationship to topography, views, drainage, accessibility, adjoining land uses and built forms.

It also identifies the opportunities and constraints exhibited by the site with respect to its regional and

local context. This analysis has helped to inform the development strategy (Part Three) and formulation of the development controls (Part Four) for the site.

2.1. LOCAL CONTEXT

2.1.1. ROAD NETWORK

The subject site is located adjacent to the Old Northern Road, 1.6 kilometres north (by road) of the Castle Hill shops. Old Northern Road is a Classified Road and joins Windsor Road (also a Classified Road) to the south, leading to Parramatta. Another connection to Windsor Road is via Showground Road (a Classified Road) which also connects to Old Northern Road. This route leads to the Norwest Business Park.

The M2 Motorway is located approximately 4.5 kilometres to the south of the site and is a major traffic artery between Western Sydney and the CBD. The M2 is accessible from the site via either Windsor Road or Castle Hill Road joining Old Northern Road (south of the site) and Pennant Hills Road.

The road network servicing the site is illustrated in Figure 2.1.

2.1.2. PUBLIC TRANSPORT

The site is well served by public transport, being located directly adjacent to a bus route along Old Northern Road which passes through Castle Hill. A bus stop is located in front of Oakhill College, opposite the site. From Castle Hill a number of bus routes provide access to the surrounding areas.

The nearest railway stations to the site are located at Beecroft and Pennant Hills (approximately 5.3 kilometres to the south-east and east south-east, respectively). Parramatta Station is approximately 10.5 kilometres to the south. Bus services from Castle Hill provide connections to these rail stations.



Figure 2.1 Road hierarchies (Source www.whereis.com)

2.1.3. WATERWAYS

The locality forms part of the catchment of the Hawkesbury River system. Drainage lines commencing to the west and north of the site run into Castle Hill Creek. This watercourse joins Cattai Creek approximately 3 kilometres to the west of the site. Cattai Creek eventually joins the Hawkesbury River. There is existing riparian vegetation along the length of these watercourses.

2.1.4. OPEN SPACE

The locality contains an extensive system of reserves and other public open spaces. These are generally located along watercourses. Substantial green spaces in the vicinity of the site include Heritage Park immediately to the north-west, Fred Caterson Reserve approximately 2.9 kilometres to the west and Berowra Valley Regional Park approximately 3.5 kilometres to the east. Berowra Valley Regional Park contains unsealed walking tracks and is a more

natural environment than other structured open spaces in the vicinity.

Active recreation opportunities are provided in Fred Caterson Reserve which contains a cycleway, sports fields, a basketball stadium and the Hills District Pony Club. Berowra Valley Regional Park contains a network of walking trails.

2.1.5. LAND USE AND BUILT FORM

The greenfield site is situated within a predominantly urban residential area, 1.2 kilometres north-east of the Castle Hill shops (1.6 kilometres by road). The site immediately to the west is currently being developed for environmentally integrated housing. Low density housing is located further to the west and to the south. Adjoining the south-eastern corner of the site is a scenic lookout.

North of the site is a rural zone containing predominantly vegetation and some detached housing. To the north-west is Heritage Park (a State listed heritage item). Beyond these areas are large

homes on acreage (Glenhaven). To the east are Oakhill College and the Australian Catholic University. These are surrounded by further residential housing, including an Anglican retirement village to the south of the college.

The character of the surrounding residential development is predominantly single detached dwellings, with the exception of the environmentally integrated housing adjacent to the site. Parks and reserves are interspersed throughout the area.

2.2. SITE ANALYSIS

2.2.1. SITE DESCRIPTION

The site is located on the northern corner of the intersection of Old Northern Road and Old Castle Hill Road. It forms part of the curtilage to Heritage Park, and allows views to the Park, the Shire and the Blue Mountains from Old Northern Road.

The site is irregular in shape and has a total area of 8.031 hectares. The site's primary frontage is to Old Northern Road. The southern boundary adjoins Old Castle Hill Road and the north-western corner adjoins Heritage Park Drive.

Figure 1.1 illustrates the extent of the subject site.

2.2.2. LAND ZONING

Refer to The Hills LEP 2012.

2.2.3. VEHICULAR AND PEDESTRIAN ACCESS

There is currently no formal vehicular or pedestrian access to the site. Access to the subject site is proposed via Heritage Park Drive. There is potential to provide a future pedestrian link from the scenic lookout through the site to Heritage Park, hence improving the permeability of the area for pedestrians.

2.2.4. TOPOGRAPHY, ORIENTATION AND VIEWS

The site is undulating and generally slopes from east to west. The site has been identified as being geotechnically sensitive and consequently stabilisation is required before development of the site can take place. The site offers views of Heritage

Park to the north, and the Shire and Blue Mountains to the west.

The northern portion of the site will be dedicated as open space due to the presence of mature vegetation and its excellent location with regard to solar access, given the absence of shadow casting structures. The southern portion of the site will also be dedicated as open space to maintain the amenity and functionality of the scenic lookout, and preserve views.

Topography, orientation and views are shown in Figure 2.2.

2.2.5. VEGETATION

The site contains mature vegetation along its northern boundary, which forms part of a remnant approximately one hectare in size, crossing into the neighbouring property to the north. This portion of the site is to be preserved for environmental quality and aesthetic reasons.

The remainder of the site is largely grassed, with scattered trees throughout the site. Where possible the trees on the remainder of the site should be retained to maintain the environmental quality of the site and ensure that development does not dominate the views.

Existing vegetation is indicated in Figure 2.3.

2.2.6. DRAINAGE AND FLOODING

Due to the slope and orientation of the terrain, the site is generally drains to the west, into Castle Hill Creek. As development of the site will create hard surfaces where there are currently none, appropriate stormwater management measures are required to mitigate impacts on Castle Hill Creek.

2.2.7. NOISE & VIBRATION

The site is primarily affected by traffic noise emanating from Old Northern Road.

A preliminary Noise Impact Assessment will be required to be lodged with any subdivision application to advise which residential lots will require individual Noise Impact Assessments.

Issues relating to vibration from heavy vehicles using the Old Northern Road will also need to be considered. Sufficient setbacks will be required to this boundary in conjunction with appropriate construction

techniques to minimise any future noise and vibration impacts.



Figure 2.2 Topography, orientation and views



Figure 2.3 Vegetation

2.2.8. EASEMENTS & RESTRICTIONS ON TITLE

A road widening reserve lies along the site's Old Northern Road frontage. The construction of a retaining wall required for the geotechnical stabilisation works is not to encroach on the Old Northern Road reserve.

Easements on DP 1090990 are:

E – Easement to drain water 20 metres wide

F – Easement for access & works 20 metres wide

G – Easement to drain water 20 metres wide

J – Restriction on use road widening

K – Easement for access & works variable width

M – Easement for access & works 1 metre wide

All these can be accommodated within the proposed subdivision. No other easements affect the site.

The easements are illustrated in Figure 2.4.

