Assessment of compliance THDCP 2012

1. PART A Introduction

Noted.

2. PART B Land Use Zones

1.1 Part B Section 5 - Residential Flat Building

Clause	Comment
Part B – Land Use / Zones	
Part B Section 5 - Residential Flat Building	
1. INTRODUCTION	
This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.	Noted.
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	
This Section of the DCP applies to land where, under the provisions of The Hills Local Environmental Plan (LEP) 2012, residential flat buildings are a permissible use. The provisions of this Section also apply to shop top housing where specifically identified in the Part B Section 8 - Shop Top Housing of this DCP.	Noted.
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. Australian Standards referred to in this DCP:	Capable of complying To be addressed as part of detailed DAs for the construction of buildings.

Clause	Comment
<table><tr><th>Standard No.</th><th>Description</th></tr><tr><td>AS1428.1</td><td>Design for access and mobility – general requirements for access – New building work</td></tr><tr><td>AS1428.2</td><td>Design for access and mobility – general requirements for access – Enhanced and additional requirements – Buildings and facilities</td></tr><tr><td>AS4299</td><td>Adaptable housing</td></tr><tr><td>AS2890.6</td><td>Parking facilities - Off-street parking for people with disabilities</td></tr></table>	
1.3 SEPP 65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT	
Refer to State Environmental Planning Policy No. 65.	Refer to Design Verification Statement (Appendix AD) and ADG compliance (Appendix U)
2. AIMS AND OBJECTIVES OFTHIS SECTION OF THE DCP	
Council's objectives for residential flat building development are: (i) Encourage a high standard of aesthetically pleasing and functional residential flat building developments that sympathetically relate to adjoining and nearby developments. (ii) Ensure that development will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development. (iii) Encourage innovative and imaginative designs with particular emphasis on the integration of buildings and landscaped areas that add to the character of the neighbourhood. (iv) Provide high levels of amenity and safety for future residents of any residential flat building development. (v) To ensure that residential flat building developments incorporate the principles of Ecologically Sustainable Development.	Consistent
3. OBJECTIVES AND DEVELOPMENT CONTROLS	
Objectives and development controls for residential flat buildings are set out in the following sections. In addition to the polices, guidelines and documents specified in section 1.4 of Part A - Introduction, this Residential Flat Building 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 A checklist identifying the development controls is provided as a summary in Appendix A – Development Control Calculations/Compliance Sheet within this section.	Noted. See below for an assessment against Section 1,3,4 and 6.
3.1. SITE REQUIREMENTS	

Clause	Comment
(i) To ensure development sites have sufficient areas to provide adequate access, parking, landscaping and building separation. (ii) To provide for the orderly development of residential land through the consolidation of lots. (iii) To ensure development on a particular site has due regard to adjoining developments in accordance with Council's ESD objective 7.	Consistent The proof of concept plans demonstrates that the development lots provide adequate access, parking, landscaping and building separation. The Concept Proposal provides for the orderly and sustainable development of the Site by establishing a framework for the provision of future built form, utilities, water management and ESD measures to be delivered
DEVELOPMENT CONTROLS (a) The minimum road frontage requirement is 30 metres (b) Development sites shall not be accessed via a right of way and/or access handle. Access driveways should be centrally located within any proposed residential flat building development site. (c) A residential flat building development shall not isolate adjoining lots so that they are incapable of multi dwelling housing development, meaning there will be insufficient area to meet the	Complies
3.7. BUILDING LENGTH	
OBJECTIVES (i) To reduce the visual bulk and scale of residential flat building developments. (ii) To ensure that developments will enhance and contribute to the streetscape and desired character of the future and existing neighbourhood.	Consistent
DEVELOPMENT CONTROL (a) The maximum linear length of any residential flat building is to be 50 metres.	N/A Refer Part D Section 9 Hills Showground Station Precinct - Section 5.5.
3.8. BUILDING DESIGN AND STREETSCAPE	
OBJECTIVES (i) To ensure residential flat building development of a high standard based on appropriate building design and attention to detail, which integrates suitably into the existing or future urban environment. (ii) To achieve residential flat building developments that is of a high standard of design and construction in terms of both internal and external appearance. (iii) To ensure that developments are aesthetically pleasing, encourage creativity and diversity in design, incorporating architectural relief and modulation of facades to avoid a bulky or monotonous appearance.	Consistent Design Excellence Strategy (Appendix I) will ensure future buildings demonstrate design excellence.

Clause	Comment
(iv) To ensure the appearance of residential flat building developments enhance the streetscape, complement adjoining and surrounding development in terms of scale and character.	
DEVELOPMENT CONTROLS (a) Applicants must refer to Council's "*Multi-Unit Housing: Urban Design Guidelines, 2002"* which have been adopted by Council as a guide for the design of residential flat building development. (b) Designs must be in harmony in terms of form, mass, colour and structure with the existing and likely future development in the street. (c) The siting and design should seek to ensure a clear definition of the street edge and reinforce street corners. Building lines together with landscaping treatments should distinguish the public and private realms. (d) Developments must not be repetitive in design and should incorporate harmonious variations into design features such as verandas, entrances, facades etc.	Complies (a) N/A Part D Section 9 Hills Showground Station Precinct supersedes this section. Refer Urban Design Report (Appendix AA) and Design Excellence Strategy (Appendix I) prepared to support this concept proposal.
Walls and Rooflines (e) Walls should be articulated in plan and section to reduce building bulk. (f) Walls should comprise a variety of colours to reduce monotony and add variety to the streetscape. (g) Walls should incorporate windows to enhance façade appearance. (h) Walls and roofs are the major elements that determine the development form, scale and bulk. Carefully designed walls with well-balanced vertical and horizontal proportions play a significant role in establishing the character of the development and the streetscape as a whole. (i) Break up large horizontal facades, whether walls or roofs, into smaller sections of no longer than 10 metres, with careful consideration given to materials and colours. (j) Enhance the façade through the use of well-proportioned and balanced projections and recesses. (k) (k) Provide architectural features in the façade that give human scale at ground floor level, such as entry porches, pergolas and so on.	Capable of complying
Garages (l) Any visible garage walls should be comprised of more than one material and colour to enhance visual attractiveness and interest. (m) Any ground level car parking, garages and/or basement garage doorways should be concealed or screened by planting from the street and public view, as much as possible.	Capable of complying
Entrances (n) Entrances to residential flat buildings should be clearly visible from the public and semi-public areas. Lighting should be provided for safety at night. These entries contribute to the streetscape and character; therefore, they need to be considered in the design.	Capable of complying

Clause	Comment
(o) Building entries should be readily apparent from the street and clearly visible from inside the dwelling to improve casual surveillance. (p) The space around the building entrance should be sufficiently large to stand out and have a distinctive architectural form. (q) Site entries should be distinctive, attractive and welcoming. (r) Provide sheltered transitional areas around building entries. (s) All ground floor dwellings should have their own entry at ground level. (t) Building entries should be visible from, or address, the site front boundary. Building entries in walls should be clearly delineated and observable from the driveway.	
Views and Siting (u) Siting of the building is to take advantage of any views to nearby/adjoining landscaped open space or any public reserve. (v) The siting and design of dwellings should also take advantage of any views to open space, public reserves and bushland to promote natural surveillance and to enhance the visual amenity of residents. Blank courtyard walls along boundaries shared with open space or reserves should be avoided and opportunities to create and orient dwellings to permit direct views from living areas into the open space/reserve should be pursued in design. (w) Dwellings that have courtyards facing a street or public place should be avoided. Where other design constraints dictate the need for a fence facing a public street or space. The design must comply with the controls specified in section 3.27 - Fencing of this Section of the DCP and consideration must be given to streetscape and visual impact issues	Complies (w) N/A Courtyards are proposed at ground level of apartments in Precinct East to activate the street frontage in Part D Section 9 Hills Showground Station Precinct.
SUBMISSION REQUIREMENTS • Elevations Plans. • Design verification as required by SEPP 65 (Refer to section 1.2).	Elevations to be provided as part of future DAs. Design Verification Statement (Appendix AD) and ADG compliance (Appendix U).
3.9. URBAN DESIGN GUIDELINES	
OBJECTIVES (i) To encourage urban design principles which reinforce the character of the precinct. (ii) To ensure that future development responds to and is compatible with the landscape, topography and visual setting of the area. (iii) To promote a built form of high architectural quality which compliments existing streetscape character and improves the amenity of public space.	Consistent Refer Urban Design Framework and Design Excellence Strategy (Appendix I) prepared to support this concept proposal.
DEVELOPMENT CONTROLS (a) Applications must demonstrate conformity with *"Baulkham Hills Multi Unit Housing – Urban Design Guidelines, 2002"* which has been adopted by Council as a guide for the design of residential	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section.

Clause	Comment
flat buildings. This document also details desired future character statements for each precinct and sub-precinct.	
SUBMISSION REQUIREMENTS • Provide a detailed statement, which addresses the "Baulkham Hills Multi Unit Housing – Urban Design Guidelines 2002," – Section 6 – Precinct Character Statements and Section 7 - Sub-Precinct Character Statements.	N/A
3.10. DENSITY	
OBJECTIVES (i) To ensure residential flat building development does not over-tax existing services and facilities. (ii) To provide opportunities for a suitable density housing form that is compatible with the existing surrounding development.	Consistent
DEVELOPMENT CONTROLS (a) The maximum population density permitted is 175 persons per hectare with a desirable range between 150-175 persons per hectare. The density is based upon the occupancy rates in Table 2: **Table 2** Occupancy Rates **Dwelling Type** / **Occupancy Rate (Persons)** Existing dwelling 3.5 1 bedroom unit 1.3 2 bedroom unit 2.1 3 bedroom unit 2.7 4 bedroom unit 3.5	N/A This control is superseded by the rezoning of Showground Station Precinct and is not consistent with TOD and density expected at the Site. The proposals are also consistent with the densities envisaged in the Hills Corridor Strategy of 300 dwellings per hectare. (Noting this is for reference only as this strategy is not a control document. .
Note. The maximum density should not be considered as a desired yield for each site. The yield will be dependent on identifying designs that address the objectives of this Section of the DCP.	Noted.
SUBMISSION REQUIREMENTS • Provide details of the proposed density of the development.	Refer Section 4.5.
3.11.UNIT LAYOUT AND DESIGN	
OBJECTIVES (i) To ensure that individual units are of a size suitable to meet the needs of residents. (ii) To ensure the layout of units is efficient and units achieve a high level of residential amenity. (iii) To provide a mix of residential flat types and sizes to accommodate a range of household types and to facilitate housing diversity. (iv) Address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs. (v) To ensure designs utilise passive solar efficient layouts and maximise natural ventilation.	Consistent

<table>
<tr><th>Clause</th><th>Comment</th></tr>
<tr><td>DEVELOPMENT CONTROLS
Apartment Mix
• No more than 25% of the dwelling yield is to comprise either studio or one bedroom apartments.
• No less than 10% of the dwelling yield is to comprise apartments with three or more bedrooms.</td><td>Section 5.5. (2) Part D Section 9 Hills Showground Station Precinct supersedes this section.</td></tr>
<tr><td>Residential Flat Development (less than 30 units)
• The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:
<table><tr><td>1 bedroom unit</td><td>75m2</td></tr><tr><td>2 bedroom unit</td><td>110m2</td></tr><tr><td>3 bedroom unit</td><td>135m2</td></tr></table></td><td>N/A >30 apartments provided</td></tr>
<tr><td>Residential Flat Development (30 or more units)
• The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:
<table><tr><th>Apartment Size Category</th><th>Apartment Size</th></tr><tr><td>Type 1</td><td></td></tr><tr><td>1 bedroom</td><td>50m2</td></tr><tr><td>2 bedroom</td><td>70m2</td></tr><tr><td>3 or more bedrooms</td><td>95m2</td></tr><tr><td>Type 2</td><td></td></tr><tr><td>1 bedroom</td><td>65m2</td></tr><tr><td>2 bedroom</td><td>90m2</td></tr><tr><td>3 or more bedrooms</td><td>120m2</td></tr><tr><td>Type 3</td><td></td></tr><tr><td>1 bedroom</td><td>75m2</td></tr><tr><td>2 bedroom</td><td>110m2</td></tr><tr><td>3 or more bedrooms</td><td>135m2</td></tr></table></td><td>N/A ADG prevails as per Clause 6A of SEPP 65</td></tr>
<tr><td>(e) Type 1 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.
(f) Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.
(g) All remaining apartments are to comply with the Type 3 apartment sizes.</td><td>N/A as above.</td></tr>
<tr><td>All Residential Flat Buildings
(h) Unit layouts that achieve the following are required:-
• Minimise corridors/circulation space and avoid dormant areas with little or no natural surveillance;
• Permit sunlight access;
• Achieve cross ventilation; and
• Protect the visual and acoustic privacy of residents.</td><td>Capable of complying</td></tr>
</table>

Clause	Comment
(i) In this regard double loaded floor plans and single aspect units (Refer to Figure 6) must not be used unless:- • Four (4) hours of direct sunlight is available for windows of primary living areas between9am and 3pm on 21 June; and • Adequate ventilation can be achieved. Source: Better Urban Living Guidelines for Urban Housing in NSW.	N/A Layouts to be provided in accordance with the ADG as per Clause 6A of SEPP 65.
(j) Floor to ceiling height must be in accordance with Building Code of Australia requirements. Where deeper floor plans are used higher floor to ceiling heights are encouraged to increase penetration of sunlight and air.	Capable of complying
SUBMISSION REQUIREMENTS • Site plan. • Dimensioned development application plans including a schedule of floor areas for each dwelling. For developments containing 30 or more apartments the schedule is to specify the apartment size category for each apartment.	Site Plan provided. To be addressed as part of future detailed DAs for the construction of buildings.
3.12. BUILDING MATERIALS	
OBJECTIVES	
(i) To promote integrated, visually harmonious and attractive buildings in residential areas. (ii) To encourage the use of renewable, energy efficient materials that are durable and cost effective in accordance with Council's ESD objective 5. (iii) To reduce waste generation and wastage of resources in accordance with Council's ESD objective 6. To encourage consideration of the long-term impact of the production and use of materials used in construction of the development.	Consistent
DEVELOPMENT CONTROLS	
(a) All building construction must comply with the *Local Government Act 1993* Local Government Regulations and the Building Code of Australia. (b) Building materials and appearance play a significant role in establishing the character of new development. Consideration should be given to the existing character and streetscape in the design of new development. A mix of materials (at least two types not including glass windows) should be used in any elevation visible from the street or any adjoining property. Elevations dominated by rendered masonry finishes will not be acceptable.	Capable of complying To be addressed as part of detailed DAs. Urban Design Report, Guidelines (Appendix AA), CPTED Report (Appendix H) and ESD Report (Appendix J).

Clause	Comment
(c) Choice of materials should be based on consideration of both their environmental and economic costs. (d) Buildings materials should be selected carefully so as to reflect and complement the existing character of the street. (e) Graffiti resistant materials should be used in areas that are accessible by the general public and communal areas within the development. (f) Ensure that colours used are visually pleasing to the viewer and reflect the predominant colours in the area. (g) Avoid the use of materials and colours that would cause excessive glare. (h) The following factors must be considered when selecting materials: • Suitability for the purpose; • Durability; • Long term appearance; • Local environmental impacts; • Broader and longer term environmental impacts; and • The quantity of material required. (i) (Avoid materials that are likely to contribute to poor internal air quality such as those generating formaldehyde or those that may create a breathing hazard in the case of fire (e.g. polyurethane). (j) Select materials that will minimise the long-term environmental impact over the whole life of the development. (k) Preference is to 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 of sustainable timbers rather than old growth or rainforest timbers.	
SUBMISSION REQUIREMENTS • Schedule of materials. • Streetscape Perspective of proposed development including landscaping.	
3.13. OPEN SPACE	
OBJECTIVES (i) To provide open space for recreation and for use by residents within residential flat buildings. (ii) To enhance the quality of the built environment by providing opportunities for landscaping.	Consistent
Private Open Space	
OBJECTIVES (i) To provide private outdoor living space that is an extension of the dwelling for the enjoyment of residents.	Consistent

Clause	Comment
(ii) To provide private outdoor living space that receives a reasonable quantity of sunshine during all months of the year.	
DEVELOPMENT CONTROLS (a) Private open space must be readily accessible from living areas of dwelling units. At Ground Level: (b) For dwellings with ground level access private open space shall be provided with a minimum width of 4 metres and depth of 3 metres. (c) This private open space shall be provided within one metre of natural ground and may be included as part of the minimum landscape area requirements. (d) Private (ground level) open space areas shall be enclosed with a wall/fence or landscape screen with an effective height of 1.8 metres from the finished ground level. (e) The design of the building and landscaping treatment should ensure the privacy of these ground level spaces. Enclosing screen walls or fences shall be designed to ensure privacy, both from communal open space or access ways and from dwellings and their courtyards. (f) Design techniques that protect the privacy of the courtyards by restricting overlooking from above are also encouraged. (g) Potential techniques are shown in Figure 9 below. Above Ground Level: (h) In order to provide useable open space to dwellings above ground level, any balcony or terrace shall have a minimum area of 10m2 and a minimum depth of 2.5 metres.	Capable of complying Private open space to be provided in accordance with the ADG as per Clause 6A of SEPP 65.
Common Open Space **OBJECTIVES** (i) To provide a functional open space area within the development for the informal recreation of all residential flat building residents and children's play. (ii) To provide opportunities for additional landscaping and retention of any significant features that add to the amenity of the site in accordance with Council's ESD objective 4.	Consistent
DEVELOPMENT CONTROLS (a) In order to provide for the recreational needs of the residents a common open space area is to be provided in a singular large parcel. Such open space area is to include opportunities for both active and passive recreation facilities (i.e. equipment such as seating, shade structures, BBQ and children's play equipment for passive recreational use).	Capable of complying

