



HILLTOPS DEVELOPMENT CONTROL PLAN 2025



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Chapter 1. General Provisions

Chapter 1. General Provisions

Section 1 Introduction

1.1. Name of the Plan

This Plan is called the Hilltops Development Control Plan 2025.

It applies to all land in the Hilltops Local Government Area to which the *Hilltops Local Environmental Plan 2022* (referred to as the HLEP 2022) applies.

It also applies to land identified as a deferred matter under the *Hilltops Local Environmental Plan 2022* that is still controlled under the provisions of the *Young Local Environmental Plan 1991 – Urban Lands*.

The Plan has been prepared in accordance with Section 3.43 of the *Environmental Planning and Assessment Act 1979* (referred to as the EP&A Act) and Part 2, Division 2 of the *Environmental Planning and Assessment Regulation 2021* (referred to as the Regulation).

1.2. About this plan

This Plan was adopted by Hilltops Council at its Ordinary Council meeting held on 25 June 2025, and came into force on 1 July 2025, being the date the notice of commencement of plan was published on the Hilltops Council's website.

In accordance with Clause 16 of the Regulation, this DCP repeals the Young Development Control Plan 2011 and Boorowa Development Control Plan 2013.

References to specific legislation, standards, policies and or government agency names are current at the date of commencement of this plan and are to be referenced as including any updates and changes made post commencement of this plan.

1.3. Purpose of the Plan

The principal purpose of this Plan is to provide guidance on the following matters:

- a) Giving effect to the aims of HLEP 2022,
- b) Guiding development that is permissible under the HLEP 2022,
- c) Achieving the objectives of land-use zones prescribed under the HLEP 2022.

The controls included in this Plan should be taken into account as part of the design phase of new development and will be taken into consideration by Council as part of the assessment of Development and related Applications.

Controls are designed to improve planning outcomes for the Hilltops Local Government Area. Together, the HLEP 2022 and this Plan form the land-use planning framework for the Hilltops Local Government Area.

1.4. Objectives

The objectives of the Hilltops Development Control Plan 2025 are to:

- a) Provide detailed provision for regulating development.
- b) Protect and improve the environment within the Hilltops LGA.
- c) Protect and improve amenity and design of development.
- d) Conserve, protect and enhance environmental heritage.

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- e) Encourage a diversity of housing to meet the needs of the residents; and
- f) Facilitate development that is environmentally sustainable.

1.5. Relationships to other plans

This Plan is to be read in conjunction with other environmental planning instruments, Hilltops Council policies, codes and specifications such that are also relevant to specific aspects of a development proposal.

The purpose of the Plan is to provide additional detailed controls for various types of development which supplement or expand on the controls within the HLEP 2022.

In the event of an inconsistency between this Plan and any other environmental planning instrument applying to the same land, the provisions of the other environmental planning instrument will prevail to the extent of the identified inconsistency.

In addition to the provisions of this Plan, Council must also assess those matters specified for consideration under Section 4.15 of the EP&A Act.

1.6. What are the parts of the DCP?

The Hilltops Development Control Plan 2025 (DCP) is divided into Chapters and Sections.

Depending on the nature of a particular proposed development, one or more Parts of the DCP may contain relevant controls that need to be considered.

This Chapter, **Chapter 1** is the introduction to the DCP, which sets out how the DCP relates to other planning instruments, the purpose of the DCP, and how to use this DCP.

Chapter 2 deals with zone based controls. These zones include Commercial, Retail and Business; Industrial, Residential, Village and Rural. Each section within these chapters deals with typical uses within that zone.

It is important to understand that some development types are permissible in multiple zones. For example, residential development is permissible in some circumstances in Employment zones. You should therefore look to the residential section for specific controls applying to residential development in these zones.

Chapter 3 deals with precinct-based controls. These are areas not covered by a single land use zone but are covered by a map included within this DCP.

Chapter 4 deals with controls that apply across the Local Government Area, irrespective of the zone. These include controls relating to heritage, parking and the like.

Chapter 5 deals with subdivision, with controls across a number of zones. Other subdivisions are controlled solely by the LEP.

1.7. What is the relationship between objectives of the plan, objectives of the development type, performance outcomes and controls/acceptable solutions?

A performance based DCP allows Council to consider controls or alternative solutions to numerical standards where there is design merit. For this to be considered the objectives and performance outcomes are to be satisfied. The hierarchy of provisions in the DCP is as follows:

Hierarchy	Description
1. Objectives of the plan	These are general objectives applying to development.
2. Objectives of the specific development	For example, objective of section 2.1 Rural dwellings.
3. Performance criteria	These are the requirements in performance terms.
4. Controls and acceptable solutions	Controls are absolute and are used in sections 2.1 Rural dwellings, 2.2 Single residential dwellings and 2.3 Multi-dwelling residential. Acceptable solutions are alternative means of achieving performance outcomes and are used in sections other than those mentioned above.
5. Other controls and acceptable solutions	Other sections of the DCP that may relate to the development.

Hierarchy	Description
6. Design cues and suggestions	Design topics for applicants to consider that can improve design quality.

1.8. Development Assessment Policy and Development Application Guide

The Hilltops Development Assessment Policy is a guideline for the lodgment, acceptance, assessment, and determination of development, and development related, applications in the Hilltops Local Government Area (LGA), incorporating Council's legislative responsibilities in addition to the [Statement of Expectations Order 2024](#).

Council's [Development Assessment Policy](#) is found on Council's website.

Council's Development Application Guide provides an overview of the details that must be shown on the plans for your development. Submission of clear and accurate plans will allow Council to fully understand your development and complete an assessment in a timely manner. Applications submitted with unclear or illegible plans will not be accepted by Council and shall be returned to the applicant.

Council's [Development Application Guide](#) can be found on Council's website.

1.9. Notification and Advertised Development

The Hilltops Community Participation Plan (CPP) is designed to make participation in planning clearer for, and accessible to, all members of the community.

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It does this by setting out in one consolidated document how and when you can participate in the planning system, our functions and different types of proposals.

Details of applications that will be notified and advertised can be found within the Hilltops Community Participation Plan.

The [Hilltops Community Participation Plan](#) can be found on Council's website.

1.10. Variations and Council's Development Assessment Policy

Controls and Acceptable Solutions shall be addressed for a smoother development assessment pathway. Where no specific control is stated, demonstrated compliance with the performance outcome is required. Compliance with the controls below must be demonstrated on plans.

However, Council acknowledges that there will be circumstances that a variation to the Control or Acceptable solution is required for development to occur.

Proposed variations to this Development Control Plan will be assessed as per Council's [Development Assessment Policy](#) which can be found on Council's website. The Policy notes details of:

- Criteria that must be addressed in a written justification for a variation as per the Policy requirements;
- Variations that can be determined under Council delegated authority; and
- Variations that are to be determined at a Council meeting.

1.11. Definitions

Unless specifically stated in this plan, all definitions are as per the Standard Instrument Local Environmental Plan Dictionary and definitions.

1.12. Plan Amendments

This plan is subject to amendment from time to time, subject to the plan making requirements of the EP&A Act. Readers of this Plan should refer to the list of amendments described in the following table to the bottom of the page.

Amendment No	Date of Council Resolution	Effective Date	Description of Amendment
0.1	26 February 2025		Resolution 25/13 Public Exhibition of draft Hilltops Development Control Plan 2025 from 3 to 31 March 2025.
1.0	25 June 2025	1 July 2025	Resolution 25/193 Adoption of Hilltops Development Control Plan 2025.

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Chapter 2. Zone Based Controls

Section 2.1. Rural Dwellings

Explanation
This Section applies to new dwellings on land located in the following zones under the Hilltops Local Environmental Plan 2022: A) RU1 Primary Production B) RU4 Primary Production Small Lots C) C3 Environmental Management. 2.1.1 Note regarding permissibility A dwelling must be permissible with consent under the Hilltops Local Environmental Plan (LEP) 2022 on the land. This means the dwelling must meet the minimum requirements for the size of land shown in the Lot Size Map under the LEP and be consistent with the provisions of Clause 4.2A of the Hilltops LEP 2022. If lots do not comply with the minimum lot size maps, applicants are advised to seek legal advice that their proposal is permissible under the LEP prior to submitting an application. Applications must also satisfy Council regarding the following matters. An assessment against these sections may be required by the applicant and are to be identified in a Statement of Environmental Effects: a) Spray Drift (Section 4.5 of the DCP); b) Car Parking and Vehicle Access (Section 4.1 of the DCP)
Objectives
a) Located and designed in a manner appropriate to the rural character and amenity.

- b) Respond to and minimise conflict on agricultural activities and productive potential of the surrounding rural lands; and
- c) Responsive to the existing development pattern.

Section 2.1A Rural Dwellings

Performance Criteria
PR1 Dwellings are to be provided with a safe connection to the public road network and are to be identifiable.
Acceptable Solutions
AR1.1 Access to the dwelling from the public road network complies with the provisions of Section 4.1 of the DCP relating to access to rural properties and Transport for NSW requirements including: - All-weather access where public roads are unsealed. - If the road is sealed, the property access is to be sealed for a minimum of 10m from the road edge seal. - The internal driveway may be constructed to an all-weather standard of at least gravel.
AR1.2 Signage for the residential address for a dwelling is to be provided and be clearly identifiable from the public road.

Performance Criteria								
PR2.1 Residential dwellings are to be responsive to the slope of the land, orientation to the sun and other site attributes to achieve an appropriate design for the specific site.								
PR2.2 Minimise the use of cut and fill associated with the development.								
Acceptable Solutions								
AR2.1 A Cut for the purposes of development must not exceed a maximum depth, measured from existing ground level of:								
<table><tr><th>Distance from boundary</th><th>Maximum cut depth</th></tr><tr><td><1m</td><td>1m</td></tr><tr><td>1m-1.5m</td><td>2m</td></tr><tr><td>1.5m-3m</td><td>3m</td></tr></table>	Distance from boundary	Maximum cut depth	<1m	1m	1m-1.5m	2m	1.5m-3m	3m
Distance from boundary	Maximum cut depth							
<1m	1m							
1m-1.5m	2m							
1.5m-3m	3m							

<1m	1m
1m-1.5m	2m
1.5m-3m	3m

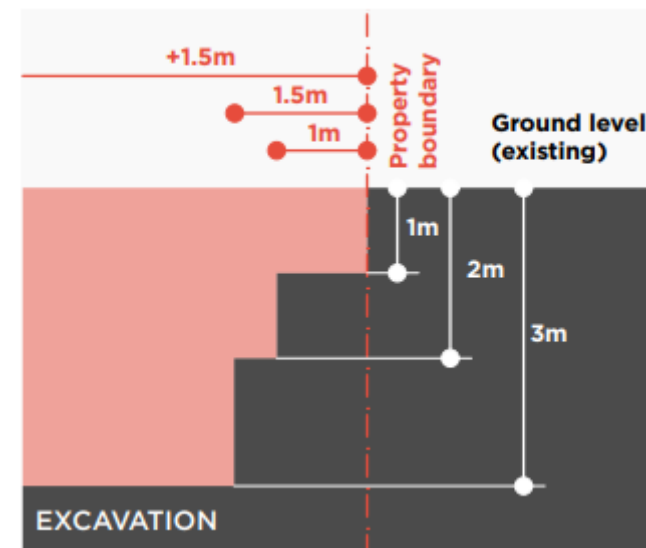


Figure 1: Cut and Excavation Illustration.

(Source: Guide to Complying Development - August 2022 4-NSW Department of Planning and Environment)

AR2.1 B Fill must not be higher than 1m.

AR2.1 C Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.

AR2.1 D A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.

AR2.1 E For steep sloping sites exceeding 10% grade Council may require a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation request.

Performance Criteria

PR3 A) Visual and amenity impacts on neighbours and the rural landscape are minimised; and
B) Development does not adversely affect the environment or agricultural pursuits on the subject or neighbouring lands.

Acceptable Solutions

AR3.1 The dwelling is not located within the following distances to any road boundary:

Zone	Distance
RU1 Primary Production	30m
C3 Environmental Management.	30m
RU4 Primary Production Small Lots	20m

AR3.2 The dwelling is not within the following distances to any side or rear boundary:

Zone	Distance
RU1 Primary Production	20m
C3 Environmental Management.	20m
RU4 Primary Production Small Lots	10m

AR3.3 The dwelling is not located within 50m of a ridge line; nor is it visible above a ridgeline.

AR3.4 The dwelling is not located within 50m of a waterway/ 40m from the bank of any perennial watercourse identified on a 1:50,000 topographical map published by Spatial Services in the Department of Finance, Services and Innovation.

AR3.5 The dwelling is not located within the distances of the land uses outlined in Table 2.1.

Table 2.1 – Agricultural Buffer Distances

Agricultural Land Use	Minimum Distance (metres)
Piggeries – Housing and Waste Storage/Waste Utilisation Area	1000
Poultry	1000
Dairies	500
Feedlots	1000
Rabbits	150
Other intensive livestock	250
Stock grazing	50
Stock yards	200
Outdoor Cropping	300
Outdoor horticulture	250
Protected cropping (greenhouses)	250
Silos/grain storage bunkers	100
Fan assisted silos	300
Rural industries -i.e feed mills and sawmills	1000
Mining and extractive industries (blasting)	1000

AR3.6 Use of vegetated buffers between residential development and agricultural land uses are encouraged. See Section 4.15 for information and guidance.

AR3.7 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads.

AR3.8 Dwellings are to be designed so that the elevation facing the street has a residential appearance or nature.

Performance Criteria
PR4 Adequate area exists for on-site waste disposal.
Acceptable Solutions
AR4.1 The drainage field of the On-Site Sewerage Management System is appropriately designed in accordance with Hilltops On-site Wastewater Management Policy and considers the cumulative impact of an additional system in the locality. A separate Section 68 Approval is required for On-Site Sewage Management which can be found on Council's website.

Performance Criteria
PR5 Dwellings are supplied with potable water and water for fire fighting reserves.
Acceptable Solutions
AR5.1 The on-site water capture and storage for domestic purposes complies with the NSW BASIX scheme and any Certificate issued. AR5.2 The total water storage on site is to be compliant with the following: guidelines in below <i>Guide for Tank Size Selection</i>;

- include a firefighting reserve of 20,000 L, over and above any BASIX minimum; and
- fitted with a 65mm Stortz fitting.

The above may mean a total volume in excess of the *Guide for Tank Size Selection* in some circumstances.

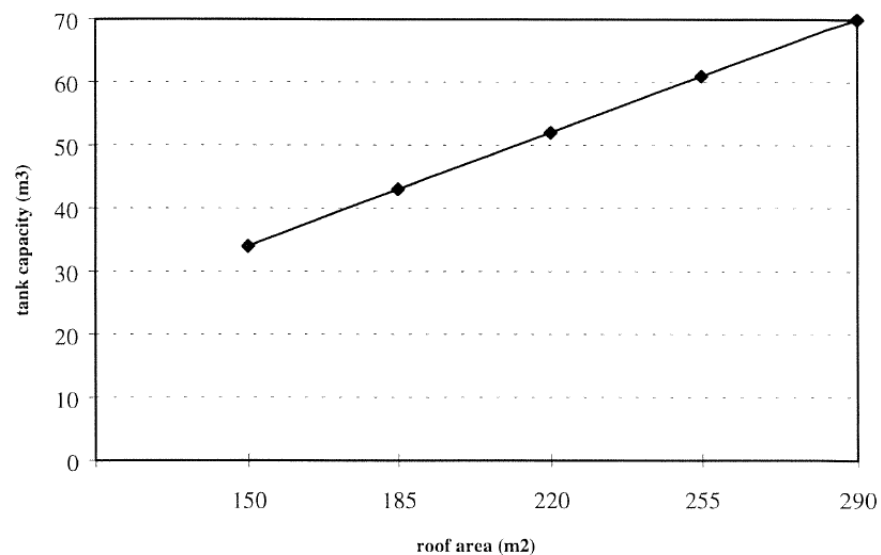
Performance Criteria
PR6.1 Land for erection of a dwelling is safe and suitable for the purpose.
PR6.2 Minimise the risks to human health and the environment from the development of potentially contaminated land.
Acceptable Solutions
AR6.1 Where land has been identified as former orchard or other potentially contaminating land use, a report from a suitably qualified consultant is submitted to Council demonstrating that the land is suitable for the intended use. AR6.2 Development is to be in compliance with Council's Contaminated Lands Policy.

Performance Criteria
PR7 No structures are adversely affected by stormwater egress.
Acceptable Solutions
AR7.1 All stormwater from the property is to be designed and disposed of without causing nuisance. This may involve connection

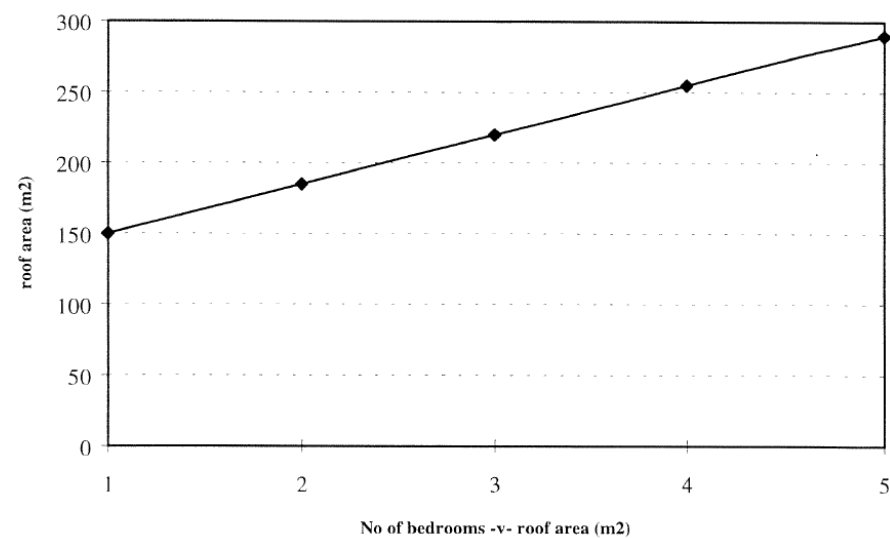
to Council's existing drainage system or other suitable arrangements such as easements.

Performance Criteria	
PR8	Residential development is to: a) Be designed to reflect vehicle and occupant safety principles; and b) Ensure safe vehicle and occupant interaction within residential properties.
Acceptable Solutions	
AR8	PR8 is satisfied if a means, manual or electronic, is put in place to restrict a dwelling's occupant or visitor from bringing into potential harm an occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in Section 2.4 Vehicle and Occupant Safety for Residential Development. This provision applies to all Class 1, 2 and 10 buildings. See Section 2.4 Vehicle and Occupant Safety for Residential Development for further details.

Guide for Tank Size Selection (for lots with no reticulated water)

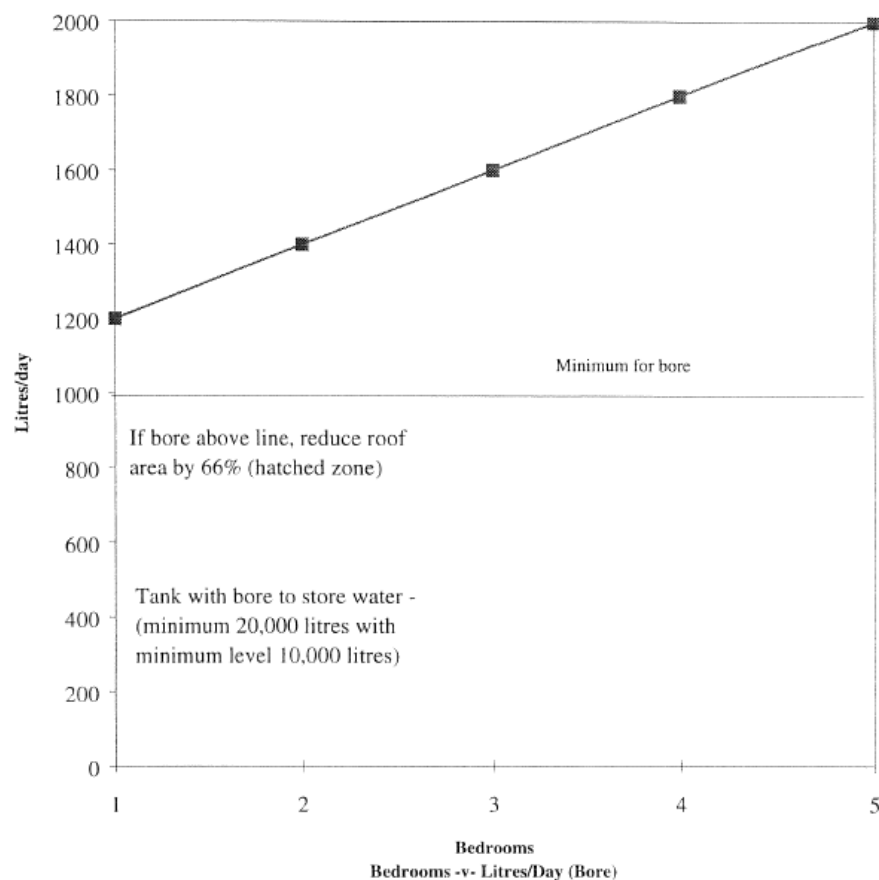


- 1 bedroom = 150m² = 34,000 litres
- 2 bedrooms = 185m² = 43,000 litres
- 3 bedrooms = 220m² = 52,000 litres
- 4 bedrooms = 255m² = 61,000 litres
- 5 bedrooms = 290m² = 70,000 litres

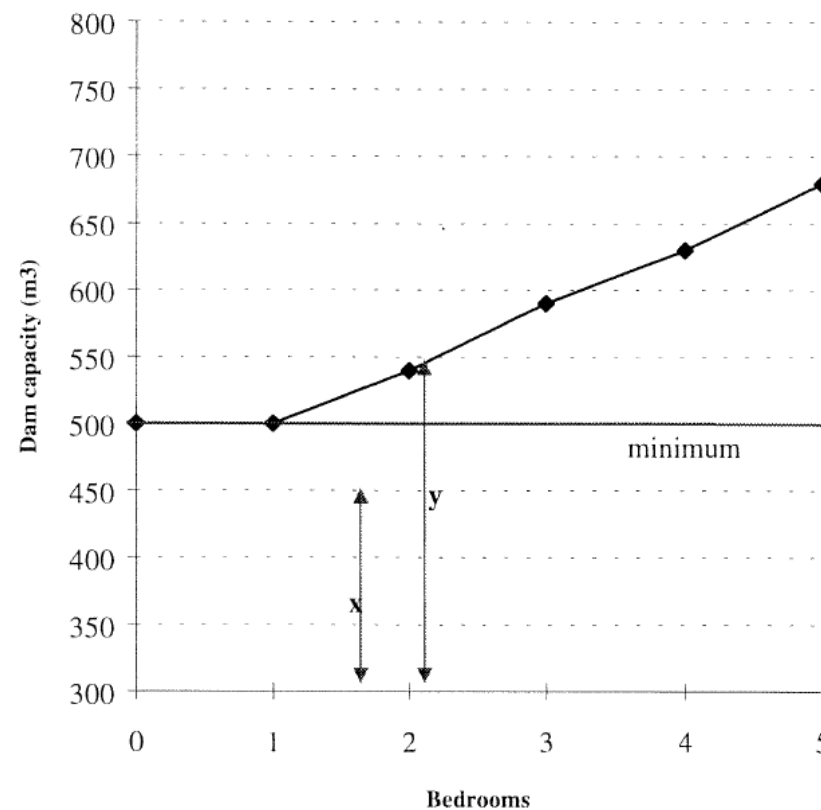


- 1 bedroom = 150m²
- 2 bedrooms = 185m²
- 3 bedrooms = 220m²
- 4 bedrooms = 255m²
- 5 bedrooms = 290m²

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If a bore is provided, potable water requirements can be reduced from 600 litres per person per day to 200 litres per person per day.



If dam capacity (x) is above the line, roof area can be reduced by 66%.

If (x) is below the line, it can be reduced by $66/100 \times x/y$:

- 1 bedroom = 500m³
= 110,000 gal
- 2 bedrooms = 534m³
= 118,000 gal
- 3 bedrooms = 588m³
= 130,000 gal
- 4 bedrooms = 636m³
= 140,000 gal
- 5 bedrooms = 680m³
= 150,000 gal

Section 2.1B Ancillary Development to Rural Dwellings

Explanation
This Section applies to ancillary development to rural dwellings on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: A) RU1 Primary Production B) RU4 Primary Production Small Lots C) C3 Environmental Management. Ancillary development includes: garden sheds, free standing carports, garages, water storage tanks, awnings, pergolas, decks. The site, neighbourhood and parking provisions identified in Rural Dwellings above are to be considered in addition to the below controls when designing ancillary development. Where an inconsistency occurs between the below performance outcomes and controls, and Section 2.1A Rural Dwellings, the below performance outcomes are to prevail for the zone stated, to the extent of the inconsistency. This section does not necessarily contain every design consideration relevant to ancillary development. This does not exempt the application from having a Statement of Environmental Effects. A Statement of Environmental Effects will require the applicant to describe height, size, colour, location, setbacks and give details on any potential amenity impacts to adjoining existing or potential development. Guidance on Statement of Environmental Effects can be found within Council's Development Application Guide on Council's website.

Activities that may be commercial or industrial and fall outside mainstream agriculture may require separate consent and consideration under other parts of this DCP.

An application must also satisfy Council regarding the following matters. An assessment against these sections may be required by the applicant and is to be identified in a Statement of Environmental Effects.

- a) Spray Drift (Section 4.5 of the DCP);
- b) Car Parking and Vehicle Access (Section 4.1 of the DCP); and
- c) Development Requiring Tree Removal or Lopping (Section 4.3 of the DCP).

Objectives

The objectives for rural dwellings and ancillary development are:

- a) Located and designed in a manner appropriate to the rural character and amenity;
- b) Respond to and minimise conflict on agricultural activities and productive potential of the surrounding rural lands; and
- c) Responsive to the existing development pattern.

Performance Criteria

PAD1 Ancillary development is to be positioned to:

- a) Minimise visual impact on neighbours and the rural landscape; and
- b) Ensure practical serviceability.

Acceptable Solutions

AAD1.1 Ancillary development is to achieve the following setbacks

from primary road boundary:

- 30m in RU1 and C3 zones; or
- 20m in RU4 zones

AAD1.2 Ancillary development is to be at least 20m from any secondary street frontage on corner allotments.

AAD1.3 Ancillary development is to be set behind the dwelling as much as practicable.

AAD1.4 Ancillary development is to be no closer to the side and rear boundaries than

- 20m in RU1 and C3 zones; or
- 10m in RU4 zones.

AAD1.5 The ancillary development is not located within 50m of a waterway or 40m from the bank of any perennial watercourse identified on a 1:50,000 topographical map published by Spatial Services in the Department of Finance, Services and Innovation.