2.3. SITE OPPORTUNITIES

The opportunities offered by the site and its surroundings are as follows:

- Given its proximity to public transport, schools, accessible green spaces, recreational facilities and shops, the site is ideal to be redeveloped for residential uses.
 - There is the possibility to create a new pedestrian access across the site to link the scenic lookout with Heritage Park, thus improving the pedestrian permeability of the area. Such pedestrian access would also ensure optimal access to the existing bus stop on Old Northern Road.
 - There is potential to provide access to the site off Heritage Park Drive.
 - There is potential for the provision of two open space areas within the site which would protect existing views and vegetation.
 - Significant views are available to the Blue Mountains.
 - Northerly aspect can be achieved for each lot to ensure excellent solar access.
- Given the vegetation within and adjoining the site, the potential for bushfire should be considered in any development.
 - Traffic noise from Old Northern Road may require appropriate acoustic treatments to be incorporated.

2.4. SITE CONSTRAINTS

The constraints posed by the site and its surroundings are as follows:

- No access is available to the site from the Old Northern Road.
- Extensive geotechnical stabilisation works are required prior to or in conjunction with residential development of the site.
- Residential development cannot occur over the land designated as road widening reserve. Detailed design and geotechnical reports for retaining walls adjacent to the reserve for road widening are to be provided to the RMS for its review at DA stage.
- The views towards Heritage Park, the Shire and the Blue Mountains from Old Northern Road are important and development is not to detract from these views. This has implications for the height of development, among other factors, and controls to protect these views through building height restrictions are included in Part Four of this Section of the DCP.
- The mature vegetation on the northern portion of the site is to be retained.

Figure 2.4 Easements & restrictions (Extract from DP 1090990)

3. DEVELOPMENT STRATEGY

This Part contains development strategies for the site upon which the development controls in Part Four are based. The development strategy has been

formulated with regard to the site analysis and the identification of opportunities and constraints undertaken in Part Two.

Figure 3.1 illustrates the general development strategy for the site.



Figure 3.1 Development potential of the site

3.1. THE VISION / CONCEPT

The vision for the site is to create a quality residential development in Castle Hill with high levels of residential amenity, within the physical and environmental constraints of the site.

The development is to preserve the views of the Shire and Blue Mountains to the west and Heritage Park to the north. The site is to maintain a satisfactory relationship with the State significant Heritage Park, through pedestrian permeability and appropriate landscaping.

Future development should contribute to the environmental and neighbourhood values of the locality through adherence to urban design principles that enhance these qualities.

The vision is illustrated in Figures 3.2 & 3.3.

3.2. GEOTECHNICAL STABILISATION

The site is geotechnically sensitive. Stabilisation of the site is required before development of the site can take place. The recommended geotechnical stabilisation method is the 'big dig'. This involves:

- excavation of all the unstable materials from within the slide area;
- installation of trench drains;
- refilling the excavated area; and
- construction of a retaining wall along the eastern boundary (Old Northern Road).

This will also reduce the risk to residential areas down slope of the site.

Stabilisation of the site must be in accordance with peer reviewed and Council approved geotechnical reports, as well as the development controls in this document.

3.3. BUILT FORM

The form of residential dwellings on the site is envisaged to be modern, but sympathetic to the landscape, environmental and heritage characteristics of the area.

Dwellings will be generally limited to 8 metres in height and their design and colouring will not dominate the landscape.

The height of dwellings on lots adjoining the Old Northern Road is to be limited to a maximum RL to

ensure that the significant views from Old Northern Road are protected, as indicated in section 4.7.7.

The intent of this is to maintain flexibility with building design but to maintain all views as illustrated in Figure 3.2 and 3.3.

The design of dwellings is to ensure optimum cross-ventilation and solar access. Small building footprints are desirable on the site in order to allow for deep soil planting, and to establish a scale of vegetation compatible with the existing vegetation, proposed buildings and the residential nature of the site.

Dwelling designs are to have regard to water and energy efficiency principles as required by BASIX.

3.4. BUILDING SEPARATION AND SETBACKS

Appropriate setbacks from boundaries and between buildings will be incorporated to minimise impacts upon visual and acoustic privacy, enable the growth of substantial vegetation, and minimise impacts on water quality and views. Setbacks are detailed in section 4.7.5.

3.5. ACCESS AND MOVEMENT

Vehicular access is not available via Old Northern Road or Old Castle Hill Road. Vehicular access to the site is to be provided from the north-western corner (Heritage Park Drive), and is able to accommodate two lanes of vehicular traffic, as well as pedestrians. The access road is not to impinge on the mature vegetation along the northern boundary of the site.

A pedestrian link from the scenic lookout through the site to Heritage Park is to be incorporated. The preferred location of the proposed pedestrian access is illustrated in Figure 3.5.



Figure 3.2 Proposed vision / concept. Viewed from the lookout at the south eastern corner of the site



Figure 3.3 Development concept protects views to mountains through maximum building height planes