Clause	Comment
(b) Large developments (greater than 20 dwellings) shall consider provision of a swimming pool, common room and hard stand outdoor play area. (c) The common open space is to be centrally located and such area shall be capable of surveillance from at least two dwellings for safety reasons.	
(d) The orientation and location of the open space should also take into consideration opportunities to maximise solar access to the open space during winter. It must receive at least four hours of sunlight between 9am and 3pm on 21 June.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section – refer 5.8 (2) – 2 hours
(e) The area provided shall be equivalent to the rate of 20m^2 per dwelling.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section – refer 5.4 (9) – 10m^2 per dwelling required.
(f) Common open space must be sufficient in size to enable it to be used for recreational activities, or be capable of growing substantial vegetation.	Capable of complying
(g) Common open space must be designed in conjunction with pedestrian pathways.	Capable of complying
SUBMISSION REQUIREMENTS • Plans are to indicate those areas including dimensions of any part of the site to be used for private and common open space.	Complies Future private communal open space to be addressed as part of future detailed DAs for the construction of buildings.
3.14.SOLAR ACCESS	
OBJECTIVES (i) To orient the development in a way that best allows for appropriate solar access and shading. (ii) To maximise natural lighting to internal living and open space areas in winter and provide adequate shading to internal areas and private open space during summer to improve residential amenity (iii) To ensure no adverse overshadowing of adjoining allotments/developments.	Consistent
Solar Access Design Considerations	
DEVELOPMENT CONTROLS (a) Orient and design buildings to maximise the number of dwellings with direct sunlight where possible. Ideally, face the long axis of the development up to 30 degrees east and 20 degrees west of true north. This is illustrated in Figure 10. (b) Face living spaces to the north wherever possible.	Capable of complying

Clause	Comment
(c) Narrow footprint buildings and split level floor plans permit good solar access (Refer to Figure 9). (d) Main windows should have suitable shading or other solar control to avoid discomfort (shutters/blinds/screens/retractable awnings). (e) Use horizontal shading devices (for north facing windows) including eaves, verandas, pergolas, awnings and external horizontal blinds to allow low summer sun whilst providing shade from high summer sun. (f) East and west facing windows can cause excess heat in summer. Minimise the size of east and west facing windows, or consider external vertical shading devices such as vertical blinds, blade walls and thick vegetation. (g) Shading elements are to be integrated into the overall elevation design.	
Overshadowing	
DEVELOPMENT CONTROLS (h) The common open space area must receive at least four hours of sunlight between 9am and 3pm on 21 June. (i) Buildings must be designed to ensure that adjoining residential buildings and the major part of their landscape receive at least four hours of sunlight between 9am and 3pm on 21 June.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section – refer 5.8.
SUBMISSION REQUIREMENTS • Shadow Diagrams	Complies
3.15. VENTILATION	
OBJECTIVES (i) To maximise ventilation flows in each dwelling. (ii) To minimise the filtering of cold or warm air through gaps in the construction of each dwelling in accordance with Council's ESD objective 5.	Consistent
DEVELOPMENT CONTROLS (a) Consider ventilation in early design stages. Figure 10 identifies design options for achieving natural ventilation. (b) Consider prevailing breezes in relation to building orientation, window design and internal circulation. (c) Place windows to allow for cross ventilation i.e. on opposite sides of the building rather than adjacent walls where possible. These windows are to be lockable in a partly open position. (d) Promote air circulation and consider the installation of fans, roof vents, louvered windows and high-level windows to aid air circulation. (e) Provide security screen doors at unit entries. (f) Minimise air gaps by incorporating door and window seals.	Capable of complying – refer ADG Compliance Table.

Clause	Comment
3.16. LIGHTING	
OBJECTIVE (i) To maximise the use of natural lighting and to minimise the energy consumption of residential flat building developments in accordance with Council's ESD objective 5.	Consistent
DEVELOPMENT CONTROLS (a) Lighting is to be provided and installed in accordance with the Building Code of Australia. (b) Lighting must be adequate to ensure the security and safety of residents and visitors. (c) Maximise the use of natural lighting through window placement and skylights. (d) In common areas lights are to be time switched and energy efficient fitting should be used. (e) Motion detectors are to be used for unit entries, lobbies and outdoor security. (f) Incorporate dimmers motion detectors, and automatic turn-off switches where appropriate. (g) Provide separate switches for special purpose lights.	Capable of complying
3.17. STORMWATER MANAGEMENT	
OBJECTIVES (i) To control stormwater and to ensure that residential flat building developments do not increase downstream drainage flows or adversely impact adjoining and downstream properties. (ii) To ensure the integrity of watercourses is protected and enhanced in accordance with Council's ESD objective 4. (iii) To provide for the disposal of stormwater from the site in efficient, equitable and environmentally sensible ways in accordance with Council's ESD objective 3. (iv) To provide for on-site detention of site drainage.	Consistent
DEVELOPMENT CONTROLS (i) Drainage easements will be required where the development property does not drain directly into the existing stormwater drainage system or a public road. Development Consent will not be issued until the submission of documents demonstrating the creation of any necessary easements over downstream properties. (ii) 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.	Capable of complying refer 4.9, 8.6 and Integrated Water Cycle Management Strategy (Appendix M).

Clause	Comment
(iii) Where necessary, downstream amplification of existing drainage facilities will be required including Council infrastructure if required. (iv) Developments within the Upper Parramatta River Catchment must comply with any requirements of the Sydney Catchment Management Authority. (v) On-site detention, water recycling, or water quality management systems may be required to Council's and/or the Sydney Catchment Management Authority and/or the Hawkesbury Catchment requirements, to counteract an increase in stormwater runoff. (vi) The design of drainage systems is to be in accordance with Council's Design Guidelines for Subdivisions/ Developments. (vii) Water Sensitive Urban Design (WSUD) principles shall be employed in the management of the site's stormwater in terms of water retention, reuse and cleansing. In this regard the drainage design is to include measures to manage the water quality of stormwater runoff. At a minimum the design is to integrate bio-retention filters along roadways, driveways and within open space area. (viii) On site detention tanks are only permitted in common areas within a proposed development (for example driveways, common open space) and not within private courtyards.	
SUBMISSION REQUIREMENTS • Preliminary Engineering Drainage Plans indicating the proposed drainage infrastructure. • Details of easements to be created overdownstream properties if they do not already exist, including the written concurrence of all the affected landowners. • If OSD is required, OSD plans must be submitted with the development application.	To be addressed as part of future DAs.
3.18. VEHICULAR ACCESS	
OBJECTIVES (i) To ensure that vehicles may enter and exit residential flat building developments in a safe and efficient manner in accordance with Council's ESD objective 7. (ii) To maintain the performance of roads that provides an arterial or sub-arterial function in accordance with Council's ESD objective7.	Consistent
DEVELOPMENT CONTROLS (a) Access to the site is to be in accordance with the requirements within Part C Section 1 – Parking of this DCP. (b) Adequate vehicular entry and exit and circulation areas are to be provided. The design must:	Capable of complying To be addressed as part of future detailed DAs for the construction of buildings. Refer Section 4.10 for proposed access to development lots.

Clause	Comment
• Provide a safe environment for both pedestrians and vehicles using the site and surrounding road networks; • Ensure vehicular ingress and egress to the site is in a forward direction at all times; • Provide for service vehicles where possible, and • Be designed to minimise the visual impact of hard paved areas. (c) The driveway shall be centrally located within the development and be a minimum of 10 metres from any side boundary or street. (d) Driveways are to have a minimum width of 6 metres at the property boundary for a distance of 6 metres within the development to ensure easy entry/exit of vehicles. (e) Driveway gradients shall be in accordance with Australian Standard – AS 2890.1 – Part 1 – Parking Facilities – Off Street Car Parking.	
SUBMISSION REQUIREMENTS • Applicants are required to submit plans and details with the development application of proposed vehicular access and circulation for Council's approval. Details must specifically relate to vehicular movement, layout and turning circles.	To be addressed as part of future detailed DAs for the construction of buildings.
3.19.CAR PARKING	
OBJECTIVES (i) To ensure that all car-parking demands generated by the development are accommodated on the development site. (ii) To protect the free flow of traffic into and out of residential flat building developments and the surrounding street network in accordance with Council's ESD objective 7.	Consistent
DEVELOPMENT CONTROL (a) All car parking required by Council shall be provided on-site in accordance with the requirements of Part C Section 1 – Parking of this DCP. (b) On site car parking is to be provided at the following rates: • 1-bedroom unit 1 space • 2 or 3 bedrooms unit 2 spaces (c) Any car parking provided at ground level shall: • Comprise lockable single garages with minimum clear dimensions of 5.5 metres x 3.0 metres (exclusive of any storage area) and lockable double garages of 5.5 metres x 5.4 metres exclusive of storage area (not applicable to visitor parking); • Be enclosed in a manner that screens the vehicles from the street; and • Be separated from any adjoining property boundaries by a 2-metre-wide landscaped strip.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section – refer 5.11 Parking rates and access.

Clause	Comment
(d) Visitor parking: • Must be provided at the rate of 2 per 5 dwellings. The number required will be rounded up to the nearest whole number; • Have minimum dimensions of 5.5 metres x 2.6 metres; and • Must be made accessible at all times. Where visitor parking is proposed behind security gates, the access to visitor parking must be maintained through the operation of an intercom system installed at or near the gate. (e) The intercom shall be located to allow a free movement of traffic around the stationary vehicle using the intercom to ensure queuing does not adversely affect traffic or pedestrian movement on the street. A maximum driveway gradient of 5% for 6 metres before the intercom is required to minimise problems associated with using the intercom on steep driveway gradients. (f) A separate vehicle turning facility should be provided between the intercom location and the security door to ensure visitor vehicles are able to manoeuvre and leave the site in a forward direction using a 3 point turn manoeuvre should the resident be unavailable or deny access to the visitor. (g) If the side boundary of any car parking space is a wall or fence or if it is obstructed (i.e. column) so that door opening is restricted 300mm must be added to the width. If the space is obstructed on both sides 600mm must be added. (h) Manoeuvring areas to all car parking spaces shall comply with the standards in Part C Section 1 – Parking. The layout must be designed to ensure vehicles utilising any parking spaces can enter and leave the site in a forward direction. (i) Parking areas within the front setback are discouraged and in this regard, no more than 2 spaces shall be provided within the setback area. (j) Developments in excess of 10 units are to provide pedestrian access from the street separate from the vehicular access. (k) Vehicle reversing bays or an alternative arrangement is to be provided at the end of aisles to ensure all parking spaces can be accessed in a satisfactory manner. (l) Resident car parking shall be safely secured with any opportunity for unauthorised entry minimised. (m) A carwash bay must be provided in accordance with Part C Section 1 - Parking. (n) All internal stairs that connect the car parking areas to the residential units are to be accessible only to the residents and their authorised visitors. All fire exits from the car parking areas must be designed to be independent from stairs that provide access to residential units.	

Clause	Comment
SUBMISSION REQUIREMENTS • Site Plan showing the number of car parking spaces, calculations and the dimensions of all parking spaces and driveway widths.	To be addressed as part of future detailed DAs for the construction of buildings.
3.20. STORAGE	
OBJECTIVES (i) To ensure that each dwelling has reasonable private storage space (storage requirements include household items either within the dwelling or in secure garage areas).	Consistent
DEVELOPMENT CONTROLS (a) At least 10m^3 must be provided for storage space per dwelling within a lockable garage. It must not encroach into the parking space, and must cover a minimum area of 5m2 with a minimum dimension of 2 metres required. The storage space shall be adjacent to a car space and not overhead. (b) A suitable secure area for storing garden maintenance should be provided.	Storage to be provided in accordance with the ADG as per Clause 6A of SEPP 65.
SUBMISSION REQUIREMENTS • Plans must show the designated storage area for each dwelling.	To be addressed as part of future detailed DAs
3.21. ACCESS AND ADAPTABILITY In order to provide for disabled people and the ageing population, dwellings must be capable of adaptation so as to accommodate residents who may have special needs, declining mobility or sight. This is in addition to being appropriately designed for everyday pedestrian use.	Noted.
OBJECTIVES (i) To ensure that developments provide appropriate and improved access and facilities for all persons (consistent with the provisions of Australian Standard AS1428.1). (ii) To encourage designers/developers to consider the needs of people who are mobility impaired and to provide greater than minimum requirements for access and road safety. (iii) To ensure that building design does not prevent access by people with disabilities. (iv) Incorporate design measures that are appropriate to people with disabilities.	Consistent

<table>
<tr><th>Clause</th><th>Comment</th></tr>
<tr><td>

DEVELOPMENT CONTROLS

(a) All residential flat buildings must comply with the requirements of the Disability (Access to Premises – Buildings) Standards.

(b) One visitor parking bay and one pick-up and drop-off bay for mobility impaired people must be provided complying with the provisions of AS 2890 for people with a disability, additional to the requirements for any visitor parking elsewhere in this DCP.

(c) Adaptable or Accessible dwellings are to be provided in Adaptable and Accessible dwellings are defined as follows:

<table>
<tr><th>No. of Dwellings</th><th>No. of Adaptable or Accessible Dwellings</th></tr>
<tr><td>5 or less</td><td>NIL</td></tr>
<tr><td>6-15</td><td>1</td></tr>
<tr><td>16-30</td><td>2</td></tr>
<tr><td>More than 30</td><td>10% of all dwelling units</td></tr>
</table>

- Accessible Dwelling means a dwelling unit that complies with Australian Standard1428:2 and is suitable for occupation for a wheelchair user.
- Adaptable Dwelling means a dwelling unit that meets the specifications for a Class B Adaptable Dwelling in accordance with Australian Standard 4299.

Each Adaptable or Accessible dwelling shall have an accessible parking bay complying with Australian Standard 2890 for people with a disability. An accessible path of travel must be provided from the car parking space to the dwelling.

</td><td>Capable of complying
To be addressed as part of future detailed DAs for the construction of buildings.</td></tr>
<tr><td>

SUBMISSION REQUIREMENTS

- Any application for six or more dwellings must be accompanied by:

(i) An access report prepared by a suitably qualified person, demonstrating the proposed developments ability to comply with the access requirements contained in the Disability (Access to Premises – Buildings) Standards as well as Australian Standards;

- AS 1428.1 General requirements for access –New building work;
- AS 1428.2 Enhanced and additional requirements – Buildings and facilities; and
- AS 4299 Adaptable Housing
- as relevant to the proposal.

(ii) A pre and post-adaptation floor plan for adaptable housing.

</td><td>To be addressed as part of future detailed DAs for the construction of buildings.</td></tr>
<tr><td>3.22. PEDESTRIAN / BICYCLE LINKS</td><td></td></tr>
<tr><td>OBJECTIVES
(i) To consider the needs of the residents with particular consideration to access requirements, safety and security.</td><td></td></tr>
</table>

Clause	Comment
(ii) To ensure that appropriate pathways, with high levels of pedestrian amenity are provided for residents in the locality along identified desire lines in accordance with Council's ESD objective 9. (iii) To ensure provision is made for bicycle access and storage in accordance with Council's ESD objective 9.	
Within the Site **DEVELOPMENT CONTROLS** (a) Access to dwellings should be direct and without unnecessary barriers. All external and internal pathways and ramps should conform to the requirements set out in Australian Standard 1428 Parts 1 and 2. (b) Clearly defined pedestrian pathways are to be provided between proposed developments and proposed footpaths along sub-arterial roads. (c) Developments are to have adequate lighting in common and access areas to ensure the safety of residents and property. (d) Building and unit numbering and all signage is to be clear and easy to understand. (e) Pathway locations must ensure natural surveillance of the pathway from primary living areas of adjoining units. Dwelling entries must not be hidden from view and must be easily accessible. (f) A bicycle lockup facility is to be provided close to the main entry to the building.	Capable of complying
Local Pedestrian Links **DEVELOPMENT CONTROLS** (a) Where it is possible, a pedestrian link through the site must be provided as part of the development to increase the connectivity of the area for local pedestrians. The following factors should be considered when identifying the most appropriate location for the link of the pathway:- • The link must be no less than 3m wide; • It should be a straight-line link through the site linking streets or other public spaces; and • The link cannot include stairs and any ramps. It must have a reasonable gradient. Refer to AS 1428.1 Design for Access and Mobility and supplementary AS 1428.2. (b) The design and layout of any building adjoining and landscaped spaces adjoining the pathway should ensure there is natural surveillance of the pathway to protect the amenity of users. A solid fence along the boundary of the pathway restricting views of the pathway from adjoining properties will not be acceptable.	Capable of complying Pedestrian link has been provided through Precinct East and will have a footpath of a minimum of 3m. Note Council has indicated that they do not want the pedestrian link through Precinct East dedicated.

Clause	Comment
(c) The pedestrian link must be dedicated to Council as a public footway and the footpath, and lighting must be provided at no cost to Council.	
3.23. PRIVACY - VISUAL AND ACOUSTIC	
OBJECTIVES (i) To site and design buildings to ensure visual privacy between dwellings in accordance with Council's ESD objective 7. (ii) To avoid overlooking of living spaces in dwellings and private open spaces. (iii) To contain noise within dwellings and communal areas without unreasonable transmission to adjoining dwellings.	Consistent
DEVELOPMENT CONTROLS (a) Minimise direct overlooking of main internal living areas and private open space of dwellings both within and adjoining the development through building design, window locations and sizes, landscaping and screening devices (Refer to section 3.13 Open Space). (b) Consider the location of potential noise sources within the development such as common open space, service areas, driveways, and road frontage, and provide appropriate measures to protect acoustic privacy such as careful location of noise-sensitive rooms (bedrooms, main living areas) and double glazed windows. (c) Dwellings that adjoin arterial roads are to be designed to acceptable internal noise levels, based on AS 3671 – Road Traffic Noise Intrusion Guidelines.	Capable of complying Building separation will ensure appropriate visual privacy. Refer Section 8.7 for consideration of noise and Noise and Vibration Assessment (Appendix N).
SUBMISSION REQUIREMENTS • Statement addressing AS 3671 – Road Traffic Noise Intrusion Guidelines	Noise and Vibration Impact provided addressing all relevant legislation and guidelines (Appendix N)
3.24. SERVICES	
OBJECTIVES (i) To ensure that the physical services necessary to support residential flat building development are available in accordance with Council's ESD objective 6. (ii) To ensure that service facilities are integrated with the design of the development and are suitably sized for the convenience of the occupants.	Consistent
DEVELOPMENT CONTROLS (a) Development consent will not be granted until arrangements satisfactory to the relevant authorities are made for the provision of services. (b) Pump out sewage management systems are not considered acceptable for residential flat building developments.	Capable of complying Refer Section 8.11 and Utility Servicing Impact Assessment (Appendix Y) for utility servicing.

Clause	Comment
(c) Site services and facilities (such as letterboxes, clothes drying facilities and garbage facility compounds) shall be designed so as: • To provide safe and convenient access by residents and the service authority; and • Be visually integrated with the development and to have regard to the amenity of adjoining development and streetscape. (d) All electricity and telephone services on site must be underground. (e) Laundries shall be provided to each dwelling.	