AAD1.6 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads.

Section 2.1C Design Cues and Suggestions for Rural Residential Development

Residential development offers many different options. Sometimes it is not possible to comply with all the controls. Where a control is not achieved, an explanation of the alternative made should be described in the Statement of Environmental Effects. Council will consider alternative designs provided the performance outcomes are achieved.

For Rural Residential Development consider:

- Examining optimal passive solar access and dwelling orientation.
- Address separation distances from neighbours.
- Respect the slope of the site.
- Address separation distances from agriculture on subject property.

Generally, for Residential Development consider:

- Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass.
- Gables over garages facing streets are avoided. Dutch gables are considered satisfactory.
- Opening up living areas directly onto courtyards and gardens, which benefit from good sunlight.
- Dwellings are provided with indoor living areas which are adjoined by outdoor living areas that have a northerly aspect.
- Providing good sunlight to living areas and avoiding

overshadowing of neighbours and established garden areas.

- At least 50% of the minimum required secluded private open space of a development, including within the development and adjoining developments, has sunlight between the hours of 9am and 3pm on 21 June.
- Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for:
 - i. all two-storey development, and
 - ii. single storey development that is both up-slope and in the direction of the sun from existing residential development.
- Planning the internal layout of a house to ensure good daylight to living areas.
- Vehicular parking should not be on the north side of a dwelling's high occupancy rooms which have access to high daylight hours.
- Locating parking in the shadow of the buildings.
- Habitable room windows have at least 2.4m separation from the wall of an adjoining building.
- Water storage tanks are not to be located on the north side of that dwelling.

Section 2.2. Single Residential Development

Section 2.2A Single Residential Development

Explanation
Applies to new dwellings, or alterations or additions to existing dwellings in the following zones under the Hilltops Local Environmental Plan 2022: a) R1 General Residential b) R2 Low Density Residential c) R5 Large Lot Residential d) MU1 Mixed Use For Dwellings in Rural and Conservation Zones– See also Section 2.1. For Dwellings in Village Zones– See also Section 2.11. Single residential development includes a single dwelling, all landscaping and access/service areas, as well as any outbuildings, such as garden sheds, or detached studios/workshops. For the purposes of this Section, a reference to a ‘dwelling’ is also a reference to ‘alterations and additions’ to an existing dwelling. Applications must also satisfy Council regarding the following matters. An assessment against these sections may be required by the applicant and are to be identified in a Statement of Environmental Effects. a) Spray Drift (Section 4.5 of the DCP); b) Car Parking and Vehicle Access (Section 4.1 of the DCP); - and

c) Development Requiring Tree Removal or Lopping (Section 4.3 of the DCP).
Objectives
To ensure that residential development is of: • High visual quality • High amenity, and • Minimises amenity impacts on surrounding development.

SR1 Site Design

Performance Criteria	
PSR1.1 Residential dwellings are to be responsive to the slope of the land, orientation to the sun and other site attributes to achieve an appropriate design for the specific site.	
PSR1.2 Minimise the use of cut and fill associated with the development.	
Acceptable Solutions	
ASR1.1 A Cut for the purposes of development must not exceed a maximum depth, measured from existing ground level of:	
Distance from boundary	Maximum cut depth
<1m	1m
1m-1.5m	2m
1.5m-3m	3m

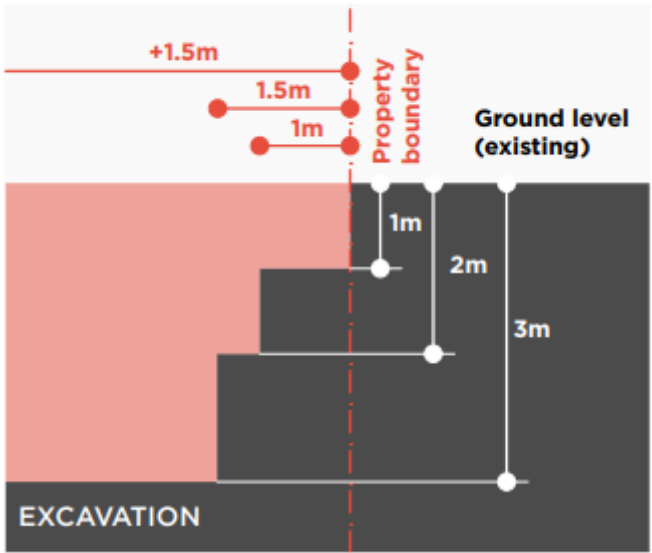


Figure 1: Cut and Excavation Illustration.

(Source: Guide to Complying Development - August 2022 4-NSW Department of Planning and Environment)

ASR1.1 B Fill must not be higher than 1m.

ASR1.1 C Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.

ASR1.1 D A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.

ASR1.1 E For steep sloping sites exceeding 10% grade Council may require a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation request.

ASR1.2 Construction within registered easements or over utilities is avoided.

ASR1.3 Construction over any natural watercourse and natural drainage lines through the land is prohibited.

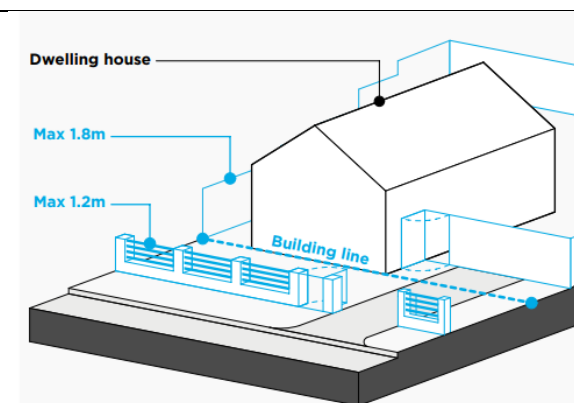
ASR1.4 Development is not located within 50m of a waterway or 40m from the bank of any perennial watercourse identified on a 1:50,000 topographical map published by Spatial Services in the Department of Finance, Services and Innovation.

ASR1.5 The property access is to be located respectful of street trees, structures or fixtures in the road reserve.

Performance Criteria
PSR2.1 Land for erection of a dwelling is safe and suitable for the purpose.
PSR2.2 Minimise the risks to human health and the environment from the development of potentially contaminated land.
Acceptable Solutions
ASR2.1 Where land has been identified as former orchard or other potentially contaminating land use, a report from a suitably qualified consultant is submitted to Council demonstrating that the land is suitable for the intended use.
ASR2.2 Development is to be in compliance with Council's Contaminated Lands Policy.

SR2 Character of the Neighbourhood

Performance Criteria
PSR3 The development is to provide attractive streetscapes, comprising of trees, gardens, building facades, fences and walls.
Acceptable Solutions
ASR3.1A Fences within the front setback area of a primary or secondary road are to be: 20-50% open construction such as use of pickets, vertical stiles, slats or palings; or - vegetative screening or plantings.
ASR3.1B Fencing or screening vegetation along or near the front boundary is to be no greater than 1.2m in height. Example below:



ASR3.2 Dwellings fronting a street are to address that street frontage by:

- The primary entrance door to the dwelling facing the street frontage; and
- The front elevation is to incorporate windows to habitable rooms.

ASR3.3 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads.

ASR3.4 Residential dwellings avoid fibrous cement and metal cladding of walls.

ASR3.5 Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass.

Performance Criteria
PSR4 Dwellings are to ensure that setbacks from the street alignment do not vary dramatically from those in the rest of the

street to preserve neighbourhood and street presence.	
Acceptable Solutions	
ASR4.1 Dwellings are to be set back as per the table below:	
Zone	Control
R1 General Residential Zone and the R2 Low Density Residential zones	from the primary street frontage: - not less than 6m. from any secondary street frontage: - not less than 3m.
R5 Large Lot Residential Zone	from the primary street frontage: - not less than 10m. from any secondary street frontage: - not less than 6m.
R1, R2 and R5 zones	if the adjoining dwelling has differing setbacks: the average of those setback.
ASR4.2 Garages in dwellings are to:	
a) Directly address the street frontage. b) Be recessed behind the front facade of the dwelling; and c) Do not project in front of other parts of the dwelling.	

Performance Criteria
PSR5 The dwelling is to be appropriately located on the site with setbacks that ensure privacy, overshadowing and amenity are respected within the neighbourhood.
Acceptable Solutions

ASR5.1 Side and rear setbacks, excluding secondary street frontage, for dwellings in the R1 General Residential Zone and the R2 Low Density Residential zones are setback as follows:

a) Single Storey Dwellings

- 3m, or
- unless windows are offset to achieve a reasonable expectation of privacy between the new development and the existing adjoining development.

b) Two storey dwellings (Figure 3)

- have the upper level set back from side or rear boundaries by 3m, plus 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

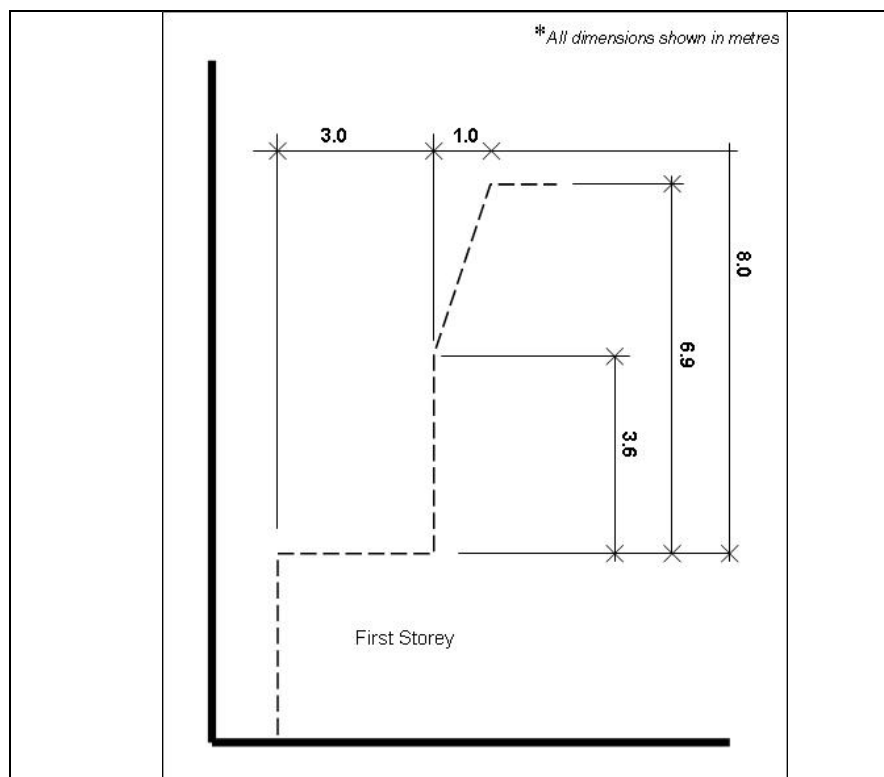


Figure 3: Two Storey Dwelling Setbacks

ASR5.2 Dwellings in the R5 Large Lot Residential Zone are setback not less than 10m from the rear and side boundaries, excluding secondary street frontages.

Performance Criteria

PSR6 Dwellings are to respect and improve upon the quality of development in the neighbourhood, when viewed from the street.

Acceptable Solutions

ASR6.1A Dwelling design is to be drawn from surrounding

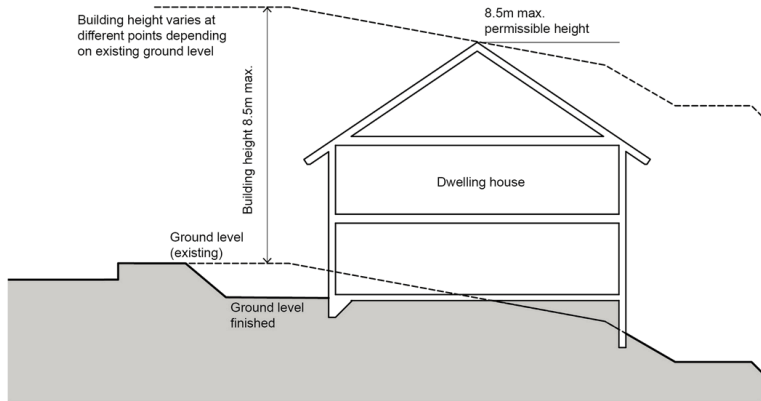
dwellings including:

- a) window forms,
- b) external facade treatments
- c) roof materials
- d) roof pitches

ASR6.1B Dwelling design is to complement the style and character of adjoining houses and gardens including:

- a) the scale,
- b) materials,
- c) roof forms, and
- d) types of trees.

SR3 Dwelling height, bulk and form

Performance Criteria
PSR7 Dwellings are to minimise the building bulk, form and height on or near boundaries to avoid overshadowing and overlooking of neighbours.
Acceptable Solutions
ASR7.1 Dwellings are restricted to the following, whichever is the lesser: - a maximum of two storeys above natural ground level at any point, or 8.5 metres above existing ground level, as illustrated below:

Figure 4: Height of Buildings Illustration (Source: State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

ASR7.2 Wall lengths exceeding 8m are to have wall offsets, openings or articulation to break up the building bulk and form avoiding blank walls.

Performance Criteria
PSR8 Development is to minimise hardstand areas for aesthetics, stormwater, and surface water nuisance impacts.
Acceptable Solutions
ASR8.1 Permeable areas are at least 40% of the site. ASR8.2 A maximum of 30% of the area forward of the front building setback is occupied by paving, access driveways or the like.

Performance Criteria
PSR9 Development is to create a usable outdoor living space for occupants' comfort, health, and enjoyment.
Acceptable Solutions
ASR9.1 Private open space for the dwelling must be located adjoining living rooms, or the like, within the dwelling. ASR9.2 Opening up living areas directly onto courtyards and gardens which benefit from good sunlight. ASR9.3 At least 50% of the minimum required secluded private open space of a development, including within the development and adjoining developments, has sunlight between the hours of 9am and 3pm on 21 June.
Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for all two storey development, and

for single storey development that is both up-slope and in the direction of the sun from existing residential development.

SR4 Access and Parking

Performance Criteria
PSR10 To avoid site and street congestion, development is to provide adequate parking for the dwelling, respecting the configuration of the street.
Acceptable Solutions
ASR10.1 Car parking is provided in the following requirements: a) Two spaces, either covered or uncovered. Stacked parking is permitted. b) Car parking spaces, not including a 'parallel to wall' space, are to be a minimum of 2.6m wide by 5.5m long. c) Parallel to a Wall car parking spaces are to be a minimum of 2.8m wide by 5.5m long. d) Enclosed car parking spaces are to be a minimum of 3m wide by 6m long. ASR10.2 For dwellings in cul-de-sacs, if the site does not have a minimum frontage that enables one car to be parked in front of the site, the site is to contain the ability to park one visitor car on site in addition to the required number of parking spaces. ASR10.3 Vehicular parking should not be on the north side of a dwelling's high occupancy rooms. ASR10.4 Parking is to be in the shadow of the buildings, preferably on the southern boundary.

Performance Criteria
PSR11 Access driveways are to be of a safe and suitable standard through the road reserve.
Acceptable Solutions
ASR11.1 Access driveways, from road edge to property boundary, serving dwellings are to be constructed to the standards set in <i>Council's Engineering Guidelines</i>. ASR11.2 Cross grades for access driveways and parking areas do not exceed 4% grade. ASR11.3 Access driveways to any required parking spaces onsite are provided through a single width crossover, maximum 3.5m wide. Rear lane access will be considered where available. ASR11.4 Residential address for a dwelling is to be provided and clearly identifiable.

SR5 Utilities and Services

Performance Criteria
PSR12 The dwelling is to be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant legislation and Council's Development Servicing Plan.
Acceptable Solutions
ASR12.1 Council's reticulated water service is to be connected to the dwelling.
ASR12.2 Council's reticulated sewer service is to be connected to the dwelling.
ASR12.3 Dwellings on an allotment greater than 2ha in the R5 Large Lot Residential Zone may be considered by Council without reticulated water and sewerage.
ASR12.4 Payment of any headworks contributions for water and or sewer. Refer to Council's and Golden Fields County Council Development Contributions Plans and Development Servicing Plans that may apply to the development.
ASR12.5 Payment of any Section 7.11 or 7.12 development contributions applicable to the development.

SR6 Vehicle and Occupant Safety

Performance Criteria	
PSR13 Residential development is to be designed to reflect vehicle and occupant safety principles. Ensure safe vehicle and occupant interaction within residential properties.	
Acceptable Solutions	
ASR13.1	PSR13 is satisfied if a means, manual or electronic, is put in place to restrict a dwelling's occupant or visitor from bringing into potential harm an occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in Section 2.4 Vehicle and Occupant Safety for Residential Development. See Section 2.4 Vehicle and Occupant Safety for Residential Development for further details.

Section 2.2B Ancillary Development to Single Residential Dwellings

Explanation
This Section applies to ancillary development to dwellings on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: a) R1 General Residential b) R2 Low Density Residential c) R5 Large Lot Residential d) MU1 Mixed Use Ancillary development includes: garden sheds, free standing carports, garages, water storage tanks, awnings, pergolas, decks. The site, neighbourhood and parking provisions identified in Single Residential Dwellings above are to be considered in addition to the below controls when designing ancillary development. Where an inconsistency occurs between the below outcomes and controls, and Section 2.2A Single Residential Dwellings, the below outcomes and controls are to prevail for the zone stated, to the extent of the inconsistency. This section does not necessarily contain every design consideration relevant to ancillary development. This does not exempt the application from having a Statement of Environmental Effects. A Statement of Environmental Effects will require the applicant to describe height, size, colour, location, setbacks, and give details on any potential amenity impacts to adjoining existing or potential development. Council's Development Application Guide on Council's website contains information on preparing a Statement of Environmental Effects.

Performance Criteria
PAD1 Ancillary development is: a) To be sited to minimise visual impact on how the residential property addresses the streetscape; and b) Ancillary development is to be sited to ensure practical serviceability.
Acceptable Solutions
AAD1.1 Ancillary development is to be setback: a) 6m from the primary street frontage; and b) at least 3m from any secondary street frontage on corner allotments. AAD1.2 Ancillary development is to be no closer to the side and rear boundaries than 900mm. AAD1.3 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads.

Section 2.2C Single Residential Dwellings in MU1 Mixed Use zone

Explanation
This Section applies to single residential development on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: a) MU1 Mixed Use For Shop Top Housing please refer to Section 2.7. The site, neighbourhood and parking provisions identified in Single Residential Dwellings above are to be considered in addition to the below controls for single residential dwellings in the MU1 Mixed Use zone. Where an inconsistency occurs between the below outcomes and controls, and Section 2.2A Single Residential Dwellings, the below outcomes and controls are to prevail for the zone stated, to the extent of the inconsistency. Applications must also satisfy Council regarding the following matters. An assessment against these sections may be required by the applicant, and is to be identified in a Statement of Environmental Effects: a) Spray Drift (Section 4.5 of the DCP); b) Car Parking and Vehicle Access (Section 4.1 of the DCP); and c) Development Requiring Tree Removal or Lopping (Section 4.3 of the DCP).

Performance Criteria
PSM1: The development is to ensure preservation of sites within MU1 Mixed Use for the dominant business and commercial uses typical of a CBD or for CBD support.
Acceptable Solutions
ASM1.1 If a residential development only is considered, the dwelling is to be sited on the rear half of the site, reserving the front half for potential future commercial use.

Performance Criteria
PSM2: The development is to use the slope of the land, its orientation to the sun and other site attributes to achieve an appropriate design for the specific site.
Acceptable Solutions
ASM2.1 Site coverage, gross building area, does not exceed 40% of the site. ASM2.2 Secluded private open space is provided for each dwelling at a minimum rate of 30m² per dwelling which can contain a rectangle of 5m x 3m and any other area has a minimum usable width of at least 2m. ASM2.3 Wall lengths on a boundary or on a street frontage do not exceed 8m. Articulation by wall offsets is permissible.

Performance Criteria
PSM3 Protecting the views and privacy of neighbours.
Acceptable Solutions
ASM3.1 Screen landscaping is to be provided to boundary fences of any secluded private open space and along any driveway adjoining a boundary.

Performance Criteria
PSM4 Ensuring setbacks from the street alignment do not vary dramatically from those in the rest of the street.
Acceptable Solutions
ASM4.1 Two storey buildings have the upper level set back from side or rear boundaries by 2m, plus 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Performance Criteria
PSM5 Residential development is to be: a) designed to reflect vehicle and occupant safety principles; and b) Ensure safe vehicle and occupant interaction within residential properties.
Acceptable Solutions
ASM5.1 PSM5 is satisfied if a means, manual or electronic, is put in place to restrict a dwelling's occupant or visitor from bringing into potential harm and occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in Section 2.4 Vehicle and

Occupant Safety for Residential Development.

See Section 2.4 Vehicle and Occupant Safety for Residential Development for further details.

Section 2.2D Design Cues or Suggestions for Single Residential Dwellings

Residential development involves numerous alternatives. In this respect, full compliance with all the controls outlined may not be possible. Where a control is not achieved, the specific alternative made should be described in the Statement of Environmental Effects. Council will consider alternative designs provided the performance outcomes are achieved.

- Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass.
- Gables over garages facing streets are avoided. Note: Dutch gables are considered satisfactory.
- Opening up living areas directly onto courtyards and gardens, which benefit from good sunlight.
- Dwellings are provided with indoor living areas which are adjoined by outdoor living areas that have a northerly aspect.
- Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas.
- At least 50% of the minimum required secluded private open space of a development, including within the development and adjoining developments, has sunlight between the hours of 9am and 3pm on 21 June:
 - Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for:
 - i. all two-storey development, and

- ii. single storey development that is both up-slope and in the direction of the sun from existing residential development.

- Planning the internal layout of a house to ensure good daylight to living areas.
- Vehicular parking should not be on the north side of a dwelling's high occupancy rooms which have sunlight access during daylight hours.
- Locating parking in the shadow of the buildings.
- Habitable room windows have at least 2.4m separation from the wall of an adjoining building.
- Water storage tanks are to not be located on the north side of that dwelling.

Section 2.3 Multi-dwelling Residential Development

Section 2.3A Multi-dwelling Residential Development

Explanation
This Section applies to single residential development on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: a) R1 General Residential. b) R2 Low Density Residential. c) R5 Large Lot Residential. d) MU1 Mixed Use. Multi Dwelling Residential Development includes all development where there are two or more dwellings on a lot, all landscaping and access/service areas, as well as any outbuildings, such as garden sheds, detached studios/workshops etc. Applications must also satisfy Council regarding the following matters. An assessment against these sections may be required by the applicant and is to be identified in a Statement of Environmental Effects: a) Spray Drift (Section 4.5 of the DCP); b) Car Parking and Vehicle Access (Section 4.1 of the DCP); and c) Development Requiring Tree Removal or Lopping (Section 4.3 of the DCP).
Objectives
Ensure that residential development is of high visual quality and minimise developments amenity impacts on surrounding development.

MD1 Site Design

Performance Criteria	
PMD1.1 The development is to use the slope of the land, its orientation to the sun and other site attributes to achieve an appropriate design for the specific site.	
PMD1.2 Minimise the use of cut and fill associated with the development to the greatest degree possible.	
Acceptable Solutions	
AMD1.1 A Cut for the purposes of development must not exceed a maximum depth, measured from existing ground level, of:	
Distance from boundary	Maximum cut depth
<1m	1m
1m-1.5m	2m
1.5m-3m	3m

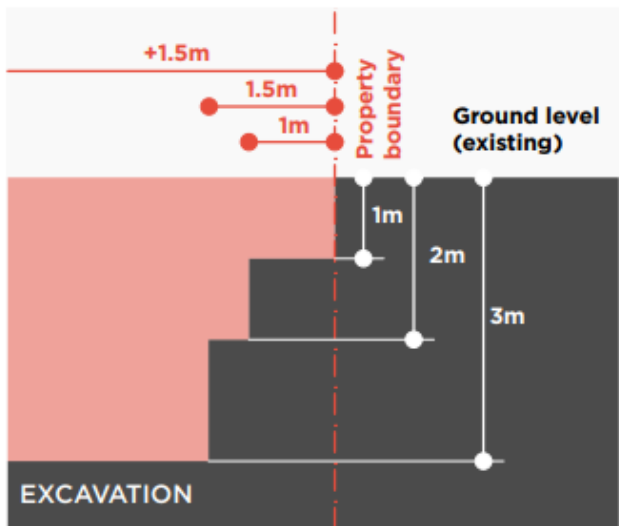


Figure 5: Cut and Excavation Illustration

(Source: Guide to Complying Development - August 2022 4-NSW Department of Planning and Environment)

AMD1.1 B Fill must not be higher than 1m.

AMD1.1 C Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.

AMD1.1 D A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.

AMD1.1 E Council may require for steep sloping sites exceeding 10% grade, a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation.

AMD1.2 Construction within registered easements or over utilities is avoided.

AMD1.3 Construction is prohibited over any natural watercourse or natural drainage lines through the land.

AMD1.4 The property access is to be located respecting street trees, structures or fixtures in the road reserve.

Performance Criteria
PMD2.1 Land for erection of a dwelling is safe and suitable for the purpose.
PMD2.2 Minimise the risks to human health and the environment from the development of potentially contaminated land.
Acceptable Solutions
AMD2.1 Where land has been identified as former orchard or other potentially contaminating land use, a report from a suitably qualified consultant is submitted to Council demonstrating that the land is suitable for the intended use.
AMD2.2 Development is to be in compliance with Council's Contaminated Lands Policy.

MD2 Character of the Neighbourhood

Performance Criteria
PMD3 The development is to provide attractive streetscapes, comprising of trees, gardens, building facades, fences and walls.
Acceptable Solutions
AMD3.1A Fencing or vegetation forward of the front building line is to be either: - an open style, incorporating pickets, vertical stiles, slats or palings; or - vegetative screening/ plantings. AMD3.1B Fencing or vegetation forward of the front building line is to be no greater than 1.2m in height.
AMD3.2 Dwellings fronting a street are to address that street frontage by: - The primary entrance door to the dwelling facing the street frontage; and - The front elevation is to incorporate windows to habitable rooms.
AMD3.3 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads.
ASR3.4 Residential dwellings avoid fibrous cement and metal cladding of walls.
ASR3.5A Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass.
AMD3.5B Driveways to rear dwellings are not fenced forward of the front building setback. Vegetative screening or landscaping are

encouraged at this location.

Performance Criteria
PMD4 Providing each dwelling with clear and distinct access, preferably visible from a public street.
Acceptable Solutions
AMD4.1 The development is to be designed with public access to all occupancies readily discernable from the front driveway access.