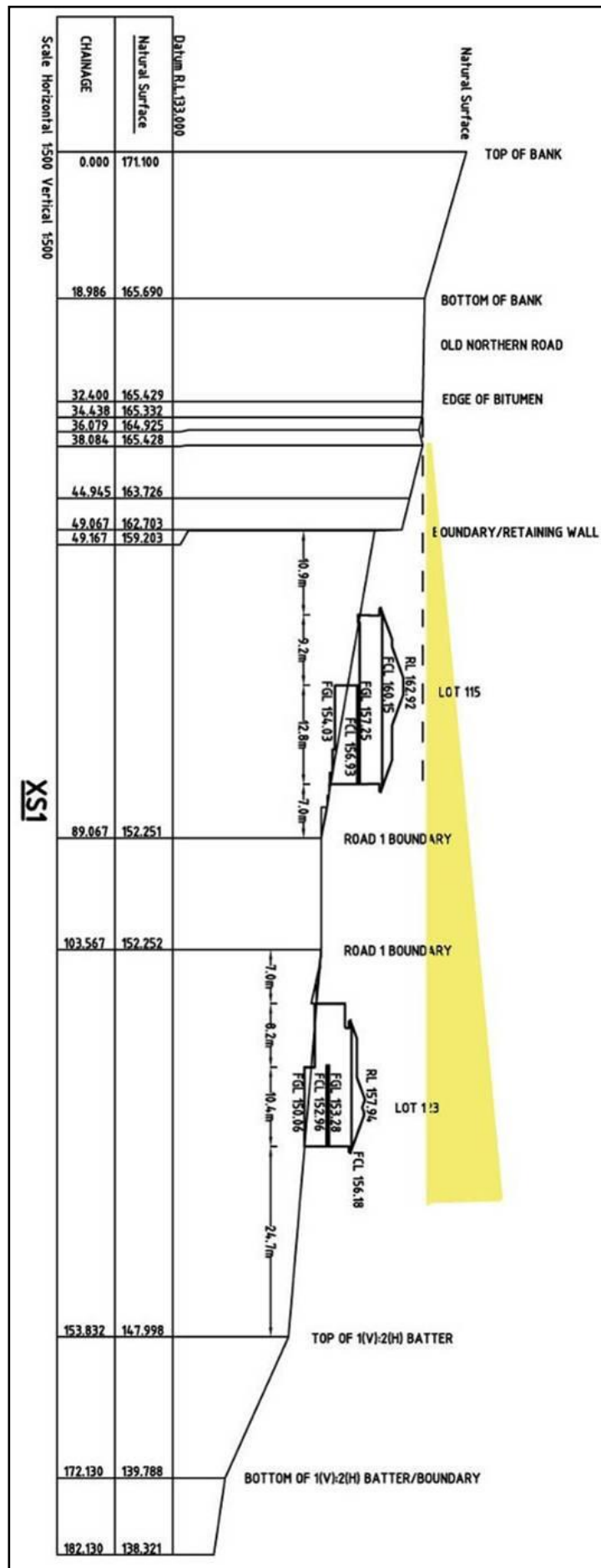


Figure 3.4
Building heights - view lines to the Blue Mountains from the Old Northern Road are to be retained over dwellings

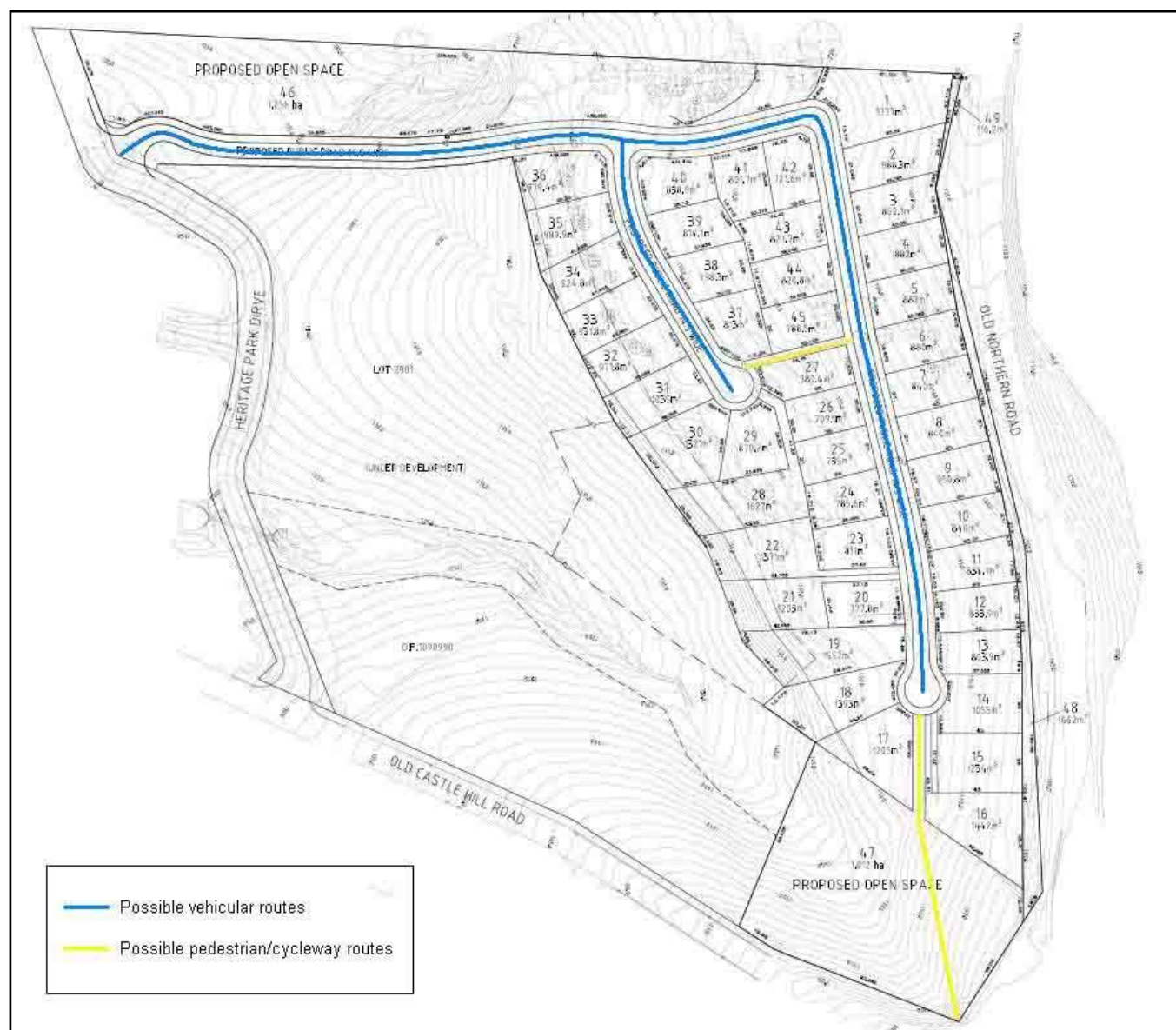


Figure 3.5 Access and movement

3.6. OPEN SPACE, VEGETATION AND LANDSCAPING

Three types of open spaces are envisaged for the site:

1. Private, sunny open space in the form of back/front yards of dwellings.
2. Publicly accessible open space at the southern end of the site in front of the scenic lookout. The aim of this area would be to maintain the existing views to Heritage Park, the Shire and the Blue Mountains. Vegetation in this area should not block the views; however some screening vegetation for privacy may be appropriate.

3. Unstructured and natural vegetation at the northern end of the site. The aim of this area would be to preserve the existing mature vegetation for both environmental and aesthetic reasons. As such, there should be minimal access to, and disturbance of this area. This vegetation will also provide a visual buffer between Heritage Park and the development.

The location of these open space typologies are illustrated in Figure 3.6.

Building footprints are to be minimised to ensure deep soil zones are incorporated across the site for the establishment of trees of sufficient height to complement the scale of the proposed buildings and existing vegetation.

3.7. RESIDENTIAL AMENITY

Adequate separation should be provided between dwellings and from site boundaries to ensure visual and acoustic privacy for residents. Landscaping along Old Northern Road may be appropriate to provide visual and acoustic amenity, however care should be taken in the landscaping design not to block the views to the Blue Mountains.

Appropriate acoustic measures are to be incorporated into the dwelling designs where noise from Old Northern Road is likely to affect the future residents.

3.8. VIEWS

The primary outlook of the site is over the Shire and to the Blue Mountains to the west. Heritage Park can also be viewed to the north.

It is a desirable outcome to protect these views through appropriate building design and landscaping, site layout and provision of open space.