SUBMISSION REQUIREMENTS
• Preliminary discussions should be held with the service authorities listed below prior to submission of any application. Any advice provided by these authorities should be submitted with the application.
  • Sydney Water for potable and recycled water, sewage and drainage;
  • Telecommunications carrier for telephones and associated equipment;
  • Energy authority for underground electricity;
  • AGL for gas supplies; and
  • NSW Fire Brigades.
• Documentation to demonstrate how the objectives and development controls are satisfied.
	Consultation with service providers has been undertaken as part of preparing Utility Servicing Impact Assessment (Appendix Y).

3.25. WASTE MANAGEMENT – STORAGE AND FACILITIES	
Waste collection for residential flat building developments must be undertaken in a safe, healthy and clean manner. Kerbside waste collection is considered unsuitable in most circumstances given the high number of bins required to await collection, the time taken to service the bins and amenity and safety issues. Accordingly, it is required that all developments provide for on-site waste collection either at grade or via a basement. Where this is not possible due to site-specific constraints, kerbside collection may be supported if it can be demonstrated that this arrangement will not create any adverse appearance, amenity and safety outcomes. Matters which will be considered with respect to collection arrangements include whether the development is located on a road with high traffic volumes, the number of bins required to service the development, the length of the street frontage/s of the site and any other relevant considerations. Reference should be made to Council's Bin Storage Facility Design Specification and discussions undertaken with Council's Resource Recovery Team.	Noted.
OBJECTIVES (i) To minimise the overall environmental impacts of waste. (ii) To maximise, through appropriate design, the opportunities to deal with domestic waste	Consistent

Clause	Comment
(iii) according to the Waste Hierarchy as given in Council's ESD objective 6. (iv) To provide domestic waste management systems that allow for ease of use by occupants and safe and efficient service by collection contractors. (v) To encourage on-site waste collection. (vi) To provide waste storage and collection areas that are integrated with the design of the development. (vii) To ensure minimum visual impact of the waste storage facilities. (viii) To assist in achieving Federal and State Government waste minimisation targets.	
DEVELOPMENT CONTROLS **General** (a) Waste collection and separation facilities must be provided for each dwelling. Each dwelling should have a waste storage cupboard in the kitchen capable of holding at least a single days waste, and sufficient to enable separation of recyclable material. (b) On-site storage and collection of waste must be provided and integrated with the design of the development. (c) Sufficient clearance and manoeuvring space must be provided to allow Council's (or its contractor's) waste collection vehicles to enter and exit in a forward direction, collect waste and recyclables with minimal or no need for reversing and without impeding upon general access to, from or within the site. Applicants should liaise with Council's Resource Recovery Department on truck sizes, required turning paths and access/servicing arrangements. (d) Where Council is satisfied that on-site collection is not possible, bin storage areas must be located to allow bins to be wheeled to the street kerb over flat or ramped surfaces with a maximum grade of 7% (5% for bulk garbage bins) to be serviced by a garbage truck on a flat surface and not over steps, landscape edging or gutters. (e) All waste must be removed at regular intervals and not less frequently than once per week for garbage and fortnightly for recycling. Storage and Facilities (f) Adequate storage for waste materials must be provided on site. (g) Waste storage and facilities must be convenient and accessible to the occupant(s) of all units. Storage areas must be accessible by wheelchair where dwellings do not have access to waste garbage chutes or recycling cupboards. (h) Adequate storage is to be provided for the number of bins required in accordance with the ratios provided below or as advised by Council's Resource Recovery Department:	On site collection. Capable of complying To be addressed as part of the detailed design.

Clause	Comment
<table><tr><th>GARBAGE</th><th>RECYCLING</th></tr><tr><td>An equivalent of 120 litres (minimum) available per unit per week (in the form of a shared bulk garbage bin)</td><td>For one bedroom units: 1 x 240 litre bin per four units For two bedroom units: 1 x 240 litre bin per three units For three bedroom units: 1 x 240 litre bin per two units For four bedroom units: 1 x 240 litre bin per unit</td></tr></table> Note: The required number of bins will be assessed as part of the development application process and will be given as a condition of consent. (i) In locating and designing waste storage areas consideration must be given to screening views of the facility from any adjoining property or public place while still ensuring there is some natural surveillance from within the development to minimise vandalism and other anti-social activity. Communal storage areas should be located within reasonable travel distance from all dwellings within a development. (j) Waste storage areas must be kept clean, tidy and free from offensive odours at all times. (k) The design of the bin storage and collection facilities and on-going use by the occupants is to be addressed in the Design of Facilities and On-Going Management sections of the Waste Management Plan as required in the Submission Requirements of section 3.26 – Waste Management Planning. The design is to be in accordance with Council's Bin Storage Facility Design Specification available on Council's website.	
3.26.WASTE MANAGEMENT PLANNING	
OBJECTIVES (i) To promote improved project management and to reduce the demand for waste disposal during demolition and construction. (ii) To maximise, reuse and recycle building/construction materials. (iii) To encourage building designs and construction techniques that will minimise waste generation. (iv) Minimise waste generation to landfill via the waste hierarchy in accordance with Council's ESD objective 6. (v) To assist in achieving Federal and State Government waste minimisation targets.	Consistent

Clause	Comment
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. (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.	N/A Precinct West and Doran Drive are vacant lots ready for development. The former Council administration building will be demolished by way of a separate DA (304/2020/LA) current under assessment.
Construction **DEVELOPMENT CONTROLS** (a) Avoid oversupply and waste of materials by careful assessment of quantities needed. (b) The use of prefabricated components may reduce waste. (c) Re-use of materials and use of recycled material is desirable where possible. (d) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste. (e) All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with WorkCover Authority and Office of Environment and Heritage and Water requirements.	Capable of complying A Waste Management Plan will be prepared as part of future DAs.
SUBMISSION REQUIREMENTS • Waste Management Plan	As above.
3.27. FENCING	
OBJECTIVE (i) To ensure that fencing does not detract from the overall visual amenity and character of the area.	Consistent
DEVELOPMENT CONTROLS (a) The fencing materials chosen must protect the acoustic amenity and privacy of courtyards. Courtyard fences shall be constructed of masonry.	Capable of complying

Clause	Comment
(b) All boundary fencing/ walls fronting a street shall be setback a minimum of 2 metres, to permit landscaping, and shall include recesses and other architectural features. (c) All fencing or walls shall be combined and integrated with site landscaping. (d) The following fencing or finishes are not acceptable because of its poor visual appearance: • Pre-painted solid, metal fencing; or • Rendered finishes where the entire fence is fully rendered.	
SUBMISSION REQUIREMENT Fencing details for the site, clearly showing the location, height and type of proposed fencing is to be submitted as part of the development application.	To be addressed as part of future DAs.
3.28. DEVELOPER CONTRIBUTIONS	
Applicants should consult with Council's Section 94 Contributions Plan and Council Officers to determine the required amount of Section 94 Contributions payable	Noted.
4. INFORMATON REQUIRED FOR A DEVELOPMENT APPLICATION	
In preparing plans applicants must also address the submission requirements listed in section 3 of this Section of the DCP relevant to the application. The following plans and details will be required with all residential flat building applications along with the relevant application form(s). STATEMENT OF ENVIRONMENTAL EFFECTS SITE PLANS SITE ANALYSIS • Refer to section 3.2. ARCHITECTURAL PLANS • Internal layout of unit/building (existing and proposed) • Elevations PRELIMINARY ENGINEERING DRAINAGE PLANS • Including any On Site Detention Plans LANDSCAPE PLAN • These plans are to be in accordance with Part C Section 3 - Landscaping. EARTHWORKS PLAN SIGNAGE PLANS (v) See Part C Section 2- Signage STREETSCAPE PERSPECTIVE MODEL (vi) For all developments comprising 10 or more units a scale model must be provided including adjoining properties at the time of the submission	A Site Plan, Site Analysis Plan and Design Verification Statement (Appendix AD) accompanies this EIS. Other documentation identified to be addressed as part of future DAs.

Clause	Comment
(vii) of the development application and be on display for the duration of the public exhibition period. (viii) Should a model not be submitted with the application, an immediate "stop the clock" order be placed on the development application until the model is presented. WASTE MANAGEMENT PLAN DESIGN VERIFICATION • As per SEPP 65 requirements. BASIX CERTIFICATE 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.	

1.2 Part B Section 8 - Shop Top Housing and Mixed-Use Development

Clause	Comment
Part B Section 8 - Shop Top Housing and Mixed Use Development	
LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	
This section applies to land where, under the provisions of The Hills Local Environmental Plan (LEP) 2012, shop top housing is a permissible use. Additionally, this Section applies to mixed use developments containing retail and/or commercial premises and residential flat buildings.	Applies to land zoned B2 – Precinct East and Doran Drive Precinct.
AIM	
The following controls seek to ensure that shop top housing and mixed use developments provide an appropriate balance of business and residential uses, are of a suitable scale and density for their location and maintain the amenity of surrounding neighbourhoods.	Noted.
STATEMENT OF OUTCOMES AND DEVELOPMENT CONTROLS	
Shop top housing is defined under LEP 2012 as "one or more dwellings located above ground floor retail premises or business premises". Consistent with this definition shop top housing must comprise only retail or business uses at ground level with flexibility for retail, commercial or residential development above the ground floor. Mixed use development is defined under LEP 2012 as "a building or place comprising 2 or more different land uses". A mixed use development containing retail and/or commercial premises and residential flat buildings could provide a similar development outcome to shop top housing, however with mixed use development there would be flexibility for residential accommodation at ground level. Shop top housing and mixed use retail/commercial/residential developments are permitted in a number of business and residential zones across the Shire. Each zone has specific objectives and development standards which apply under LEP 2012. LEP 2012	Noted.

Clause	Comment
also contains an additional local clause outlining objectives and controls specific to shop top housing and mixed use proposals. The design of shop top housing and mixed use developments can vary from low scale strip retailing with a strip of dwellings above, to taller buildings comprising multiple levels of retailing, commercial premises and/or residential units. The desired scale of these developments will vary based on the role and objectives of the zone in which they are located. The controls in this DCP seek to ensure that the form and scale of shop top housing and mixed use development is appropriate with respect to surrounding development. They also aim to ensure that developments reflect the objectives of the zones within which they are located and where proposed within neighbourhood or local centres reflect the established role and typology of these centres as articulated within Council's Centres Direction. In some circumstances, potential variations to a development control in this DCP, due to such matters as slope or existing building location, are identified to allow flexibility in the application of the control where the variation sought would meet the outcome to be achieved. Other variations may be considered as part of a merit assessment and would be evaluated against the Statement of Outcome for that control. In addition to those policies, guidelines and documents specified in the Introduction, this Shop Top Housing Section of the DCP is to be read in conjunction with other relevant Parts relating to: • Business • Landscaping • Parking • Heritage • Signage • Flood Controlled Land Where a development control within this section of this DCP is inconsistent with a site specific control from another section of this DCP, the site specific control within that Section shall prevail to the extent of the inconsistency. State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development also applies to shop top housing in specific circumstances. These provisions would apply if the building concerned is at least 3 or more storeys and contains at least 4 or more dwellings. Refer to SEPP No. 65 for further information on the application of the Policy to shop top housing.	
1. SITE PLANNNING	
STATEMENT OF OUTCOMES • Developments maintain a distinct neighbourhood or local character depending on the zone within which they are located. • Developments are compatible with the character and form of existing and future development in the locality. • Developments provide for the amenity of, and minimise impacts on, residents living within or surrounding the developments. • Developments include usable and attractive outdoor spaces that provide for active and passive recreation opportunities.	Consistent Refer Urban Design Report (Appendix AA) and Guidelines (Appendix Z).

Clause	Comment
• Developments are of a high design quality and provide an attractive visual presentation to the street and other surrounding development.	
DEVELOPMENT CONTROLS	
Building and ceiling height The applicable height of buildings standard under Clause 4.3A of LEP 2012 equates to the following maximum building heights in storeys: - 7 metres: 2 storeys - 10 metres: 3 storeys Minimum floor to ceiling heights are: - 3.3m for commercial floors - 2.7m for residential floors	Complies
Setbacks Front (primary and secondary street) setbacks: - Zero setback if active frontage provided - 3 metres if no active frontage provided - 3 metres for residential floors above the first storey or for residential floors above an existing retail development (unless active frontage provided where consistent with existing development can be provided) (Refer Section 2 for definition of 'Active Frontage') Side and rear setbacks: - 6 metres where adjoining low density residential development - 3 metres where not adjoining low density residential development Upper residential floors must incorporate building articulation such as awnings, porticos, recesses, blade walls and projecting bays. Where a variation to the setback controls is proposed, consideration must be given to the existing and future character and amenity of the surrounding area.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section.
Common open space Where a development comprises five or more dwellings, a minimum of 20m2 per dwelling is to be provided as a consolidated common open space area. At least 75% of the common open space area must be provided at ground level and be well landscaped. Upper level or roof top common open space may be considered for a portion of the common open space. Common open space should be designed to enable it to be used for recreational activities and be capable of growing substantial vegetation. The common open space area must only be accessible by the residents of the development.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section – refer Section 5.4
Landscaping Where adjoining a residential zone, landscape screening strips with a minimum width of 2 metres must be provided within setback areas. Outdoor parking areas are to include landscape screening strips with a minimum width 2 metres.	N/A Part D Section 9 Hills Showground Station Precinct supersedes this – refer Section 5.4

Clause	Comment
Screen planting should be provided within private and common open space areas to improve privacy and amenity for residents and surrounding properties. At least 15% of the site area should incorporate deep soil planting. This can be accommodated within common open space areas and setback areas. Where upper level or rooftop common open space is proposed these spaces are to incorporate landscaping features such as planter boxes or vertical gardens.	
2. BUILDING DESIGN	
STATEMENT OF OUTCOMES • Developments provide weather protection to pedestrians and users of the development at street level. • Developments are attractive and add visual interest and variety to streetscapes. • Developments provide a reasonable of acoustic amenity for occupants and residents living within neighbouring properties.	Consistent
DEVELOPMENT CONTROLS	
Awnings Awnings are to be provided along streets where active frontages are provided and at main entries to residential components of developments. Awning must have sufficient depth but also be setback sufficiently to allow street trees, furniture etc.	Capable of complying
Street frontages Active frontages are encouraged at ground level to all public streets. Active frontages are defined as one or a combination of the following: • Shop front; • Café or restaurant if accompanied by an entry from the street; • Community and civic uses with a street entrance; • Recreation facilities with a street entrance; • Glazed entryway; • Street entryway.	Capable of complying Refer Urban Design Report and Guidelines.
Acoustic amenity Noise sources within the development such as common open space, service areas, driveways, and road frontages should be managed through measures such as separation, building layout, double glazed windows etc.	Capable of complying Refer Section 8.7 for consideration of noise and Appendix N.
Other controls Refer to the Residential Flat Building or Business Sections of this DCP for further controls relating to unit size and mix, visual privacy, solar access, private open space, ventilation, storage and waste management.	Noted.
3. Access and Parking	
STATEMENT OF OUTCOMES	Consistent

Clause	Comment
• Access arrangements minimise impacts on streetscape, amenity, pedestrian safety and circulation. • Pedestrian access ensures connectivity to the street and public areas and ensures that residents and users of developments can navigate developments conveniently and with minimal difficulties. • Buildings provide separate and clearly defined entries and access points for commercial and residential components of the development. • Car parking and vehicular access ways do not diminish the attractiveness of a streetscape or visually dominate the front of a site.	
DEVELOPMENT CONTROLS	
Vehicular and pedestrian access and circulation Vehicular access should not be via primary streets where alternative street/laneway access is available. Vehicular and pedestrian access, parking and services should be completely separate for residential and retail/commercial uses. Pedestrian safety is to be maximised through ensuring clear sight lines at pedestrian and vehicular crossings. **Building entries** Separate building entries are to be provided for the residential and commercial components of developments. **Car parking** The preferred location for car parking is within a basement or to the rear of developments. **Other controls** Refer to the Residential, Business and Carparking Sections of this DCP for other controls relating to loading and car parking.	Capable of complying Basement parking proposed. Refer Section 4.10 for proposed access to development lots. To be addressed as part of future detailed DAs for the construction of buildings.

2. PART C – General Development

Clause	Comment
Part C Section 1 Parking	
1. Introduction	
This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.	Noted.
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	
This Section of the DCP applies to all land identified under The Hills Local Environmental Plan (LEP) 2012 and to all permissible parking activities as defined in the LEP 2012. Where the provision of parking is ancillary to the overall development, further specific controls are included in separate relevant Sections of this DCP.	Noted.
1.2. AIMS AND OBJECTIVES OF THIS	

Clause	Comment
SECTION OF THE DCP	
The aim of this Section of the DCP is to establish Council's specific objectives and development controls for the provision of parking within the Shire.	Consistent
OBJECTIVES	
Council's overarching objectives for parking developments are: (i) To provide guidelines aimed at improving overall traffic management and safety. (ii) To ensure satisfactory access, parking provisions, circulation and goods loading and delivery facilities are provided within developments. (iii) To ensure the efficient flow of traffic through car parks to minimise the potential for pedestrian and vehicle conflict. (iv) To set out Council's planning and engineering standards for parking in the Shire. (v) To encourage the use of more ecologically sustainable forms of transport such as bicycles. (vi) To ensure that all parking provided by development relates to the site's environmental conditions.	Consistent
2. OBJECTIVES AND DEVELOPMENT CONTROLS	
The objectives and development controls for parking are set out in the following sections. In addition to the policies, guidelines and documents specified in Section 1.4 of Part A – Introduction, this Section is to be read in conjunction with other relevant Sections including: Part C Section 3 – Landscaping	Noted.
2.1. GENERAL PARKING REQUIREMENTS	
OBJECTIVE	
(i) To provide sufficient parking that is convenient for the use of residents, employees and visitors of the development.	Consistent
DEVELOPMENT CONTROLS	
2.1.1 General	
(a) Number of required parking spaces and associated conditions must be provided in accordance with Table 1. Any part spaces must be rounded up to the nearest whole number.	N/A Residential rates as per Part D Section 9 Hills Showground Station Precinct supersedes this section
(b) All car parking spaces must be provided onsite.	Complies
(c) The minimum provision of spaces for restaurants or café as required in Table 1 applies to indoor and outdoor seating.	Noted.
(d) The provision of boat trailer and boat wash down areas are required for caravan parks and/or holiday cabin developments in the vicinity of the Hawkesbury River.	N/A

Clause	Comment
(e) Car parking for child care centres must be situated in a convenient location, allowing for safe movement of children to and from the centre.	Noted.
(f) Parking spaces for an exhibition home may be permitted to be located within the front setback, provided the parking area is reinstated to lawn upon the expiry of the exhibition home consent. In the case of exhibition home villages a centralised parking area should be provided.	N/A
(g) Any changes to parking provisions occurring after development consent or implementation of development consent must be subject to an application under Section 96 of the *Environmental Planning and Assessment Act 1979*.	Noted.
(h) Where justified, a proportion of car parking may be subject to time restrictions upon application, consideration and approval by Council. All employees parking are to be provided on-site.	Noted.
(i) Stack parking will not be included in the assessment of the number of car parking spaces for retail, commercial, medium density residential and industrial development and the like.	Noted.
(j) Access arrangements in bush fire prone areas shall be in accordance with Planning for Bushfire Protection 2006.	N/A Site is not bush fire prone.
2.1.2. MIXED USE PARKING	
(a) Where the component uses are operated concurrently, parking will be assessed as the sum of the requirements for each component. Component parking requirements are to be based on requirements in Table 1. Calculations shall include an appropriate proportion of any shared common or administrative area.	Noted.
2.1.3. DUAL USE PARKING	
(a) Where the component uses are not operated concurrently, parking provisions will be based on whichever of the components generates the greatest car parking requirement. The onus will be on the applicant to satisfy Council that the uses are not operated concurrently. (b) Where the main usage periods of the component uses do not coincide, Council may consider a reduction in the car parking requirements provided that the total car parking is not less than that needed for the component that generates the greatest requirement. The onus will be on the applicant to satisfy Council that the main usage periods do not coincide.	Noted
2.1.4. REMODELLING OR ALTERATIONS TO EXISTING PREMISES	**N/A**
SUBMISSION REQUIREMENTS	Refer Traffic and Transport Assessment.