Performance Criteria	
PMD5 Providing each dwelling with clear and distinct access, preferably visible from a public street.	
Acceptable Solutions	
AMD5.1 Dwellings are to be set back as per the table below:	
Zone	Control
R1 General Residential Zone, R2 Low Density Residential zones and MU1 Mixed Use.	From the primary street frontage: - not less than 6m. From any secondary street frontage: - not less than 3m.
R5 Large Lot Residential Zone	From the primary street frontage: - not less than 10m. From any secondary street frontage: - not less than 6m.
R1, R2, R5 zones and MU1 Mixed Use	If the adjoining dwellings have differing setbacks: the average of those setbacks

AMD5.2 Garages in dwellings are to:

- a) Directly address the street frontage;
- b) Be recessed behind the front facade of the dwelling; and
- c) Do not project in front of other parts of the dwelling.

Performance Criteria

PMD6 The dwelling is to be appropriately located on the site with setbacks to adjoining or adjacent properties that ensure privacy, overshadowing and amenity are respected within the neighbourhood.

Acceptable Solutions

PMD6.1 Side and rear setbacks, excluding secondary street frontage, for dwellings in the R1 General Residential Zone, R2 Low Density Residential and MU1 Mixed Use zones are setback as follows:

a) Single Storey Dwellings

- 3m, unless windows are offset to achieve a reasonable expectation of privacy between the new development and the existing adjoining development.

b) Two storey dwellings (Figure 7)

- have the upper level set back from side or rear boundaries by 3m, plus 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

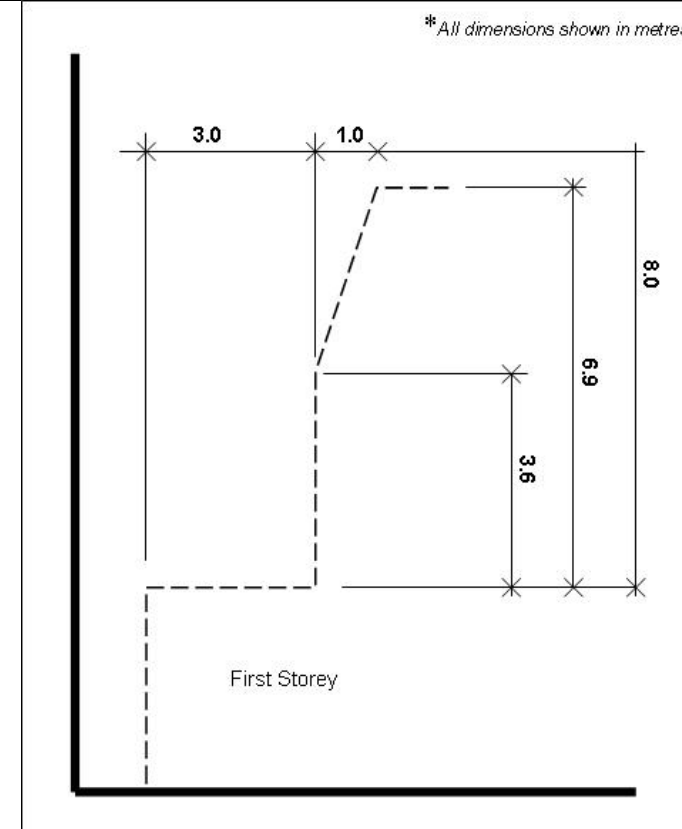


Figure 7: Two Storey Dwelling Setbacks

ASR6.2 Dwellings in the R5 Large Lot Residential Zone are setback not less than 10m from the rear and side boundaries, excluding secondary street frontages.

Performance Criteria
PMD7 Dwellings are to respect and improve upon the quality of development in the neighbourhood, when viewed from the street.
Acceptable Solutions
AMD7.1A Dwelling design is to be drawn from surrounding dwellings including: a) window forms, b) external facade treatments c) roof materials d) roof pitches AMD7.1B Dwelling design is to complement the style and character of adjoining houses and gardens including: a) the scale, b) materials, c) roof forms and d) types of trees.

MD3 Dwelling height, bulk and form

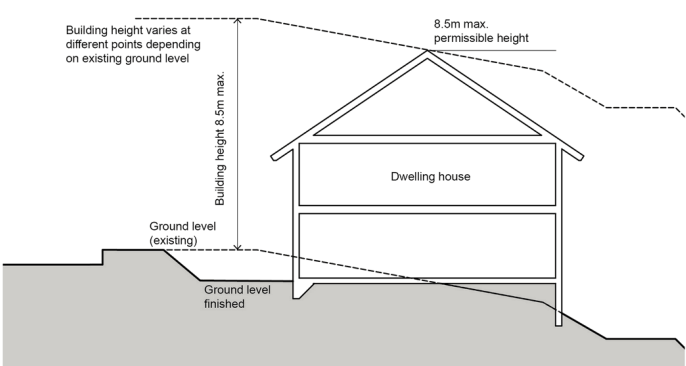
Performance Criteria
PMD8 The dwelling is to minimise building bulk, form and height on or near boundaries to avoid overshadowing and overlooking of neighbours.
Acceptable Solutions
AMD8.1 Dwellings are restricted to the following, whichever is the lesser: a) a maximum of two storeys above natural ground level at any point; or b) 8.5 metres. A height of 8.5 metres is to be measured from natural ground level to the highest structural point of the dwelling, not including antennae, spires etc. As illustrated below: 

Figure 8: Height of Buildings Illustration

(Source: State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

AMD8.2 Wall lengths exceeding 8m are to have wall offsets, openings or articulation of some manner.

Performance Criteria
PMD9 The development is to minimise hardstand areas for aesthetics and stormwater and surface water nuisance impacts.
Acceptable Solutions
AMD9.1 Permeable areas are at least 20% of the site. AMD9.2 A maximum of 30% of the area forward of the front building setback is occupied by paving, access driveways or the like. AMD9.3 Site coverage, gross building area, does not exceed 60% of the site. AMD 9.4 All stormwater from the property is to be disposed of without causing nuisance. This may involve connection to Council's existing stormwater drainage system or other suitable arrangements such as easements.

Performance Criteria
PMD10 The development is to create usable outdoor living spaces for occupants' comfort, health and enjoyment.
Acceptable Solutions
AMD10.1 Private open space, provided for the dwelling, adjoins living rooms or the like.

AMD10.2 Private open space is provided for each dwelling, immediately adjoining that dwelling, at a minimum area of 48m² per dwelling, which can contain a rectangle of 8m x 4m. For the purposes of achieving the required minimum area above, no part of the minimum area is to have a width of less than 3m.

Performance Criteria

PMD11 The scale of a second dwelling is to be smaller than the existing dwelling to assist in the integration of the new building into the neighbourhood.

Acceptable Solutions

AMD11.1 Second dwellings on an allotment with an existing dwelling are no more than 80% of the floor area of the existing dwelling.

MD4 Access and Parking

For the purposes of this section an 'access driveway' is defined as being from the road edge to the property boundary.

Performance Criteria
PMD12 The development is to provide adequate parking for the development respecting the configuration of the street, to avoid site and street congestion.
Acceptable Solutions
AMD12.1 Car parking is provided in accordance with the following requirements: a) Dual occupancy i. 1 or 2 bedroom dwellings – 1 space undercover, ii. 3 or more bedroom dwellings -2 spaces. At least 1 to be undercover, stack parking is not permitted b) 3 or more dwellings i. 1 bedroom dwellings – 1 space undercover ii. 2 or more bedroom dwellings- 2 spaces, at least 1 to be undercover, stack parking not permitted, iii. one visitor parking space per 3 dwellings. This may be provided uncovered. AMD12.2 Car parking space dimensions are to comply with the following standards: a) Car parking space, not including a parallel to wall space, is to be a minimum of 2.6m wide by 5.5m long. b) Car parking space parallel to a wall is to be a minimum of 2.8m wide by 5.5m long. c) Enclosed car parking space is to be a minimum of 3m wide by 6m long.

AMD12.3 For dwellings in cul-de-sacs, if the site does not have a minimum frontage that enables one car to be parked in front of the site, the site is to contain the ability to park one visitor car on-site in addition to the required number of parking spaces.

AMD12.4 Visitor parking, where it is required, is easily accessible and clearly designated by line-marking and signage.

AMD12.5 All parking areas and trafficable areas onsite are to be sealed with bitumen, concrete (preferably coloured and textured), or pavers, to Council specifications.

Performance Criteria
PMD13 To ensure sufficient circulation and movement on site is achieved, to allow vehicles to enter and leave the site in a forward direction without giving rise to congestion.
Acceptable Solutions
AMD13.1 The width of internal accessways, not including turning areas, parking is to be as follows: a) 3m wide to service 1 or 2 dwellings. b) 6m wide to service 3 or more dwellings. c) Additionally, the development is to be designed to allow for additional width of internal access ways for passing purposes.

Performance Criteria
PMD14 Ensuring vehicle access to and from the site is safe.

Acceptable Solutions

AMD14.1 Other than dwellings served directly from the street frontage, vehicles accessing dwellings, as well as visitors to a development, must be able to enter and leave the development in the forward direction. The 85th percentile vehicle must be able to turn on-site in no more than a two-point turn.

AMD14.2 Access driveways directly serving double garages do not exceed 3.5m in width at the property boundary.

AMD14.3 Access driveways are to be concreted, preferably coloured and or textured, sealed, or paved and if serving:

- a) two dwellings, are no more than 3m in width.
- b) more than 2 dwellings are no more than 5.5m in width.
- c) dwellings within the R5 zone are constructed of an all-weather surface, such as compacted road base material.

AMD14.4 Access driveways, from road edge to property boundary, serving dwellings are to be constructed to Council's minimum standard.

AMD14.5 Cross grades for access driveways and parking areas do not exceed 4% grade.

Performance Criteria

PMD15 Minimising the number and width of access driveways consistent with the traffic function of those driveways.

Acceptable Solutions

AMD15.1 Access is provided through a single consolidated access driveway from a public road.

AMD15.2 No lane access is relied on for site access and egress.

Performance Criteria

PMD16 Access driveways through road reserve, from road edge to property boundary, is to be of a safe and suitable standard.

Acceptable Solutions

AMD16.1 Access driveways directly serving double garages do not exceed 3.5m in width at the property boundary.

AMD16.2A Access driveways is to be either concreted, sealed or paved.

AMD16.2B Dwellings within the R5 zone are constructed of an all-weather surface, such as compacted road base material.

AMD16.3 Access driveways for:

- a) two dwellings - are no more than 3m in width.
- b) more than 2 dwellings - are no more than 5.5m in width.
- c) Access driveways may exceed the above minimum at the kerb by no more than 0.5m

AMD16.4 Access driveways serving dwellings are to be constructed to the standards set in *Council's Engineering Guidelines*.

AMD16.5 Cross grades for access driveways and parking areas do not exceed 4% grade.

Performance Criteria
PMD17 The development is to provide a suitable pedestrian network.
Acceptable Solutions
AMD17.1 A 1.5m footpath is provided to all frontages of the development.

Performance Criteria
PMD18 The development is to provide road infrastructure suitable for the development.
Acceptable Solutions
AMD18.1 If not already provided, roadways directly adjacent to the development are to be provided with kerb and gutter, including, where necessary, shoulder widening and seal to Council's standards. Cost of such works is to be paid by the developer.

MD5 Utilities and services

Performance Criteria
PMD19 The dwellings are to be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant legislation and Council's Development Servicing Plan.
Acceptable Solutions
AMD19.1 Council's reticulated water service is to be connected separately to each dwelling.
AMD19.2 Council's reticulated sewer service is to be connected to the dwellings.

Performance Criteria
PMD20 The dwellings are to have appropriate stormwater drainage connected, where possible, into Council's existing stormwater infrastructure.
Acceptable Solutions
AMD20.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements or on-site detention where no direct discharge to waters is available. Post development flow must not exceed pre-development flows.
AMD20.2 For 3 or more dwellings, all roof and surface water drainage are to be designed to provide for conveyance of these

flows per AS3500 per AS3500 and current Australian Rainfall and Runoff Guidelines, including factoring of Climate Change via the Climate Change Rainfall modifier, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.

Performance Criteria
PMD21 The development is to contribute towards the provision of services and infrastructure.
Acceptable Solutions
AMD21.1 Payment of any headworks contributions for water and or sewer. Refer to Council's Stormwater development contributions plans and/or Development Servicing Plans that may apply to the development.
AMD21.2 Payment of any Section 7.11 or Section 7.12 development contributions applicable to the development.

Performance Criteria
PMD22 The following facilities are to be designed and located within the development to ensure visual amenity is not detrimentally affected.
Acceptable Solutions
AMD22.1 Letterboxes are provided for each dwelling in accordance with Australia Post requirements.

AMD22.2 Letter boxes are to be of the same, similar or complementary materials to that of the development.

AMD22.3 Letterboxes are to be designed and located so as not to impede the vision of vehicles entering and leaving the site.

AMD22.4 Clothes drying facilities, either an outdoor drying yard or mechanical dryer, are provided for each dwelling with drying yards screened from public areas and common access areas of the development. Drying areas are not to be within the minimum rectangle area defined for private open space. Tilt type clothes lines are preferred for better use of recreational areas.

AMD22.5 Garbage bin storage is to be provided to the dwellings either:

- a) in a communal, secure and screened area accessible to the street; or
- b) in an area within the curtilage of each dwelling that is not within the minimum rectangle area defined for private open space without passing through the dwelling.

AMD22.6 Space is available to locate an outdoor storage area of 6m² for each dwelling. Note: This could include a garden shed or dedicated space within a garage that does not reduce the floor area of that garage below the minimum dimensions.

MD6 Vehicle and Occupant safety

Performance Criteria
PMD23 Residential development is to be designed to reflect vehicle and occupant safety principles and ensure safe vehicle and occupant interaction within residential properties.
Acceptable Solutions
AMD23 PMD23 is satisfied if a means, manual or electronic, is put in place to restrict a dwelling's occupant or visitor from bringing into potential harm an occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in this Section 2.4.

Section 2.3B Ancillary Developments to Multi-Dwelling Residential Development

Explanation
Ancillary development includes garden sheds, free standing carports, garages, water storage tanks, awnings, pergolas, and decks. The site, neighbourhood, and parking provisions identified in Single Residential Dwellings above are to be considered in addition to the below controls when designing ancillary development. Where an inconsistency occurs between the below outcomes and controls, and Section 2.3.4.1 Multi-Dwelling Residential Development, the below outcomes and controls are to prevail for the zone stated, to the extent of the inconsistency. This section does not necessarily contain every design consideration relevant to ancillary development. This does not exempt the application from having a Statement of Environmental Effects. A Statement of Environmental Effects will require the applicant to describe height, size, colour, location, setbacks, and give details on any potential amenity impacts to adjoining existing or potential development. Council's Development Application Guide on Council's website contains information on preparing a Statement of Environmental Effects.
Objectives
As per Section 2.3A Multi-dwelling Residential Development.

Performance Criteria
PMA1 Ancillary development is to be sited to minimise visual impact on how the residential property addresses the streetscape; and Ancillary development is to be sited to ensure practical serviceability.
Acceptable Solutions
AMA1.1 Ancillary development is to be setback 6m from the primary street frontage and at least 3m from any secondary street frontage on corner allotments. AMA1.2 Ancillary development is to be no closer to the side and rear boundaries than 900mm. AMA1.3 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads. AMA1.4 No ancillary structure is to be permitted within the required private open space area originally approved with the development.

Section 2.3C Design cues and suggestions for Multi-Dwelling Residential Development

Performance Criteria
Residential development involves numerous alternatives. In this respect, full compliance with all controls outlined may not be possible. Where a control is not achieved, the specific alternative made should be described in the Statement of Environmental Effects. Council will consider alternative designs provided the performance outcomes are achieved. A good development would also include the following design aspects: • Landscaping provided to the street frontage, which includes canopy trees, shrubs and grass. • Gables over garages facing streets are avoided. However, dutch gables are considered satisfactory. • Opening up living areas directly onto courtyards and gardens which benefit from good sunlight. • Dwellings are provided with indoor living areas which are adjoined by outdoor living areas that have a northerly aspect. • Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas. • At least 50% of the minimum required secluded private open space of a development, including within the development and adjoining developments, has sunlight between the hours of 9am and 3pm on 21 June. • Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for all two storey development, and for single storey development that is both up-slope and in the direction of the sun from existing residential development.

- Planning the internal layout of a house to ensure good daylight to living areas.
- Vehicular parking should not be on the north side of a dwelling's high occupancy rooms
- Locating parking in the shadow of the buildings.
- Habitable room windows have at least 2.4m separation from the wall of an adjoining building.
- Water storage tanks are not to be located on the north side of that dwelling.
- High occupancy rooms utilised during daylight hours should have a northern aspect.
- Dwellings are to be respective of, or improve on, the quality of development in the neighbourhood, when viewed from the street.
- Design cues being drawn from surrounding dwellings, including window forms, external facade treatments and roof materials and pitches that are common within the neighbourhood.
- The style and character of adjoining houses and gardens including the scale, materials, roof forms and types of trees.

Section 2.3D Multi-Dwelling Residential Development in MU1 Mixed Use zone

Explanation
This section applies to multi-dwelling residential development within the MU1 Mixed Use zone identified under the Hilltops Local Environmental Plan 2022. The site, neighbourhood and parking provisions identified in Multi-Dwelling Residential Development above is to be considered in addition to the below controls when designing ancillary development. Where an inconsistency occurs between the below outcomes and controls, and Section 2.3 Multi-Dwelling Residential Development, the below outcome controls are to prevail for the zone stated, to the extent of the inconsistency. This section does not necessarily contain every design consideration relevant to ancillary development. This does not exempt the application from having a Statement of Environmental Effects. A Statement of Environmental Effects will require the applicant to describe height, size, colour, location, setbacks, and give details on any potential amenity impacts to adjoining existing or potential development. Council's Development Application Guide contains information on preparing a Statement of Environmental Effects. See Section 2.7 for Shop Top Housing. Applications must also satisfy Council regarding the following matters. An assessment against these sections may be required by the applicant and is to be identified in a Statement of Environmental Effects:

- Spray Drift (Section 4.5 of the DCP).
- Heritage Conservation Area – Additional provisions (Section 2.8 of the DCP);
- Car Parking and Vehicle Access (Section 4.1 of the DCP); and
- Development Requiring Tree Removal or Lopping (Section 4.3 of the DCP).

Objectives

As per Section 2.3A Multi-dwelling Residential Development.

Performance Criteria

PMM1 Using its slope, its orientation to the sun, and its established landscape quality to create useable outdoor spaces and views.

Acceptable Solutions

AMM1.1 If a residential development only is considered, the dwelling is to be sited on the rear half of the site, reserving the front half for potential future commercial use.

AMM1.2 Secluded private open space is provided for each dwelling at a minimum rate of 30m² per dwelling which can contain a rectangle of 5m x 3m and any other area has a minimum usable width of at least 2m.

AMM 1.3 Private open space adjoins private open space areas of adjoining dwellings.

Performance Criteria

PMM2 Using its slope, its orientation to the sun, and any established landscape quality to create useable outdoor spaces and views.

Acceptable Solutions
AMM2.1 Screen landscaping is provided to boundary fences of any secluded private open space and along any driveway adjoining a boundary.

Performance Criteria
PMM3 Residential development is to be designed to reflect vehicle and occupant safety principles and ensure safe vehicle and occupant interaction within residential properties.

Acceptable Solutions
AMM3.1 PMM3 is satisfied if a means, manual or electronic, is put in place to restrict a dwelling's occupant or visitor from bringing into potential harm an occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in Section 2.4 Vehicle and Occupant Safety for Residential Development. This provision applies to all Class 1, 2 and 10 buildings. See Section 2.4 Vehicle and Occupant Safety for Residential Development for further details.

Section 2.3E Design Cues or Suggestions for Multi-Dwelling Residential Development in MU1 Mixed Use zone

Multi-dwelling residential development involves numerous alternatives. In this respect, full compliance with all controls outlined may not be possible. Where a control is not achieved, the specific alternative made should be described in the Statement of Environmental Effects. Council will consider alternative designs provided the performance outcomes are achieved.

A good development would also include the following design aspects:

- Landscaping provided to the street frontage, which includes canopy trees, shrubs and grass.
- Gables over garages facing streets are avoided. Note: Dutch gables are considered satisfactory.
- Opening up living areas directly onto courtyards and gardens which benefit from good sunlight.
- Dwellings are provided with indoor living areas which are adjoined by outdoor living areas that have a northerly aspect.
- Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas.
- At least 50% of the minimum required secluded private open space of a development, including within the development and adjoining developments, has sunlight between the hours of 9am and 3pm on 21 June:
- Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for:
 - i. all two-storey development, and

- ii. single storey development that is both up-slope and in the direction of the sun from existing residential development.
- Planning the internal layout of a house to ensure good daylight to living areas.
 - Vehicular parking should not be on the north side of a dwelling's high occupancy rooms which have high daylight hours.
 - Locating parking in the shadow of the buildings.
 - Habitable room windows have at least 2.4m separation from the wall of an adjoining building.
 - Water storage tanks are to not be located on the north side of that dwelling.
 - High occupancy rooms utilised during daylight hours should have a northern aspect.

Section 2.4 Vehicle and Occupant Safety for Residential Development

Explanation
The following definitions are used in this Section: Covered Vehicle Area is defined as any of the following or any combination thereof- (a) Covered vehicle parking area but open sided such as a carport or the like. (b) Garage being a roofed and enclosed space for parking vehicles. Enclosed refers to any or all sides. (c) Any concrete vehicle parking space with no cover at time of construction. Connecting door is any door that adjoins a ‘covered vehicle area’ on or in the immediate adjoining wall, parallel or at any angle to it. For the purpose of this definition, an immediate adjoining wall includes any wall of a dwelling or part thereof within 3 metres of the bounding construction of the ‘covered vehicle area’ whether attached or covered or not.
Objectives
Ensure safe vehicle and occupant interaction within residential properties.

Performance Criteria
PVOS1 Residential development is to be designed to reflect vehicle and occupant safety principles. In this regard, where there is:

- (a) A garage, carport or covered vehicle housing area attached to a Class 1 living or residence; and
- (b) A connecting door is proposed between a garage, carport or covered vehicle housing area attached to a Class 1 living or residence.

This is to have an effective barrier to prevent people, including specifically infants, from coming into conflict with motor vehicles.

Acceptable Solutions
AVOS1 Performance Requirement PVOS1 is satisfied if a means, manual or electronic, is put in place to restrict a dwelling’s occupant or visitor from bringing into potential harm an occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in this section. This provision applies to all Class 1, 2 and 10 buildings. Compliance with this section is achieved if one of the options in the below “Deemed to Satisfy Provisions for Compliance with Performance Outcome of PVOS1” is satisfied.

Deemed to Satisfy Provisions for Compliance with Performance Outcome of PVOS1

When are Barriers Required Between a Dwelling and a Covered Vehicle Area?

- a) A means of dividing vehicle areas is to be provided between any dwelling and any vehicle parking area within 3 metres, by way of:

- i. That no connecting door in the entire wall/s that have any part within 3 metres of the vehicle manoeuvring/parking area, or
- ii. provision of a manual system to any connecting door from the dwelling to the vehicle parking/manoeuvring area that children younger than 5 years are not capable of exiting the dwelling unsupervised; or
- iii. a combination of controlled locking mechanisms that electronically serve to operate to ensure no conflict between vehicle operation adjacent to a dwelling and the occupants of the said dwelling.

b) Any system proposed shall be clearly designed and detailed on plans compliant with this section prior to release of any building approval or construction certificate.

1. Compliance by Separation

Compliance with this section is achieved by having no connecting door in any part of any wall that has all or part of that wall within 3 metres of an adjoining vehicle housing/parking area.

2. Connecting Door – Barrier Installation

If a door is provided in any part of any wall that has all or part within 3 metres of an adjoining vehicle parking area such installation shall have a door assembly fitted with fittings and fixtures that shall be a minimum of:

- a) the leaf door shall swing inward of the dwelling; and
- b) no sliding or concertina door of any type shall be used; and
- c) the door leaf shall be fitted with a hydraulic self closing fixture that is at minimum a size 2 spring strength in accordance with AS4145.5.

In the case of unusually high or heavy doors, windy or

- d) draughty conditions, or special installations a larger power size of door closer should be used; and
- e) any door latch or passage set shall be installed at a minimum of 1500mm above finished floor level; and
- f) Any bolt or function that could, in normal usage, render a door leaf non-self latching shall not be incorporated.

A non self-latching bolt, such as a dead bolt, will prevent the door from closing if left protruding while the door is open. Any electrically operated locking devices or bolts shall be self latching in the event of power failure and any activation switches installed 1500mm above finished floor level.

- f) If pairs of doors are used both leaves are to be self closing and self latching and shall include a selective sequence closing device

3. Combined Electric Vehicle Door and Passage Door

Where an attached covered vehicle housing/parking area has a roller or shutter door that is capable of mechanical or automated usage, the following provisions shall apply:

- a) no interconnecting door shall be provided from the vehicle housing/parking area to the internal of the dwelling in line with part 1 of this section and the affected walls and openings as defined; or
- b) any interconnecting door to an enclosed covered vehicle area shall comply with parts 2 & 3 of this section and
- c) any garage opening vehicle door being either manually operated, or, having an electronically mutually exclusive reed switch on the internal access door that prevents the garage vehicle door from being opened whilst the internal access door is in, or opening to, an open position.

Section 2.5 Commercial, Business and Retail Development

Explanation
This section applies to all zones where commercial development is permissible, but with specific provisions relating to the following zones within the Hilltops Local Environmental Plan 2022: • MU1 Mixed Use, • E3 Productivity Support and • E4 General Industrial The specific provisions applying to the E3 Productivity Support are in Section 2.9 of this DCP.
Objectives
Commercial and retail development is carried out in such a way as to: - protect and enhance the economic function of Hilltops Local Government Area. - protect and enhance the character of Hilltops Local Government Area. - Protect and respond to the environment.

Performance Criteria
PC1 To ensure that development is consistent with existing or future character and building heights are consistent with the prevailing heights for commercial and retail development within the immediate vicinity.
Acceptable Solutions

AC1.1 Shop fronts are true to the style of the existing building and the top and bottom floors of existing buildings are consistent in style and colour scheme.

AC1.2 The character of heritage conservation areas is protected, and new development is consistent with the bulk and scale of a rural town, containing historic buildings.

AC1.3 Appearance of development is appropriate to neighbouring buildings and the wider area.

AC1.4 No existing windows are painted over. Frosting or signage for part of the frontage is considered suitable.

AC1.5 Development is to avoid fibrous cement, unless painted, and metal cladding of walls, unless as an architectural feature.

AC1.6 Building front setbacks are consistent with adjoining buildings, or if adjoining buildings have different setbacks, with the average of those setbacks.