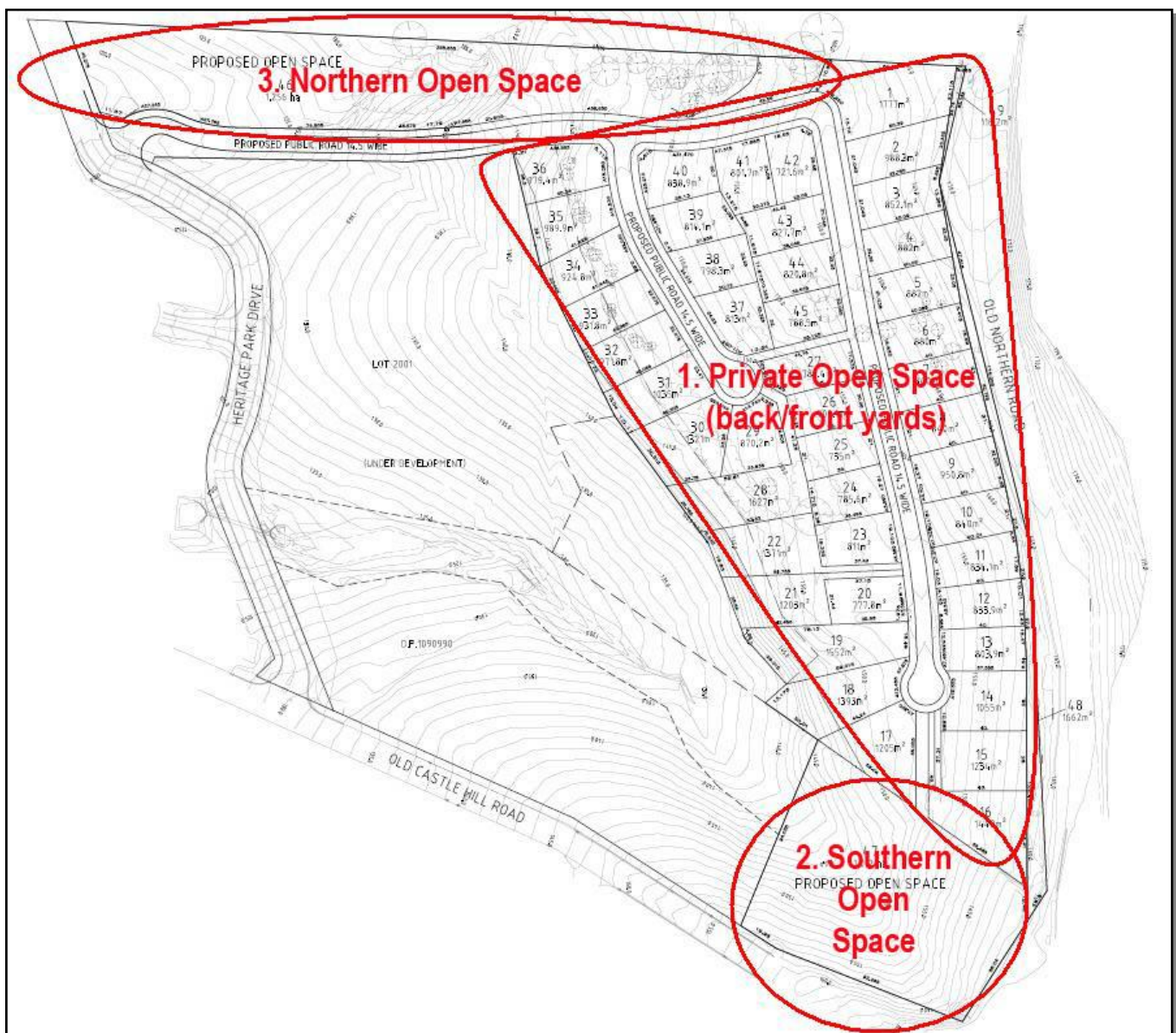


Figure 3.6 Open space opportunities

4. OBJECTIVES AND DEVELOPMENT CONTROLS

Objectives and development controls for the future development of the site are set out in this part, and are based on the development strategies identified in Part Three. Compliance with the controls set out in this section will not necessarily ensure the approval by Council of any application. Each application will be considered on the individual circumstances and merits of the case in terms of the achievement of the objectives.

The controls in this part are not an exhaustive list of the controls applicable to this site. 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 B Section 2 – Residential
- Part C Section 1 – Parking
- Part C Section 3 – Landscaping
- Part C Section 4 – Heritage
- Part C Section 6 – Flood Controlled Land

4.1. BUSH FIRE HAZARD MANAGEMENT

OBJECTIVES

- (i) *To reduce the risk to life and property in areas of bushfire risk.*
- (ii) *In determining Development Applications, Council will have regard to any likely bushfire hazard.*

DEVELOPMENT CONTROLS

- (a) Council has adopted the NSW Rural Fire Service Guidelines entitled “Planning for Bushfire Protection 2006”. Development subject to bushfire risk will be required to satisfy the requirements in these guidelines.
- (b) Asset protection zones should take the form of Inner Protection Areas, measured from the extremities of the buildings. Fuel management within the asset protection zones should be maintained by regular maintenance of the landscaped areas and mowing of lawns.
- (c) All dwellings should be constructed to comply with Level 1 Construction Standards as defined

by Australian Standard AS 3959 – 1999 (amended) for protection against ember attack.

- (d) Roof gutters and valleys to all buildings should be leaf proofed by the installation of an external gutter protection shroud or a gutter system that denies all leaves from entering the gutter and building up on that gutter. Any material used in such a system should have a flammability index of no greater than 5 (as measured against AS 1530.2).
- (e) Hydrants should be provided in accordance with Australian Standard AS 2419.1.

SUBMISSION REQUIREMENTS

- Bushfire report detailing compliance with “Planning for Bushfire Protection 2006” and the above controls.

4.2. GEOTECHNICAL SITE STABILITY

4.2.1. THE ‘BIG DIG’

OBJECTIVES

- (i) *To stabilise the site to a level of stability acceptable for residential development.*
- (ii) *To reduce the risk to residential areas downslope of the site.*
- (iii) *To remove the physical restrictions that would otherwise prevent development of the site to its potential permitted in this DCP.*

DEVELOPMENT CONTROLS

Note. Refer to Clause 7.6 *Landslide Risk of The Hills* LEP 2012 and the Landslide Risk Map.

- (a) Site stabilisation works shall be completed in accordance with the August 2004 Jeffery and Katauskas report titled “Additional Investigation and Preliminary Stabilisation Design”, the addendum to this report dated August 2006 and the recommendations of any independent peer review of the Jeffery and Katauskas reports as required by Council.

SUBMISSION REQUIREMENTS

- Geotechnical advice demonstrating compliance with the recommendations of the Jeffery and

Katauskas reports, and the independent peer review of those reports.

consistent approach to erosion and sediment control.