Clause	Comment

• Parking calculations – number of spaces provided for the proposed development using Table 1. Any part spaces must be rounded up to the nearest whole number.
• A Traffic Impact Report should be provided:
  • Where development is likely to generate significant traffic, or
  • Where it is a requirement of another section of the DCP.
  • A Parking Study – will be required where proposed parking provisions need to be substantiated. This occurs when:
  ○ An activity or land use is not included in Table 1, or
  ○ Dual use or mixed use car parking arrangements may be proposed.	

2.2. PARKING FOR DISABLED PERSONS AND PARENTS WITH PRAMS	
OBJECTIVES (i) To ensure appropriate on-site provision and design of parking for disabled persons and parents with prams. (ii) To ensure that designated spaces provided are easily accessible to points of entry to building or facility. (iii) To ensure amenity and safety in the design and construction and operation of the development in accordance with Council's ESD Objective 7	Capable of complying
DEVELOPMENT CONTROLS (a) A proportion of the total parking spaces required shall be provided for disabled persons in accordance with Table 2. (b) A continuous, accessible path of travel in accordance with AS 1428.1 shall be provided between each parking space and an accessible entrance to the building or to a wheelchair accessible lift. (c) A proportion of the total parking spaces required shall be provided for parents with prams at the rate of 1 space per 100 spaces at:- • shopping centres; • transport terminals; • hospitals; and • other large public facilities. (d) Parking spaces for disabled persons and parents with prams should:- • have minimum 3.2 metres x 5.4 metres dimensions for each designated parking space; • be provided adjacent to an accessible entrance or a wheelchair accessible lift; • be signposted and identified for the nominated parking use;	Capable of complying To be addressed as part of future DAs.

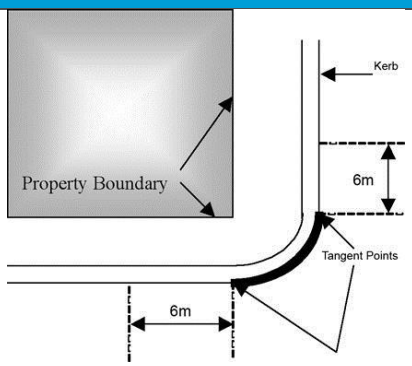
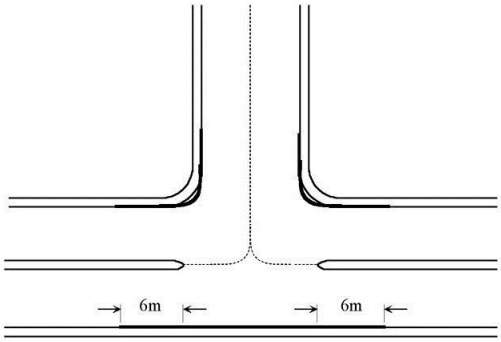
Clause	Comment
• have a clearance height of 2.5 metres from floor level; and provide a level area with a gradient less than 1:40. (e) Directional signage to designated parking spaces should be provided from the entry of the parking facility (f) Set down areas should be level with a gradient less than 1:40, have adequate circulation space and be located away from traffic flow. Adjacent kerb ramps should be provided to allow access to a footpath, building entrance or a wheelchair accessible lift. (g) Refer to Council's "Making Access for All: guidelines ensuring criteria for all public facilities" for further parking and access designs. This document is available at the Customer Service Centre at Council's Administration Building or at Council's website.	
SUBMISSION REQUIREMENTS • Site plan indicating: parking layout and locations of designated spaces for disabled persons and parents with prams; and locality of adjacent wheelchair accessible entrances and lifts. • Parking calculations.	To be addressed as part of the detailed design.
2.3. BICYCLE PARKING	N/A Part D Section 9 Hills Showground Station Precinct supersedes this section
2.4. MOTORCYCLE PARKING	
OBJECTIVES (i) To have equitable provision of parking for motorcyclists.	Consistent
DEVELOPMENT CONTROLS (a) Motorcycle parking is to be provided for all developments with on-site parking of more than 50 car parking spaces, at a rate of 1 motorcycle parking space for every 50 car parking spaces or part thereof. (b) Motorbike spaces should be 1.2 metres wide and 2.5 metres long when spaces are 90 degrees to the angle of parking. (See Figure 1 - Motorcycle Parking Dimensions).	Capable of complying To be addressed as part of the detailed design.
SUBMISSION REQUIREMENTS • Parking calculations. • Site plan - indicating location of designated motorcycle parking spaces**.**	
2.5. CARWASH BAYS	Capable of complying To be addressed as part of the detailed design.
2.6. SET DOWN AREAS	Capable of complying To be addressed as part of the detailed design.
2.7. CAR PARK DESIGN AND LAYOUT	Capable of complying

Clause	Comment
	To be addressed as part of the detailed design.
2.8. LANDSCAPING	N/A applies to outdoor car parking. Basement parking proposed.
2.9. LOADING AND DELIVERY REQUIREMENTS	
OBJECTIVES	
(i) To provide suitable access on-site for service vehicles, for the purpose of loading and/or delivering goods. (ii) To ensure that types of loading and delivery areas are suited to the needs of the development. (iii) To ensure that adequate numbers of loading and delivery areas are allocated for appropriate types of service vehicles. (iv) To protect neighbourhood amenity and safety in the design and construction and operation of loading and service areas in accordance with Council's ESD objective 7.	Capable of complying
DEVELOPMENT CONTROLS	
(a) All loading and delivery areas are to be provided on-site. (b) Loading and delivery facilities are to be designed in accordance with AS 2890.2-1989, Off Street Parking - Part 2: Commercial vehicles facilities. (c) The use of loading and delivery areas must not conflict with the safe efficient circulation of pedestrians and other vehicles on-site. (d) In larger developments loading and delivery areas should operate independently of other parking areas. (e) Service vehicles are to be able to efficiently manoeuvre to and from loading and delivery areas in accordance with AUSTROADS Design Vehicular and Turning Templates. (f) Loading and delivery areas must not affect the amenity of adjoining residential properties. (g) Loading bays are not to be used for the storage of goods that may impede the use of the bay for the delivery or loading of goods. (h) The number of loading bays for supermarkets, department stores, mixed small shops and offices are required in accordance with Table 5. (i) Council may consider variations to the standards required by Table 5 in circumstances where the applicant is able to demonstrate compliance with the objectives of this Section of the DCP by alternate means. (j) For those land uses not referred to in Table 5 (k) the applicant will be required to demonstrate the (l) development proposal satisfies the objectives of this Section of the DCP. In this regard the following information is to be submitted:	Capable of complying To be addressed as part of the detailed design.

<table>
<tr><th>Clause</th><th>Comment</th></tr>
<tr><td>The types of vehicles expected to load and deliver on-site.
The frequency with which these vehicles will visit the site.
The largest vehicles expected to visit the site. These areas must be able to be utilised by all smaller loading and delivery vehicles also.</td><td></td></tr>
<tr><td>Table 5 Minimum Number Of Loading Bays Required
GLFA = Gross Leasable Floor Area
GFA = Gross Floor Area

<table><tr><th>Development</th><th>Number of Loading Bays</th></tr><tr><td>Supermarket (GLFA)</td><td>2 for the first 930m^2
2 for the next 930m^2
1 for each extra 930m^2</td></tr><tr><td>Department Store (GLFA)</td><td>2 for the first 4,645m^2
2 for the next 4,645m^2
1 for each extra
4,645m2</td></tr><tr><td>Mixed Small Shops
(GFLA)</td><td>2 for the first 465m^2
2 for the next 465m^2
1 for each extra 530m^2</td></tr><tr><td>Offices (GFA)</td><td>1 for the first 1,860m^2
1 for next 3,720m^2
1 for the next 3,720m^2
1 for each extra
9,250m^2</td></tr></table></td><td>Capable of complying
To be addressed as part of the detailed design
Refer Traffic Impact Assessment (Appendix X).</td></tr>
<tr><td>SUBMISSION REQUIREMENTS</td><td></td></tr>
<tr><td>Site Plan must indicate:
- the relevant locations and dimensions of loading and delivery areas; and
- the swept path of the design service vehicle to be overlaid on the site plan to demonstrate all turning movements of service vehicles from the public road to the delivery/loading dock.</td><td>To be addressed as part of the detailed design.</td></tr>
<tr><td>Loading Bay Calculations – in accordance with Table 5.</td><td></td></tr>
<tr><td>Statement of Environmental Effects – where Table 5 is not applicable the statement of environmental effects must indicate the following to substantiate that the design and number of loading and delivery areas are appropriate for the proposed development:
- The type/s of service vehicles expected to delivery to and load from the site;
- The frequency with which these vehicles will visit the site, indicating times during the day/night and approximate number of visits per week or month; and
- Illustration that the dimensions of the loading and delivery areas are suited to the types of vehicles visiting the site. (Refer to AS</td><td>Noted.</td></tr>
</table>

Clause	Comment
2890.2-1989 – Part 2: Commercial vehicle facilities for dimension requirements).	
2.10. ACCESS DRIVEWAYS	
DRIVEWAYS	
(i) To provide driveways with safe access and egress to and from properties. (ii) To reduce conflicts between entering and exiting street traffic and car park traffic. (iii) To ensure safety in the design, construction and operation of access driveways in accordance with Council's ESD objective 7.	Consistent Refer to proposed vehicle entry locations for development lots within the Urban Design Report.
DEVELOPMENT CONTROLS	
(a) Access driveway widths are to comply with AS (b) 2890.1-1993 Parking Facilities – Part 1: Off Street Car Parking. (c) Driveways are to be provided in locations that have adequate sight distance. (d) Driveways will be prohibited in the locations shown in Figures 5 and 6. (e) Access driveways are to be constructed in accordance with Council's "Specification for the Construction of Footpath & Gutter Crossings" (2001). (f) Access driveways are to be located a minimum of one metre from drainage structures and other service facilities located on the nature strip. (g) Except for residential properties, driveway entrances and exits should be signposted appropriately. (h) Access driveways should not be entered from or exited onto intersections where one or more of the intersecting roads are a collector, subarterial or arterial road. (i) Indirect access must be sought in preference to direct access where the proposed development fronts a high-volume road. Where direct access is proposed, a study by a suitably qualified person must be conducted to indicate potential impacts. This study will also be assessed by the RMS. (j) Driveways for multi dwelling housing, residential flat buildings and Seniors Living SEPP developments must be able to be accessed by service vehicles such as fire tankers, ambulances and bushfire tankers. (k) In addition, application of controls for driveways in other applicable Sections of the DCP should be applied.	Capable of complying To be addressed as part of the detailed design.
SUBMISSION REQUIREMENTS	
Site Plan including: - Indication of driveway locations in relation to the existing roadway and the kerb alignment; and - All tangent points on the kerb return must be identified.	Capable of complying To be addressed as part of the detailed design.

Clause	Comment
 **Figure 5** Driveways Prohibited Within 6 Metres From Tangent Points Of Kerb  **Figure 6** Driveways Prohibited On The Opposite Side Of The Road Or Within 6m Of Median Opening	
Part C Section 3 Landscape	
Part 1 Introduction	
This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.	Noted.
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	
This Section of the DCP applies to land to which The Hills Local Environmental Plan (LEP) 2012 applies.	Noted.
1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP	
OBJECTIVES (i) To ensure that landscaping preserves and contributes to the Shire's environmental and visual character and the existing and past cultural landscape. (ii) To promote the principles of ecologically sustainable development. (iii) To encourage the landscape treatment of sites which takes into account their context - the subdivision design, the streetscape design, the design of neighbouring buildings. (iv) To encourage landscaping that can be effectively maintained. (v) To encourage innovative landscape design.	

Clause	Comment
(vi) To define and outline the provisions necessary for lodgement of landscape proposals.	
Part 2 BACKGROUND INFORMATION	
2.1. WHY ARE LANDSCAPE PLANS NECESSARY?	Noted.
2.2. THREATENED SPECIES	Noted.
2.3. NOXIOUS SPECIES	Noted.
2.4. TREE MANAGEMENT PROVISIONS	Noted.
Part 3 OBJECTIVES AND DEVELOPMENT CONTROLS	
3.1. GENERAL PLANNING AND DESIGN CONTROLS	
OBJECTIVES (i) To provide general design principles to ensure that appropriate landscaping is provided to complement the type of development proposed. (ii) To ensure that appropriate detail and information is provided on landscape plans.	
DEVELOPMENT CONTROLS (a) The landscaping of any site should have regard to the natural environment of the location and be consistent with landscaping character of the area. (b) Landscaped areas shall have a minimum width of two metres. (c) All landscaping is to adhere to the following principles: • Planting is to be in scale with the proposed buildings; • Planting to consist of a variety of trees, shrubs and ground covers; • Landscaping to side and rear boundaries should effectively screen the development; • Consideration should be made to alternatives to traditional fencing by using vegetation or change in height of the landform as natural barriers; • Artificial mounding using excavated materials is encouraged to enhance or screen buildings and car parking areas - See Figure 5 – Screening and mounding for noise attenuation • Planting shall be of advanced species except where it is demonstrated to Council's satisfaction that semi-advanced stock is more suited to soil and / or plant characteristics; • All electrical substations, water supply valves, hydrants and the like shall be suitably screened, however, due consideration shall be given to the requirements of the appropriate authority, and must not be located through the root ball of any trees being retained; • Plant selection for all landscape developments will be assessed for its suitability toward existing site conditions such as soils, aspect, drainage and micro-climate;	Capable of complying Refer Open Space and Landscaping Strategy

Clause	Comment
• Plant selection appropriate to the existing or proposed cultural landscape will also be included in the general assessment of a proposal; and • Species selection and landscape design should minimise the need for watering. (d) Trees should be of species unlikely to cause structural damage to buildings, retaining walls, paths, services and other property. (e) Consideration should be given to the types of footings to be used in a development to reduce the impact on mature trees. (f) Stormwater drainage lines and other services should be located to minimise the disturbance around existing trees which are to be retained.	
3.2. PROTECTION OF TREES AND UNDERSTOREY	
OBJECTIVES (i) To retain and protect as many mature trees as possible during development. (ii) To retain the existing natural understorey.	
DEVELOPMENT CONTROLS (a) Where natural vegetation exists, all trees must be preserved in accordance with The Hills LEP 2012. (b) Where a stand of trees is to be retained, any associated natural understorey must also be retained. (c) Hard surfaces should be avoided under the drip line of any tree. (d) Wherever trees are removed (with consent) as a consequence of the development, an equal or greater number of replacement trees must be incorporated into the landscaping of the new development. (e) Services must not be located in areas that will disturb the root plate of an existing tree. (f) During construction, an adequate fence or similar structure must be constructed around any remaining trees, at a distance equal to the drip line. This area must not be used by machinery, for stockpiling wastes or for storage of any building materials.	Capable of complying Existing trees within Precinct East will be retained where possible
SUBMISSION REQUIREMENTS • A Tree Management Statement or Arborist Report is to be prepared by a suitably qualified Australian Qualification Framework Level 5 Arborist and contain the following information: - Identify all existing trees including species, condition, height and spread; - Identify whether trees are to be removed, replanted or retained; and - Details of how those trees to be retained will be protected during construction.	To be provided as part of detailed deisgn
3.3. DEVELOPMENT ADJACENT TO BUSHLAND AREAS	
OBJECTIVE	**Consistent**

Clause	Comment
(i) To ensure that landscaping does not adversely impact on bushland in adjoining properties.	Precinct east is adjacent to Cattai Creek Corridor.
DEVELOPMENT CONTROLS (a) Where development is within or adjacent to a bushland preservation area, environmental protection zone or open space zone, the affects on trees within the vicinity of the development needs to be considered. (b) On sites directly adjacent to bushland, all dominant species are to be indigenous to the local area as recommended in Appendix A of this Section of the DCP. Accent planting of exotic species may occur using ground covers and shrubs. (c) All non-indigenous plants used are to be non-invasive and unlikely to establish in the adjoining bushland either by seed or vegetative reproduction as recommended in Appendix A. (d) Bush rock is unsuitable for landscaping purposes, except where it is needed for the authentic restoration of historic gardens or for additions to existing bush rock structures.	Capable of complying Site is not directly adjacent. The Open Space and Landscape strategy will guide plating of the development lots.
SUBMISSION REQUIREMENTS • A comprehensive assessment of trees or natural vegetation likely to be affected.	Noted.
3.4. STREET TREES AND STREETSCAPE	Capable of complying To be addressed as part of the detailed design.
3.5. DRAINAGE AND ON-SITE DETENTION	Capable of complying To be addressed as part of the detailed design.
3.6. LANDSCAPE CONSTRUCTION STANDARDS	Capable of complying To be addressed as part of the detailed design.
3.7. WATER CONSERVATION AND IRRIGATION	Capable of complying To be addressed as part of the detailed design.
3.8. MAINTENANCE	Capable of complying To be addressed as part of the detailed design.
3.9. SUBDIVISIONS	Applies to Precinct East. Capable of complying To be addressed as part of the detailed design.
3.10. BUSINESS AND INDUSTRIAL DEVELOPMENT	Capable of complying To be addressed as part of the detailed design.
3.11. RESIDENTIAL DEVELOPMENT	Capable of complying To be addressed as part of the detailed design.