Performance Criteria
PC2 To ensure that safe and efficient passage is available between street frontages and car parking areas.
Acceptable Solutions
AC2.1 Pedestrian linkages between shop fronts and public parking areas are retained or provided in convenient locations where possible. These are well lit at all times and contain no dead ends or other places possible to conceal a person.

AC2.2 Primary access to a development is available from a street, not a rear lane.

AC2.3 All frontages of the site are to be provided with kerb and gutter.

Performance Criteria

PC3 To ensure that parking is of sufficient quantity and provided in a safe and efficient manner.

Acceptable Solutions

AC3.1 Parking complies with the provisions of Sections 4.1 and 4.2 of this DCP.

AC3.2 The re-development of parking areas should not detract from the character of the surrounding area.

AC3.2 Visitor parking is easily accessible and clearly designated by line-marking and signage.

AC3.3 All parking areas and trafficable areas on site are to be sealed with bitumen, coloured or textured concrete, or pavers, to Council specifications.

AC3.4 Vehicles accessing service areas or on-site parking areas must be able to enter and leave the development in the forward direction. The 85th percentile vehicle must be able to turn on site in no more than a two-point turn. Templates can be found within *Council's Engineering Guidelines*, found on Council's website.

Performance Criteria

PC4 To provide shop top housing or commercial development in the upper stories of multi-storey development.

Acceptable Solutions

AC4.1 No part of the building is to exceed 9 m when measured vertically from the natural ground level immediately below that part. This excludes any architectural or service features such as parapets or antennae.

Performance Criteria

PC5 To ensure the E3 Zone has a well landscaped presentation with simple centralised entrance signage.

Acceptable Solutions

AC5.1 Signage is appropriate to the building and to the surrounding area.

Performance Criteria

PC6 To ensure that new development is provided with appropriate services.

Acceptable Solutions

AC6.1 Developments are provided with water, sewer, power, telecommunications, and gas in accordance with the relevant authorities' requirements.

AC6.2 Developments dispose of waste through a trade waste agreement if necessary.

Performance Criteria
PC7 The development is to be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant acts.
Acceptable Solutions
AC7.1 Council's reticulated water service is to be connected separately to each building.
AC7.2 Council's reticulated sewer service is to be connected separately to each of the building.
AC7.3 Payment of any head-works contributions for water and/or sewer. Refer to Council's Development Servicing Plans that may apply to the development.
AC7.4 Payment of any Section 7.11 or Section 7.12 development contributions applicable to the development.
AC7.5 Developments comply with Council's liquid trade waste policy.

Performance Criteria
PC8 The development is to have appropriate stormwater drainage connected, where possible, into Council's existing stormwater infrastructure.
Acceptable Solutions

AC8.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements or on-site detention where no direct discharge to waters is available. Post development flow must not exceed pre-development flows.

AMD8.2 All roof and surface water drainage is to be designed to provide for conveyance of these flows per AS3500 per AS3500 and current Australian Rainfall and Runoff Guidelines, including factoring of Climate Change via the Climate Change Rainfall modifier, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.

Design Suggestions and Variations
Council will consider the provision of concessions, possibly including car parking, for development fronting Boorowa Street in Young or Marsden St in Boorowa or Neill Street in Harden or Albury Street in Murrumburrah where developments provide pedestrian access to car parking areas via arcades or passageways having 3m minimum width.

Section 2.6 Food Premises – Additional Provisions

Explanation
The following controls apply to the establishment of food premises across the Hilltops Local Government Area. The construction, design & fit-out of food premises must meet the following standards: - Food Act 2003 (legislation.nsw.gov.au) - Food Standards Codes (foodauthority.nsw.gov.au) - Building Code of Australia (BCA) Council may also require compliance with the below Australian Standards, for example in the instance of new premises or upgrade of existing food premises: - AS4674-2004 – Fit out of food premises - AS1668.1-1998 and AS1668.2-1991 – Mechanical Ventilation For mobile food vending, please refer to the below guide and NSW Exempt Development Standards: Mobile food and drink outlets - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 - NSW Legislation NSW Food Authority Guidelines for mobile food vending vehicles
Objectives
To ensure that food preparation and storage protects public health and protects Council infrastructure.

Performance Criteria
PF1 Food preparation and storage areas are constructed to allow easy cleaning.
Acceptable Solutions
AF1.1 Compliance with the Australian Standard AS 4674—2004, <i>Design, construction and fit-out of food premises</i>. AF1.2 Compliance with the Food Act 2003 and the Food Safety Standards (Chapter 3 of the Australia New Zealand Food Standards Code), and all other relevant codes and standards

Performance Criteria
PF2 Handling of food minimises risks to public health.

Performance Criteria
PF3 Adequate customer facilities are provided.
Acceptable Solutions
AF3.1 Provision of customer sanitary facilities, as required by the BCA.

Performance Criteria
PF4 Disposal of wastes to the public sewer is within the capacity of that infrastructure, both in terms of the quantity and type of material being disposed of.
Acceptable Solutions
AF4.1 Compliance with Council's Trade Waste Policy is required.

Performance Criteria
PF5 Location of trade waste facilities are to enable easy access for servicing.
Acceptable Solutions
AF5.1 The Food and Drink premises use must not have an adverse impact on the amenity of the neighbourhood, including from noise, waste and fumes and other smells.

Section 2.7 Shop top housing – Additional Provisions

Explanation
This section applies where shop top housing is permissible with consent under the Hilltops Local Environmental Plan 2022. Shop top housing is defined as: “shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.” Shop-top housing describes a building type with residential dwellings above commercial, in most cases retail space. Generally, this building type occurs on land zoned for commercial purposes. Shop-top housing includes 1 or more dwellings over two levels associated with ground level commercial space. Shop-top housing provides accommodation in proximity to the amenity, conveniences and activities offered by centres such as entertainment and dining and social benefits such as community services.
Objectives
To facilitate the provision of shop-top housing, to: a) Increase the diversity of housing stock within the Boorowa, Harden and Young Town Centres; b) Make effective use of unutilised or underutilised first floor space within the Boorowa, Harden and Young Town Centres; c) Increase the active life of, and improve passive surveillance of, the Boorowa, Harden/Murrumburrah, and Young Town Centres.

Performance Criteria
PST1 To provide parking at a rate which recognises the town centre location of shop-top housing and the access to services and facilities;
Acceptable Solutions
AST1.1 Parking is provided at the rate of 1 space per dwelling, such parking to be in addition to the commercial requirements of the building.

Performance Criteria
PST2 To ensure adequate services and facilities are available.
Acceptable Solutions
AST2.1 Mechanical drying facilities are provided.
AST2.2 Common garbage facilities are provided, at ground level, screened from any street, either in a lane or an alternative.
AST2.3 Letterboxes are provided in accordance with Australia Post requirements.

Performance Criteria
PST3 To ensure usable private open space is provided, noting that this may not be secluded.
Acceptable Solutions
AST3.1 Private open space is provided for each dwelling at a minimum rate of 12m ² per dwelling, with a minimum depth of 2.4m.

Private open space would generally be provided by way of a balcony or deck at the first floor level.

Performance Criteria

PST4 To ensure developments are designed and constructed to provide for the health and safety of occupants.

Acceptable Solutions

AST4.1 Each dwelling has a minimum area of 50m².

AST4.2 Access at ground level is separate from the access to any commercial building and does not exceed 1.8m in width across the frontage of the building.

AST4.3 All relevant construction addresses the heritage chapter of this DCP.

AST4.4 All construction complies with the BCA.

Performance Criteria

PST5 Development is served by necessary utilities and services.

Acceptable Solutions

AST5.1 Residential dwellings avoid fibrous cement, unless painted, and metal cladding of walls, unless as an architectural feature.

AST5.2 Separately metered power and water is provided to each dwelling.

Headworks and or Development Servicing Plan charges may be applicable to the development. Applicants are advised to contact Council's Infrastructure Department to determine these charges, which are payable prior to the release of any Construction Certificate.

Design Suggestions and Variations

Council will consider the provision of concessions, possibly including car parking, for development fronting Boorowa Street in Young or Marsden St in Boorowa or Neill Street in Harden or Albury Street in Murrumburrah where developments provide pedestrian access to car parking areas via arcades or passageways having 3m minimum width.

Section 2.8 Heritage Items and Heritage Conservation Area – Additional Provisions

Explanation

This section applies to heritage items and heritage conservation areas identified under Schedule 5- Environmental Heritage of the Hilltops Local Environmental Plan 2022.

2.8.1 History and Character of Heritage in Hilltops LGA

All local heritage items across the Hilltops LGA, and the six identified Heritage Conservation Areas, have significance to the development of Boorowa, Galong, Harden, Murrumburrah and Young.

Details of the heritage of Hilltops Local Government Area are available on Council's website, and should be referenced in preparing any heritage impact statements for local heritage items and heritage conservation areas:

- Boorowa Thematic History Study 2015
- Boorowa Community Based Heritage Study 2015
- Harden Community Based Heritage Study 2009
- Harden - Harden Shire Thematic History 2009
- Hilltops Heritage Study Review 2019
- Young - Community Based Heritage Study 2008
- Young - Report on Young Heritage Main Street Study 2012
- Young - Young Shire Thematic History 2008

All are available on Council's website and should be referenced in preparing any heritage impact statements.

2.8.2 Character of the Heritage Conservation Areas

a) Young Conservation Area:

The town of Young was developed in the vicinity of the Burrangong Gold Field. Shops, hotels and other business establishments developed along the line of Boorowa Street from 1860 onwards. The business district was firmly established by the 1870s. Several catastrophic fires destroyed much of the early fabric of the town. However many buildings survive from the late 19th century.

The Young Conservation Area contains a collection of buildings of remarkably diverse style. This diversity reflects the ongoing commercial strength of the town. Architectural styles represent Victorian, Federation and Moderne trends as follows:

- Victorian era buildings include the state significant Young Railway Station, Young Town Hall and former City Bank, as well as interesting styles such as the Victorian Mannerist Style Hall of Commerce.
- The extensive Inter-War building stock includes the Art Deco former Commonwealth Bank, Warehouse Style Millard's Store and other landmarks including the Mediterranean Style Commercial Hotel.
- The work of local architect Neville Lipman is represented in former service stations located on the corners of Boorowa and Clarke Streets and Lovell and Main Streets.

b) Boorowa (Marsden Street) Conservation Area:

The Boorowa (Marsden Street) Conservation Area is dominated by early to mid 20th century, generally single storey, commercial buildings, many of which retain original frontages and shop windows.

Consistent street tree planting and street furniture add to the overall cohesive and attractive appearance of the area.

c) Boorowa (Brial and Court Street) Conservation Area:

The Boorowa (Brial and Court Street Street) Conservation Area represents Boorowa's original commercial area. The buildings are generally older, with most dating from the late 19th century. There is a stronger two storey element and a broadly more 'industrial' feel influenced by the presence of the railway terminus in Court Street

d) Harden Conservation Area:

The Harden Conservation Area is the main commercial, social and services area of Harden. Two storey buildings generally reflect its 1880s establishment period, while the single-storey retail buildings in the eastern area present some exceptional early 20th century retail buildings. Some retain high levels of integrity. Remedying compromised buildings and structures such as awnings and facades, should be a primary goal for the HCA. Consistent street tree planting and street furniture add to the overall attractive appearance of the area.

e) Murrumburrah Conservation Area:

The Murrumburrah Conservation Area is the business centre of the original town, and its buildings are generally of mid-late 19th century design and of two storeys. Several particularly fine early 20th century buildings and the former mill structure create visual focus in the area. The integrity of many landmark buildings has been compromised by wholesale verandah demolition and remedying this should be a primary goal for the HCA.

f) Galong Conservation Area:

The Galong Conservation Area in the Galong village has experienced little development from the mid 20th century, and it reflects an almost completely intact 1920s/1930s village. The HCA is the heart of the village and captures the village sense and feel, including the local shops, community hall and a church all built around the same time.

2.8.3 Notes on development in an area with potential heritage or archaeological significance

Aboriginal heritage and archaeology

Aboriginal objects and sites are protected under the National Parks and Wildlife Act 1974 (NP&W Act) and can be discovered in a wide variety of areas. If at any point during the development process an Aboriginal object or site is discovered or suspected, the National Parks and Wildlife Service should be contacted and any works must cease immediately. A permit is required to damage or disturb Aboriginal sites under Section 90 of the NP&W Act.

Archaeology – European Settlement

Development on land containing a heritage item or within the heritage conservation area should consider the potential for archaeological remains from previous buildings on the site. For example, evidence of previous structures or relics could be revealed during excavation. In some circumstances, a permit may be required under the Heritage Act 1977 before excavating or disturbing a site. Contact Council if you think this could be relevant to your site. If a person believes they have uncovered a relic, work should cease, and the Heritage Council and Hilltops Council should be notified.

Performance Criteria
PHC1 New development, including the replacement of existing buildings, achieves a future character that provides for one or two storey development, but does not directly copy or imitate past architectural styles. It is respectful of existing development both directly adjoining and in the immediate area.
Acceptable Solutions
AHC1.1 New development, redevelopment or modifications of existing buildings are designed in accordance with the infill development guidelines provided in the NSW Heritage Branch document Design in Context: Guidelines for Infill Development in the Historic Environment .

Performance Criteria
PHC2 Redevelopment or modification of existing non-heritage buildings preserves key building elements from the building's original construction that contribute to its character;
Acceptable Solutions
AHC2.1 The painting or rendering of unpainted face-brick is avoided.
AHC2.2 Visible air conditioning plant to the main street frontage is avoided.

2.8.4 Design suggestions and variations

Any variations are accompanied by a full heritage assessment from an experienced heritage professional.

2.8.5 Schedule of Heritage Colours

Explanation				
The aim of creating this list is to provide a guide for applicants on the appropriate colour palette for developments. The objective of this is to attain a high quality visual streetscape with sensitive architectural treatment of building façades, and to preserve, enhance and complement the heritage qualities of the existing streetscape. A colour palette has been developed for Council by a Colour Consultant. The colours included in the palette were based on the style and heritage qualities of the existing buildings in Young’s Main Street and on the surrounding environment. The recommended colours are on display in the Town Hall and are detailed as follows: Young Conservation Area <table><tr><th>Broad wall Colours:</th><th>Trim Colours:</th></tr><tr><td> • X42 Biscuit • Lime white • 50BB 45/054 English harbour • Y45 Manilla • Portland Stone • New England Stone • 90YR 43/311 County Cork • Silver Grey </td><td> • Purple Brown • Teal • Dark Crimson • Imperial Ivy Green • X21 Pale Ochre • Lime White • Grey Green • 50BB 13/104 Blue Heron • B43 Grey Blue • Warm Beige • Egyptian Red • Buff </td></tr></table>	Broad wall Colours:	Trim Colours:	• X42 Biscuit • Lime white • 50BB 45/054 English harbour • Y45 Manilla • Portland Stone • New England Stone • 90YR 43/311 County Cork • Silver Grey	• Purple Brown • Teal • Dark Crimson • Imperial Ivy Green • X21 Pale Ochre • Lime White • Grey Green • 50BB 13/104 Blue Heron • B43 Grey Blue • Warm Beige • Egyptian Red • Buff
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Harden Conservation Area (Neil Street)
Base wall colours above awnings
• Lucent White PW2.D • Cotton Tail PW2.D5 • Meniscus Pg1.H1
Awning colour
• Wistow PG1.E4
Detail wall and window colour above awning
<i>Red</i> • Deep Garnet PO4.F8 • Henna Red PO4.F9 <i>Grey</i> • Gascoyne Grey PG1.H6 • Leadman PG1.H7 <i>Blue</i> • Tamas PG2.F6 • Benang PG2.F7 <i>Green</i> • Deep Rift P28.B7 • Lacrosse P28.B8
These colours should only be used after consultation with Council's Heritage Advisor. Appointments with the Advisor can be made through Council.

Section 2.9 E3 Productivity Support Zones – Additional Provisions

Explanation
This Section applies to development on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: a) E3 Productivity Support Additionally, Section 2.10. Industrial Development must be addressed for development within the E3 Zone. Commercial development must address Section 2.5 Commercial, Business and Retail Development.
Objectives
To establish a future character for buildings that address the Olympic Highway and the Burley Griffin Way.

Performance Criteria
PEB1 Signage is simple, effective and centralised.
Acceptable Solutions
AEB1 Site signage, other than on a building, is consolidated into a single pylon sign wholly contained within the site boundary.

Performance Criteria
PEB2 Vehicle access is safe, shared and centralised, particularly where access is gained from a Classified Road.
Acceptable Solutions
AEB2.1 Access is gained by means other than direct access from the Olympic Highway or Burley Griffin Way where practicable.

AEB2.2 Access and egress is available to and from the site in a forward direction.

AEB2.3 Access, parking and signage is to Transport for NSW standards. Referrals required for development on the State Highway network are likely to Transport for NSW.

Performance Criteria
PEB3 Gateways to Harden, Murrumburrah and Young achieve quality development that enhances the character of the town and avoids “ribbon style” commercial and retail development.
Acceptable Solutions
AEB3.1 Any façades visible from the Olympic Highway or Burley Griffin Way are to be constructed of brick, decorative masonry, glass or other quality materials.
AEB3.2 Frontages are upgraded to standards required in Section 2.10, the Industrial Section of this DCP.

Performance Criteria
PEB4 Parking is visible and accessible.
Acceptable Solutions
AEB4.1 A portion of car parking is directly visible from the street frontage. This includes in front of the building.
AEB4.2 Parking provision in accordance with Section 4 of this DCP.

Performance Criteria
PEB5 The existing treed character of key gateways to Young and Harden-Murrumburrah are maintained and enhanced along the Olympic Highway and Burley Griffin Way.
Acceptable Solutions
AEB5.1 Existing canopy trees are protected and incorporated into site landscaping.
AEB5.2 Development is provided with landscaping over at least 50% of land between the building and the Olympic Highway or Burley Griffin Way, such landscaping to include canopy trees compatible with the visual landscape of the locality.

Performance Criteria
PEB6 Development is served by necessary utilities and services.
Acceptable Solutions
AEB6.1 Water, telephone, NBN, sewer, power that is underground and gas services are provided.
AEB6.2 Development contributes, if required, headworks and or development servicing plan charges. Contact should be made with Council's Infrastructure Division to determine charges, which are payable prior to the release of any Construction Certificate.

Design Suggestions and Variations

- Front setbacks may be varied where lot sizes are of insufficient depth to achieve the setback from the Olympic Highway or Burley Griffin Way.
- Developments should provide visitor and customer parking at the front of the development or in a clear visible location identifiable easily upon entry to the site.
- Access points and signage are consolidated where possible.

Section 2.10 Industrial Development

Explanation
This Section applies to development on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: a) E4 General Industrial and b) E3 Productivity Support.
Objectives
a) To ensure that industrial allotments function effectively for industrial purposes; and b) To improve the appearance of industrial areas when viewed from a public place.

ID1 Servicing

Performance Criteria
PID1 To ensure that new development is adequately serviced and does not place undue loads on public infrastructure.
Acceptable Solutions
AID1.1 All industrial allotments are serviced by underground electricity, water, sewer and telecommunications in accordance with the relevant authorities' requirements and relevant Australian Standards. AID1.2 A compliant potable water supply is connected to all new developments. AID1.3 Developments comply with Council's Liquid Trade Waste Regulation policy.

AID1.4 Payment of any head-works contributions for water and/or sewer. Refer to Council's Section 64 Plans, and Goldenfields Water County Council, for charges that may apply to the development.

AID1.5 Payment of any development contributions applicable to the development. Refer to Hilltops Heavy Haulage Contributions Plan 2024, and Council's 7.12 Plans that may apply to the development.

Performance Criteria								
PID2 The development is to use the slope of the land, its orientation to the sun and other site attributes to achieve an appropriate design for the specific site.								
Acceptable Solutions								
AID2.1 A Cut for the purposes of development must not exceed a maximum depth, measured from existing ground level, of:								
<table><tr><th>Distance from boundary</th><th>Maximum cut depth</th></tr><tr><td><1m</td><td>1m</td></tr><tr><td>1m-1.5m</td><td>2m</td></tr><tr><td>1.5m-3m</td><td>3m</td></tr></table>	Distance from boundary	Maximum cut depth	<1m	1m	1m-1.5m	2m	1.5m-3m	3m
Distance from boundary	Maximum cut depth							
<1m	1m							
1m-1.5m	2m							
1.5m-3m	3m							

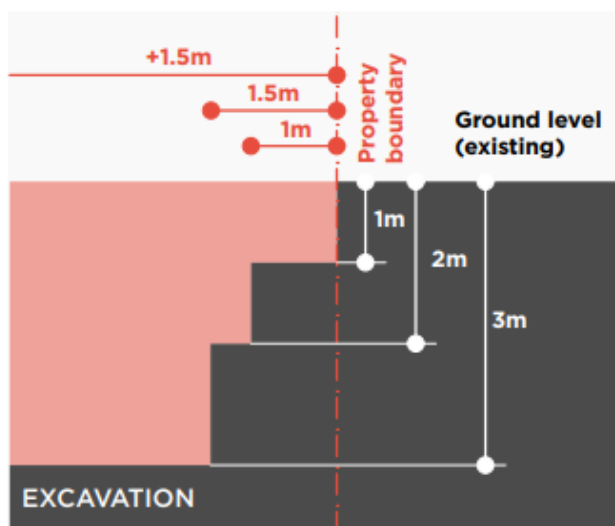


Figure 5: Cut and Excavation Illustration

(Source: Guide to Complying Development - August 2022 4-NSW Department of Planning and Environment)

AID2.1 B Fill must not be higher than 1m.

AID2.1 C Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.

AID2.1 D A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.

AID2.1 E Council may require for steep sloping sites exceeding 10% grade, a geotechnical study (prepared by a suitably qualified

geotechnical engineer) to accompany and support a written variation.

AID2.2 Construction is avoided within registered easements or over utilities.

AID2.3 Construction is prohibited over any natural watercourse or natural drainage lines through the land.

Performance Criteria

PID3 The development is to have appropriate stormwater drainage connected, where possible to Council's existing stormwater infrastructure.

Acceptable Solutions

AID3.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements or on site detention where no direct discharge to waters is available. Post development flow must not exceed pre-development flows.

AID3.2 All roof and surface water drainage are to be designed to provide for conveyance of these flows per AS3500 per AS3500 and current Australian Rainfall and Runoff Guidelines, including factoring of Climate Change via the Climate Change Rainfall modifier, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.

AID3.3 Separate occupancy has separate sanitary and stormwater drainage lines with independent connection to external lines.

AID3.4 The development complies with Part J of the BCA and provides a rainwater tank to amenities.

ID2 Access and Parking

Performance Criteria
PID4 To ensure that roads, allotment access and parking areas are constructed to a standard that is durable and suitable for the proposed use.
Acceptable Solutions
AID4.1 Site access, on-site vehicle circulation areas and manoeuvring areas are provided in accordance with the Access and Parking requirements in Section 4 of the DCP OR in accordance with AS 2890 Part 2. AID4.2 A concrete area is to be provided on site, which extends from the property boundary, for the width of the access, into the property for 10 metres. All other trafficable areas onsite, and not adjoined by residences, are to be constructed and maintained to a suitable all-weather standard. AID4.3 All trafficable areas on site, and adjoining residences and in which the opinion of Council is likely to cause a nuisance by the generation of dust, are to be sealed in a material suitable for the vehicles using the site, such as concrete, bitumen or paving. AID4.4 Hard stand and sealed areas are to be suitably drained. Where these areas fall toward the street, stormwater runoff is to be trapped at the property boundary and piped to Council's street gutter or stormwater system. The collection point is to be an

approved structure, fitted with a silt trap, prior to piping to Council's table drain, kerb and gutter or the like.

AID4.5 Access driveways within the road reserve are constructed of concrete See Section 4 of this DCP for further controls.

AID4.6 If not already provided, kerb and guttering and footpath is provided to all road frontages of the development, including road widening and shoulder seal as necessary to ensure that the adjoining roadway complies with Council's industrial subdivision requirements.

AID4.7 Address for an industrial property is to be provided and clearly identifiable.

Performance Criteria
PID5 To ensure that industrial development provides adequate on-site parking.
Acceptable Solutions
AID5.1 On-site parking is provided in accordance with Section 4 of this DCP. AID5.2 Customer and visitor parking is clearly signed and is located at the front of the development, towards the primary street frontage. Customer and visitor parking may be provided within the building setback area.

Performance Criteria
PID6 To ensure that new industrial developments have a site layout that will allow the safe and efficient manoeuvring of heavy vehicles both on the site and on the surrounding road network.
Acceptable Solutions
AID6.1 Vehicle access and egress is to be in a forward direction.
AID6.2 A clearly identified point of customer/visitor entry is provided.
AID6.3 Appropriate separation is provided between customers and visitors from the operational areas of the site. See Section 4 of this DCP).
AID6.4 A clearly designated delivery or 'pick up area' is provided.

ID3 Setbacks

Performance Criteria
PID7 To ensure that new industrial developments do not result in unacceptable amenity or overshadowing impacts on adjoining or nearby properties.
Acceptable Solutions
AID7.1 A setback from the front building line of: a) at least 15 m is provided from a classified road frontage; and b) At least 6m from any other road frontage.
AID7.2 A building setback of: a) At least 3 m is provided from all side or rear boundaries, unless the building is constructed with a fire rated as minimum requirement for the BCA.

b) A building should only be constructed to the boundary where adjoining another industrial allotment.
AID7.3 Buildings adjoining residential development are to be set back a minimum of 10 m from the property boundary.
AID7.4 Buildings adjoining residential development do not have a wall height exceeding 8m.
AID7.5 Buildings adjoining residential development do not produce any additional overshadowing of the adjoining property between the hours of 9 AM-3 PM on 21st June.

ID4 Noise and Vibration

Performance Criteria
PID8 To ensure that new industrial developments do not result in unacceptable noise or vibration on adjoining or nearby properties.
Acceptable Solutions
AID8.1 Building design and machinery installation effectively minimises any noise emissions.
In general, all machinery is to be contained within buildings or other acoustic treatment structures. Openings to the building which are usually open during operations should be directed away from sensitive receivers such as residential housing.
AID8.2 The operating noise level of plant and equipment does not exceed 5dBA above the background noise level when measured from the property boundary.

For potentially noisy developments, an Acoustic Study prepared by a qualified and experienced acoustic engineer should be submitted with the development application demonstrating that this threshold would not be exceeded at the nearest sensitive receiver.

AID 8.3 Building design and machinery installation prevents significant vibration transmission to adjoining properties or public areas.

If the development includes vibration producing machinery, the DA should include confirmation that the transmitted vibration to a sensitive receiver such as a dwelling would not be at a level to result in loss of amenity to neighbours. Professional advice would need to be sought in this regard.

ID5 General Design

Performance Criteria
PID9 To ensure that new industrial development, including significant extensions, is appropriate to the streetscape and context.
Acceptable Solutions
AID9.1 The majority of offices and/or customer areas and/or staff facilities are located to address the primary road frontage of the development. These are generally located in a part of the building that does not exceed one storey in height.