4.3. BUSHLAND AND BIODIVERSITY

4.3.1. MATURE VEGETATION

OBJECTIVE

- (i) *To conserve and protect the remnant mature vegetation on the northern portion of the site.*

DEVELOPMENT CONTROLS

- (a) The mature vegetation on the northern portion of the site is to be retained to help maintain the existing ecosystem.
- (b) The mature vegetation remnant is to function as an ecological system. All works, site stabilisation works, access routes, roads, recreational area, service easement and any other non-ecological functioning work or activity is to be located beyond the vegetated area.
- (c) Protective fencing is to be provided around the vegetated area for the duration of the subdivision and building construction (refer section 4.9.2).

SUBMISSION REQUIREMENTS

- Applications for subdivision should include a flora and fauna assessment in accordance with the Environmental Planning and Assessment Act, 1979. If there is likely to be a significant effect on threatened species, populations, or ecological communities or their habitats a species impact statement will be required.

4.4. EROSION AND SEDIMENT CONTROL

OBJECTIVES

- (i) *Minimise land degradation, water pollution and damage to infrastructure from accumulated sediment in accordance with Council's ESD Objective 3.*
- (ii) *To ensure development controls are identified for all stages of development and to ensure a*

DEVELOPMENT CONTROLS

- (a) Applications for residential development including subdivision are to be accompanied by an Erosion and Sediment Control Plan (ESCP) which will describe the measures to be taken at development sites to minimise land disturbance and erosion and control sediment pollution of waterways. ESCPs are to clearly identify the erosion and sediment control measures to be used.
- (b) ESCPs shall be prepared in accordance with best practice principles.
- (c) The erosion and sediment control measures proposed may need to change during the development process. The ESCP should address all phases of the development process.
- (d) Erosion and sediment controls must be in place before work commences and be retained and revised to reflect changes in site conditions, until the development is finalised and the site stabilised.

SUBMISSION REQUIREMENTS

- Erosion and Sediment Control Plans

4.5. HERITAGE

4.5.1. HERITAGE PARK

OBJECTIVES

- (i) *To conserve the heritage significance of Heritage Park.*
- (ii) *To ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the heritage significance of Heritage Park and its setting.*

DEVELOPMENT CONTROLS

- (a) Views to and from Heritage Park are to be protected.
- (b) As the site adjoins Heritage Park, which is listed as a heritage conservation area under The Hills LEP 2012, development must address and comply with the provisions of Part C Section 4 – Heritage.

SUBMISSION REQUIREMENTS

- Any development application for subdivision must be accompanied by a Heritage Impact Statement which addresses the impact of the development on the Heritage Park site and in particular the areas of historic and archaeological significance identified within the Heritage Park site.
- An Archaeological Assessment is to be submitted with an application for site stabilisation works or subdivision. The assessment must take into consideration the site's proximity to Heritage Park, and the possible presence of the grave of Colonel Verricourt de Clambe adjacent to the site.

The heritage and archaeological issues are identified in the following studies:

- Heritage and Visual Analysis of the Environs of Heritage Park Castle Hill, March 1999, Mayne – Wilson & Associates;
- Archaeological Zoning Plan – corner of Old Northern Road and Old Castle Hill Road, Castle Hill, May 1999, Casey and Lowe Associates.

Copies of these studies can be viewed at Council's Administration Centre at the corner of Showground and Carrington Roads, Castle Hill.

4.5.2. COLOURS AND MATERIALS

OBJECTIVE

- (i) *To ensure that the new dwellings erected on the site are sympathetic to the character and setting of Heritage Park.*

DEVELOPMENT CONTROLS

- (a) The colours, materials and external finishes used in the development are to be compatible with the site's proximity to Heritage Park.

SUBMISSION REQUIREMENTS

- Details of colours and materials to be used must be submitted at the DA stage.

4.6. STORMWATER MANAGEMENT

OBJECTIVES

- (i) *To provide for the disposal of stormwater from the site in efficient and environmentally sensible ways in accordance with Council's ESD objective 3.*
- (ii) *To control stormwater and to ensure that developments do not increase downstream drainage flows or adversely impact adjoining or downstream properties.*
- (iii) *To ensure the integrity of watercourses is protected and enhanced in accordance with Council's ESD objective 4.*
- (iv) *To provide for on-site detention of stormwater.*
- (v) *To encourage the reuse of stormwater.*

DEVELOPMENT CONTROLS

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

In all development, consideration should be given to utilising one of the following WSUD measures:-

M1 Low Impact Building Design

M2 Low Impact Landscape Design

A detailed description of the actions required to implement each of these measures is included in Appendix B of The Hills DCP 2011.

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

M3 Rainwater Utilisation – toilet, irrigation

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

- (c) Drainage systems are to be designed and constructed in accordance with best practice principles.
- (d) On-site detention systems (OSD) when required, are to be designed in accordance with (a) above and best practice principles.

- (e) Concentrated stormwater flows must be connected to Council's drainage system. In some cases this may require the creation of drainage easements over downstream properties. In this circumstance, a letter of consent from the owner(s) of the downstream properties is to be submitted with the development application. On rural properties overflow from rainwater tanks must be dispersed on site to ensure concentrated flows do not impact on adjoining properties or cause erosion.
- (f) Reference should be made to the Restrictions As To User on the title of the land to which the development is proposed in relation to requirements for on-site detention.
- (g) Discharge points are to be controlled and treated to prevent soil erosion, and may require energy dissipating devices on steeper topography, to Council's requirements.

SUBMISSION REQUIREMENTS

- Preliminary Engineering Drainage Plans indicating the proposed drainage infrastructure.
- If required, easements are to be created over downstream properties prior to the release of the linen plan for the subdivision, or prior to the release of a Building or Occupation Certificate whichever is earliest.
- OSD Plans if required.

4.7. BUILT FORM

4.7.1. SITE PLANNING AND SUBDIVISION

OBJECTIVE

- (i) *To achieve coherent site planning and development that relates to the natural topography and environmental constraints of the site.*

DEVELOPMENT CONTROL

- (a) Future development to be located generally in accordance with the indicative subdivision layout provided in Figure 4.1.

SUBMISSION REQUIREMENTS

- Site plans



Figure 4.1 Lot layout

4.7.2. MINIMUM LOT SIZE

OBJECTIVE

- (i) *To create a low-density residential area of single dwellings that does not dominate the landscape, and is consistent with the environmental capacity of the site.*

DEVELOPMENT CONTROLS

- (a) Refer to Clause 4.1 *Minimum subdivision lot size* of The Hills LEP 2012 and Minimum Lot Size Map.
- (b) The maximum yield shall be 47 lots including two large lots to be set aside for open space. The lot configuration is to be set out in accordance with the lot layout indicated in Figure 4.1.

SUBMISSION REQUIREMENTS

- Site plans and/or subdivision plans, showing lot sizes.

4.7.3. BUILDING PLATFORM

OBJECTIVE

- (i) *To ensure lots have a suitable area for the erection of a dwelling and associated structures, free of constraints or restrictions.*

DEVELOPMENT CONTROLS

- (a) Each lot must be capable of providing a building platform of at least 20 metres by 15 metres clear of any restrictions or building line setbacks. The building platform shall be sited in an accessible and practical location suitable for residential building construction.
- (b) Practical and suitable access shall be provided from a public road to the building platform.