Clause	Comment
3.12. CAR PARKING	Capable of complying To be addressed as part of the detailed design.
3.13. TENNIS COURTS	N/A
3.14. HERITAGE	N/A
APPENDIX A - RECOMMENDED SPECIES	Noted.
APPENDIX B - RECOMMENDED STREET TREE SPECIES	Noted.
Part C Section 4 Heritage	
Part 1 Introduction	
This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.	Noted.
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	
This Section of the DCP applies to land within The Hills Shire that is: • listed in Schedule 5 of The Hills Local Environmental Plan 2012; • located in the vicinity (i.e. an adjoining property or within the visual catchment) of a heritage item or conservation area listed in Schedule 5 of The Hills Local Environmental Plan 2012; or • a building, relic or structure not listed in Schedule 5 that is older than fifty years and is considered by Council to be of heritage significance.	Noted. The Site is in proximity to a number of heritage items – refer Section 8.5.
1.2. AIMS AND OBJECTIVES OF THIS SECTION OF THE DCP	
The aim of this Section of the DCP is to provide direction for any development associated with a heritage item or heritage conservation area. The principal objectives of this Section are to: (i) Facilitate conservation of the Shire's heritage; (ii) Integrate conservation issues and management into the planning and development control process; and (iii) Ensure that any development with respect to a heritage site is undertaken in a manner that is sympathetic to, and does not detract from the identified significance of the site.	Consistent Refer Appendix L Heritage Impact Assessment and Interpretation Strategy and Urban Design Guidelines (Appendix Z).
Part 2 HERITAGE OVERVIEW	
2.1. THE ICOMOS BURRA CHARTER	Noted.
Part 3 OBJECTIVES AND DEVELOPMENT CONTROLS	Noted.
3.1. SITE PLANNING	
OBJECTIVE (i) Any new development should be positioned to ensure that the visual prominence, context, and therefore the significance of the existing heritage building and its setting is maintained.	Consistent
3.2. SUBDIVISION	N/A applies to subdivision of a heritage item.

Clause	Comment
3.3. ALTERATIONS	N/A
3.4. EXTENSIONS AND ADDITIONS	N/A
3.5. DEVELOPMENT IN THE VICINITY OF A HERITAGE SITE	
OBJECTIVE (i) To ensure that the development of land in the vicinity of a heritage site is undertaken in a manner that complements the heritage significance of the site.	Consistent The site is in proximity to a number of heritage items.
DEVELOPMENT CONTROLS (a) Development on land within the vicinity of a heritage site is not to detract from the identified significance of the place, its setting, nor obstruct important views to and from the site. (b) New structures proposed on land adjoining a heritage building should be of similar scale and proportions to the heritage building. (c) Where development is proposed within the vicinity of a heritage site, the following matters must be taken into consideration:- • the character, siting, bulk, height and external appearance of the development; • the visual relationship between the proposed development and the heritage site; • the potential for overshadowing of the heritage site; • the colours and textures of materials proposed to be used in the development; • the landscaping and fencing of the proposed development; • the location of car parking spaces and access ways into the development; • the impact of any proposed advertising signs or structures; • the maintenance of the existing streetscape, where the particular streetscape has particular significance to the heritage site; • the impact the proposed use would have on the amenity of the heritage site; and • the effect the construction phase will have on the well being of a heritage building.	Capable of complying Refer Section 8.5 and Appendix L.
SUBMISSION REQUIREMENTS • A Heritage Impact Statement which includes consideration of all those matters listed in (c) above.	Complies Appendix L.
3.6. NEW BUILDINGS	N/A
3.7. GARDENS, LANDCAPING AND FENCING	Noted.
3.8. DEVELOPMENT IN HERITAGE CONSERVATION AREAS	N/A
3.10. SIGNAGE	Capable of complying To be addressed as part of the detailed design.

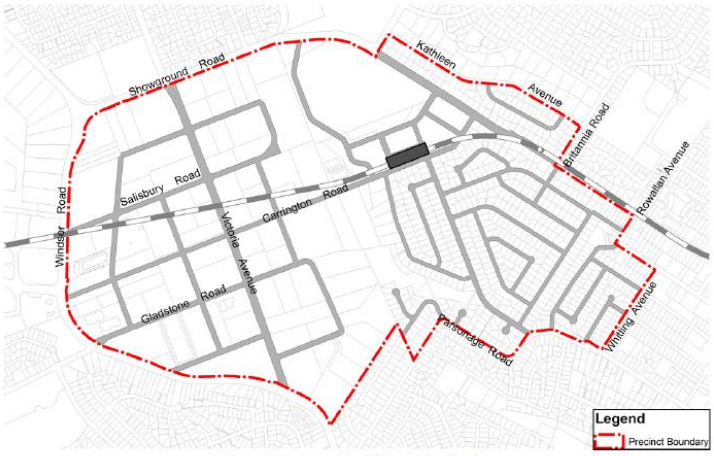
Clause	Comment
3.11. PROTECTION OF HERITAGE ITEMS DURING CONSTRUCTION	Noted.
3.12. DEMOLITION	N/A
3.13. DEVELOPMENT OF ARCHAEOLOGICAL SITES	N/A
4. INFORMATION TO BE SUBMITTED WITH A DEVELOPMENT APPLICATION	A Heritage Impact Statement is submitted with this EIS.
4.1. WHO SHOULD PREPARE A HERITAGE IMPACT STATEMENT OR CONSERVATION MANAGEMENT PLAN?	Noted.
Part C Section 6 Flood Controlled Land	
1. INTRODUCTION	
This Section of the DCP must be read in conjunction with Part A – Introduction of this DCP.	Noted.
1.1. LAND TO WHICH THIS SECTION OF THE PLAN APPLIES	
This Section of the DCP applies to all flood controlled land within The Hills Shire Local Government Area.	The Cattai Creek 1%AEP flood extent is largely confined to within the existing riparian corridor and flooding from the tributary of Cattai Creek on the eastern side of the site does not inundate the site. The modelling presented in the NRT report (NRT, 2016) showed that the 1%AEP flood extent with climate change considered (by assuming 10% increase to rainfall intensity) is still contained within the riparian corridor and does not impact on the site. The PMF extent inundates the road areas along De Clambe Drive near the intersection with Carrington Road. Refer Figure 65.
1.2. AIMS OF THIS SECTION OF THE DCP	
The aim of this section of the DCP is to provide development controls to guide the management of flood risks associated with development by: (i) Increasing public awareness of the hazard and extent of land affected by all potential floods, including floods greater than the 100-year average recurrence interval (ARI) flood and to ensure essential services and land uses are planned in recognition of all potential floods. (ii) Informing the community of Council's policy for the use and development of flood controlled land. (iii) Managing the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods.	Consistent Refer Section 8.6 and Integrated Water Management Strategy (Appendix M).

Clause	Comment
(iv) Minimising the potential impact of development and other activity upon the amenity, aesthetic, recreational and ecological value of the waterway corridors and the surrounding environment	
1.3. HOW TO DETERMINE THE DEVELOPMENT CONTROLS THAT APPLY	Noted.
1.4. LAND USE CATEGORIES	Noted.
1.5. FLOOD COMPATIBLE BUILDING	Noted.
1.6. FLOOD PLANNING LEVELS	Noted. As above development lots are not affected by flooding however the roads adjacent to Precinct West are. The following controls apply. • All floor levels are to be above the 1% AEP level + 0.5m freeboard (i.e. above 83.6 m AHD at the intersection of De Clambe Drive and Carrington Road, and above 78.7mAHD at the detention basin) • All garages/ carpark entrances must be protected from inundation by flood waters up to the 1% AEP + 0.5m.
2. OBJECTIVES AND DEVELOPMENT CONTROLS	
2.1. GENERAL OBJECTIVES	
The following objectives apply to all land use categories: **OBJECTIVES** (i) To ensure the flood risk associated with development, comprising danger to life and damage to property, is minimised and not increased beyond the level acceptable to the community. (ii) To ensure the proponents of development and the community in general are fully aware of the potential flood hazard and consequent risk associated with the use and development of land within the floodplain; (iii) To ensure that proposed development does not exacerbate flooding on other properties; (v) To minimise the risk to life by ensuring the provision of appropriate evacuation measures are available; (vi) Where permitted, to maximise the potential for buildings to be returned to use as quickly and efficiently as practical, after being affected by flooding; and (vii) To ensure that the design and siting controls and built form outcomes required to address the flood hazard do not result in unreasonable impacts on the:	Consistent

Clause	Comment
• amenity and character of an area; • streetscape and the relationship of the building to the street; and the environment and ecology.	
2.2. GENERAL DEVELOPMENT CONTROLS	
The following development controls apply to all land use categories: (a) The flood impact of the development to be considered to ensure that the development will not increase flood effects elsewhere, having regard to: • loss of flood storage; • changes in flood levels and velocities caused by alterations to the flood conveyance, including the effects of fencing styles; and • · the cumulative impact of multiple potential developments in the floodplain. An engineer's report may be required. (b) If the application involves subdivision, the applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accordance with this Plan. (c) The design materials and construction of the proposed development shall comply with the principles set out in the publication "Reducing Vulnerability of Buildings to Flood Damage – Guidance on Building in Flood Prone Areas", published by the NSW Government. (http://www.ses.nsw.gov.au/multiversions/9022/FileName/Building_Guidelines.pdf) For Development within the Hawkesbury River Floodplain (e) All walls, up to FPL3, are to be constructed of flood resistant building materials, suitable for retaining structural integrity during and following long periods of continuous underwater immersion. (f) All walls are to have additional strength to resist collapse. The number of engaged piers are to be increased from that typically required under the Building Code of Australia.	Capable of complying Refer Section 8.6 and Integrated Water Management Strategy (Appendix M).
2.3. CRITICAL USES AND FACILITIES	Noted – N/A
2.4. SENSITIVE USES AND FACILITIES	Noted – N/A
2.5. RESIDENTIAL	Capable of complying Refer Section 8.6 and Integrated Water Management Strategy (Appendix M).
2.6. COMMERCIAL AND INDUSTRIAL	Capable of complying Refer Section 8.6 and Integrated Water Management Strategy (Appendix M).
2.7. RECREATION AND NON-URBAN	Noted – N/A
2.8. CONCESSIONAL DEVELOPMENT	Noted – N/A

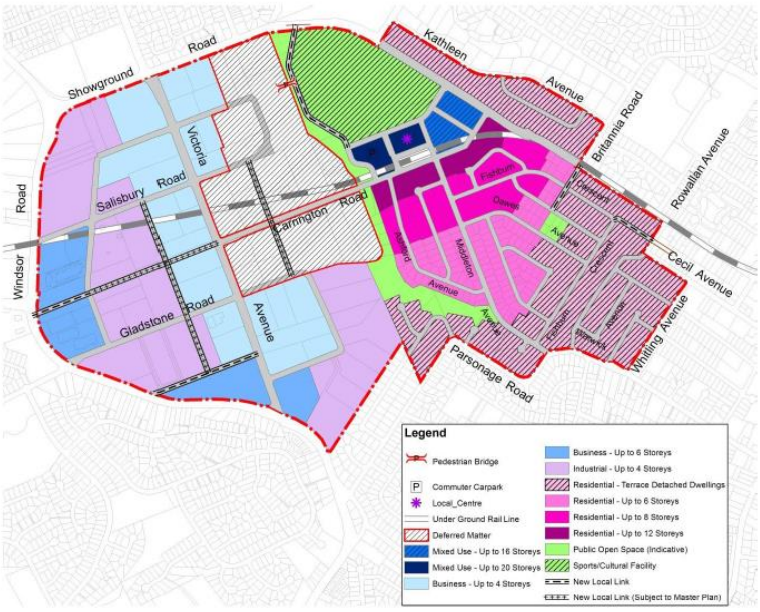
Clause	Comment
3. OTHER DEVELOPMENT	
3.1. FENCING	N/A
3.2. FILLING	N/A
4. INFORMATION REQUIREMENTS	Noted.

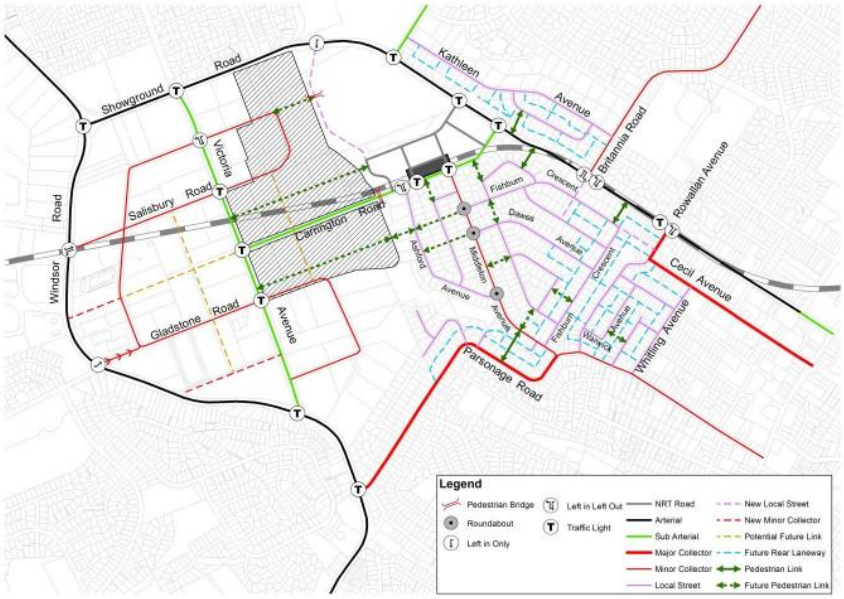
3. PART D – Site Specific

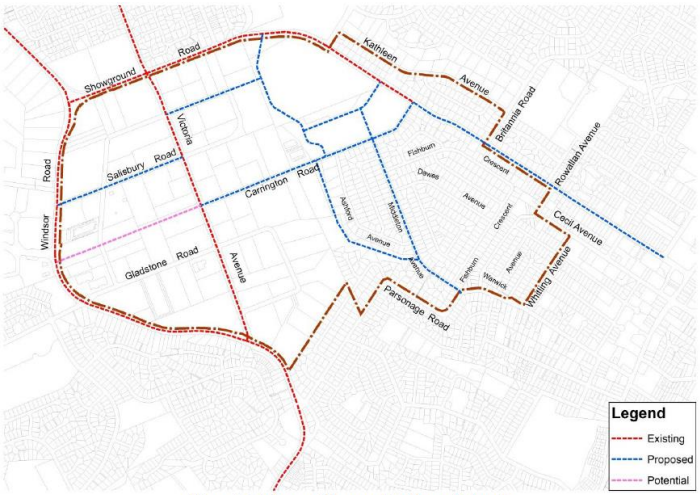
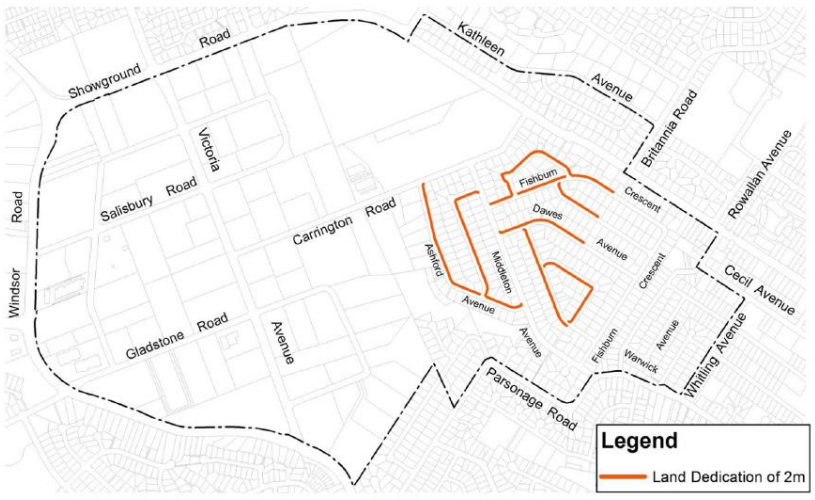
Clause	Comment
Part D Section 9 Hills Showground Station Precinct	
1 Introduction	
This section establishes a framework and controls to guide development in the Showground Station Precinct (the Precinct).	Noted.
1.1 Land to which this Section applies	
This section applies to the land within the Showground Station precinct (refer Figure 1).  Figure 1 Land to which this Section Applies	Noted.
1.2 Purpose of this Section	
The purpose of this section of the DCP is to guide the future development of the Showground Station Precinct by identifying the vision, development principles, key elements and indicative structure for the future development of the precinct. It seeks to ensure the orderly, efficient and environmentally sensitive development of the precinct to achieve high quality urban design outcomes. This DCP was developed with consideration to the Apartment Design Guide, which sets minimum requirements for compliance. This DCP builds on these same principles to facilitate the delivery of a distinct local character that aligns with Council's vision for the Precinct.	Noted.
1.3 Relationship to other Sections of this DCP	
This section forms part of The Hills Development Control Plan 2012 (DCP 2012). Development within the Showground Station Precinct will need to	Noted.