ID6 Façade treatment

Performance Criteria
PID10 To ensure that industrial buildings present acceptably to the public realm in terms of:

- Facade treatment.
- Landscaping and fencing; and
- Signage.

Acceptable Solutions

AID10.1 The front façade of the building is constructed from face brick or decorative masonry block; or timber panelling, pre-coloured metal cladding, and glazing in conjunction with a reasonable proportion of brick or masonry block that is greater than 30%.

Other types of materials may be considered depending on the character and streetscape of the immediate area.

AID10.2 Where the building is on a corner allotment, the front façade treatment is extended at least 5 metres down the side of the building facing a side road.

ID7 Landscaping and fencing

Performance Criteria
PID11 Development provides suitable landscaping to screen and add amenity to the development.
Acceptable Solutions
AID11.1 Landscaping is selected from the list of suitable plant species for the Hilltops LGA, as outlined within Council's Engineering Guidelines found on Council's Website.
AID11.2 Landscaping is provided to the primary street frontage(s) with such landscaping being low maintenance and occupying not less than 20% of the area between the industrial building setback line and the street.

AID11.3 Vegetation to be planted is a mixture of semi-mature species and seedlings or tube stock to generate both an immediate visual effect, and good overall establishment in the medium term. A list of suitable plant species for the Hilltops area is in *Council's Engineering Guidelines* found on Council's website.

AID11.4 Canopy trees are provided on properties located on classified roads between the front boundary and the building line, sufficient to break up the building bulk.

AID11.5 Fencing is provided of a uniform colour and material along all common boundaries, and:

- a) Solid fencing is not more than 1.8m above the finished ground level.
- b) The total height of the fence is not more than 2.4m.
- c) Additional fencing, screen walls or screen vegetation is provided to conceal unsightly areas from neighbour or public view such as storage areas for particular materials or goods or rubbish.

AID11.6 Fencing to a street or other public place is of open and durable construction. Suitable materials include coated chain wire, fence designed mesh, open treated metal or open timber fencing.

ID8 Signage

Performance Criteria
PID12 Signage is legible and understandable from the public domain.
Acceptable Solutions
AID12.1 Signage is appropriately located and designed so as to clearly convey business names and services.

AID12.2 Signage does not detract from the appearance of the area or cause issues for adjoining properties, road users, or others in the surrounding area.

ID9 Design Suggestions and Variations

Design Suggestions and Variations
a) The necessary fire ratings under the Building Code of Australia needs to be achieved when parts of the building are constructed to a boundary. This would generally require concrete or masonry walls. b) Crime and safety issues as noted in NSW Police Force program "Safer by Design" such as lighting, security and cameras, should be considered in the planning of the development where appropriate. c) Siting for economy under the BCA may cause severe constraints. The maximum use of site should be entertained as opposed to "dead" setback zones. d) Narrow and/or unfrequented areas which would be difficult to maintain should be avoided. e) Signage can either be included with the initial development application, or subject to a separate application to Council, unless the signage is exempt development. Note: Exempt and Complying development is included under the Hilltops LEP 2022, and Exempt and Complying Development SEPP. f) "Nose in" parking, directly off a public road, is generally discouraged but may be accepted for existing development adjoining a local road where the following is able to be achieved: i. not within 10 m of an intersection or a roundabout. ii. a public footpath of 1.5 m can be provided.

- iii. not located where the road alignment would limit the visibility of all vehicles entering or leaving the parking area.
- iv. only on a lightly trafficked road.
- v. road carriageway has a minimum width of 12 m kerb to kerb.

ID10 Area Specific Provisions: James Lane, Young

Explanation

In addition to the general provisions relating to industrial development, the following specific provisions apply to the James Lane industrial development area as shown on the diagram below:

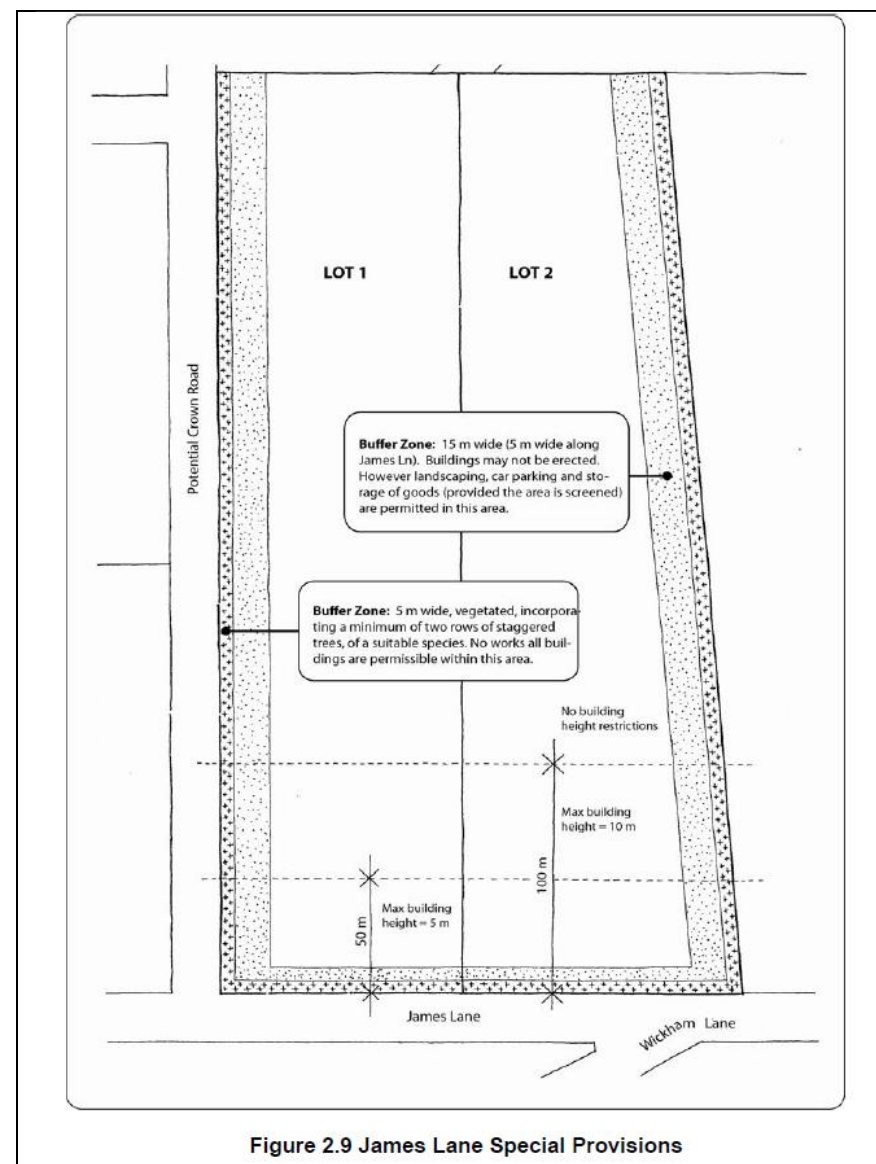


Figure 2.9 James Lane Special Provisions

Area Specific Provisions
a) General (i) All buildings are constructed to a height of no more than ten (10) metres where the proposed building will be between 50 metres and 100 metres from the property boundary adjoining James Lane or no more than five (5) metres where the proposed building will be within 50 metres of James Lane. (ii) All non-habitable structures, including silos, masts, stacks, constructed to a height greater than those above and do not exceed 10m² in area and will have only a minor visual impact on the amenity of the area. (iii) All external walls of buildings on properties adjoining James Lane are clad with pre-painted metal sheeting, such as Colorbond™ or a superior material which will not cause glare. b) Buffers - Eastern boundary of Lot 2 (i) A five (5) m wide vegetated buffer zone shall be provided along this boundary incorporating a minimum of two rows of staggered trees of a suitable species. No works or buildings are permissible within this area; (ii) A further fifteen (15) m wide buffer zone shall be provided along this boundary, on which buildings may not be erected. However, landscaping, car parking and storage of goods (provided the area is screened) are permitted in this area. c) Southern boundary of Lots 1 and 2 (i) A five (5) m wide vegetated buffer zone shall be provided along this boundary incorporating a minimum of two rows of staggered trees of a suitable species. No works or buildings are permissible within this area;

- (ii) A further five (5) m wide buffer zone shall be provided along this boundary, on which buildings may not be erected. However, landscaping, car parking and storage of goods (provided the area is screened) are permitted in this area.
- d) Western boundary of Lot 1
 - (i) Should the Crown Road running along the Western boundary of Lot 1 be constructed, a buffer zone shall be established along this boundary in line with the eastern boundary of Lot 1.
- e) No vehicular access to the site is permitted from James Lane.

Section 2.11 Village Development – Zone RU5

Explanation
This Section applies to development on land that is located in the following zones under the Hilltops Local Environmental Plan 2022: a) RU5 Village
Objectives
a) To encourage and facilitate appropriate development within the village zones of Hilltops Local Government Area.
b) To maintain the low-scale and typically widely detached building character of the villages.

Performance Criteria
PV1 Residential building placement, scale and form, on lots wholly or partially within RU5 zones, are sympathetic to the surrounding neighbourhood character.
Acceptable Solutions
AV1.1 Residential building setbacks are at least: 6 metres to the front boundary line; Or - Not be less than the average setback from the primary road of the 2 nearest dwelling houses on the same side of the primary road; and - At least 3 metres from the side boundaries
AV1.2 All residential dwellings are single storey or appear as such from the street frontage.
AV1.3 Residential dwellings avoid fibrous cement, unless painted, and metal cladding of walls, unless as an architectural feature.

AV1.4 Use of reflective materials should be limited to ensure they do not cause glare issues for surrounding neighbours or public roads.

Performance Criteria
PV2 Dwelling sites are identified and are provided with safe connection to the public road network.
Acceptable Solutions
AV2.1 Access to the dwelling from the public road network complies with the provisions of Section 4.1 of this DCP relating to access to rural properties, such as pipe crossing with headwalls or similar, and Transport for NSW requirements where they apply to development.

Performance Criteria
PV3 Commercial or industrial developments respect neighbourhood character and provide adequate facilities appropriate to the proposed use.
Acceptable Solutions
AV3.1 Commercial or industrial uses are constructed with pre-painted metal with unpainted metal type finishes avoided. Alternate finishes such as face brick or decorative masonry block; or timber panelling, pre-coloured metal cladding, and glazing in conjunction with a reasonable proportion of brick or masonry block that is greater than 30% are acceptable.
Other types of materials may be considered depending on the character and streetscape of the immediate area.

AV3.2 All-weather parking areas are provided for commercial and industrial uses.

Performance Criteria
PV4 Where no reticulated water or sewer is available, roof areas, tank capacities and lot areas are large enough to enable the effective capture, storage, treatment and disposal of water in quantities appropriate to the development, without any negative impact on adjoining properties.
Acceptable Solutions
AV4.1 Where there is no sewer available, the development is to comply with Council's On-site Wastewater Management Policy found on Council's website. Properties with an area of less than 1ha provide specific geotechnical investigation demonstrating the feasibility of on-site management.
AV4.2 Where no reticulated water supply is available, roof areas and tanks are provided according to the Section V2 Guide to Tank Size Selection including a firefighting reserve of 20,000 L fitted with a Stortz fitting, such reserve to be over and above BASIX requirements, or as otherwise specified by NSW Planning for Bushfire Protection.

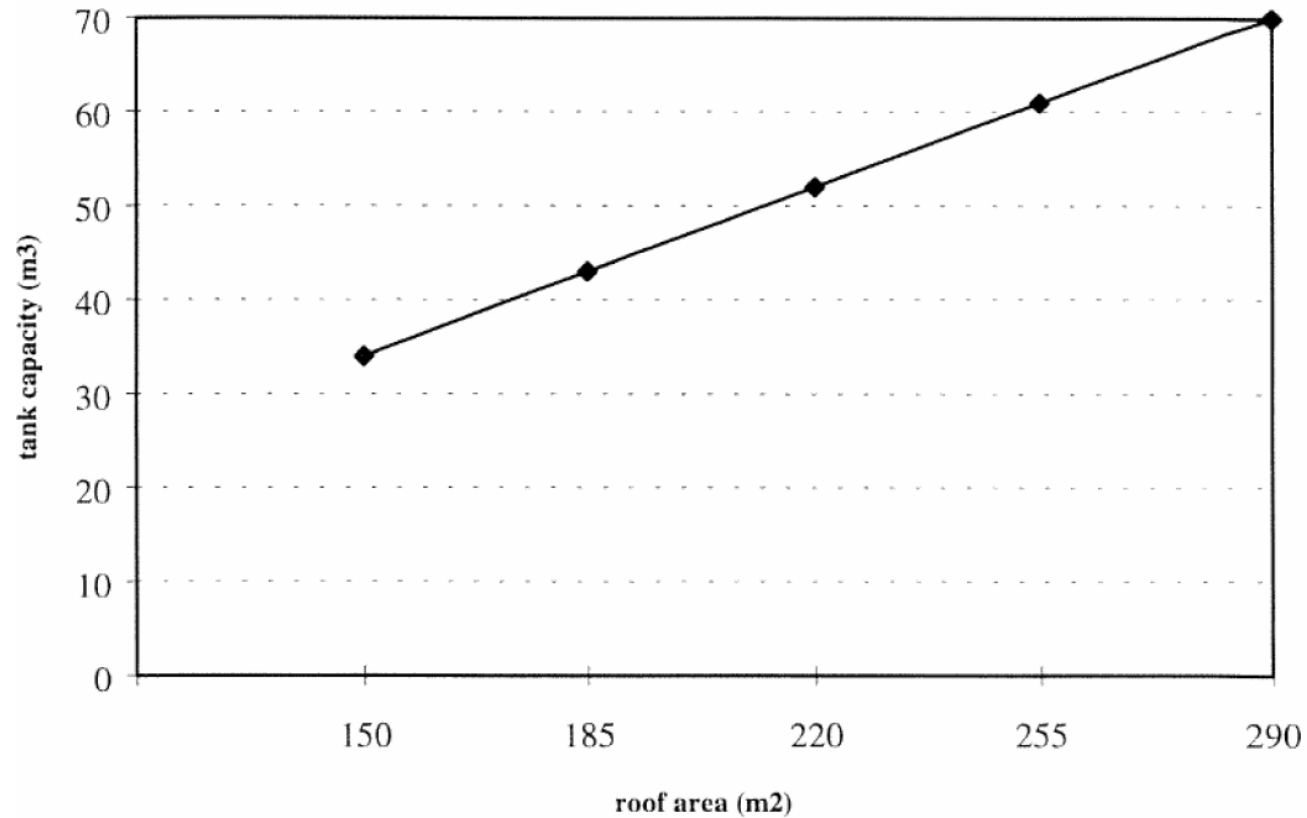
Performance Criteria
PV5 The development is to contribute towards the provision of services and infrastructure.
Acceptable Solutions
AV5.1 Payment of any Section 7.11 or Section 7.12 development contributions applicable to the development.

V1 Design Suggestions and Variations

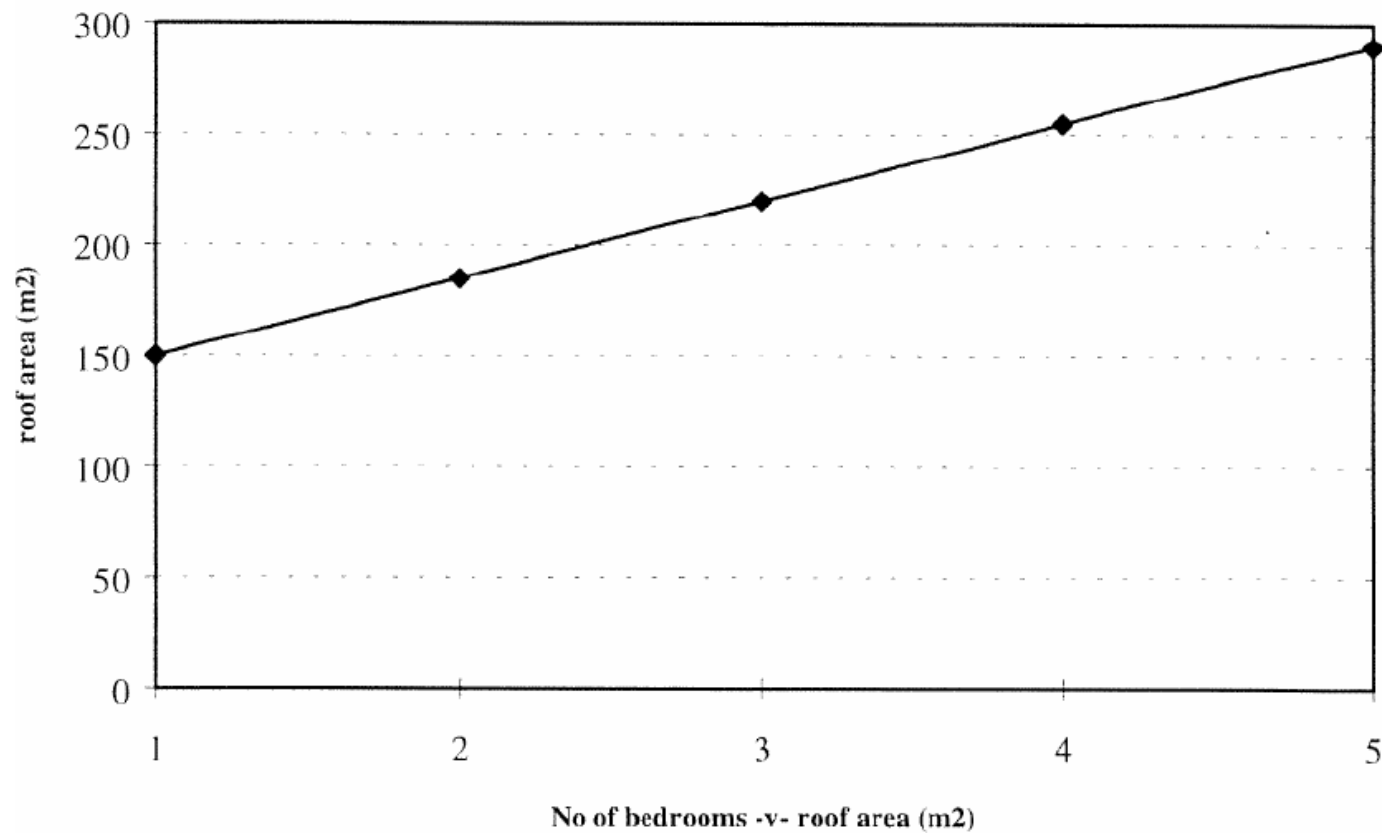
- Compliance with the relevant Chapter of this DCP for the development type proposed, such as residential, commercial and retail, industrial or rural development, is encouraged.
- Within the Village zone, Council may exercise flexibility regarding compliance with planning controls, provided the basic needs of the development are satisfied, and the development is consistent with the character of the locality; and
- Roof forms of residential buildings are encouraged to use hip or gable style and have a minimum pitch of approximately 20 degrees.

V2 Guide to Tank Size Selection

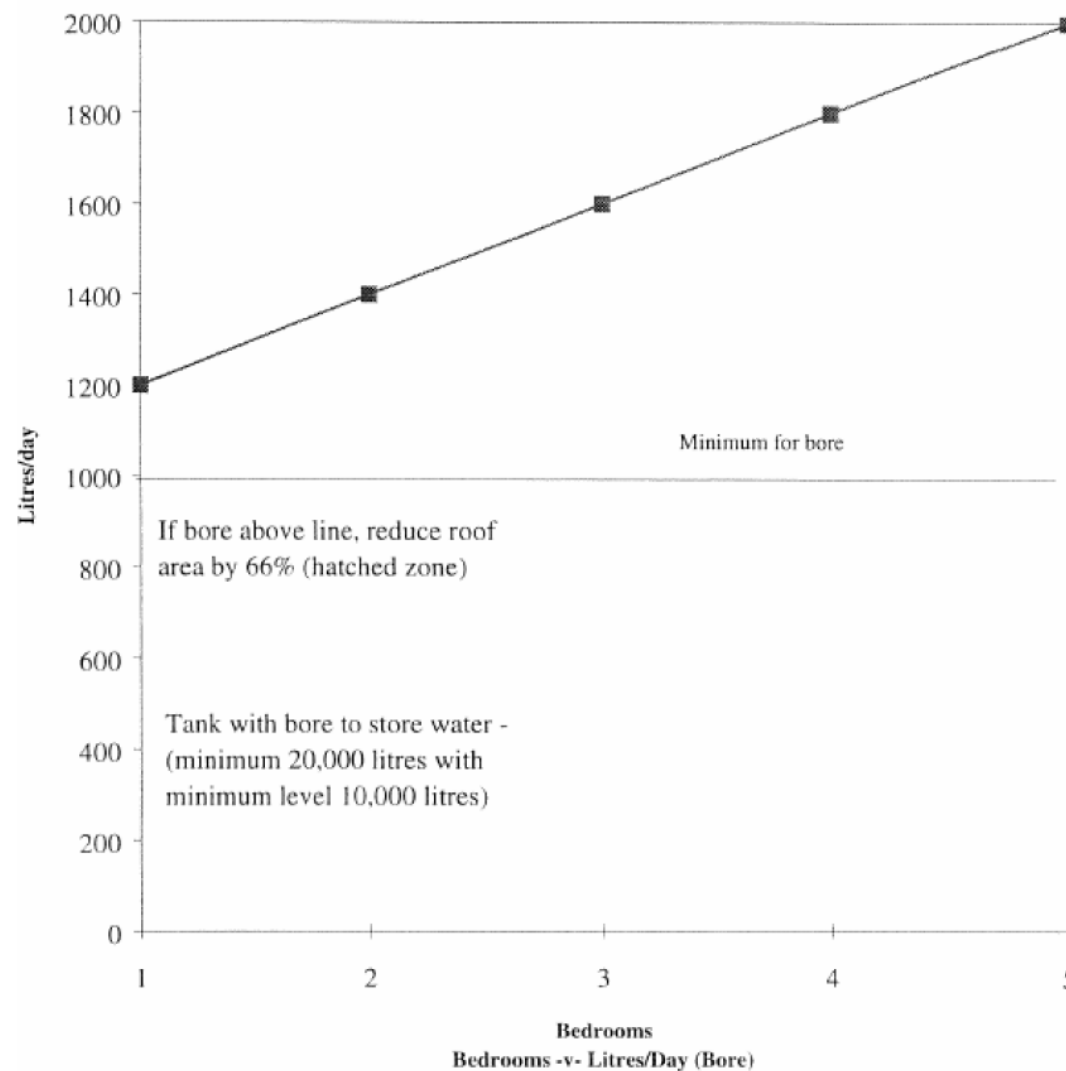
(for lots with no reticulated water)



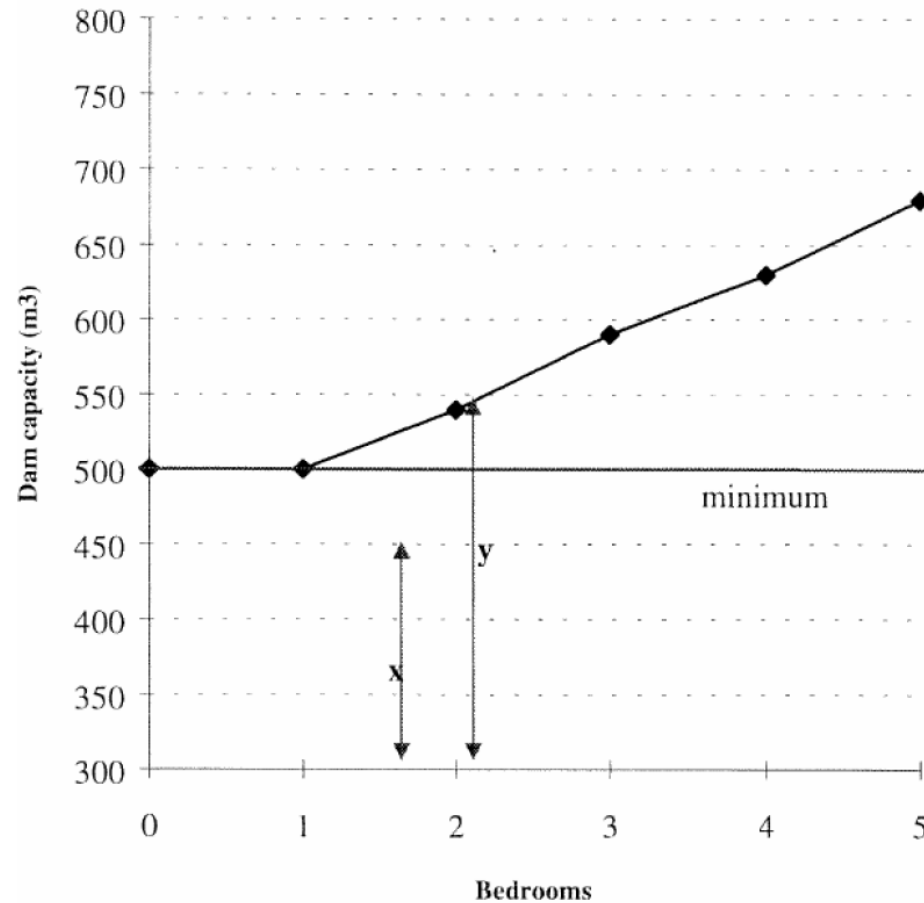
1 bedroom = 150m² = 34,000 litres
2 bedrooms = 185m² = 43,000 litres
3 bedrooms = 220m² = 52,000 litres
4 bedrooms = 255m² = 61,000 litres
5 bedrooms = 290m² = 70,000 litres



1 bedroom = 150m²
2 bedrooms = 185m²
3 bedrooms = 220m²
4 bedrooms = 255m²
5 bedrooms = 290m²



If a bore is provided, potable water requirements can be reduced from 600 litres per person per day to 200 litres per person per day.