SUBMISSION REQUIREMENTS

- The subdivision plans must clearly indicate where the building platforms can be located on each lot and the proposed access paths to the platforms free of any restrictions.

4.7.4. CUT AND FILL

OBJECTIVE

- (i) *To prevent impacts on the stability of the site following geotechnical stabilisation works.*

DEVELOPMENT CONTROLS

- (a) Building siting and design should consider the topography of the site. If cut and fill is necessary it is preferable that it be balanced to ensure no fill leaves the site.
- (b) Where plans show an excess of 600 millimetres of filling, a condition of approval will be imposed requiring a concealed dropped edge beam to contain the fill in excess of 600 millimetres.
- (c) Cut and fill greater than 1 metre is to be supported by geotechnical evidence showing that it is consistent with the outcomes of the site stabilisation works described in section 4.2.1.

SUBMISSION REQUIREMENTS

- Details of the exact amount and extent of excavation and filling on the site.

4.7.5. SETBACKS

OBJECTIVES

- (i) *To provide setbacks that complement the setting, allowing flexibility in siting of buildings, landscaping and private open space around new dwellings.*
- (ii) *To minimise overshadowing and protect the privacy of adjacent dwellings and visual quality of open space areas and views.*
- (iii) *To protect view lines through and over the development.*
- (iv) *To ensure new development is consistent with the desired future character of the locality.*
- (v) *To minimise noise and vibration impacts from Old Northern Road.*

DEVELOPMENT CONTROLS

- (a) The minimum setback to the Old Northern Road reserve is 10 metres.

- (b) The minimum setback to the south-western boundary of the lots adjoining the southern open space area (lots 16 and 17) is 2 metres.
- (c) The minimum setback to the northern boundary of the site (applicable to lot 1 only) is 3 metres, excluding ground level decks.
- (d) The minimum primary road frontage setback is 6 metres.
- (e) Development on corner allotments (lots 36, 40 and 42) shall have regard to the streetscape of both street frontages and may provide a setback of not less than 6 metres for the primary frontage and 4 metres to a secondary road frontage.
- (f) All garages must be set back in accordance with the setbacks described in (d) and (e) above, or 5.5 metres, whichever is the greater. This is required to ensure vehicles parked on the driveway in front of the garage do not encroach into the road reservation.
- (g) The minimum side boundary setback is 900 millimetres to walls and 675 millimetres to eaves.
- (h) The minimum rear boundary setback is 4 metres for single storey dwellings and 6 metres for double storey dwellings, except for Lot 17 and subject to (a).
- (i) No balcony shall project into the setback area, unless screening (or other design element) is provided to ensure the privacy of adjoining dwellings, and there is no impact on views.
- (j) Development must comply with other setbacks as required by the Easements and Restrictions on the title.
- (k) Consideration should be given to Council's Safer by Design Guidelines, particularly in regards to natural surveillance, sightlines and lighting.

SUBMISSION REQUIREMENTS

- Site plans

4.7.6. SITE COVERAGE

OBJECTIVES

- (i) *To maximise the provision of private open space.*
- (ii) *To avoid the creation of drainage and runoff problems, through minimising the amount of impervious area.*

- (iii) *To minimise bulk and scale of development.*
- (iv) *To facilitate spatial separation between buildings.*
- (v) *To provide adequate landscaped area.*
- (vi) *To maintain the character of existing areas by retaining vegetation.*

DEVELOPMENT CONTROLS

- (a) The maximum site coverage permitted is 30%.
- (b) Site coverage calculations must include areas containing garage/carport, driveways, outbuildings, decks, patios, tennis courts and pools.

SUBMISSION REQUIREMENTS

- A schedule showing the site coverage and landscape area should be submitted with the application or included on the Site Plan.

4.7.7. BUILDING HEIGHTS

OBJECTIVES

- (i) *To ensure future development responds to the desired scale and character of the local area.*
- (ii) *To protect the existing views from Old Northern Road to the Blue Mountains and from the scenic lookout.*
- (iii) *To minimise overshadowing of adjoining properties and open spaces.*
- (iv) *To facilitate better solar access into the depths of dwellings.*

DEVELOPMENT CONTROLS

- (a) Buildings on lots 1 – 16 are not to exceed the maximum height to top of roof indicated in Table 1.
- (b) Buildings on the site must not intrude into the view line from Old Northern Road to the Blue mountains as illustrated in Figure 3.4 and:
- (c) Refer to Clause 4.3 *Height of buildings* of The Hills LEP 2012 and Height of Buildings Map.

SUBMISSION REQUIREMENTS

- Elevation Plans
- Evidence of compliance with the maximum RL indicated in Table 1.

Lot No	Maximum RL
1	172.5
2	171.4
3	170.5
4	169.5
5	168.5
6	167.8
7	167.2
8	166.8
9	166.3
10	166
11	165.7
12	165.5
13	165.4
14	165.3
15	165.2
16	165

Table 1 Maximum building height RL for building lots 1-16 (AHD)

4.7.8. BUILDING FACADES

OBJECTIVES

- (i) *To promote high architectural quality in buildings.*
- (ii) *To ensure that dwellings sited on corner lots take advantage of their visually prominent location whereby the design addresses both street frontages.*
- (iii) *To ensure buildings respond to environmental conditions such as noise, sun, breezes, privacy and views.*

- (iv) *To promote integration of building and private open space.*

DEVELOPMENT CONTROLS

- (a) Columns, beams, floor slabs, balconies, window openings and fenestration, doors, balustrades, roof forms and parapets, should be used to create interest in the façade.
- (b) Facade design is to reflect the orientation of the site using elements such as sun shading as environmental controls, depending on the façade orientation.
- (c) On corner lots a minimum of three of the following design elements are to be included along the secondary frontage:
 - Verandahs;
 - Gables;
 - Vertical elements to reduce the horizontal emphasis of the façade;
 - Entry feature or portico;
 - Balcony/window boxes or similar elements;
 - Landscaping/fencing compatible with the frontage status of the elevation; and
 - Windows.
- (d) On corner lots the following features are not to occur along either façade:
 - Blank walls without relief;
 - Windows or doors of utility rooms exposed to view; and
 - Hot water services, air conditioning machinery or similar utility installations.

SUBMISSION REQUIREMENTS

- Elevation Plans

4.7.9. DENSITY

OBJECTIVES

- (i) *To ensure that residential development does not over-tax services and facilities.*
- (ii) *To provide detached dwellings with a high level of internal amenity.*

DEVELOPMENT CONTROLS

- (a) A maximum of 45 residential lots is permitted on the site.
- (b) No more than one dwelling may be provided on each lot.

SUBMISSION REQUIREMENTS

- Site plans.