Clause	Comment
have regard to this section of the DCP as well as other relevant controls in DCP 2012. In the event of any inconsistency between this section and other sections of DCP 2012, this section will prevail to the extent of the inconsistency.	
2 Vision and Principles	
2.1 Vision	
The Showground Station Precinct is proposed to become an attractive and well-connected neighbourhood that achieves housing targets, creates vibrant, safe and desirable places, reinforces the garden shire character and lifestyle, and is supported by necessary infrastructure. It is anticipated the Precinct will provide up to 9,000 additional dwellings and 2,300 additional jobs by 2036 (excluding potential growth within the deferred area on the western side of Cattai Creek). In order to meet this vision, future development within the Precinct must achieve the following key principles and strategic priorities.	Consistent Proposal provide up to 1,900 and potential>400jobs
2.2 Development Principles	
To achieve the vision, future development within the Precinct must address the following key principles and strategic priorities of Council: • Housing Diversity • Employment outcomes • Transit orientated design • Place making	Consistent The Concept Proposal will: • create a vibrant TOD community with opportunities for new residential and employment uses with over 400 jobs • provide a range of housing including affordable housing to accommodate a diversity of people from differing socio-economic circumstances and a range of social, cultural, ethnic and linguistic backgrounds • The design guidelines set out controls for the public domain and open space as well as interpretation of public art that will assist in place making. Refer to Urban Design Report (Appendix AA and Guidelines (Appendix Z).
3 Desired Future Character and Structure Plan	
3.1 Desired Future Character	

Clause	Comment
Employment Areas	N/A
Mixed Use Areas A new local centre will be a vibrant and active central focus for the precinct. The centre will provide a range of shops, cafes, restaurants and local services and quality public spaces including wide footpaths and plazas. A main village plaza will connect the new station to Castle Hill Showground. Shops, cafes and restaurants will open onto the plaza with outdoor seating areas. A central lawn area will be provided for workers and visitors to relax or play. Quality mature landscaped areas around the plaza edges will offer pleasant shaded green space year-round. Buildings will have a dense urban character comprising urban active edges, residential development at upper levels and commercial development close to the retail heart of the centre. Upper residential levels will be setback to enhance residential amenity and provide visual interest to buildings. Residential development will promote activity outside of the traditional retail and workday hours and activate streets in the evenings.	Consistent The Concept Proposal has been designed to create a high density, mixed use, active and walkable neighbourhood with the Metro station at its core consistent with government policy The primary civic space is located on Doran Drive Plaza as the element that stitches together the Hills Showground Metro Station and the multi-modal transport interchange, primary retail spaces and the Castle Hill Showground. It is intended to vibrant and active space all-day and the active heart of Showground. Refer to Urban Design Report (Appendix AA).
Castle Hill Showground	N/A
Residential Areas The residential areas will be green and walkable, providing a lifestyle alternative to the traditional suburban context, focused highly on an appropriate scale and an attractive environment for pedestrians. Built form will be an appealing scale to pedestrians by providing generous street setbacks, variety of materials and colours and green elements to reduce building bulk and add visual interest. The highest density development will be located closest to the station and local centre with more compact urban form and quality building design and finishes. Development will become less dense moving away from the station incorporating more generous landscaped setbacks and central communal open spaces with high quality building design. Residential areas will transition to terraces or townhouses within landscaped settings on the edges of the precinct to provide genuine diversity in housing stock. Green spaces will bring a sense of nature into the neighbourhoods through open spaces, tree lined streets and garden areas within street setbacks	Consistent Refer to Urban Design Report (Appendix AA). The higher density precincts West and Doran Drive will be located closets to the station. Precinct East will be a residential area characterised by a variety of dwelling choices supported by a new, permeable and complementary public realm. This area steps down to the lower scale residential areas to the east and south.
3.2 Showground Precinct Structure Plan and Key Elements	
Objectives a. To ensure that development occurs in a coordinated manner consistent with the Precinct vision and the development principles of housing diversity, employment opportunities, transit-oriented development, quality infrastructure and open space and place making.	Consistent Refer to Urban Design Report (Appendix AA).

Clause	Comment
b. To provide a mix of housing, retail, employment and services in appropriate and logical locations within the Precinct. c. To locate higher scale residential apartments and commercial uses closest to the station, the Castle Hill Showground and Cattai Creek corridor to optimise access to station facilities as well as outlook and natural amenity. d. To develop a local centre and main plaza in the area immediately surrounding the station to provide local shopping, employment opportunities and other services to support the incoming population and establish a vibrant and well-used public domain.	
Controls 1. Development is to comply with the desired character in Section 3.1 of this DCP, key elements in Table 1 and the Showground Precinct Structure Plan in Figure 7.  Figure 7 Showground Precinct Structure Plan	Complies with the exception of a portion of the street through Precinct East. Refer Section 7.5 for justification.
2. Where variations are proposed, development is to demonstrate how the vision, development principles, key elements for the Precinct and relevant specific objectives are to be achieved	Noted.
4 General Controls	
4.1 Movement Network and Design	
Objectives a. To encourage residents to walk or cycle to shops, the railway station, recreation areas, community and other facilities by providing for safe and direct pedestrian and cycle connections between key locations. b. A functional and attractive new street network is provided that facilitates access, safety and convenience for all street and road users and minimises the negative impact of traffic. c. Carriageways and verge widths are consistent with the identified street hierarchy and profiles to allow streets to perform their designated functions within the street network, enhance functionality and amenity for users and accommodate public utilities and drainage systems. d. To improve the capacity and function of the road network to support higher density development.	Consistent Refer to Urban Design Report (Appendix AA). The proposed street layout and design structure integrate with Sydney Metro infrastructure as well as providing effective movement of pedestrians through and around the site and to adjoining areas.

Clause	Comment
	The new street within Precinct East has been designed for pedestrian connectivity and delivers active transport corridors for an inclusive and connected community. The local park will provide for cater to local residents and families.
Controls 1. The street network is to be consistent with the indicative street network and hierarchy within Figure 8.  **Figure 8 Indicative Street Network and Hierarchy** (Note: Land within the Deferred Area will be subject to further Master Planning)	Partial variation with respect to Precinct East. Refer Section 7.5 for justification.
2. Street profiles are to be consistent with the street profiles in Figures 13-21. *Refer DCP Page 16 for images*	Complies New street in Precinct East complies at 17m.
3. An appropriate transition and connectivity is to be provided between roads constructed by NRT and the roads constructed by developers.	Complies
4. The design and construction of road infrastructure shall comply with Council's Design Guidelines Subdivisions/Developments.	Capable of complying Section 1.3.4.
5. Where roundabouts are provided, these are to be appropriately landscaped to ensure visibility for traffic and high-quality visual amenity (refer to Figure 11).	Noted.

Clause	Comment
6. Infrastructure not funded through a Contributions Plan is to be constructed to Council's specifications and dedicated to Council at no cost.	Noted.
7. The cycleway network is to be generally consistent with the existing and proposed cycleway network in Figure 9.  Figure 9 Existing and Proposed Cycleway Network	Consistent
8. Where alternative access to a development site is available from the existing and indicative street network, no vehicle access to/from Carrington Road will be permitted.	Complies Access is provided from Andalusian Way.
9. In order to facilitate increased densities along local streets, land identified on the 'Local Street – Land Dedication Plan' (Figure 10) shall be dedicated to Council at no cost. The land to be dedicated shall have a width of 2 metres measured from the existing property boundary. The land dedicated will facilitate intended parking on one side of the local street (refer to road 'Profile 1 – Local Streets'. Floor space potential of land to be dedicated shall be transferred to the remainder of the development site.  Figure 10 Local Street – Land Dedication Plan	N/A

Clause	Comment
10. Future pedestrian links shall be provided in accordance with Figure 8 and shall have regard to the guidelines contained under section '4.3 Public Domain' of this section of the DCP. *See figure 8 above*	Complies
4.2 Open Space Network	
Objectives a. To provide a range of quality public spaces to support new residential and employment uses, including parks, civic squares and places for community gatherings and events. b. To provide an integrated open space network that links existing open spaces within and outside the Precinct. c. To improve the amenity, facilities and usage of existing parks and public spaces. d. To provide a range of open spaces with high quality landscaping that will accommodate the diverse recreational needs of existing and future residents and workers, as well as visitors to the area. e. To contribute to the enhancement and protection of ecological values. f. To maximise public access along Cattai Creek and throughout the Castle Hill Showground.	Consistent
Controls 1. Land identified for open space, but not listed within an applicable development contributions plan shall be dedicated to Council by the developer at no cost. 2. The open space network is to be consistent with the minimum areas and features identified in the table below. *Please see table 2 below*	Complies The Concept Proposal provides two new public open spaces Doran Drive Plaza (minimum of 1,400m^2) as identified in this DCP and The Hills Showground Contribution plans and the Precinct East Park (3,500m^2) to ensure a minimum of 10% of publicly accessible open space.
4.3 Public Domain	
Objectives a. To improve the quality and appearance of the public domain to reflect the transitioning of the Showground Precinct into a Transit Oriented Community with an improved pedestrian experience. b. To provide a range of quality public spaces to support new residential and employment uses. c. To ensure the provision of high quality, functional and attractive informal spaces for community interaction and play. d. Undergrounding of power lines to improve the appearance and liveability of the Precinct and to facilitate increased space within road reserves to install public domain improvements.	Consistent
Controls 1. Development applications shall comply with the Showground Precinct Public Domain Plan and demonstrate how high-quality elements (driveways, footpaths, street trees, street furniture etc.) will be incorporated into future development.	N/A The Plan states that the Site is subject to the NWRL Public Domain Plan (now Sydney Metro

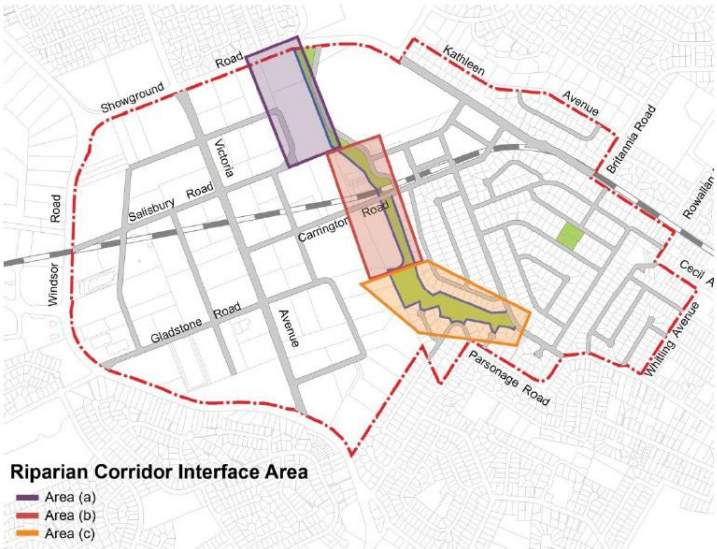
Clause	Comment
	Northwest) and does not strictly form a part of this plan although common elements are utilised to ensure continuity of public domain treatments. Council's Public Domain Plan has been considered in the preparation of the Concept Proposal and the Design Guidelines that will guide the future development and treatment of the public domain.
2. Attractive, high quality outdoor spaces for children to play shall be integrated into the public domain within centres where appropriate. Such spaces should allow for interactive play and include seating and shading.	Complies Precinct East will provide a play area. Refer Open Space Strategy and guidelines.
3. Council requires underground electricity reticulation and telecommunications for all urban development. Council will require as a condition of any development consent that any existing aboveground electricity reticulation service be relocated underground with the exception of main transmission lines.	Noted. Capable of complying. Refer Section 8.11.
4. Pedestrian and through-site links shall have regard to the following: a. be publicly accessible; b. have a width of 4-5 metres; c. include a minimum of 500mm of landscaping (maximum height of 800mm) along each side of the pedestrian link is desirable; d. be clearly identifiable as a publicly accessible pedestrian link; e. encourage pedestrians to move along the link and not linger; f. maintain the privacy of ground floor apartments which adjoin the link; g. ensure adequate passive surveillance is provided; h. have adequate lighting to improve safety; and i. building setbacks to the pedestrian links are to be assessed on their merits.	Capable of complying. Refer Open Space Strategy and guidelines. Pedestrian link is over 5m.
4.4 Wind	
Objectives a. To allow for cooling summer breezes to move through the Precinct. b. To ensure the built form does not provide adverse wind conditions which will impact upon the amenity of pedestrian comfort in streets and public and private open spaces.	Consistent
Controls 1. Built form is to demonstrate that the passage of cooling summer breezes will not be impacted.	Complies

Clause	Comment
2. Buildings 8 or more storeys in height (or over 25 metres) require wind tunnel testing, irrespective of whether they are built to the street frontage or not, which demonstrates the following: a. In open areas to which people have access, the annual maximum gust speed should not exceed 23 metres per second; b. In walkways, pedestrian transit areas, streets where pedestrians do not general stop, sit, stand, window shop and the like, annual maximum gust speed should not exceed 16 metres per second; c. In areas where pedestrians are involved in stationary short-exposure activities such as window shopping, standing or sitting (including areas such as bus stops, public open space and private open space), the annual maximum gust speed should not exceed 13 metres per second; d. In areas for stationary long-exposure activity, such as outdoor dining, the annual maximum gust speed should not exceed 10 metres per second; and e. The report is to be prepared by a suitably qualified engineer.	Refer Section 8.11. To be addressed as part of future detailed DAs.
4.5 Integrated Water Management	
Objectives a. To control stormwater runoff and discharge impacts on adjoining properties and into natural drainage systems before, during and after construction. b. To ensure that proposed development does not adversely affect the operation capacity of the downstream stormwater system. c. To encourage reuse, recycling and harvesting of stormwater to reduce demand on potable water supply. d. To encourage and create an urban form where risks to life and property, as a result of either minor or major flooding, are minimised. e. To maximise opportunities for a best practice Water Sensitive Urban Design approach at the individual lot, overall development and regional scales. f. To reduce the impacts typically associated with urbanisation on receiving waterways, including a reduction in streamflow erosion potential and pollutant loads.	Consistent Refer Section 8.6 and Appendix M.
Controls 1. Owners of properties adjoining the Cattai Creek riparian corridor and overland flow paths as well as properties identified as Flood Control Lots are required to confirm the 100year Average Recurrence Interval flood extent and associated flood levels from Cattai Creek prior to the lodgement of development and subdivision applications.	Capable of complying Refer Section 8.6 and Appendix M.
2. Development on land identified as Flood Control Lots and adjoining Cattai Creek or overland flow paths are to apply the provisions of Council's Flood Controlled Land DCP. In applying these provisions consideration is to be given to the type of development, the application of controls according to the Flood Planning Level associated with the property, car parking, flood compatible building materials and land filling.	Capable of complying Refer Section 8.6 and Appendix M.
3. A Stormwater Management Plan is to be prepared for each development application that considers sustainable water management practices and minimal development impact.	Noted.

Clause	Comment
4. Stormwater runoff must be treated on the development site before it discharges to a public drainage system.	Capable of complying Refer Section 8.6 and Appendix M.
5. All stormwater drainage designs are to comply with the most up to date revision of Council's Design Guidelines Subdivision/Developments and Contribution Plan No.19 – Showground Station Precincts.	Capable of complying Refer Section 8.6 and Appendix M.
6. All developments are to implement an Erosion and Sediment Control Plan, prepared in accordance with 'Managing Urban Stormwater – Soils and Construction, to minimise land disturbance and erosion and control sediment pollution of waterways.	Noted. To be addressed as part of future detailed DAs.
7. With the exclusion of detached residential dwellings, all developments within the Precinct are required to manage the pollutant loads from each separate allotment to ensure compliance with the performance objective listed in Table 3 prior to discharge to any adjoining drainage system.	Capable of complying Refer Section 8.6 and Appendix M.
8. Water quality modelling undertaken to support development proposals within the Precinct shall utilise the latest version of MUSIC and be in line with the Draft NSW MUSIC Modelling Guidelines, Sydney Metropolitan Catchment Management Authority, 2010, utilising the modelling parameters in Tables 4 and 5.	Capable of complying Refer Section 8.6 and Appendix M.
9. For developments generating oils and grease, the additional objective of no visible oils for flows up to 50% of the one-year Average Recurrence Interval peak flow shall be achieved.	Noted. To be addressed as part of future detailed DAs (if required)
10. A Water Sensitive Urban Design strategy is to be prepared for all development that provides for sustainable and integrated management of land and water resources, taking into account water quality and stream erosivity objectives, together with attenuating flow rates and runoff volumes to acceptable levels following urban development. Water management performance objectives are set out in Table 3.	Capable of complying Refer Section 8.6 and Appendix M.
11. Water Sensitive Urban Design elements are to be designed and constructed in accordance with the following publications: - Adoption Guidelines for Stormwater Biofiltration Systems – Cities as Water Supply Catchments, Sustainable Technologies (CRC for Water Sensitive Cities, 2015 or later) - Australian Runoff Quality (Engineers Australia 2005) - Water Sensitive Urban Design Technical Guidelines for Western Sydney (NSW Government Stormwater Trust and Upper Parramatta River Catchment Trust, May 2004)	Capable of complying Refer Section 8.6 and Appendix M.
12. As part of a Water Sensitive Urban Design strategy, residential, employment and commercial developments are to install rainwater tanks for water supply demand such as outdoor use, laundries and toilets. With the exception of detached residential dwellings, a water balance assessment is to be undertaken for the development and rainwater tanks appropriately sized to cater for the water use demand. The following provisions apply: **Detached residential dwellings** - Minimum 3,000 litre rainwater tank for toilet flushing and external uses is required. Larger tanks and use for filling of swimming pools is permitted. **Multi dwelling housing**	Capable of complying Refer Section 8.6 and Appendix M.