If dam capacity (x) is above the line, roof area can be reduced by 66%. If (x) is below the line, it can be reduced by $66/100 \times x/y$

1 bedroom = $500\text{m}^3 = 110,000 \text{ gal}$
 2 bedrooms = $534\text{m}^3 = 118,000 \text{ gal}$
 3 bedrooms = $588\text{m}^3 = 130,000 \text{ gal}$
 4 bedrooms = $636\text{m}^3 = 140,000 \text{ gal}$
 5 bedrooms = $680\text{m}^3 = 150,000 \text{ gal}$

Section 2.12 Biosolids Disposal

Explanation
Biosolids are an organic solid by-product from treating sewage. Solids produced during the various stages of sewage treatment plants, often called waste-water solids or sewage sludge, are collected and further processed. Once they are suitable for use, they are called biosolids. Biosolids Questions and Answers are provided below. Hilltops Council is not supportive of the application of any Biosolids within the defined drinking water catchment area for the Boorowa Township and surrounds potable water supply. This area is identified Clause 6.8 of the Hilltops Local Environmental Plan 2022 and the “Drinking Water Catchment Map”. The NSW Government's biosolids management policy is to encourage the beneficial use of biosolids where it is safe and practicable and where it provides the best environmental outcome. In cases where beneficial use is not possible, biosolids must be disposed of safely and lawfully. The <u>NSW Environmental guidelines: Use and disposal of biosolids products</u> will help planners, designers and operators of sewerage systems, and those involved with the processing and end-use of biosolids products, by establishing requirements for the beneficial use and disposal of biosolids products to land in NSW. How are the guidelines enforced? It is an offence to use biosolids without following the guidelines. Where failure to meet the guidelines forms a serious offence under the Protection of the Environment Operations Act 1997, including

negligently disposing of waste in a manner that harms or is likely to harm the environment, the maximum penalty is \$2 million. OEH carries out field inspections of biosolids application sites and follows up complaints with inspections and investigations. OEH also meets with new biosolids operators to ensure they understand the requirements of the guidelines.

What roles do NSW Health and Sydney Water have in biosolids use?

Sydney Water is the largest producer of biosolids in NSW. Its biosolids land application program has been in place since 1989 and all of its biosolids are reused. NSW Health provides advice on how to ensure public health is protected when biosolids are used and was a member of the group that developed the guidelines.

Does anyone else, apart from Sydney Water, produce biosolids?

All sewage treatment plants produce sewage solids but not all process these into biosolids. Many sewage treatment plants in country towns produce relatively small amounts of sewage solids and it can be cheaper to dispose of these at the local landfill or sewage treatment plant (STP) than to process them into biosolids.

How do the guidelines ensure crops are produced safely?

The guidelines set out specific withholding periods for various types of agricultural activities for biosolids that have been processed to Grade B biosolids. For example, they specify that some crops - from potatoes to lettuce and turf - should not be grown for between 18 months and five years after biosolids have been applied to the soil. These withholding times allow natural pathogen die-off processes to occur before crops are grown. The most common crops grown

using grade B biosolids are wheat, canola and maize. The long lead time from sowing to harvest of these crops provides a safety period in addition to the guideline's withholding time.

HILLTOPS DEVELOPMENT CONTROL PLAN 2025



Chapter 3 Additional Precinct Based Controls

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Chapter 3 Additional Precinct Based Controls

Section 3.1 Young health, medical and educational precinct.

Explanation
The Young health, medical and educational precinct includes the: • Young hospital, • Schools - primary, secondary and tertiary, • Aged care facilities, • Young Cemetery and • Nearby residential areas. This section applies only to development on land within the precinct shaded green and edged in heavy black on the Figure 9 below. This Section of the DCP must be read in conjunction with other relevant Sections of the DCP.
Objectives
a) To encourage uses which support the existing core uses within the institutional precinct.
Functional Statements
a) Staff housing is conveniently located within the precinct. b) In-house, cottage practices, are supported and developed. c) Education, non-mainstream, is supported and developed.



Figure 9: Young Health, Medical and Education Precinct

H1 Medical Centres:

Performance Criteria
PH1 Medical centres are located within close proximity of hospitals or other medical facilities.
Acceptable Solutions
AH1.1 Medical Centres are located within 400 m of a hospital, other medical facility or aged care facility or are accessible by patient or community based transport services.

Performance Criteria
PH2 New uses respect residential amenity
Acceptable Solutions
AH2.1 New uses meet the building set back and height criteria for residential development.

Performance Criteria
PH3 Traffic generating activities is to be appropriately serviced in terms of car parking provisions.
Acceptable Solutions
AH3.1 Meet the parking requirements set out in Section 4 of the DCP.

H2 Non-mainstream education centres and childcare centres

Performance Criteria
PH4 Development responds to and respects surrounding developments mixed use character.
Acceptable Solutions

AH4.1 Non-main-stream education centres and childcare centres are located in buildings which respect the mixed character of the precinct, being a combination of residential and institutional development.

AH4.2 Protect neighbourhood amenity when located adjoining residences by achieving the design outcomes consistent with medium density development and managing noise.

Section 3.2 Wombat and Murringo Street vehicle or hire premises

Explanation

This section applies only to development for the purpose of vehicle sales or hire premises and car park and only on land within the precinct shaded green and edged in heavy black on the Figure 10 and 11 below.

This Section of the DCP must be read in conjunction with other relevant Sections of the DCP.



Figure 10 – Wombat and Murringo Streets Vehicle Car Sales or Hire Premises Car Park



Figure 11: Aerial Context of Wombat and Murringo Streets precinct

Objectives

- To provide site specific controls to guide the development for the vehicle sales or hire premises and car park permitted under Clause 2.5 of the Hilltops Local Environmental Plan 2022.
- To ensure the design of buildings and structures responds to the open space and residential character of the surrounding area.
- To ensure development for vehicle sales or hire premises and car park respects the residential amenity of the immediate neighbourhoods.
- To ensure appropriate access to the development and carparking facilities

W1 Building Design

Performance Criteria
PW1 Building design is respectful and integrates with the surrounding land use pattern and setting.
Acceptable Solutions
AW1.1 Any new building must not project further forward of the front building line established along the section of Wombat Street between the site and Gordon Street.

Performance Criteria
PW2 The siting and design of the development responds to the surrounding low scale residential character.
Acceptable Solutions
AW2.1 The height of any new building is not to exceed the ridge height of the existing residential development to the south along Wombat Street
AW2.2 The façade of any new building is to include articulation, colours and a mix of external materials that complement the predominately residential streetscape of Wombat Street.

W2 Access to Sunlight

Performance Criteria
PW3 The development on the site is not to cause overshadowing of adjoining properties that is more than what would be reasonably expected from a standard residential development.
Acceptable Solutions
AW3.1 Any building or structure, excluding the boundary fence, is to be designed to ensure that main living areas and main private open

space of adjoining residential properties have access to a minimum of three hours sunshine between 9am and 3pm on 21 June.

Shadow diagrams are to be prepared for winter solstice and submitted with any development application.

True north is to be used when preparing shadow diagrams.

W3 Privacy

Performance Criteria
PW4 Protect neighbourhood amenity and character
Acceptable Solutions
AW4.1 Any new illumination or lighting within the site is to be low level and positioned to not cause light scatter or disturbance to the neighbours or the public road.
AW4.2 Suitable landscaping is to be provided at the interface with the Burrangong Creek public land and to complement the streetscape.
AW4.3 Any street trees required to be removed are to be replaced in a more suitable location within the road reserve.

Performance Criteria
PW5 Maintain the visual and acoustic privacy to minimise impact on adjoining residential occupants
Acceptable Solutions
AW5.1 Privacy fencing is to be established along the boundaries of the site that adjoin residential properties Such fencing is to be:

- a) No higher than 1.8m along the majority of the respective boundary and taper to a height of 1.2m where it is forward of the adjacent building line, or lesser height where sight distance for pedestrian safety is compromised.
- b) Constructed in a material that is acceptable in the context of the surrounding residential area and provides acoustic and visual privacy.

Performance Criteria

PW6 Noise sources from the new development are to be controlled and managed through design to minimise acoustic and privacy impacts on residential neighbours.

Acceptable Solutions

AW6.1 The development is to be designed to avoid placing noise generating components of the vehicle sales or hire premises adjacent to or facing the residential dwellings to the south. This applies particularly to any workshop activity.

AW6.2 Acoustic fencing is to be incorporated into boundary fencing where the development site adjoins residential properties.

W4 Traffic management and parking

Performance Criteria

PW7 Ensure adequate and suitable parking is provided for the use and reduce the impact of overflow onto street parking and public areas.

Acceptable Solutions

AW7.1 Off-street car parking in accordance with Section 4 of this DCP is to be provided.

AW7.2 Schedule 1 of Hilltops LEP 2022 specifies the use "Car park" as an additional permitted use for 1 Murringo Street and as such any carparking required for the vehicle sales or hire premise use is to be provided on this site.

AW7.3 Arrangements are to be made to ensure that the car park remains with the vehicle sales and hire premise use. These arrangements are to be detailed with any development application to ensure the car parking site remains under the control of the vehicle sales and hire premise operator for the duration of such use. This may be by consolidation of allotments, contractual leasing arrangements or the like.

AW7.4 The car park is to be suitably fenced to ensure vehicles do not encroach on the adjoining public land along Burrangong Creek.

Performance Criteria

PW8 The traffic impacts on the adjoining residential neighbourhoods are to be minimised while providing safe and convenient access for staff and customers.

Acceptable Solutions

AW8.1 No vehicle transporters are permitted to use Murringo Street for the delivery or collection of vehicles.

AW8.2 A service vehicle management plan is to be submitted with any development application to detail how traffic impacts on adjacent residential area from service vehicles will be managed.

AW8.3 The design of the vehicular access and carpark is to discourage the use of the rear laneway, between Wombat and

Murringo Streets, for service vehicles and encourage the use of Wombat Street or the car park via Murringo Street.

AW8.4 A minimum 4m wide vehicular access is to be provided off Wombat Street to access onsite carparking and be designed to allow exit to Murringo Street.

W5 Signage

Performance Criteria
PW9 The design and content of signage is compatible with the character of the surrounding area and building to which it is affixed or associated.
Acceptable Solutions
AW9.1 Advertising signage for the site is limited to established signs that have existing use rights and new signs that meet the definition of "Building identification sign": building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

Section 3.3 Development at Carinya Estate

Explanation

This Section of the Hilltops Development Control Plan (DCP) has been prepared to provide direction and control for the development of land known as Carinya Estate.

This Section of the DCP must be read in conjunction with other relevant Sections of the DCP.

Land to which this Section of the DCP applies.

This Section of the Plan applies to land known as Carinya Estate being lots 1 to 31 DP 285029 off Caringa Rd, Godfreys Creek 2586.

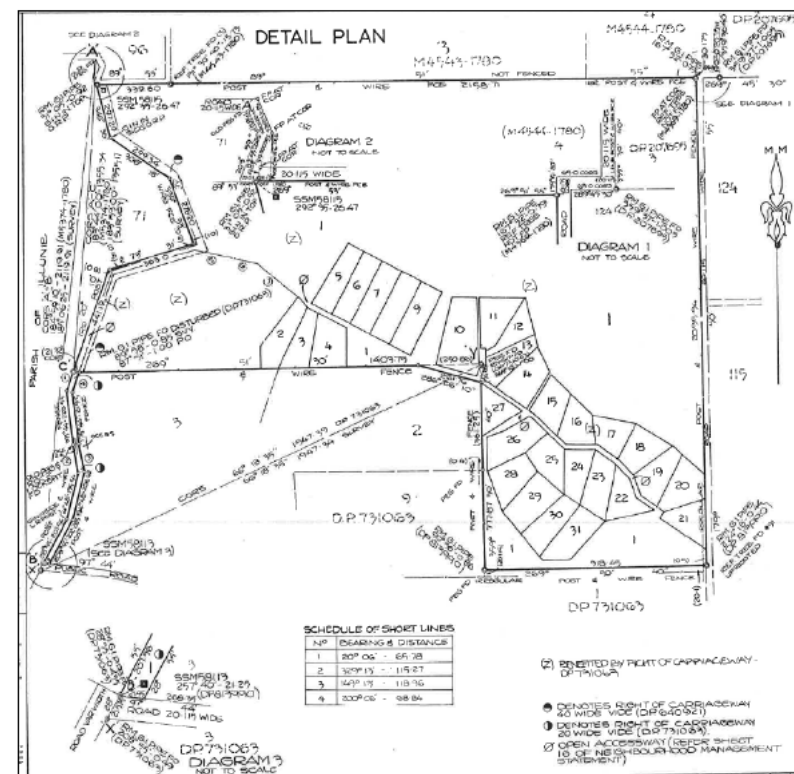
Aerial photo



Aerial Photograph of Carinya Estate
(circa 2010 courtesy NSW Lands Dept SIX Mapping)

Carinya Estate - Subdivision Layout

Extract from Deposited Plan 285029



Relationship with other plans and policies

Development of the subject land is to comply with the requirements of the following legislation, policy and guidelines and requirements:

- Hilltops Local Environmental Plan 2022.

The following legislation also applies

- NSW Environmental Planning and Assessment Act 1979.
- NSW Rural Fires Act 1997.
- NSW Planning for Bushfire Protection issued by the NSW Rural Fire Service 2019.

This Section is to be read in conjunction with the relevant provisions of Hilltops Local Environmental Plan 2022 including clause 1.9A Suspension of covenants easements and agreements and Clause 6.10 Development at Carinya Estate. In addition to the policies, guidelines and documents specified in Chapter 1 General Provisions, other relevant Sections of the DCP include:

- Section 2.1 Rural Dwellings;
- Section 4.1 Car Parking and Vehicle Access; and
- Section 4.3 Development requiring tree removal or lopping.

Where any provision of this Section of the DCP is inconsistent with any provision of any other Section of the DCP, the provisions of this Section are to prevail to the extent of that inconsistency.

Context and Background

The Carinya Estate subdivision was originally approved under community title legislation. Road access within the subdivision is via a private road, not Council owned or maintained, that was privately constructed and is at law, to be maintained at the cost of the owners, not Council. The site has dense bushland with a known and mapped bushfire prone potential. Threatened species of flora and fauna are understood to be in the area.

The Carinya Estate has been identified as having:

- A large expanse of undisturbed natural vegetation.
- Potential threatened flora and fauna species, including but not limited to: Box spp. eucalypts, Blakely's Red Gum, Yass Daisy.
- Bushfire prone land of varying risk classifications, as identified on statutory mapping supplied by the NSW Rural Fire Service.
- Known aboriginal cultural heritage that include identified artefacts that will need to be preserved.
- An isolated location with limited access options to the nearest public road.

All land clearing and development on the estate requires development consent and due environmental assessment prior to it occurring.

Objectives

- To ensure development appropriately considers and responds to the bushfire risk of the subject lands.
- To ensure development appropriately considers and responds to the particular environmental features of the subject land.
- To ensure development appropriately considers and responds to prior indigenous occupation and use of the lands; and
- To minimise land clearing and removal of vegetation across the subdivision and estate

C1 Submitting a Development Application

In addition to the minimum required details outlined in Chapter 1 of this DCP, it will be necessary for the following information and reports to be obtained and lodged when proposing development on any land to which this section of the DCP applies.

Vegetation, Clearing and Site Attributes Plan

The site plan for the allotment and proposed construction or use, is to be to scale and is to clearly elaborate the following key site attributes:

- a) existing site features such as rock outcrops, stands of vegetation, or the like.
- b) the extent of existing vegetation, any proposed clearing and the location of any existing or proposed driveways.
- c) the extent of existing and proposed cut and fill.
- d) the slope, aspect and contours of the land.
- e) the location of existing and proposed infrastructure including power.
- f) any existing and/or proposed effluent disposal areas.
- g) the location of all proposed development and structures.

Bushfire Risk Assessment Report

Any development must be accompanied by a report prepared by a suitably qualified and practicing professional, who is recognised by the NSW Rural Fire Services as a qualified consultant in Bushfire Risk Assessment, stating that the development conforms to the relevant specifications and requirements of the [“Planning for Bushfire Protection, 2019” Policy](#) as administered by the NSW Rural Fire Service.

Flora and Fauna Assessment Report

A report from a suitably qualified and practicing flora and fauna specialist is to be lodged, that identifies the impacts of the development and details all mitigating measures that are to be put in place to avoid, minimise or manage that impact. This are to also detail all mitigating measures that is to remain in place for the ongoing use of the land. The report is to address in particular:

- a) site disturbance and cut and fill.
- b) site clearing for all development including buildings, backyards, effluent disposal areas and driveways.
- c) impacts of, and mitigation measures arising from any initial clearing as well as from actions that are likely to occur from reasonable ongoing maintenance of bush fire asset protection zones for fire safety.
- d) impacts of, and mitigation measures that are required for the effluent management system and disposal drainage field on site.

On Site Sewage Management Site Assessment

A report from a suitably qualified and practicing soil scientist is to be supplied which analyses the soil profile, site attributes, development proposed, and effluent disposal method proposed. The report is to detail the disposal design and location of the drainage field along with an alternate area for ultimate use when the first drainage field is saturated.

Landscape Plan – Non Invasive spp.

The development application is to include a detailed and clearly annotated landscape plan for the development that clearly shows the name, number and type of plant species proposed to be planted. No invasive, non native and non endemic species are to be used on the sites to limit the chance of loss or conflict with the surrounding natural vegetation.

Impact Assessment on Known Indigenous Artefacts/Features.

The development application is to include a statement of impact of the proposed development on known or otherwise identified matters of aboriginal cultural significance. As a minimum, the statement to be prepared is to address the report held by Boorowa Council entitled “An Archaeological Survey of the Proposed ‘Caringa’ Subdivision, North of Boorowa, New South Wales” prepared by Cliff Samson of National Heritage Studies, 1989.

C2 Specific Controls

In addition to any actions arising from the three primary specialist’s reports required above, the following minimum development controls will apply to all of the subject land when development is being assessed:

- a) To the greatest extent possible, all development is to occur in already cleared areas of allotments. Development for the purposes of this clause is to include all buildings, water tanks, ancillary structures and effluent disposal areas to and from the proposed development and is to specifically include any required bushfire asset protection zone.
- b) Existing access from the common road are to be used. New access points and tracks will only be allowed where no current clearing or access exists.
- c) Infrastructure connections are to be provided to the development only in current cleared areas or access ways from the common road to the Estate.
- d) No exotic, invasive or non endemic plants or grasses are to be used in conjunction with any proposed development or occupation of the site.

- e) The development application is to detail a primary and a secondary effluent disposal drainage field as nominated by the Soil Scientists report. These areas are to be within any nominated bushfire asset protection zones and be clear from shading from retained vegetation.

Referral & Assessment

Council will refer any the Development Applications to the NSW Department of Climate Change, Energy, the Environment and Water and the NSW Rural Fire Service for relevant advice and conditions of approval where required.

HILLTOPS DEVELOPMENT CONTROL PLAN 2025



Chapter 4 Specific Provisions – All Zones

Chapter 4 Specific Provisions- All Zones Contents

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Chapter 4 Specific Provisions- All Zones

Section 4.1 Car Parking and Vehicle Access

Explanation
The provisions of this Section will be applied to new development as well as to the extension of an existing building or works as if it were an independent development.
Off-street car parking provision provided to existing developments is to be retained. Additional parking spaces required for any new development or redevelopment are to comply with the provisions of this document.
In the case of a change in the use of an existing building, Council will apply the provisions of this DCP if it considers that the proposed new use will produce a substantially different parking requirement than those attributable to the existing use.
The total number of on-site parking spaces provided in association with a new development is to be in accordance with the recommended ratios set out in this Chapter as appropriate, subject to any qualifications or exceptions which may be applicable in the circumstances of the case. In this regard parking proposals that provide less parking than required by this Chapter are to be supported by a parking study.
In the event of a conflict between this Chapter and an Australian Standard, the Australian Standard will prevail.

This DCP defines parking standards for frequently encountered uses. The Council will define a requirement for uses not referred to in the DCP according to the merits of the specific case. The RTA Guide to Traffic Generating Development may be used in this instance, noting that this document requires updating and may not be relevant in all instances.

1. In this Chapter, Gross Leasable Floor Area means the overall usable area of the building excluding amenities, stairways, lift wells and plant rooms.
2. Unless otherwise stated, ancillary or incidental uses will be assessed as part of the main user of the building i.e. the office of a supermarket will be included in the area of the supermarket and will not be treated as a separate office use.
3. A use comprising a combination of two or more uses such as combined vehicle sales and vehicle repair stations will be assessed as if the two uses existed independently and the required on-site parking provisions will be the aggregation of the independently derived requirements.
4. For the purpose of Table 4.1, "bedroom" is taken to be any room which would be available for use as a bedroom without structural alteration to the dwelling.
5. The parking provision for restaurants and function rooms may be reduced where it is demonstrated that the time of peak demand for parking associated with each facility does not coincide with peak usage of existing available parking or where common usage reduces total demand. Each case will be considered on its individual merits.
6. If the calculation of required car spaces results in a non-integer value such as 3.6, then this should be rounded up or down according to the following rule:
 - a. Partial values less than 0.5 can be rounded down, such as 4.4 can be rounded down to 4).

- b. Partial values of 0.5 or more should be rounded up, such as 4.5 and 4.7 would both be rounded up to 5.

Objectives

To provide a guide for the provision of parking, associated with development in Hilltops Local Government Area in order that:

- a) Traffic safety and management are maintained or improved.
- b) Parking areas are provided that are convenient, functional and sufficient for particular developments and use.
- c) A balance is achieved between the needs of the proposed use and of vehicular and pedestrian traffic.
- d) Parking areas, once established, are maintained in an adequate condition that continues to provide facilities that comply with those required when development consent was granted.
- e) To provide safe and accessible car parks.

CP1 Car parking and vehicle access

Performance Criteria

PPA1 New car parks are sufficient in number and design to provide appropriately for the needs of new developments.

Acceptable Solutions

APA1.1 Car parking is provided at the rate set out in Table 4.1 unless specified in clauses APA1.3, APA1.4 or APA1.5

APA1.2A Car parking is provided on the site of the development.

APA1.3 For Change of Use or Redevelopment.

Historic parking credits for lawfully established uses are recognised under this clause and evaluated in assessment of the application.

Additional parking spaces will be required for any change of use or redevelopment and are to be provided in accordance with the provisions of the Car Parking Requirements Table.

Where it is proposed to change the use of an existing retail premises/ floor space to a restaurant, dining, and/or take away food premises, additional car parking spaces may not be required where car parking cannot be physically provided on site.

Where existing premises are proposed to be redeveloped or their uses changed, the following method of calculating car parking requirements is to apply:

- a) determine the parking requirement of the previous or existing premises in accordance with the parking rates contained in the Car Parking Requirements Table;
- b) determine the parking requirement of the proposed development in accordance with the parking rates contained in this plan;
- c) subtract the number of spaces determined in (a) above from the number of spaces calculated in (b) above; and
- d) the difference calculated in (c) above represents the total parking spaces to be provided.

APA1.4 Off Peak Development

Off-Peak development is development which operates or carries out business outside the peak demand periods for parking which is generally between 9.00 am and 5.00 pm weekdays.

Development of this type will be assessed in accordance with the Car Parking Requirements Table but Council will have regard to the

characteristics of the proposed development, its hours of operation and the availability of publicly accessible parking within walking distance of the development site.

Where it can be demonstrated that the time of peak demand for parking associated with the proposed development and the existing adjacent land uses do not coincide, or where common usage reduces total demand, a lower level of parking provision might apply.

APA1.5 Parking for Disabled Persons

Disabled parking is to be provided in accordance with the National Construction Code.

Performance Criteria
PPA2 Parking areas are designed to operate in a safe manner for drivers and pedestrians.
Acceptable Solutions
APA2.1 Vehicles enter and leave the site in a forward direction.
APA2.2 All parking spaces are suitably marked by lines or the spaces are indicated by other approved means.

Performance Criteria
PPA3 All parking bays must be readily accessible and an adequate area is provided for the turning and manoeuvring of vehicles.
Acceptable Solutions

APA3.1 The layout and dimensions of car parking areas are in accordance with the design standards and principles as set out in Figures 12.1 and 12.2.

APA3.2 Unless specified to a different standard elsewhere in this DCP, all car parking areas, driveways, turning areas and loading areas are paved in either:

- a bitumen seal coat,
- asphaltic or bituminous concrete,
- cement concrete,
- concrete paving blocks, or
- brick paving blocks.

The standard of paving required will be dependent upon the type of development proposed, with regard to traffic loadings including turning movements of heavy vehicles. For specific details refer to *Council's Engineering Guidelines*.

APA3.3 Free and uninterrupted access to car parking areas is maintained at all times.