4.7.10. VISUAL AND ACOUSTIC PRIVACY

OBJECTIVES

- (i) *To provide reasonable levels of visual privacy externally and internally, during the day and at night.*
- (ii) *To maximise outlook and views from principal rooms and private open spaces without compromising visual privacy.*
- (iii) *To incorporate appropriate materials and construction techniques to minimise acoustic impacts from Old Northern Road.*

DEVELOPMENT CONTROLS

- (a) New development is to be located and oriented to maximise visual privacy between dwellings.
- (b) Building and site design are to increase privacy without compromising access to light and air by:
 - Offsetting dwelling windows from adjacent dwelling windows;
 - Location of windows between habitable rooms to avoid direct overlooking;
 - Recessing balconies and/or vertical fins between adjacent balconies;
 - Using solid or semi-solid balustrades to balconies;
 - Using louvres or screen panels to windows and/or balconies; and
 - Providing appropriate fencing.
- (c) Conflicts between noise, outlook and views are to be resolved by using design measures such as double glazing, operable screens to balconies where they do not conflict with streetscape or other amenity requirements.
- (d) On the lots alongside the Old Northern Road, dwellings are to be designed to acceptable internal noise levels, based on AS 3671- Road Traffic Noise Intrusion Guidelines.
- (e) Low screening is to be provided at subdivision stage along Old Northern Road to screen the rear private spaces of the dwellings, whilst retaining views from the road. This screening will be in the form of a low fence, separated from the pedestrian footpath with landscaping to provide horizontal and vertical separation.

SUBMISSION REQUIREMENTS

- A preliminary Noise Impact Assessment is to be submitted with any subdivision application. The purpose of the assessment is to determine which residential lots in the subdivision require an individual Noise Impact Assessment.
- A Noise Impact Assessment is to be submitted with any residential development application for a lot identified in the preliminary Noise Impact Assessment as requiring such an assessment. The assessment should include a statement from a qualified acoustic consultant certifying that the design and construction of the building meets the Environmental Protection Authority – Environmental Criteria for Road Traffic Noise and Australian Standard 3671 – Road Traffic Noise Intrusion – Building Siting and Construction.

4.8. ACCESS

4.8.1. CAR PARKING AND VEHICULAR ACCESS

OBJECTIVES

- (i) *To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.*
- (ii) *To encourage the active use of street frontages.*

DEVELOPMENT CONTROLS

- (a) The design and configuration of access ways and driveways shall be in accordance with Part C Section 1 – Parking.
- (b) Car parking is to be provided in accordance with Part C Section 1 – Parking.
- (c) Potential pedestrian/vehicle conflict is to be minimised by:
 - limiting the width of vehicle access points to 3.5m;
 - ensuring clear site lines where driveways cross pedestrian paths; and
 - separating and clearly distinguishing between pedestrian and vehicular access ways.
- (d) Driveway gradients shall be in accordance with Australian Standard – AS 2890.1 – 1993 – Part 1 – Parking Facilities – Off Street Car Parking.

SUBMISSION REQUIREMENTS

- Plans showing proposed vehicular access and circulation and calculations, specifically relating to vehicular movement, turning circles, parking spaces, and driveway widths. The Australian Standard 2890.1 – Off Street Car Parking templates must be overlaid on the appropriate plans.

4.8.2. ROAD DESIGN AND CONSTRUCTION

OBJECTIVES

- To ensure that vehicular access can be gained to the site from Heritage Park Drive, based on sound traffic management principles.*
- To ensure sufficient carriageway and verge widths are provided to allow streets to perform their designated functions within the street network and to accommodate public utilities and drainage systems.*
- To encourage the use of streets by pedestrians and cyclists, and to allow cars and other users to proceed safely without unacceptable inconvenience or delay.*
- To provide street geometry that is consistent with the needs of the street function, physical land characteristics and safety.*

DEVELOPMENT CONTROLS

- The principal vehicular access to the site is to be provided from Heritage Park Drive and designed in accordance with Figure 4.2. The route taken should cause the least disturbance and impact to the mature vegetation remnant.
- New streets constructed on the site should allow unobstructed movement in one lane as well as passing opportunities to enable movement in both directions.

- The design of the carriageway is to discourage motorists from travelling above the intended speed.
- Street cross falls, longitudinal gradient, vehicle-turning movements and sight distances are to comply with Council's Design Guidelines Subdivisions/Developments (June 1997).
- The access streets are to conform to these minimum dimensions:
 - Carriageway width: 8.5 metres
 - Verge widths: 3.5 metres
 - Road reserve: 14.5 metres
 - Cycle ways/Footpaths: 2.5 metres one side
- Construction of half width carriageways is not permitted.
- Street trees are to be provided in all subdivisions and will be required to be planted at the time of subdivision construction.
- Street tree planting is to be provided to all streets with a spacing of between 7 and 10 metres, with a minimum of one tree per lot frontage. Corner lots will have a minimum of two street trees and normally three trees. The location of street trees must complement proposed driveway locations.
- Street tree planting will only be permitted within roads that are to be dedicated to Council as public road.
- All plans documenting proposed street tree planting must indicate the location of Sydney Water sewer and water pipes including where they enter a public road reservation. No planting of street trees is permitted within 1.5 metres of a Sydney Water pipe.

SUBMISSION REQUIREMENTS

- Detailed design plans for vehicular access to the site.



Figure 4.2 Access to site

4.8.3. PEDESTRIAN ACCESS

OBJECTIVES

- (i) *To consider the needs of the residents with particular consideration to access requirements, safety and security.*
- (ii) *To ensure that appropriate pathways, with high levels of pedestrian amenity are provided for residents along identified desire lines.*

DEVELOPMENT CONTROLS

- (a) Pedestrian linkages are to be provided throughout the site generally in accordance with Figure 3.5 Access and Movement, including access to Heritage Park Drive, the scenic lookout, Old Northern Road and Old Castle Hill Road.
- (b) Pedestrian paths and cycleways through the site are to be located outside the mature vegetation remnant.
- (c) All pathways and ramps should conform to the minimum dimensional requirements set out in AS1428.1 – 2001 Design for Access and Mobility – General requirements for access – New building work, and AS 1428.2 – 1992 – Design for Access and Mobility – Enhanced and additional requirements – Buildings and facilities.
- (d) All surfaces should be stable, even and constructed of slip resistant materials. Any stair nosings should have a distinctive colour and texture.
- (e) Pathway locations must ensure natural surveillance of the pathway from primary living areas of adjoining dwellings. Dwelling entries must not be hidden from view and must be easily accessible.

SUBMISSION REQUIREMENTS

- Site plans should show pedestrian paths and cycleways.

4.8.4. ACCESS RESTRICTIONS

OBJECTIVE

- (i) *To ensure that public lands are not compromised by uncontrolled and informal pedestrian, bicycle and vehicular access from adjoining residential lots.*

DEVELOPMENT CONTROLS

- (a) No residential lot created on the site shall be permitted to have direct pedestrian, bicycle or vehicular access to either of the open space areas on the northern and southern portions of the site.
- (b) No residential lot created on the site shall be permitted to have direct pedestrian, bicycle or vehicular access to the pedestrian paths and cycleways located on the site.