Clause	Comment
- Minimum 3,000 litre rainwater tank per proposed dwelling or as defined by a detailed water balance assessment for the development is required. - Rainwater tanks may be connected to toilets, laundries and external uses including the filling of swimming pools. **Residential flat, mixed use and commercial buildings** - The required rainwater tank volume is to be determined by a detailed water balance assessment. - Rainwater tanks are to be used for external uses and other purposes such as wash down bays and laundry facilities.	
13. Rainwater tanks are to be provided with potable water trickle top-up with a back flow prevention device, complying with Sydney Water requirements.	Capable of complying Refer Section 8.6 and Appendix M.
14. 14. In accordance with the recommendations made in the publication "Guidance on the Use of Rainwater Tanks" (enHealth, Commonwealth Government 2004), diversion of the "first flush" of up to 180 litres is to be incorporated into the design of the rainwater tank and associated plumbing based on a minimum first flush of 1L/m2 of roof area.	Capable of complying Refer Section 8.6 and Appendix M.
15. Any discharge to, or construction within the Cattai Creek riparian corridor may require the approval of NSW Office of Water, under the Water Management Act 2000.	Capable of complying Refer Section 8.6 and Appendix M.
16. The natural form, characteristics and function of waterways, including riparian land, are to be retained, restored, protected and enhanced wherever possible.	Capable of complying Refer Section 8.6 and Appendix M.
17. Waterway rehabilitation and construction works are to apply 'Best Practice' combination of soft and hard engineering techniques establishing a water sensitive, geomorphically stable, diverse and functional waterway corridor that addresses urban influences and considers the immediate waterway corridor and aquatic systems both upstream and downstream of a subject site.	Noted.
4.6 Subdivision and Earthworks	N/A To be addressed as part of future detailed DAs (if required)
4.8 Ecologically sustainable development	
Objectives a. To ensure building design is innovative and sustainable to reduce the reliance on, and consumption of, fossil fuels and potable water supplies. b. Development adapts to climate change. c. Development contributes to improved quality of life, health and well-being of the community. d. The design, construction and operation of development minimises adverse impacts on the natural environment. e. Use landscape treatments to improve amenity for people using open space.	Consistent
Controls	

Clause	Comment
1. Residential flat buildings, townhouses and terraces built as a development lot should achieve a minimum 5 star NatHERS energy rating for each dwelling unit.	
2. Development other than residential should achieve a minimum 5 star Green Star Design and as Built rating, respectively.	Capable of complying Refer ESD Report (Appendix J) and Open Space and Landscape Strategy (Appendix Z)
3. Building operation should achieve a minimum 4.5 star base building and tenancy NABERS Energy rating, where applicable.	
4. The incorporation of green walls and roofs into the design of commercial and residential buildings is encouraged. Where suitable, building facades should incorporate vertical landscaping features to soften the visual bulk of buildings and to improve streetscape appeal.	
5. Canopy trees are to be planted within street verges and medians to provide shade and reduce pavement surface temperatures. Understorey planting and permeable surfaces should also be provided where possible to reduce the extent of paved areas and to enhance the amenity of the streetscape environment.	
6. Buildings are encouraged to incorporate a tri-generation facility that provides energy-efficient power, heating and air conditioning for use on site.	
7. Building designs are to: » Maximise the use of natural light and cross ventilation; » Reduce the reliance on mechanical heating and cooling through the use of eaves, awnings, good insulation and landscaping; » Include energy efficient light fittings and water fittings; and » Allow for separate metering of water and energy usage for commercial and multi-unit tenancies.	
4.9 Ecology and riparian corridors	
Objectives a. To protect and enhance areas of significant native vegetation. b. To protect and enhance wildlife habitat. c. To protect and enhance the integrity and environmental functionality of the Cattai Creek Riparian Corridor.	Consistent
Controls 1. Wherever practical, development within the Precinct should be sited to minimise impacts on the existing vegetation and avoid removal of significant trees.	Complies Existing trees on Precinct East will be retained where possible
2. Provide green roofs and walls wherever practical to mitigate the loss of green canopy and vegetation as a result of development.	Complies
3. A site specific Vegetation Management Plan (VMP) is to be prepared and implemented for Cattai Creek and Cockayne Reserve. This plan is to be lodged with development applications for development on land adjoining the Cattai Creek corridor as identified in Figure 34, and approved prior to the commencement of construction works in this land.	N/A
4. The VMP is to be prepared in accordance with relevant guidelines and based on standard vegetation management actions including:	N/A

Clause	Comment
- Collection of seed from any native vegetation proposed to be cleared at the site; - Weed control; - Management of fire for conservation; - Management of human disturbance; - Retention of regrowth and remnant native vegetation; - Replanting or supplementary planting where natural regeneration will not be sufficient; - Retention of dead timber; - Erosion control; and - Retention of rocks.	
5. The VMP is to ensure the rehabilitation and regeneration of Cattai Creek and Cockayne Reserve vegetated riparian corridor (being 30m wide on either side of the creek measured from top of bank).	N/A
6. The VMP is to provide for a minimum 2-year monitoring and maintenance period for the rehabilitated riparian area and other revegetation following final planting.	N/A
4.10 Development adjoining the Cattai Creek Riparian Corridor	
Objectives a. To enhance, reinstate and manage a unique environmental setting which can enable a continuous pedestrian link across the Showground Precinct. b. To encourage built form elements and uses that will enable a vibrant interface with the riparian corridor and shared pedestrian cycleway. c. Future development uses and built form will provide an appropriately scaled and attractive interface with the riparian corridor. d. The public domain shall provide an attractive setting and desirable location for new development.	Consistent
Controls – Urban Edge – Interface Area (a) (refer to Figure 35 – Riparian Corridor Interface Area Map)  Figure 35 Riparian Corridor Interface Area Map	Part of Precinct West is located within Area B.

Clause	Comment
1. All development shall address the riparian corridor. Retail and commercial uses must have an address to, and be accessible directly from the riparian corridor.	Capable of complying
7. Entry ways to and from retail, commercial and residential land uses must be clearly visible and provide direct sight lines to the riparian corridor.	Capable of complying
8. A tiered open landscape treatment to the riparian corridor from the frontage addressing the riparian corridor is encouraged if direct at grade access cannot be achieved.	Capable of complying
9. Ground floor residential apartments are to be elevated from the pedestrian walkway / at grade level by a minimum of 300mm and a maximum of 600mm subject to flood control levels.	Capable of complying To be addressed as part of future DAs
10. A minimum 5m built form setback shall be provided to the riparian corridor. Note: the riparian corridor is 20m from the 'top of bank' on each side of the creek within Interface Area (a).	N/A
11. Built form setbacks to be established as part of the Cattai Creek West Master Planning Process for the land identified as the 'deferred area' under LEP 2012.	N/A
12. All development shall address the riparian corridor. All ground floor apartments must have an address to, and be accessible directly from the riparian corridor.	Capable of complying
13. Entry ways to and from residential land uses must be clearly visible and provide direct sight lines to the riparian corridor.	Capable of complying To be addressed as part of future DAs.
14. A tiered open landscape treatment to the riparian corridor from the frontage addressing the riparian corridor is encouraged if direct at grade access cannot be achieved.	Capable of complying Communal open space is proposed in the podium adjacent.
15. Ground floor residential apartments are to be elevated from the ground level by a minimum of 300mm and a maximum of 600mm subject to flood control levels.	Capable of complying
16. A minimum 7.5m built form setback shall be provided to the riparian corridor. Note: the riparian corridor is 20m from the 'top of bank' on each side of the creek within Interface Area (b).	Capable of complying
17. Underground car parking is not permitted within 5m of the riparian corridor boundary.	Noted.
18. A podium height of 4 storeys shall be provided.	Complies
19. Levels above the 4th storey shall be setback 6m behind the building line addressing the riparian corridor.	Partial variation. Setback above the 4th storey is at 2-3m to a maximum of 8 storeys on that frontage consistent with the density and height controls within the LEP.

Clause	Comment
20. Developments with residential ground floor uses are to adopt a two-storey terrace house appearance to present a fine grain articulation to the riparian corridor frontage.	N/A
21. Blank retaining walls or landscape treatments greater than 600mm in height addressing the riparian corridor are not permissible.	Noted. To be addressed as part of future DAs (if required).
22. Ground floor residential fences are to be no more than 1.2m in height with a minimum 60%transparency. Contemporary palisade fence designs in a dark recessive colour are encouraged.	Noted. To be addressed as part of future DAs (if required).
23. Entry ways to and from all land uses must be clearly visible and provide direct sight lines to the riparian corridor. Development sites that also address public parks are to give consideration to addressing the park frontage in addition to addressing the riparian corridor.	Capable of complying
24. A tiered open landscape treatment to the riparian corridor from the built form primary frontage is permissible if direct at grade access cannot be achieved.	N/A
25. Ground floor residential apartments are to be elevated from the street level by a minimum of 300mm and a maximum of 600mm subject to flood control levels.	Capable of complying
26. A minimum 7.5m built form setback shall be provided to the riparian corridor. Note: the riparian corridor is 10m from the 'top of bank' on each side of the creek within Interface Area (c).	N/A
27. A minimum 4.5m setback shall be provided to a public open space such as a pocket park.	N/A
28. A maximum height of six storeys shall be provided, with the first two storeys clearly articulated to be the main feature in the façade.	Variation Proposal seeks to provide a maximum of 8 storeys only applies to very small interface and is considered an appropriate design response Refer Section 7.6 for further justification.
29. Levels above the 4th storey shall be setback 3m behind the building line addressing the riparian corridor and open space.	Variation 2m setback is provided. The building is over ~ 35m from the creek line and 20m from the footpath adjacent to the corridor. Refer Section 7.6 for further justification.
30. A minimum 3m setback shall be provided to all public open space interfaces for designated terrace type dwellings as per the structure plan.	N/A
4.11 Safety & Security	
Objectives a. To provide high levels of property safety as well as personal comfort and safety.	Consistent

Clause	Comment
b. To minimise opportunities for criminal and anti-social behaviour through urban design.	
Controls 1. 1.Development is to address the principles of Crime Prevention Through Environmental Design. Note: Consideration shall also be given to The Hills Shire Council's Policy Designing Safer Communities, Safer by Design Guidelines (June 2002).	Complies Refer 8.4 and CPTED Assessment at Appendix H.
4.12 Heritage (Aboriginal and European)	
Objectives a. Development is designed and located to protect Aboriginal sites and archaeological relics by minimising the likelihood of disturbance. b. Development is appropriately designed with regard to sensitive and direct interfaces with heritage sites. c. Development is sited to minimise adverse impacts on the significance of the heritage items.	Consistent
Controls – Aboriginal Heritage 1. An Aboriginal Due Diligence Report is required for each major development site/subdivision and must be prepared in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.	Complies Refer Section 8.5 and Appendix L.
2. Where a Due Diligence Report identifies the presence or likely presence of any Aboriginal sites or relics on or near the subject development site, further Aboriginal Cultural / Archaeological Assessment by a suitably qualified person must be undertaken. Where a site is identified as significant, a letter from the relevant Aboriginal Lands Council is required to be submitted expressing support or recommendations for the subdivision proposal.	
3. The report prepared by GML Heritage titled "NWRL Showground Station Precinct, Indigenous Heritage Assessment" dated August 2015 is to guide any future site-specific Aboriginal heritage assessments and management of Aboriginal heritage sites, values, objects and/or places within the boundaries of the Showground Precinct.	
Controls – European Heritage – Cottage at 128-132 Showground Road, Castle Hill 4. Development at, or within the vicinity of the heritage cottage at 128-132 Showground Road must have regard to Part C Section 4 – Heritage of DCP 2012.	Complies Refer Section 8.5 and Appendix L.
5. The curtilage of the heritage item is to be established through a heritage impact assessment prepared by a suitably qualified heritage consultant.	
6. The curtilage of the heritage item is to be maintained and protected.	
7. Development on sites adjoining and adjacent to the heritage item should consider locating landscaped areas and common open space areas between future building elements and the heritage site to assist in providing greater separation between the heritage item and future development.	
8. Development within the vicinity of the heritage item shall ensure that significant view lines to and from the heritage item are appropriately maintained.	

Clause	Comment
9. Development on sites adjoining the eastern and western boundaries of the heritage item should be appropriately sited to ensure that the heritage building is not affected by overshadowing.	
Controls – European Heritage – Federation House at 107 Showground Road, Castle Hill 10. Development at, or within the vicinity of the heritage cottage at 107 Showground Road must have regard to Part C Section 4 – Heritage of this DCP.	Complies Refer Section 8.5 and Appendix L.
11. The curtilage of the heritage item is to be established through a heritage impact assessment prepared by a suitably qualified heritage consultant.	
12. The curtilage of the heritage item is to be maintained and protected	
13. Development on sites which interface the eastern, western and southern boundaries of the heritage item shall be designed to have a maximum height of four (4) storeys or no more than 13 metres in height, whichever is the lesser.	
14. Development on sites adjoining and adjacent to the heritage item should consider locating landscaped areas and common open space areas between future building elements and the heritage site to assist in providing greater separation between the heritage item and future development.	
15. Development within the vicinity of the heritage item shall ensure that significant view lines and from the heritage item are appropriately maintained.	
16. Development on sites adjoining the eastern, western and southern boundaries of the heritage item should be appropriately sited to ensure that the building is not affected by overshadowing.	
5 Local Centre (B2 Local Centre and R1 General Residential Zone)	
5.1 Desired layout and character	
Objectives a. A range of employment and services are located close to transport connections and high quality open space. b. Centres located around the stations are attractive, pedestrian focused, convenient and walkable, providing shops, cafes, restaurants, community facilities and jobs.	Consistent
Controls 1. Development within centres and business zones shall be generally consistent with the following indicative layout plan (Figure 40).	Partial variation Generally, complies. Street layout in Precinct East has been revised. Andalusian way is envisaged to be green link in discussion with Council. Active street frontages are provided as per the LEP. Supermarket is proposed on the ground floor and is likely to

Clause	Comment
 Figure 40 Indicative Layout Plan - Local Centre	enable access through the site.
5.2 Site Requirements	
Objectives a. To provide sufficient space for landscaping that will complement the building form and enhance the landscape character of the street. b. Development sites provide sufficient area for adequate access, parking, landscaping, building separation and space for recreation and use by residents.	Complies Refer 8.4 .3 and Urban Design Guidelines (Appendix Z).
Controls 1. Development sites within the R1 General Residential Zone shall have a minimum road frontage of 30m.	Complies
2. Development sites within the R1 General Residential Zone shall have a minimum site depth of 40m.	Complies with the exception of proposed Lot 3 which is slightly under being 36m on the western boundary and 37m on the eastern. Refer to the Clause 4.6 of detailed justification regarding the lot size.
3. Residential flat buildings and shop top housing are to have a frontage (address) to the street.	Complies
4. The siting of dwellings should take advantage of any views to open space, public reserves and bushland to promote natural surveillance and to enhance the visual amenity of residents.	Complies
5. The site coverage of future development within the R1 General Residential zone shall not exceed 50% of the site area (excluding land to be dedicated or acquired or a public purpose).	Generally, complies at 52%
5.3 Setbacks (Building and Upper Level)	
Objectives a. To provide strong definition to the public domain and create a consistent streetscape.	Consistent

Clause	Comment
b. To set taller building elements back from the street to reduce building scale and bulk and enable adequate sunlight access to the public domain.	
c. To provide articulation zones to complement building mass and emphasise key design elements such as entrance points and respond to environmental conditions including solar access, noise, privacy and views.	Consistent
d. To ensure adequate separation between buildings on different sites to alleviate amenity impacts, including privacy, daylight access, acoustic control and natural ventilation.	Consistent The building separation plan demonstrates that the ADG can be met.
e. To facilitate a landscaped streetscape that can accommodate larger trees.	Consistent
Controls 1. Buildings are to comply with Figure 41 Street Setbacks, Figure 42 Upper Level Setback, Figure 43 Podium Height maps and Table 6 Building Setbacks	Partially complies Setbacks have been developed through detail urban design analysis in consultation with stakeholders. Setbacks comply with the ADG and LEP controls. Refer to the Urban Design Report and Guidelines and are considered appropriate for a high density mixed use precinct. Refer Section 7.6 for further justification.
2. Buildings on street corners are to address both street frontages, with corners emphasised by appropriate architectural treatment.	Complies
5.4 Open Space and Landscaping	
Objectives a. To maximise opportunities for landscaping, including the retention and/or planting of trees within deep soil areas to ensure a high level of amenity. b. To assist with the management of water quality. c. To provide communal open space for the enjoyment of residents. d. Communal open spaces: - Are accessible, usable and safe; - Enhance the attractiveness of the development; - Provide opportunities for social interaction; and - Create pleasantly shaded outdoor areas. e. To ensure development sites have sufficient space for landscaping that will complement the building form and enhance the landscape character of the street.	Consistent
Controls **Landscaping**	Capable of complying Taking into account communal open space,

Clause	Comment
1. For Land zoned R1 General Residential, a minimum of 50% of the site area (excluding building footprint, roads, access driveways and parking) shall be landscaped. Terraces and patios within 1m of natural ground level shall be included in the calculation of landscaped open space.	deep soil zones, the new park and the pedestrian link.
2. For land zoned B2 Local Centre, landscaped open space should be provided where possible.	Noted.
3. Landscaped areas are to have a minimum width of 2m. Areas less than 2m in width will be excluded from the calculation of landscaped area.	Noted.
4. Native ground covers and grasses are to be used in garden beds and path surrounds (turf is to be confined to useable outdoor areas).	Complies
Roof Gardens and Planting on Structures 5. Green walls are encouraged on podium walls along active frontages to soften the interface between future development and the public realm.	Noted. Guidelines also encourage.
6. Rooftop gardens must be adequately enclosed and accessible to occupants of the development.	Capable of complying
7. The design of exterior private open spaces such as roof top gardens is to address visual and acoustic privacy, safety, security, and wind effects.	Capable of complying
8. Where roof gardens and green walls are provided, consideration should be given to the Urban Green Cover in NSW – Technical Guidelines, published by the Office of Environment and Heritage.	Noted. Future DAs to address. Capable of complying
Communal Open Space 9. A minimum of 10m^2 per dwelling shall be provided as communal open space.	Capable of complying Inclusive of Precinct East communal open space, park and pedestrian link, Doran Drive Plaza and Station Plazas, and upper level communal areas concept generally complies. It is noted ADG requires communal open space minimum area equal to 25% of the site of which we comply.
10. A minimum of 25% of the required communal open space must be located at ground level in a singular large parcel.	Complies Inclusive of Precinct East including the park, pedestrian link and communal open space.
11. External (outside) common open space areas are to be capable of accommodating substantial vegetation and are to be designed to incorporate active and passive recreation facilities (such as seating, shade structures, BBQs and children's play equipment).	Complies
12. External (outside) common open space areas are to be located and designed to: - Be seen from the street between buildings; - Provide for active and passive recreation needs of all residents;	Complies

Clause	Comment
- Provide landscaping; - Present as a private area for use by residents only; - Include passive surveillance from adjacent internal living areas and/or pathways; - Have a northerly aspect where possible; and - Be in addition to any public thoroughfares.	
13. Internal open space areas are to provide opportunities for larger communal gathering and/or active recreation (i.e. kitchen facilities, tables and chairs, small-scale gymnasium or health studio).	Complies
14. Plant species appropriate to the context and the specific microclimate within the development are to be selected to maximise use of endemic and native species and opportunities for urban biodiversity.	Complies
15. Drought tolerant plant species, and species that enhance habitat and ecology, are to be prioritised.	Complies
16. Landscape design is to be integrated with water and stormwater management.	Complies
Designing the Building	
5.5 Built form, design	
Objectives a. To ensure development creates a positive streetscape and achieves a high-quality architectural design that promotes commercial, retail and business activity. b. To establish streets with a high-quality pedestrian friendly retail strip. c. To provide a mix of residential flat types and sizes to accommodate a range of household types and to facilitate housing diversity. d. To encourage podiums that reinforce the intended neighbourhood character and enhance the pedestrian experience. e. To ensure that towers: - Include slender design so as to not overwhelming in bulk and scale; - Allow for solar access to units within the development and on adjoining sites; - Create an open, attractive and distinct skyline; - Create small, fast moving shadows; - Allow for view corridors between nearby towers. f. Roof design and roof features are provided which integrate telecommunications, service structures, lift motor rooms and mechanical plants, contributing to an attractive and interesting skyline of the precinct.	Consistent
Controls **General** 1. The façade design of a development is to utilise large expressed elements to relate to passing motorists and articulate the key components of the building such as entries, showrooms and the like. Finer detail to identify individual tenancies and different building levels are to be used to add richness to the architectural design.	Capable of complying
2. The design and layout of any building adjoining landscaped spaces or pathways shall ensure there is natural surveillance of the pathway to protect the security and amenity of users. Solid fences will not be	Complies