Table 4.1 Car park provisions – Acceptable Solutions

Land and building use		Rate of Provision
Accommodation	Backpackers accommodation, Hostels, Hotels (unlicensed) and similar uses.	1 space per 3 guest rooms, plus 1 space for a manager, plus 1 space per 3 employees or part thereof.
	Tourist and visitor accommodation (other than backpackers' accommodation)	1 space per guest room or unit, plus 1 space per 2 staff employed, plus 1 space per 7.5 square metres of bar and lounge areas
	Boarding houses	As per the State Environmental Planning Policy (Housing) 2021 Division 2 Boarding houses: - for development on land within an accessible area—0.2 parking spaces for each boarding room, - otherwise—0.5 parking spaces for each boarding room.
Commercial Business and Industrial	Warehouse or distribution centre	1 space per 100 square metres of gross leasable floor area
	Office premises	1 space per 50 square metres of gross leasable floor area
	Business premises	1 space per 35 square metres of gross leasable floor area.
	Industries	1 space per 2 staff employed, or

Land and building use		Rate of Provision
		1 space per 100 square metres of gross leasable floor area (whichever is the greater)
Education Establishments	Notes for all educational establishments	Note: Council will require the provision of on-site set-down and pick-up areas for buses and cars taking students to or from the school or colleges. Specific Requirements depending on the Educational use must also be met. Consultation with Council is strongly suggested as part of the site design process.
	Pre-school, infants and Primary schools	1 space per staff employed, plus 2 service spaces
	Secondary schools	1 space per staff employed, plus 2 service spaces, plus 1 space per 10 senior students (Years 11 and 12)
	Tertiary schools and Colleges	1 space per staff employed, plus 2 service spaces, plus 1 space per 5 students, plus 1 space per live-in student where residential accommodation is provided
Health Services facility		1 space per 3 beds and/or 3 spaces per health care

Land and building use		Rate of Provision
		professional attending to outpatients, plus 1 space for each resident or staff doctor, plus 1 space for each three employees
Hospitality, entertainment and recreation	Food and drink premises	1 space per 10 square metres of service area
	Registered clubs	1 space per 2 staff employed, plus 1 space per 7.5 square metres of bar and lounge areas
	Bowling clubs	30 spaces per green or rink
	Function Centre	1 space per 3 guests (from BCA calculated occupancy)
	Entertainment facility	1 space per 5 seats
	Squash courts, tennis courts and bowling alleys	3 spaces per court or alley
	Sports stadiums	1 space per 10 seats (or BCA calculated occupancy, whichever is the higher).
Places of public worship, funeral homes		1 space per 10 seats, or, if no seats, 1 space per 10 square metres of gross leasable floor area
Residential	Dual Occupancy	One or two bedroom unit: 1 on-site car parking space per unit. Three bedroom unit or more: 2 on-site car parking spaces

Land and building use		Rate of Provision
		per unit (at least one space to be covered);
	Single Dwelling house	2 spaces (stack parking permitted for one space) per dwelling.
	Multi dwelling housing (i.e. three or more dwellings – whether attached or detached – on one lot of land) and Residential flat buildings	One bedroom dwelling: 1 space (undercover) per dwelling. Dwellings containing two or more bedrooms: One (1) undercover space per dwelling; one additional space per dwelling (may be covered or uncovered). Visitor parking: One (1) space per three (3) dwellings or part thereof (may be uncovered).
	Senior's housing (other than a hostel)	1 space per 5 units plus 1 space for resident manager or as per requirements under State Environmental Planning Policy (Housing) 2021, whichever is the lesser
Retail and services	Shops, (including supermarkets less than 900 square metres gross leasable floor area)	1 space per 35 square metres of gross leasable floor area
	Supermarkets (900 square metres gross leasable floor area or greater)	1 space per 20 square metres of gross leasable floor area

Land and building use		Rate of Provision
	Service stations	1 space per 6 bowzers with additional spaces to be provided for other on-site uses in accordance with this Table.
	Vehicle body repair workshops and Vehicle repair stations	4 spaces per service bay
	Vehicle sales or hire premises	1 space per 100 square metres of gross leasable floor area of the building plus 1 space per 320 square metres of open display area – Note: this assumes one space is required per 16 cars displayed. One car display – equals 20 square metres

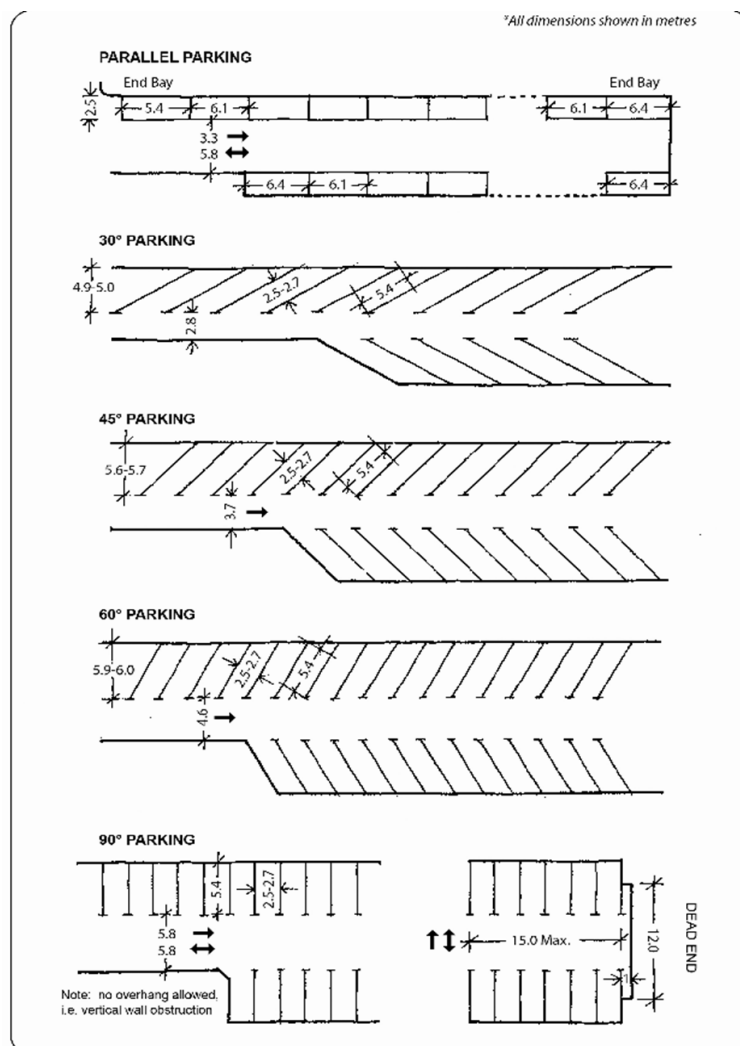


Figure 12.1 Recommended Carpark Dimensions

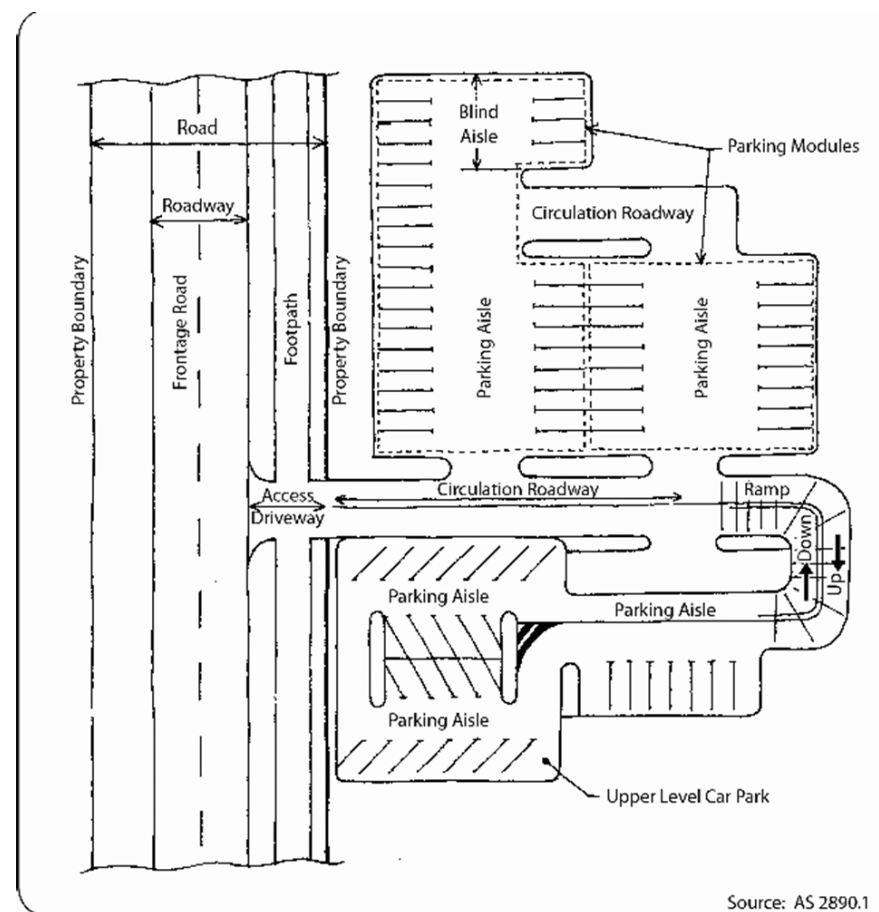


Figure 12.2 Example of a car park layout showing various design elements

CP2 Design Suggestions and Variations

Design Suggestions and Variations
A design that complies with the relevant Australian Standard and/or any relevant State Environmental Planning Policies will be considered acceptable. Council normally expects the provision of car parking to be on the site of the development.

Section 4.2 General provisions for car parking areas

Explanation
This Section applies to: - Class 2-9 Development under the Building Code of Australia; or - Multi-dwelling residential development; or - Where a designated car parking area is required.
Objectives
a) To provide car parks and related infrastructure to acceptable standards of construction.

CP1 Car parking and vehicle access

Performance Criteria
PCP1 Parking operations are logical, and the circulation pattern clearly defined through the use of appropriate traffic management measures.
Acceptable Solutions
ACP1.1 Compliance with Australian Standard AS2890 Part 1 and Part 2. ACP1.2 For one-way traffic, circulation is in the clockwise direction.

Performance Criteria
PCP2 Parking areas are designed to operate in a safe manner for drivers and pedestrians.

PCP2.1 Minimise the number of conflict points between vehicles, and between pedestrians and vehicles.

Acceptable Solutions

ACP2.1 All car parking areas shall be lit in accordance with the relevant Australian Standard.

ACP2.2 Solid walls or other obstructions to visibility are avoided on the inside of tight turns.

Performance Criteria

PCP3 Pedestrians are separated from vehicular traffic as much as physically possible.

Acceptable Solutions

ACP3.1 Pedestrian thoroughfares are provided throughout the carparking area to fully separate pedestrian and vehicular traffic.

Performance Criteria

PCP4 Blind aisles longer than 15 metres are avoided.

Acceptable Solutions

ACP4.1 Any blind aisles are:

- Less than 15m in length.
- A minimum of 6.5 metres wide.
- Clear of all obstructions.
- Provided with a manoeuvring area at the blind end of the aisle being a 2.5 metre extension of the aisle past the end of the last parking space; and allocated, where possible, for staff or other non-customer vehicles.

ACP4.2 Where aisles are, in effect, internal roads leading to parking areas or individual garages, such as occur in villa home type developments, the following minimum dimensions are provided:

- a) Minor access aisles: 6m.
- b) Minor feeder two way aisles: 5m.

Performance Criteria

PCP5 Entry and exit points are clearly marked so as to avoid any confusion.

Acceptable Solutions

ACP5.1 Separations of entry and exits comply with Tables 4.2 and 4.3.

ACP5.2 Within the car park, signs are provided where necessary so that drivers wishing to leave the car park may do so by the most efficient route.

ACP5.3 Signposting is easily seen and understood.

Performance Criteria

PCP6 All parking bay delineations, arrows and other information for drivers painted on the pavement are marked using white, or high-contrast paint, or approved markers. Delineations are not less than 75mm or greater than 100mm wide.

Acceptable Solutions

ACP6.1 In certain situations, the installation of signs to Council's satisfaction may be required over and above the normal requirements. Signposting and line marking will assist to prevent the choking of the aisles and contribute to the general ease of use

of the facility. Details of all proposed signposting and marking for parking areas are to be submitted with the development application for Council's consideration.

Performance Criteria

PCP7 Where the development generates a reasonable volume of traffic, separate entry and exit locations are provided with suitable separation between the access points.

Acceptable Solutions

ACP7.1 The design of access points and internal circulation areas is such that entry to and exit from the site is made by driving in a forward direction.

The reversing of vehicles onto the street will not generally be accepted, except for single residential dwelling houses and dual occupancies. Some minor relaxation may be permitted in this matter depending on the conditions of the site, the location of the site and the nature of the development.

ACP7.2 Access points are in accordance with the restrictions in Figure 13. The minimum driveway width at the entry/exit points is to be selected having regard to the footpath crossing width.

Performance Criteria

PCP8 Good sight distance is provided onto footpath areas from vehicles leaving car parking areas.

Performance Criteria

PCP9 Garages in residential development are capable of easy entry and exit.

Acceptable Solutions
ACP9.1 When garages are provided in parking areas associated with residential developments, the following minimum dimensions are achieved: a) Minimum internal width: 3.0m. b) Minimum width between door jambs: 2.75m. c) Minimum aisle widths to allow adequate access to garages are: i. 6.7m where the door jamb width is 2.75m. ii. 6.2m where the door jamb width is 2.90m.

Performance Criteria
PCP10 Grades of parking areas are minimised, consistent with achieving adequate drainage.
Acceptable Solutions
ACP10.1 All car parking areas shall be sealed and effectively graded and drained.
ACP10.2 The maximum acceptable grade for sloping parking, including access aisles, is 10%. For all areas the minimum longitudinal grade and the minimum cross-fall grade is as shown in Table 4.4.

Performance Criteria
PCP11 Headroom for undercroft parking or underground parking is sufficient to cater for the vehicles anticipated to use the development
Acceptable Solutions
ACP11.1 The minimum clear head room achieved in an undercover parking area which will be used by passenger vehicles only is 2.3

metres. Where vehicles other than passenger vehicles would use an area, the minimum clear head room achieved is 4.6 metres.

On sites where it is certain that van type vehicles are the largest vehicles which will use the area, a minimum clear head room of 2.6 metres may be considered. Particular attention must be paid to head room requirements at ramps.

Performance Criteria
PCP12 Turning circles are to cater for the range of vehicle sizes anticipated to utilise the site.
Acceptable Solutions
ACP12.1 Turning circles are calculated using the 85th percentile vehicle. See <i>Council's Engineering Guidelines</i> for turning circle illustrations.
ACP12.2 For trucks appropriate turning templates from AS2890 Part 2 are utilised for rigid and articulated vehicles as required to service the development. See <i>Council's Engineering Guidelines</i> for turning circle illustrations.

Performance Criteria
PCP13 Turning circles are to cater for the range of vehicle sizes anticipated to use the site.
Acceptable Solutions
ACP13.1 In a large residential development of 12 or more dwellings of the type which includes building back from the street, provision is made for delivery vehicles, etc. to be accommodated close to a suitable entrance to the building.

ACP13.2 These vehicles are able to drive in a forward direction when both entering and leaving the site.

Table 4.2 Selection of Driveway Type-Heavy Vehicles (see table 4.3 for details of driveway types)

Heavy Vehicle Type	Road Frontage Type	Driveway Type
RIGID	Major	5-6
	Minor	4-5
ARTICULATED	Major	6
	Minor	5-6

Table 4.3 Driveway Types

Type	Entry width in m	Exit width in m	Minimum separation of driveways in m	Splay at Kerbline in m
1	2.5-6	Combined	NA	-
2	6-9	Combined	NA	2
3	6	4-6	1-3	2
4	6-8	6-8	1-3	2
5	8-9	8-9	3	2

6	9	9	3	2
7	Direct feed from a controlled intersection via a dedicated public roadway.			

NOTE: Type 1 and 2 driveways are most frequently required in a typically “small” development; i.e. panel beating workshop. Types 3 through 7 would apply to developments such as transport depots and heavy industry.

Table 4.4 Minimum longitudinal grade and minimum crossfall

Type of Surface	Minimum Longitudinal Grade	Minimum Crossfall
Bituminous Seal Coat	0.5%	3.0%
Asphaltic Concrete	0.5%	2.5%
Cement Concrete	0.35%	2.0%

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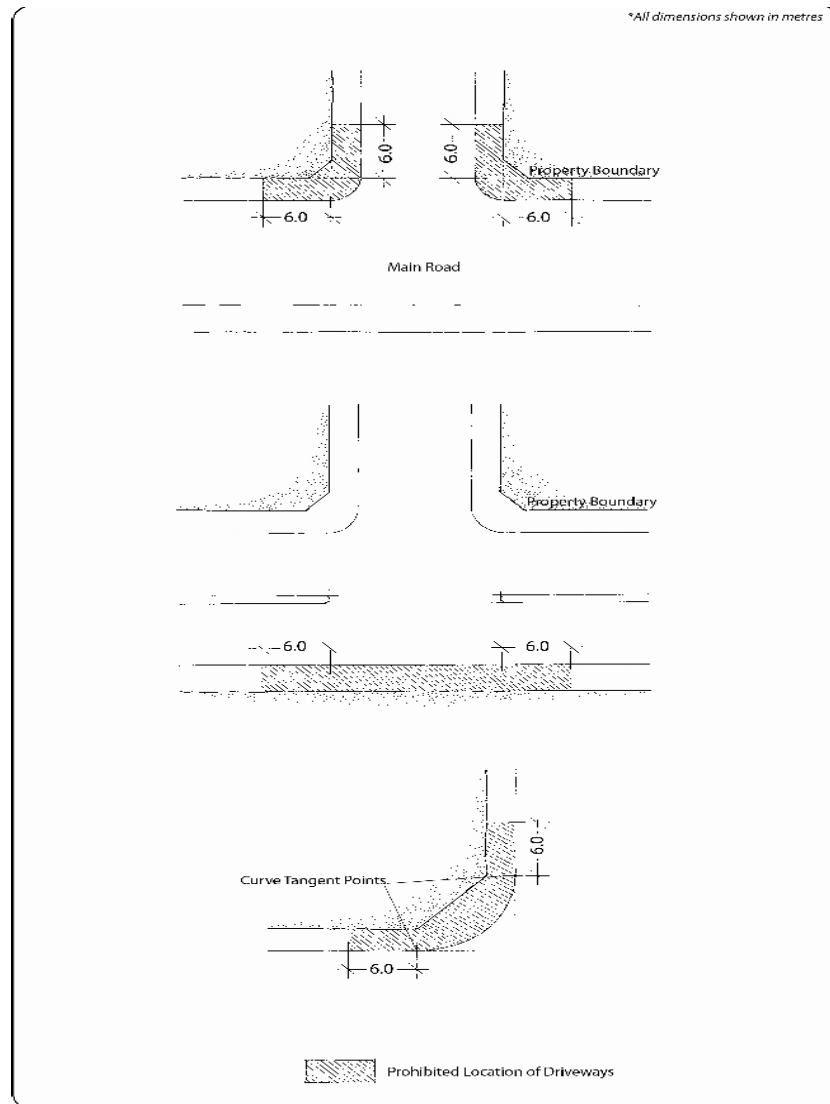


Figure 13 Prohibited access points

CP2 Design Suggestions and Variations

Design Suggestions and Variations
a) 90 degree parking angles usually result in the most efficient use of an area unless it is either irregular in shape or is a multiple of an angled parking module which would result in an acceptable functional design. b) Roads within car parks may be two-way, but the circulation pattern and parking distribution should be designed to encourage a predominantly unidirectional flow of traffic. c) To minimise conflicts between vehicles and pedestrians, particular attention should be given to the protection of main pedestrian desire lines. Pedestrian movement can be assisted if parking aisles are oriented perpendicularly to pedestrian movements. Where possible, the principle circulatory aisles should be placed furthest from the pedestrian trip generator, such as shopping centre, to improve pedestrian movement and reduce the number of conflicts between pedestrians and vehicles. d) Stack Parking: Stack Parking is not generally supported. If supported in a particular circumstance it would be counted at 0.5 spaces per stack space provided. Each dwelling or other premises is to be fully self-contained with respect to parking. e) Mechanical Parking: An application to provide for car parking using mechanical devices will be considered on its merits. Such an application should reflect the broad aims and principles of this chapter of the DCP. f) Small Car Spaces: All bay sizes are required to be of the dimensions set out in this DCP. The provision of undersized spaces

for the use of small cars may be permitted although they would not contribute towards the total number of spaces required under this plan.

g) **Drainage of Paved Areas:** It is recommended that concept designs for the drainage of paved areas be submitted to Council in conjunction with the development application. Applicants should consult with Council's Engineering Department to obtain current standards and requirements.

h) **General:** A parking or access design that complies with the relevant Australian Standard (AS 2890) and any relevant State Environmental Planning Policies will be considered.

Section 4.3 Development requiring tree removal or lopping

Explanation
This section applies to all zones except RU1 Primary Production and RU4 Primary Production Small Lots under the Hilltops Local Environmental Plan 2022. This section should be read in conjunction with State Environmental Planning Policy (Biodiversity and Conservation) 2021 The purpose of this Chapter is to declare trees and other vegetation under Chapter 2 (Vegetation in Non-Rural Areas), of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. Where a tree or other vegetation is declared in this Chapter a person must not clear vegetation without a permit granted by Council (Clause 2.6 of the Biodiversity and Conservation SEPP). This is referred to as ‘removal or pruning’ in this Chapter and includes: • Cutting down, felling, uprooting, killing, poisoning, ringbarking, burning or otherwise destroying the vegetation, or • Lopping or otherwise removing a substantial part of the vegetation. Council can only issue a permit for the removal or pruning of native vegetation that is below the biodiversity offsets scheme threshold. For the purposes of this DCP and <i>Clause 2.6 of the Biodiversity and Conservation SEPP</i> a designated tree is defined as vegetation with: a) 5m or more in height at any point above the ground; or

- b) With a trunk diameter of 200mm or more when measured 1.5m above the ground level; or
- c) With more than one trunk, where one or more of the trunks has a diameter exceeding 100mm at a height of one metre above the ground level.

A designated tree does not include any noxious weed species as declared for the Hilltops LGA or a tree of the following species:

Botanical name	Common name
Alnus altissima	Tree of Heaven
Alnus acuminata	Evergreen alder
Bambusa sp.	Bamboos
Brachychiton Acerifolius	Illawarra Flame Tree
Celtis sp.	Nettle-tree and Hackberry
Cinnamomum Camphora	Camphor laurel
Cocos romanzoffianum	Queen Palm
Cotoneaster	Cotoneaster
Erythrina Spp.	Coral tree
Ficus benjamina	Weeping Fig
Ficus elastica	Rubber tree
Ficus sp.	Figs (Moreton Bay, Hills Weeping, Rubber Tree)
Fraxinus sp.	Ashes
Ligustrum Spp.	Small and large leafed Privet
Ligustrum sp.	Privets
Melia azedarach	Australian White Cedar
Nerium Oleander	Oleander

Phoenix Canariensis	Canary Island Date Palm
Populus sp.	Poplars
Rhus succadanea	Rhus tree
Robinia pseudoacacia 'sp	Black Locust, False Acacia
Salix sp.	Willows
Schefflera actinophylla	Queensland Umbrella tree
Syagrus romanzoffianum	Cocos palm
Toxicodendron sp.	Rhus Tree
Ulmus sp.	Elms (large
Objectives	
a) To provide a regulatory framework for the preservation of trees and other vegetation to maintain the visual integrity of Hilltops Local Government Area Townships of Boorowa, Harden-Murrumburrah and Young and the village areas of Hilltops Local Government Area. b) To ensure that all development is carried out with sensitivity to trees in the vicinity.	

Performance Criteria
PT1 Trees are protected, unless they are an environmental weed species.
Acceptable Solutions
AT1.1 Development is designed to avoid impact on designated trees unless this would reduce the development yield of the property.
AT1.2 Designated trees are retained where not directly impacted by a development or where they are not within 3 metres, measured from the trunk, of a building approved as part of a development or

where they would create a safety risk for traffic unless a qualified arborist has assessed the tree and found that by reason of its health or otherwise that it is not worthy of retention.

Performance Criteria
PT2 If a tree is removed, in order to construct an approved development or provide a utility service, an environmental offset is provided.
Acceptable Solutions
AT2.1 Where a designated tree is removed, it is replaced by at least two trees, of a species endemic within the Hilltops Local Government area, which would develop to a similar size at maturity.
AT2.2 Where replacement on-site is not feasible, Council may nominate a public area in the vicinity, including a road reserve, where the trees may be planted, and may levy a contribution from the developer to cover the cost of planting and maintaining the tree to establishment.

Performance Criteria
PT3 Management of existing trees minimises the threat to the long term survival of the tree.
Acceptable Solutions
AT3.1 Work is not conducted within the drip line of a retained tree, such as digging, trenching, compacting, filling by more than 150mm or paving, unless a qualified arborist has assessed the tree and provided guidelines as to how the work can be carried out with minimal risk to the long term survival of the tree.

AT3.2 Pruning or protection works are carried out in accordance with Australian Standard 4373.

Design Suggestions and Variations
Tree species endemic within the Hilltops Local Government Area should be used in any environmental offsets.
A list of species is provided within <i>Council's Engineering Guidelines</i> found on Council's website.

Section 4.4 Footpath display and use

Explanation	
This section applies to activities and development as outlined in Council's Outdoor Activities Approval Policy.	
Objectives	
a)	To provide additional colour and interest to the business areas in the Hilltops Local Government Area, while preserving the access function of footpaths and minimising the risk of injury to the public.
b)	To permit limited footpath based signage that is not distracting to motorists.
c)	To permit street dining in a way that preserves the access function of the footpath, preserves cleanliness and tidiness, and maintains visual amenity outside of operating hours.
d)	To permit the display of goods and location of charity bins in a way that preserves the access function of the footpath, preserves cleanliness and tidiness, and maintains visual amenity outside of operating hours.
Performance Criteria	
PFD1 Development to occur in line with Council adopted policy and legislation.	
Acceptable Solutions	
AFD1.1 Footpath use and display activities and development is to address and satisfy Hilltop Council's Outdoor Activities Approval Policy or superseded Policies as found on Council's Website.	

Section 4.5 Spray Drift

Explanation
This section applies to all zones and all residential development within the vicinity of an existing or proposed horticultural activity within the Hilltops Local Government Area.
Objectives
a) To ensure that new development for residential purposes respects the existing horticultural industry, in particular orchards and vineyards to: (i) Minimise nuisance to adjoining owners, and (ii) To protect the horticultural industries from encroaching development. b) To ensure that new development for horticultural purposes respects existing dwellings to: (i) Minimise nuisance to residential dwellings. (ii) Protect the horticultural industries from conflict with adjoining landholders. (iii) Facilitate the erection of dwellings on existing allotments with dwelling rights.

SD1 New residential development

Performance Criteria
PSD1 New dwellings are provided with an adequate buffer, either by way of distance alone, or distance in conjunction with a vegetative screen, such that spray drift effects from existing orchards and vineyards are minimised.
Acceptable Solutions

ASD1.1 New dwellings in the RU1 Primary Production Zone are not located within 150m of an existing orchard or vineyard on land within a different ownership, or within 75m of an existing orchard or vineyard on land in the same ownership.

ASD1.2 New dwellings within the RU4 Primary Production Small Lots Zone are not to be located within 75m of an existing orchard or vineyard.

Alternative approaches and design suggestions

Dwellings may be considered within 75m but no more than 40m from an existing orchard or vineyard provided that a tree buffer is planted incorporating two rows of trees, of an approved species.

Tree planting rows are to be staggered and spaced to as to produce a continuous vegetative screen when the trees are at maturity.

Approved species include:

- She Oak (Casuarina Cunninghamiana),
- Wattles (Melanoxylon, Hickory Wattle),
- Calistemon sp,
- Melaleuca sp,
- Leptospermum sp,
- Grevillia Ivanhoe).

It is recognised that in some existing circumstances the above buffers may not be able to be achieved where existing residential lots are of insufficient size. In these cases, the dwelling should be located as far as possible from the existing orchard or vineyard, and tree buffers of the type specified above are planted by the proponent of the residential dwelling.

SD2 New horticultural development

Performance Criteria
PSD3 New horticultural developments are provided with an adequate buffer, either by way of distance alone, or distance in conjunction with a vegetative screen, such that spray drift effects to existing dwellings or potential dwelling sites are minimised.
Acceptable Solutions
ASD3.1 New horticultural development within the RU1 Primary Production Zone is not located within 150m of land within a different ownership, or within 75m of a dwelling on land in the same ownership.
ASD3.2 New horticultural development within the RU4 Primary Production Small Lots is not located within 75m of land within a different ownership or a dwelling on land in the same ownership.

Performance Criteria
PSD4 New horticultural developments do not depend on land in a different ownership for the provision of buffers.

Alternative approaches and design suggestions
New horticultural developments may be considered within 75m but not less than 40m from land within a different ownership or a dwelling on land in the same ownership provided that a tree buffer is planted incorporating two rows of trees of an approved species.
Tree planting rows are to be staggered and spaced to as to produce a continuous vegetative screen when the trees are at maturity.

Approved species include:

- She Oak (Casuarina Cunninghamiana),
- Wattles (Melanoxylon, Hickory Wattle),
- Calistemon sp,
- Melaleuca sp,
- Leptospermum sp,
- Grevillia (Ivanhoe).