4.9. LANDSCAPING AND OPEN SPACE

4.9.1. LANDSCAPE DESIGN AND OPEN SPACE

OBJECTIVES

- (i) *To ensure that landscaping and open space design complements the environmentally sensitive nature of the site.*
- (ii) *To enhance residents' quality of life by providing privacy, pleasant outlook, views and a range of open spaces.*
- (iii) *To provide habitat for native indigenous plants and animals.*
- (iv) *To ensure that landscaping may be efficiently maintained.*
- (v) *To ensure adequate private open space is provided for use by residents.*
- (vi) *To improve stormwater quality and reduce quantity of runoff.*
- (vii) *To improve the microclimate and solar performance within the development.*
- (viii) *To promote a safe living environment.*

DEVELOPMENT CONTROLS

- (a) An open space area is to be provided on the northern portion of the site to protect the mature vegetation remnant.
- (b) An open space area is to be provided on the southern portion of the site to protect the functionality of the scenic lookout and the views to Heritage Park and the Blue Mountains.
- (c) Private and public spaces are to be clearly defined.
- (d) The amenity of open space is to be improved with landscape design by providing appropriate shade from trees or structures.

- (e) Landscaping is to be enhanced along the road widening corridor for improved visual amenity and privacy.
- (f) Vegetation selection is to consist of robust native species to reduce maintenance.
- (g) Vegetation selection and placement is to reflect the scale of the proposed built form.
- (h) Existing trees on the site are to be retained where possible and exotic species replaced where necessary with native species.
- (i) Private open spaces are to be located on the northern sides of dwellings where possible.
- (j) Private open space (behind the front building line) is to be 20% of the lot area or 80 square metres, whichever is the greater and can be contained within the landscaped area of the site.
- (k) The private open space area must be able to contain a rectangle measuring 6 metres by 4 metres.
- (l) Landscape design is to contribute to water and stormwater efficiency by:
 - Using plants with low water demand to reduce mains consumption;
 - Using plants with low fertiliser requirements; and
 - Utilising permeable surfaces.
- (m) The energy and solar efficiency of dwellings and the microclimate of private open spaces are to be improved by:
 - Incorporating trees which allow shading in summer and low angle sun penetration in winter on the eastern and western sides of a dwelling;
 - Varying heights of different species of trees and shrubs to shade walls and windows; and
 - Locating pergolas on balconies and courtyards to create shaded areas in summer and private areas for outdoor living.
- (n) Consideration should be given to Council's Safer by Design Guidelines, particularly in regards to natural surveillance, sightlines and lighting.

Note. Landscaped area does not include any paved or built upon area such as driveways, tennis courts, patios/decks, outbuildings or pools.

SUBMISSION REQUIREMENTS

- Landscape plan.

- A schedule showing the site coverage and landscaped area should be submitted with the application or included on the site plan.
- The location and dimensions of private open space must be shown on the site plan.

4.9.2. PUBLIC OPEN SPACE AND DEVELOPMENT

OBJECTIVE

- (i) *To ensure that land dedicated as public open space is adequately protected during the subdivision and dwelling construction stage.*

DEVELOPMENT CONTROLS

- (a) No retaining walls are to be constructed adjacent to proposed open space areas.
- (b) Proposed open space areas should not be filled.
- (c) A minimum 2 metre high, temporary chain-wire fence around proposed open space areas, with access provided by a lockable gate, is to be provided at the developer's expense. The fence must be sited in such a way as to limit access into the open space area, ensuring protection of the area for the duration of subdivision and building construction. The fence must be removed at the completion of the works.

SUBMISSION REQUIREMENTS

- Details of fence construction are to be provided by the proponent with the submission of the engineering designs.

4.9.3. FENCING

OBJECTIVE

- (i) *To ensure that new fencing associated with the new dwellings erected on the site is sympathetic to the character and setting of Heritage Park.*

DEVELOPMENT CONTROLS

- (a) The design, colours, materials and height of fences used in the development are to be compatible with the site's proximity to Heritage Park.
- (b) Retaining walls:

- Generally should be no taller than 1 metre;
 - Should not cut through roots of any tree required by Council to be preserved;
 - Should be separated from any associated fence by a planter-bed at least 500 millimetres wide, to minimise the apparent overall height of fencing;
 - Should provide drainage for any associated planter-bed;
 - Should be separated from any driveway by a landscaped verge at least 500 millimetres wide, to prevent impact damage from vehicles.
- (c) Fences should be generally no taller than 1.8 metres and 2.4 metres on sloping sites, including the height of any retaining wall.
- (d) Fences along boundaries forward of the front building alignment:
- Should generally not be taller than 1.2 metres and consist of see-through construction;
 - Should not be constructed of metal panels;
 - Walls of solid construction and taller than 1.2 metres (such as courtyard walls) should be set back at least 2 metres from the front boundary (to allow for landscaping) and shall not occupy more than 50% of allotment width.
- (e) Fences around private open space should minimise cross-viewing and the transmission of noise.
- (f) Fences in any location that can be seen from the street or adjoining open space areas should not be constructed of metal panels.
- (g) Where fencing affects easements or stormwater flow paths, consult with Council and the relevant authority.
- (h) Fencing of a “see-through construction” includes panels set into a timber frame or between brick piers, where:
- Any solid base is not taller than 1 metre; and
 - Panels are spaced timber pickets or palings, or lattice.
- (i) Consideration should be give to Council’s Safer by Design Guidelines, particularly in regards to natural surveillance, sightlines and anti-graffiti surfaces.

SUBMISSION REQUIREMENTS

- Details of all fencing.

4.10. PROVISION AND LOCATION OF UTILITIES

OBJECTIVES

- (i) *To maximise the opportunities for shared (common) trenching and reduce constraints on landscaping within road reserves.*
- (ii) *To ensure the provision of public utilities is undertaken in accordance with the requirements of both Council and the relevant servicing authority.*

DEVELOPMENT CONTROLS

- (a) Gas and water services may be located in a shared trench on one side of the street and electricity power and telephone located in a shared trench on the other side of the street.
- (b) The Council requires underground electricity reticulation and telecommunications for all urban development.
- (c) Where agreement to develop shared trench practices cannot be met, or location of services are unable to be limited to one side of the road, the alignment of services shall be to a standard acceptable to Council.
- (d) Utilities and services are to be supplied and constructed in accordance with the requirements of the relevant authority.
- (e) Details of the location of all sewer reticulation mains are to be supplied to Council for assessment of environmental and property considerations.
- (f) Development is to have a water supply for fire-fighting purposes in accordance with the NSW Rural Fire Service’s “*Planning for Bushfire Protection Guidelines*” or as amended thereto.
- (g) Concurrence from the relevant electricity authority is required for all development applications where the property is affected by electricity easements.

SUBMISSION REQUIREMENTS

Site plans are to show all services.