Clause	Comment
permitted along the boundary of a pathway as they will restrict passive surveillance over the pathway	
3. Sun shading is to be provided appropriate to orientation for glazed portions of facades.	Capable of complying
4. Development shall be designed to incorporate clearly defined ground floor street zone, podium and upper level elements. The podium element of any development is to be articulated as shown in Figure 46.	Capable of complying
5. On streets with a road reserve of less than 20m the width, the length of the façade shall not exceed 40m. On streets with a road reservation of 20m or greater in width the street frontage shall not exceed 65m.	Partially complies Non compliances include: • Building on proposed lot 3 in Precinct East is at 54m responding to both Carrington Road at 20m and the new precinct east street at 17m. • Precinct West and Doran Drive Appropriate setbacks and articulation requirements in the Urban Guidelines will ensure articulation of podiums and establish streets with a high-quality pedestrian. Refer Section 7.6 for further justification.
6. Buildings are to have a maximum length of 65m. Where a building has a length greater than 30m it is to be separated into at least two parts by a significant recess or projection.	Partial variation Non compliances include: • Podiums in West and Doran Drive. • Podium facing Andalusian Way Appropriate setbacks have been provided and requirements regarding articulation in the Urban Guidelines will ensure articulation of podiums and establish streets with a high-quality pedestrian environment. Refer Section 7.6 for further justification.
7. Where a building has a length greater than 40m it shall have the appearance of two distinct building elements with individual architectural expression and features.	Capable of complying

Clause	Comment
8. The entry to the development is to be visually identifiable from the street frontage with clear sight lines. Separate entrances are required for commercial / retail and residential uses.	Complies
9. Street corners must be addressed by giving visual prominence to parts of the building façade, such as a change in building articulation, material or colour, roof expression or height. Buildings on street corners are to address both street frontages.	Complies
10. Services such as for fire protection, water and power distribution are not to intrude upon the pedestrian right of way, visually detract from the appearance of the development, and are to be screened from the street frontage with materials which are integrated with architectural expression of the development.	Capable of complying
11. Waste management shall comply with the waste management controls contained within Part B Section 5 - Residential Flat Buildings of DCP 2012.	Capable of complying
Apartment Mix 12. No more than 25% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be studio or 1-bedroom dwellings, or both, and	Capable of complying
13. At least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be 3 or more-bedroom dwellings	
Podium Design 14. Podium heights shall be in accordance with Figure 43 Podium Heights	Complies 4 storey podium heights are proposed.
15. Podium heights shall frame adjacent park land and on-site open space.	Complies
16. Podium facades shall avoid blank, featureless walls by patterning high quality architectural elements such as window bays, canopies and fenestration.	Capable of complying.
Tower Form and Design 17. The tower floor plate (floors above the 8th storey) is limited to 750m² gross floor area per storey.	Partially variation Where building have a greater floor plate this has been done to achieve amenity - solar access and ventilation requirements of the ADG. Buildings will also be articulated to reduce bulk and scale.
18. Tower forms are to provide a unique profile when compared to nearby existing and proposed towers of similar height.	Complies
19. Tower form is to be coordinated to offset with adjacent towers to ensure: - Prominent tower views to natural features are not obstructed; and - Views of the sky and access to sunlight from the public realm and private open space areas are maximised.	Complies
20. Tower form is to be orientated to: - Reduce the perceived mass of the building; and	Complies

Clause	Comment
- Provide privacy for both communal and private open space areas.	
21. Tower facades are to be: - Articulated to manage passive solar gain in summer; - Well-glazed with functional windows where possible to reduce reliance on artificial cooling; - Designed with high-quality sustainable materials and finishes that promote building longevity; and - Varied in design and articulation to promote visual interest.	Capable of complying.
Roof Design and Features 22. Where building height creates an identifiable protrusion in the skyline the following are provided: - A signature cap strengthening the building's identity as a landmark; and - Decorative lighting that highlights key architectural features.	Capable of complying.
23. Roof features shall be designed to generate an interesting skyline and enhance views from adjoining developments and surrounding areas.	Noted. To be addressed as part of the future detailed design
5.6 Active Street frontages	
Objectives a. To encourage active street frontages in suitable locations. b. Active street frontages cater or a diverse range of activities. c. Active street frontages provide energetic, safe and vibrant pedestrian environments. d. The public domain encourages activity outside of commercial business hours.	Complies
Controls 1. Active frontages are to be provided in accordance with the active street frontages identified on the Indicative Layout Plan (Figure 40).	Active street frontages are provided in accordance with the LEP.
2. Active frontages may include one or a combination of the following: - Shop front; - Café or restaurant if accompanied by an entry from the street; - Community and civic uses with a street entrance; and - Recreation facilities with a street entrance.	Capable of complying.
3. An active street frontage is not required for any part of a building that is used for any of the following: - Entrances and lobbies (including as part of mixed-use development); - Access for fire services; and - Vehicular access.	Noted.
4. Retail and commercial uses at ground level are to be designed so that the ground floor for at least part of the premises is at the same level as the finished footpath level of the adjacent street and/or open space.	Capable of complying
5. Awnings are to be provided over commercial and residential entries. Continuous awnings are to be provided above retail uses and the full length of Active Frontages.	Capable of complying

Clause	Comment
6. Development is to provide awnings which are a minimum width of 1.5m over the pedestrian access/footpath.	Capable of complying
7. Footpath awnings shall be designed to complement and integrate with the façade and the streetscape.	Capable of complying
8. Where an active frontage is required, a minimum of 80% of the building frontage is to be transparent (i.e. windows and glazed doors). Clear glazing is to be provided to windows and doors.	Capable of complying
9. For larger developments, building entrances should be provided on each street frontage.	Capable of complying
10. Loading docks are not permitted on active frontages.	Capable of complying
11. Security grilles may only be fitted internally behind the shopfront. They are to be transparent and fully retractable	Capable of complying
5.7 Residential uses on ground and first floors	
Objectives a. To provide residential activation to streets. b. To provide for residential identity and legibility. c. Encourage the provision of housing for a diversity of dwelling types and users. d. To introduce a fine grain built form and architectural diversity within a street block and/or building development. e. To provide for future flexibility in use.	Consistent
Controls 1. Higher density development with residential ground and lower floor uses is to adopt a two storey terrace house appearance to present a fine grain articulation to the street frontage.	Capable of complying
2. Residential ground floor units are to have individual gates and entrances accessed directly from the street.	Capable of complying
3. Ground floor residential apartments are to be elevated from the street level by a minimum of 300mm and a maximum of 600mm.	Capable of complying
4. Ground floor residential fences are to be no more than 1.2m in height with a minimum 50% transparency. Contemporary palisade fence designs in a dark recessive colour are encouraged.	Capable of complying
5. Soft landscaping to the front of the terrace is to be a minimum of 40% of the setback area, contiguous, and a minimum of 2m in any direction.	Capable of complying.
6. Small trees suitable for the landscaped area provided are encouraged.	Capable of complying
7. Underground car parking is not to intrude into the primary setback by more than 500mm.	Capable of complying
5.8 Solar Access and Overshadowing	
Objectives a. To provide adequate solar access to common open spaces and the open space of adjoining properties, so as to ensure a high level of amenity is achieved for both future and adjoining residents. b. To ensure that overshadowing from new development does not result in significant loss of sunlight and diminish the enjoyment of public and private open spaces.	Consistent

Clause	Comment
c. To protect, and where possible, increase the level of sunlight to public and private open spaces during the times of the year when outdoor spaces are most commonly used. d. To facilitate the equitable sharing of future impacts of new development on the public domain.	
Controls 1. Development is to ensure that at least 50% of the landscaped open space of adjoining properties receives a minimum of 4 hours of sunlight between the hours of 9am and 3pm on 21 June. Note: Where these areas already receive less than the minimum 4 hours, the proposed development shall not further reduce the level of solar access.	Generally, complies Taking into consideration that this area will be developed for higher density. Refer Section 8.3.
2. Development shall achieve direct sunlight to the principal usable part of the communal open space within the development site for a minimum of 2 hours between 9am and 3pm on 21 June.	Capable of complying
3. The development shall not create additional overshadowing, of land identified for public open space, between the hours of 11am-2pm on 21 June. This includes public open spaces outside and adjacent to the precinct.	Partial variation The Station Plaza is at 65%. Refer Section 7.6.
4. Solar access to future dwellings within the development shall comply with, and where possible exceed, the minimum solar access requirements within the Apartment Design Guide.	Capable of complying. Refer to ADG Assessment (Appendix U).
5.9 Adaptable Housing	
Objectives a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents. b. To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	Noted.
Controls 1. Residential flat buildings and multi dwelling housing are to meet the requirements for adaptable housing within part B Section 4 Residential Flat Buildings of The Hills DCP 2012.	Capable of complying. To be addressed as part of future DAs.
2. All types of residential accommodation are to consider flexibility in the design to allow adaption to meet the changing needs of residents due to ageing or disability.	
5.10 Noise	
Objectives a. To ensure the amenity of future residents and workers by appropriately responding to noise impacts.	Consistent
Controls 1. Site planning, building orientation and interior layout should be used as tools to lessen noise intrusion as far as possible.	Capable of complying
2. Attenuation of noise at the source is preferred. Applicants are to indicate measures undertaken to mitigate the impact of noise upon adjacent residents and/or workers.	Capable of complying

<table>
<tr><th>Clause</th><th>Comment</th></tr>
<tr><td>3. It is preferable that noise attenuation measures will last for a minimum of 10 years or the life of the development proposal, before being upgraded to meet current standards as required.</td><td>Capable of complying</td></tr>
<tr><td>4. A Noise Impact Assessment prepared by a suitably qualified consultant may be required when submitting a development application for a new development or the renovation of an existing development.</td><td>Capable of complying</td></tr>
<tr><td>5. The provisions of State Environmental Planning Policy (Infrastructure) 2007 and Development near Rail Corridors and Busy Roads Interim Guideline must be taken into consideration to minimise impacts of busy roads and railway corridors on residential and other sensitive development.</td><td>Capable of complying</td></tr>
<tr><td>6. Development applications are to demonstrate how buildings comply with the noise criteria specified in Table 7.
Table 7 Noise Criteria
Living areas 40 dBA 45 dBA
Working areas
Sleeping areas 35 dBA 40 dBA</td><td>Complies
Refer 8.7 and Noise and Vibration Assessment (Appendix N).</td></tr>
<tr><td>5.11 Parking rates and access</td><td></td></tr>
<tr><td>Objectives
a. To provide sufficient parking spaces for development while encouraging public transport use.
b. To ensure that car parking is appropriately located and visual impacts of access and parking facilities on the public realm are minimised.
c. To ensure vehicles enter and exit developments in a safe and efficient manner.
d. Pedestrian and cycle access to, from and through development is simple, safe and direct.
e. To ensure that bicycle parking is considered and provided appropriately in all development.
f. To ensure that end of trip facilities such as change rooms, showers and secure areas for bicycle parking are provided in new buildings featuring employment uses.</td><td>Consistent</td></tr>
<tr><td>Controls
Car Parking
1. Car parking spaces are to be provided at the rates specified in the parking rates table below. For any use not specified, the car parking rates in The Hills Development Control Plan 2012 (Part C Section 1 – Parking) shall apply.
Table 8 Car Parking Rates<table><tr><th>Land Use</th><th>Rate</th></tr><tr><td>Residential flat buildings and dwellings in shop top housing</td><td>1 resident space per unit.
1 visitor space per 5 units.</td></tr><tr><td>Retail and commercial use in B2 Local Centre zone</td><td>To be determined by a merit based assessment. Development applications are to be accompanied by a traffic and parking study which demonstrates that the parking provision is sufficient to meet the forecast demand.</td></tr><tr><td>All other uses</td><td>To comply with the rates in The Hills DCP 2012 Part C Section 1 – Parking.</td></tr></table></td><td>Variation with respect to residential rates.
Refer Section 7.6 and Traffic Impact Assessment.</td></tr>
<tr><td>2. Car parking shall not be located on the roof of buildings.</td><td>Capable of complying.</td></tr>
<tr><td>Vehicular Access</td><td>Capable of complying.</td></tr>
</table>

Clause	Comment
3. The location and means of access to customer car parking within a building is to be clearly visible.	
4. Adequate vehicular entry and exit and circulation areas are to be provided. The design must: » Provide safe environment for both pedestrians and vehicles using the site and surrounding road networks; » Ensure vehicular ingress and egress to the site is in a forward direction at all times; » Provide for service vehicles where possible; and » Be designed to minimise the visual impact of hard paved areas. » Parking shall be provided underground or at the rear of buildings.	Capable of complying. Refer Proof of Concept Plans.
5. Loading areas and vehicular access points for development are to be screened from public roads and public access points.	Capable of complying.
6. Loading areas and vehicular access points for development in the B2 Local Centre zone must avoid conflicts with pedestrian activity areas including waiting zones for bus, taxi and kiss and ride activities.	Complies Parking and service vehicle access to the sites and future buildings are to be located away from the major pedestrian movement corridors, activity nodes and active frontages within the precincts. Refer Urban Design Guidelines.
Residential Flat Buildings and Shop Top Housing 7. Parking is to be underground and within the footprint of the building above.	Capable of complying. Refer Proof of Concept Plans.
8. Basement parking is not to be provided forward of the building line.	Capable of complying. Refer Proof of Concept Plans.
9. Where above ground parking cannot be avoided due to site conditions, it must be well integrated into the overall façade design and create a good relationship to the public domain.	Noted.
10. Garages and parking structures are not to project forward of the building line and are to be screened from the public domain by active uses.	Capable of complying. Refer Proof of Concept Plans.
11. Any parking located within the front setback area must be suitably landscaped and contribute positively to the streetscape.	N/A. Parking is not proposed in the front setbacks.
12. Car share spaces are encouraged within residential flat buildings and shop top housing developments. Car share spaces are to be for the exclusive use of car share scheme vehicles, and included in the number of car parking spaces permitted on a site. The car share parking spaces are to be: • Exclusive of visitor car parking; • Retained as common property by the Owners Corporation of the site, and not sold or leased to an individual owner/occupier at any time;	Complies One space per 150 car spaces for residential and one space per 80 car parking spaces for commercial is proposed to be adopted. Refer Traffic and Transport

<table>
<tr><th>Clause</th><th>Comment</th></tr>
<tr><td>

- Made available for use by operators of car share schemes without a fee or charge;
- Grouped together in the most convenient locations relative to car parking entrances and pedestrian lifts or access points;
- Located in well-lit paces that allow for casual surveillance;
- Signposted for use only by car share vehicles; and
- Made known to building occupants and car share members through appropriate signage which indicates the availability of the scheme and promotes its use as an alternative mode of transport.

</td><td>Assessment (Appendix X).</td></tr>
<tr><td>13. Development applications are to demonstrate how the car share parking space(s) is to be accessed, including where access is through a security gate. A covenant is to be registered with the strata plan advising of any car share parking space. The covenant is to include provisions that the car share parking space(s) cannot be revoked or modified without prior approval of Council.</td><td>Noted.</td></tr>
<tr><td>Bicycle Parking
14. Secure, conveniently located bike parking facilities are to be provided at the rates specified in Table 9 below.

<table>
<tr><td>Land Use</td><td>Rate (minimum)</td></tr>
<tr><td>Residential flat buildings</td><td>1 resident space per 3 apartments.
1 visitor space per 12 apartments.</td></tr>
<tr><td>Commercial use</td><td>1 space per 600m² GFA for staff.</td></tr>
<tr><td>Retail use</td><td>1 space per 450m² for staff.</td></tr>
</table>
</td><td>Complies</td></tr>
</table>

Table 1 Open Space Requirements

Requirements Park/Plaza	Minimum Area	Requirements
Chapman Avenue Reserve Extension	6,280m² total Existing: 2,221m² New: 4,059m²	Park to be enlarged and embellished to create a central neighbourhood park. A range of new children's play spaces, open lawn areas, seating and barbecue areas, shade structures and other facilities. Existing and new trees and vegetation. High quality, robust and low maintenance landscaping materials.
Riparian Corridor Park	7.9 hectares 4.3ha new open space 3.6ha existing open space Cockayne Reserve	An open space corridor is to be provided along Cattai Creek which will enable restoration of the creek corridor, while enhancing pedestrian and cyclist access throughout the Precinct, in particular linkages to existing open
Station Plazas	3,000m² approx.(total) Village Plaza alongside Doran Drive) approx. 1,150m2 Station concourse plazas approx. 1,950m2 (delivered through the Sydney Metro Northwest construction)	Open lawn for recreation (as appropriate). Open paved areas (as appropriate). High quality, durable paving and landscape finishes. Feature planting bed. Sufficient shade tree planting to provide shade and greenery. Seating and other street furniture to optimise use of the space Water features Public Art
The Showground	Subject to a Master Plan.	Subject to a Master Plan.

Table 2 Building Setbacks

Setbacks	
Setbacks – B2 Local Centre Zone	
Setbacks to Waterways	» Refer to setback controls contained within 4.10 'Development Adjoining Cattai Creek Riparian Corridor'.
Front Setbacks	» Refer to Figure 41 Street Setbacks.
Upper Level Setbacks	» Refer to Figure 46 Upper Level Setbacks.
Podium Height	» Refer to Figure 47 Podium Heights.
Side and Rear Setbacks	» Where adjoining or adjacent to residential development: 6m or to comply with SEPP 65 whichever is the greater (to be used exclusively for landscaping).
Balconies	» Balconies shall not protrude into the setback area.
Setbacks – R1 General Residential	
Setbacks to Classified Roads	» 10m (note: noise attenuation requirements may require a greater setback distance).
Front Setbacks	» Refer to Figure 41 Street Setbacks. » Development adjoining any road not identified on Figure 41 shall be setback 5m from the property boundary. » Underground car parking shall not intrude into the primary setback.
Upper Level Setbacks	» Refer to Figure 46 Upper Level Setbacks. » Development facing any road not identified on Figure 42 shall be setback 5m behind the front building line (above a 4-storey podium).
Podium Height	» Refer to Figure 47 Podium Heights. » Development facing any road not identified on Figure 43 shall include a 4-storey podium element.
Rear Setback	» 8m or to comply with SEPP 65 whichever is the greater.
Side Setback	» 6m or to comply with SEPP 65 whichever is the greater.
Balconies	» Balconies shall not protrude into the setback areas.