Section 4.6 Animal boarding, breeding or training establishments

Explanation
This section applies to RU1 Primary Production where animal boarding and breeding establishments are permitted with consent within the Hilltops Local Environmental Plan 2022. The purpose of this section is to provide guidance for persons establishing and operating premises for animals, such as dog or cat breeding and or boarding establishments, to protect residential amenity surrounding the establishments, minimise land use conflict and ensure best practice animal welfare practices. For the purposes of this section an “animal boarding or training establishment” is as defined under the Hilltops Local Environmental Plan 2022 as: <i>animal boarding or training establishment</i> means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital. An animal boarding or training establishment is separately defined under the LEP and therefore does not fall within the “commercial premises” “agricultural” or “industrial” land use definitions. All applications for animal boarding and/or breeding establishments shall be assessed giving due consideration to the <i>Prevention of Cruelty to Animals Act 1979 (NSW)</i> and the <i>Animal Welfare Code of Practice – Breeding Dogs and Cats 2021 (NSW)</i>,

Animal Welfare Code of Practice - Dogs and Cats in Animal Boarding Establishments, or any of the future iterations. All assessments must give priority consideration to the *Environmental Planning and Assessment Act 1979*.

Consent requirements vary depending upon the number of animals. Wherever there is a business purpose, or animals are bred or trained for competition, consent is typically required. Non-business companion animals are considered on merit.

Objectives

To ensure that these developments are well-located with respect to minimising noise nuisance and visual impact.

AB1 Dog boarding and training establishments:

Performance Criteria
PAB1.1 Dog boarding and training establishments are located on land of sufficient size to ensure that good acoustic buffers are available to any existing dwelling, or potential site of a new dwelling.
Acceptable Solutions
AAB1.1 Dog boarding and training establishments are located at least 150 m from the boundary of an adjoining property. AAB1.2 Provide any training tracks as far removed as practicable from existing dwellings on adjoining lands. AAB1.3 Contain kennels and outdoor exercise areas within an enclosed space.

AAB1.4 Comply with the requirements of the Animal Welfare Code of Practice Breeding Dogs and Cats from NSW Department of Primary Industries.

Performance Criteria

PAB2 Comply with relevant guidelines and legislation relating to animal welfare.

Acceptable Solutions

AAB2.2 Development is to comply with the requirements of the *Animal Welfare Code of Practice - Breeding Dogs and Cats from NSW Department of Primary Industries*.

AAB2.1 Development is to comply with the requirements of the *NSW Animal Welfare Code of Practice No 5 - Dogs and cats in animal boarding establishments*.

Performance Criteria

PAB3 Visually present in a manner to avoid long uninterrupted walls or fences.

Acceptable Solutions

AAB3.1 Provide landscaping to screen any fence or wall longer than 15 m.

AB2 Catteries

Performance Criteria

PAB4 Comply with relevant guidelines and legislation relating to animal welfare.

Acceptable Solutions

AAB4.1 Development is to comply with the requirements of the NSW Animal Welfare Code of Practice No 5 - Dogs and cats in animal boarding establishments.

AAB4.2 Development is to comply with the requirements of the Animal Welfare Code of Practice - Breeding dogs and cats from NSW Department of Primary Industries.

AB3 Horse Training establishments

Performance Criteria

PAB5 Comply with relevant guidelines and legislation relating to animal welfare.

Acceptable Solutions

AAB5.1 Horse Training establishments are located at least 50 m from the boundary of adjoining property.

AAB4.2 Ensure that run off from any training ring or stables area is appropriately treated through a water quality control facility before entering an adjoining property or watercourse.

Section 4.7 Bed and Breakfast and Farm Stay Accommodation

Explanation
This section applies to Bed and Breakfast and Farm Stay accommodation where permitted with consent within the Hilltops Local Environmental Plan 2022. For the purposes of this section “bed and breakfast accommodation” and “farm stay accommodation” are defined under the Hilltops Local Environmental Plan 2022 as: bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where— (a) meals are provided for guests only, and (b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and (c) dormitory-style accommodation is not provided. farm stay accommodation means a building or place— (a) on a commercial farm, and (b) ancillary to the farm, and (c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings. See Clause 5.4 of the Hilltops Local Environmental Plan 2022 for controls relating to the number of bedrooms for bed and breakfast accommodation.

The use of a dwelling as bed and breakfast accommodation will result in a change of building class for the dwelling under the Building Code of Australia. There will be new fire safety and access requirements.

See Clause 5.24 Farm stay accommodation of the Hilltops Local Environmental Plan 2022 for controls relating to Farm stay accommodation

Objectives
a) To minimise the impacts on adjoining neighbours from Bed and Breakfast and farm stay developments. b) To ensure these developments operate well from an internal design perspective. Functional Statements: a) Development is in-scale with surrounding development. b) Generation of noise is minimised. c) Overlooking of neighbouring properties is avoided. d) Signage is discreet. e) On-site parking is safe and convenient and provided at the rate outlined in Section 4. f) Any changes to the building address neighbourhood character. g) The internal design provides clear "zones" for visitors only, owners only, and shared spaces.

Performance Criteria
PBB1 The development operates in a safe and healthy manner.
Acceptable Solutions

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ABB1.1 Comply with the NSW Local Government and Shires Associations Guidelines for Bed and Breakfast Operations, 1998.

Performance Criteria
PBB2 The development is of modest scale.
Acceptable Solutions
ABB2.1 Guest rooms are limited to number of bedrooms as per Clause 5.4 of the Hilltops LEP 2022.

Alternative approaches and design suggestions
Alternative codes of practice or design guidelines would be considered on merit.

Section 4.8 Use of shipping containers

Explanation
The use of shipping containers for any purpose requires development consent unless the shipping containers are fully located within a building as part of an approved use or are part of the operation of a transport depot or related approved activity. The use to which the shipping container is to be put must be permissible use within the relevant land use zone under the Hilltops Local Environmental Plan 2022 and be related to the predominant use of the land.
Objectives
a) To ensure adequate amenity and streetscape protection when the installation of shipping and/or storage containers are proposed, b) To apply development controls through guidelines for the installation of containers, c) To provide guidelines for the approval of shipping and/or storage containers.
Functional Statement
a) The use of the container relates directly to and is ancillary to the predominant approved use of the property. b) Containers are only to be used in conjunction with an approved use or development on the land.

SC1 Permanent use of containers

Performance Criteria
PSC1 Containers are not visually intrusive when viewed from a public place or adjoining property.
Acceptable Solutions
ASC1.1 Containers are fully screened from a public place and any adjoining property.
ASC1.2 Containers are not located within front or side setback distances, as provided for within the relevant land use zone.
ASC1.3 Containers are limited to two containers per property.

Performance Criteria
PSC2 Containers are in good condition and are installed in a structurally stable manner.
Acceptable Solutions
ASC2.1 Containers are free of major rust and are painted in a colour consistent with other development on the site or surrounding lands.
ASC2.2 Are installed and tied down to a concrete slab or foundations capable of supporting the combined weight of the container and contents.
ASC2.3 Containers are placed on hard-stand such as compacted gravel or the like.
ASC2.4 A means must be provided whereby persons within the container can exit the container, should it be closed from the

outside, OR an internal alarm is to be installed and maintained and regularly tested.

Performance Criteria
PSC3 Containers are not located over services or utilities.
Acceptable Solutions
ASC3.1 Containers are not located over mains water or sewer lines, or over an easement.

SC2 Temporary use of containers

Performance Criteria
PSC4 Containers are located to minimise visual impact.
Acceptable Solutions
ASC4.1 Containers are not located within front or side setback distances, as provided for within the relevant land use zone.
ASC4.2 Containers are free of major rust and are painted in a colour consistent with other development on the site or surrounding lands.
ASC4.3 Containers are located to minimise visual intrusion to the public realm and adjoining property.
ASC4.4 No more than one container is used for temporary purposes.

Performance Criteria
PSC5 Containers are used for temporary purposes and not permanent basis.
Acceptable Solutions

ASC5.1 The temporary purpose is not to exceed six months.

SC3 Alternative approaches and design suggestions

Alternatives would be considered on merit but must be consistent with the performance outcomes of this Section.

Section 4.9. Restricted Premises and Sex Services Premises

Explanation
This section applies to where a sex service premises or restricted premises use is permissible use within the relevant land use zone under the Hilltops Local Environmental Plan 2022. Additional Information The following additional information must accompany any development application for a sex service premises or restricted premises: - A fully dimensioned Location Plan, drawn to scale, showing proximity and location to nearby churches, schools, community facilities, hospitals, bus stops, parks and recreation facilities used by children, such as amusement arcades, sporting fields etc and distance from any residential zone or from properties used or partly used or capable of being lawfully used for residential purposes, other than ancillary dwellings; and - Type of land uses carried out on adjacent and nearby properties; and - The location of any other sex services premises or restricted premises in the vicinity. - A Floor Plan and Elevation Plans of the building drawn to scale which indicates the proposed use of each room and shows compliance with the <i>Building Code of Australia</i> and the <i>Disability Discrimination Act 1992</i>; and - Entrances to and exits from the site; and - The exterior colour scheme of the proposed development; and - Details of the existing and proposed external lighting.

Additionally, a sex service premises:

- Is not in a “shop front” premises.
- Does not contain more than 4 separate rooms for the purposes of sex services.
- Is provided with a waiting room of at least 20 square metres in size.
- The sex service premises is fitted with the necessary facilities and services for Class 6 buildings under the Building Code of Australia.
- Has all windows been always covered with blinds or curtains.
- Complies with the [Department of Local Government guidelines for sex services premises](#). These guidelines should be addressed in the preparation of any development application.

Council will condition any consent to be fully compliant with these guidelines.

Objectives
- To ensure restricted premises and sex service premises are appropriately located to minimise offence to the community and mitigate any adverse social impacts. - To ensure that access to these premises is safe for patrons and staff. - To ensure that these premises are designed to minimise the impact and presence of the development in the locality. - To ensure that these premises operate at times where they will have least impact on the community and surrounding neighbourhood; and - Council may consider a time-limited consent, in the circumstances of the case, where Council is of the opinion

that a limited period of operation is necessary to fully assess whether a sex service premises or restricted premises could operate in a satisfactory manner. Within this period the applicant is to be entitled to seek an amendment under Section 4.55(2) of the Environmental Planning and Assessment Act 1979 to allow an extension to the operation of the brothel. Council may then decide to either allow the sex services premises or restricted premises to operate for a further period or decline to amend the period of operation, in which case the sex services premises or restricted premises is to cease operation on the expiration of the consent.

Performance Criteria

PRP1 Sex service premises or restricted premises are not located in such concentration, either alone or in combination with other sex-related businesses, as to result in the creation of a "red light" district.

Acceptable Solutions

ARP1.1 Sex service premises or restricted premises are not located within 100 metres access of any other sex service premises or restricted premises.

ARP1.2 Sex service premises or restricted premises are not located in or adjoining licensed premises or motels, boarding or guest houses.

Performance Criteria

PRP2 Access to or from a sex service premises or restricted premises is not near or within view from a church, hospital, bus

stop, school or any place frequented by children for recreational or cultural activities.

Acceptable Solutions

ARP2.1 Sex service premises or restricted premises are not located within a 150 metre access of existing dwellings and hospitals.

ARP2.2 Sex service premises or restricted premises are not located within a 200 metre access from churches, schools, recreation areas and childcare centres.

ARP2.3 Sex service premises or restricted premises do not adjoin a residential flat, a residential flat building, an activity operated by a religious institution, a restaurant, a supermarket, a video shop, or amusement parlours and/or arcades.

Performance Criteria

PRP3 Access to the premises is clearly illuminated to discourage loitering and to ensure the safety of patrons and staff.

Acceptable Solutions

PRP3.1 Patrons of sex service premises or restricted premises do not loiter outside the premises.

PRP3.2 The site/building provides outdoor lighting.

Performance Criteria

PRP4 Sex service premises or restricted premises are designed to be compatible with the built form of adjacent premises.

Performance Criteria
PRP5 Disabled persons can comfortably access the development.
Acceptable Solutions
PRP5.1 The site provides access for disabled persons in accordance with the <i>Disability Discrimination Act 1992</i> and the <i>Building Code of Australia</i> .

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Chapter 5 Subdivision Development



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Chapter 5 Subdivision Development

Section 5.1 Subdivision in the rural zones RU1, RU4 and C3

Explanation
This section of the DCP applies to land zoned under the Hilltops Local Environmental Plan 2022: RU1 Primary Production, RU4 Primary Production Small lots and C3 Environmental Management. “Right-of-Carriageway” Requirements Any right of carriageway would service, at most, 2 allotments. It would be conditioned so as to require that access is maintained to a good trafficable standard suitable for two- wheel drive vehicles, and a notation is placed on the title of every benefitting lot such that maintenance of the right-of-carriageway is required, to the standard specified, with the cost being borne proportionally by each owner based on the distance of the access point of their allotment to the public road.
Objectives
a) To ensure that access arrangements are appropriate for the type of rural subdivision. Functional Statements a) Lots are provided with appropriate services. b) Constraint-free building envelopes are available. c) The use of rights-of-carriageway is minimised.

RSD1 Servicing

Performance Criteria
PRSD1 All created allotments have legal and practical access including alternative emergency access as may be required by the development.
Acceptable Solutions
ARSD1.1 Each allotment created has legal access to a public road or Crown Road, duly formed or upgraded for the purpose, either through direct frontage, a right-of-way arrangement, or by consolidation with an existing allotment that has such access.

RSD2 Subdivision for Agricultural Purposes

Performance Criteria
PRSD2 Adequate physical access is available to a new allotment, being an allotment created for agricultural purposes.
Acceptable Solutions
ARSD2.1 A title for any agricultural allotment without physical access must include a requirement to build access when the allotment is sold and no longer owned with an adjacent allotment. ARSD2.2 Any such access is constructed prior to transfer of title, and consists of a recessed gate: a) sufficient that an articulated vehicle can stand clear of the road carriageway); OR b) a cattle grid together with a piped crossing over the table drain constructed to <i>Council’s Engineering Guidelines</i>.

RSD3 Subdivision for Dwelling Purposes

Performance Criteria
PRSD3 Roads in accordance with the road hierarchy are available to a new allotment, being of sufficient size to have the right to apply for a dwelling.
Acceptable Solutions
ARSD3.1 Access is provided to a non-classified road where possible, and in accordance with <i>Council's Engineering Guidelines</i> .
ARSD3.2 Where access to a classified road is necessary, this is provided in accordance with Transport for NSW standards for access to a rural dwelling.
ARSD3.3 Street numbering is provided in accordance with Council's rural addressing policy.
ARSD3.4 Standard of construction for roads built and roads fronted or other road network facilities are provided in accordance with <i>Council's Engineering Guidelines</i> .
ARSD3.5 Subdivisions exceeding 15 lots are to have their main subdivision service road connect to the existing road network in at least two locations.

Performance Criteria
PRSD4.A Minimise cut and fill through site sensitive subdivision, road layout and infrastructure to support future dwellings/development.
PRSD4.B Facilitate sensitive design and construction of retaining walls on sloping land at the subdivision works stage of a development to support future dwellings/development.
Acceptable Solutions
ARSD4.1 Subdivision will be designed to respond to the natural topography of the site wherever possible to minimise the extent of cut and fill.
ARSD4.2 Subdivision and building work are designed to ensure minimal cut and fill is required for the construction phase.
ARSD4.3A Retaining walls are to be a maximum 1m.
ARSD4.3B A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.
ARSD4.3C Council may require, for steep sloping sites exceeding 10% grade, a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation.

Performance Criteria
PRSD5 The development provides a means of funding local infrastructure and services that are required as a result of the subdivision.
Acceptable Solutions
ARSD5.1 Payment of any Section 7.11 or Section 7.12 contributions plans that apply to development.

Performance Criteria
PSD6 Development is suitably serviced, addressing potential contamination and adhering to agricultural buffers.
Acceptable Solutions
ARSD6.1 Any electricity services are provided by way of overhead wiring.
ARSD6.2 Where land has been identified as former orchard or other potentially contaminating land use, a report from a suitably qualified consultant is submitted to Council demonstrating that the land is suitable for the intended use.
ARSD6.3 Development is to be in compliance with Council's Contaminated Lands Policy.
ARSD6.4 Separation distances are consistent with Table 2.1 – Agricultural Buffer Distances in the DCP.

RSD4 Design Suggestions and Variations

Good design practice minimises the use of “right-of-carriageway”. Should a right of carriageway be employed, the following provisions apply.

Rights-of-carriageway are strips of land over which one or more parcels of land enjoy certain right of access. Right-of-Carriageways are private agreements between individual owners of the parcels of land involved and Council does not have any responsibilities nor rights with regards to them.

Council will require the approval of all owners of land over which a Right-of-Carriageway is proposed prior to a Development Application for subdivision being lodged. Construction and maintenance of a Right of Carriageway and associated access to the public road carriageway is not the responsibility of Council but is the full responsibility of the relevant landholders.

Section 5.2 Subdivision in the R1 General Residential Zone (R1) and Village Zone (RU5)

Explanation
This section of the DCP applies to land zoned under the Hilltops Local Environmental Plan 2022: - R1 General Residential Zone and - RU5 Village Zone.
Objectives
a) To ensure that land is developed in a manner that is appropriate to the existing or preferred character of the area. b) To ensure that land is developed in a way that will minimise impacts on the natural environment and will allow for the efficient and equitable distribution of public amenities and services.
Functional Statements
a) Minimise the length of roadway and public services required to service the subdivision, while complying with the other performance outcomes of this section. b) Ensure that a diverse range of lot sizes are available including allotments with potential for dual occupancy or multi-unit housing. c) Ensure that lots are of a sufficient size and shape for the proposed and expected use. d) Provide adequate safe area for building and access where the site is subject to constraints such as flooding, subsidence, slip, bush fire or any other risk.

- e) Layouts which conserve any significant site features in environmentally sensitive areas.
- f) Layouts which contribute to the scenic quality, landscape and character of the locality
- g) Required building setbacks from front, side and rear boundaries are provided.
- h) Ensure allotments are serviced with public utilities in accordance with the requirements of the various authorities.
- i) Ensure that layouts consider Crime Prevention through Environmental Design (CPTED) principles.

SD1 Subdivision Layouts

Performance Criteria
PSD1 All intersections are to be designed for safe traffic sight lines and traffic flow.
Acceptable Solutions
ASD1.1 No four-way intersections, and provide a minimum spacing between intersections of 40m. This may be 20m for minor access roads and cul de sacs.

Performance Criteria
PSD2.1 Lot configuration is efficient, responsive to context and appropriately sized for development.

PSD2.2 Minimise the use of cul-de-sacs, and where these are provided, ensure adequate minimum frontages to facilitate reasonable access and dwelling construction.
Acceptable Solutions
ASD2.1 All allotments have a minimum width of 18m at a point 6m back from the front boundary except east-west orientated lots such as within 15 degrees of east-west, which have a minimum width of 20m at that same point.
ASD2.2 Avoid cul-de-sacs if possible.
ASD2.3 Where battle-axe allotments are provided, no more than two such allotments may be serviced by a shared driveway.

Performance Criteria
PSD3 Provide road widths that are consistent with the character of the Township or the Village concerned, within a logical hierarchy of roads.
Acceptable Solutions
ASD3.1 Provide minimum road carriageway widths as follows: - Cul-de-sac or minor access road (up to 15 dwellings) – 9m. - Local Street (15-100 dwellings) – 11m. - Collector (above 100-300 dwellings) – 12m.
ASD3.2 Provide verges to each side of road carriageways as follows: - Cul-de-sac or minor access road (up to 15 dwellings) – 4.5m. - Local Street (15-100 dwellings) – 4.5m. - Collector (above 100-300 dwellings) – 4.5m.
Road Construction:

ASD3.3 All roads created as a part of the subdivision are sealed and provided with kerb and guttering and are designed and constructed in accordance with <i>Council's Engineering Guidelines</i> .
ASD3.4 All existing street shoulders adjacent to the subdivision are sealed and provided with kerb and guttering.
ASD3.5 All roads created as a part of the subdivision are dedicated to Council to become public roads.
ASD3.6 Any street and advisory signs that are required are manufactured, located and erected in accordance with <i>Council's Engineering Guidelines</i> .

Performance Criteria
PSD4 Minimise allotments and the use of battle-axe
Acceptable Solutions
ASD4.1 Have no more than 5% battle-axe allotments.

Performance Criteria
PSD5 Avoid long dead-end streets, to optimise access by service and emergency vehicles.
Acceptable Solutions
ASD5.1 Cul-de-sacs are to access no more than 15 dwellings.
ASD5.2 Provide, where feasible, two access points for subdivisions of over 30 allotments

Performance Criteria
PSD6 Respond to natural features of the site, including grades, watercourses, aspect and soil types.
Acceptable Solutions
ASD6.1 Orientate at least 70% of allotments north-south or east-west.
ASD6.2 Provide larger allotments on south facing slopes.
ASD6.3 Provide a minimum lot width of 20m where cross-grades of allotments exceed 10%, or where lots are east-west.
ASD6.4 Where terracing of cross-grade lots, where exceeding 10% grade, lots are required to provide level building envelopes. Such terracing is provided by the developer, with the engineering design of retaining walls certified by an experienced practicing structural engineer and the geotechnical stability of sites is certified by a qualified and experienced Geotechnical Engineer.
ASD6.5 Maintain natural watercourses and incorporate within open space areas.

Performance Criteria
PSD7 Provide, where necessary, public open space of usable size, grades and shape, conveniently located to serve the residents of the subdivision OR alternatively contribute to the upgrading of public open space in the vicinity and/or access to that space in accordance with any contributions plan that may be in force.

Acceptable Solutions
ASD7.1 Provide public open space for subdivisions of 30 allotments or more, either as: • 10% of land; or, • Contribute an equivalent amount, costed at residential land value for open space purchase and/or embellishment and/or access to open space in the vicinity.
ASD7.2 No public reserves are required on site, unless an area is required for drainage purposes, such as detention basins.

SD2 Site Design

Performance Criteria
PRSD8.A Minimise cut and fill through site sensitive subdivision, road layout and infrastructure to support future dwellings/development
PRSD8.B Facilitate sensitive design and construction of retaining walls on sloping land at the subdivision works stage of a development to support future dwellings/development.
Acceptable Solutions
ARSD8.1 Subdivision will be designed to respond to the natural topography of the site wherever possible to minimise the extent of cut and fill.
ARSD8.2 Subdivision and building work are designed to ensure minimal cut and fill is required for the construction phase.

ARSD8.3 A Retaining walls are to be a maximum 1m.

ARSD8.3 B A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.

ARSD8.3 C Council may require, for steep sloping sites exceeding 10% grade, a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation.

(b) by any kind of subdivision under the Community Land Development Act 2021.

Performance Criteria

PSD9 An efficient and suitable subdivision pattern is achieved in line with the Land Use Zone Objectives.

Acceptable Solutions

ASD9.1 A minimum lot size of 700m² is achieved or exceeded in R1 General Residential Zone.

ASD9.2 A minimum lot size of 2000m² is achieved or exceeded in RU5 Village Zone.

ASD9.3 As per the Clause 4.1 of the Hilltops Local Environmental Plan 2022: ASD9.1 and ASD9.2 does not apply in relation to the subdivision of any land:

(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or

Performance Criteria

PSD10 Outdoor landscaping and recreation space provided has solar access and enjoyment.

Acceptable Solutions

ASD10.1 All allotments can accommodate a building envelope of 16m x 9m; such building envelope to be no closer than 1m to any side or rear boundary, or 6m to the front boundary, and located so that an 8m high dwelling on the envelope would not overshadow an existing dwelling so as to overshadow more than 50% of their private open space or north-facing roof between 9am and 3pm on 21st June.

Performance Criteria

PSD11 Outdoor service space has good solar orientation and enjoyment.

Acceptable Solutions

ASD11.1 At least 70% of allotments are oriented within 15 degrees of north-south or east-west, with the majority of allotments being oriented north- south.

Performance Criteria
PSD12 Buffering allowance from sensitive or offensive uses are addressed in development.
Acceptable Solutions
ASD12.1 Buffers are complied with as per Table 2.1: Agricultural Buffer Distances

SD3 Servicing

Performance Criteria
PSD13 Development is suitably serviced, including any easements that may be required, for disposal of sewage and wastewater, stormwater, electricity and telecommunications.
Acceptable Solutions
ASD13.1 The development is to be serviced appropriately and connected to Council's reticulated water and sewer systems as well as adequate connection to power with consideration to connect to natural gas.
ASD13.2 Power is provided in the form of underground services, in accordance with Essential Energy Requirements.
ASD13.3 Street lighting is provided in accordance with the requirements of Essential Energy.
ASD13.4 A layback is provided to each allotment created: a) consistent with the Parking and Access chapter of this DCP; or b) A roll-over kerb is provided.

ASD13.5 All allotments created are provided with a sewer connection:

- a) In R1 Zone, the connection to which is designed and constructed in accordance with *Council's Engineering Guidelines*; or
- b) In RU5 Zone, where sewer is not available, are able to satisfy the requirements of Council's On Site Management Plan for sewage and wastewater disposal.

ASD13.6 All allotments created, in R1 Zone or where water mains are available, are provided with a connection point to Council's water mains, the connection to which is designed and constructed in accordance with *Council's Engineering Guidelines*.

ASD13.8 Written confirmation is provided by a telecommunications carrier stating that facilities are available to, or unavailable to, each allotment or that otherwise suitable arrangements have been made.

ASD13.9 Development is in line with the NBN Co's *Design and Build Guidelines* connections to the nbn network infrastructure.

ASD13.10 Written confirmation is provided by the natural gas company stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.

ASD13.11 Easements are provided wherever necessary to permit unrestricted access for sewerage, water and drainage purposes. Note: easement widths provide at least 1m clear access either side of the facility protected by the easement.

ASD13.12 The development contributes, if required, headworks and or development servicing plan charges applicable for water and sewer.

ASD13.13 Payment of any Section 7.11 or Section 7.12 Contributions applicable to the development.

Performance Criteria

PISD14 The development shall have appropriate stormwater drainage connected, where possible into Council's existing stormwater infrastructure.

Acceptable Solutions

AISD14.1 All stormwater from the property shall be disposed of without causing nuisance.

AISD14.2 All allotments created are drained:

- a) Directly to the street drainage system or to receiving waters; and
- b) To the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's Engineering Guidelines; OR
- c) To easements or on site detention where no direct discharge.

AISD14.3 Inter-allotment drainage is to be provided where lots are unable to drain to a public road and appropriate easements provided.

Performance Criteria

PSD15 The development is to have adequate pedestrian facilities to encourage a walkable environment.

Acceptable Solutions

ASD15.1 All frontages of the site are to be provided with footpath in accordance with Councils Active Transport Plan if identified and new greenfield subdivisions.

SD34 Design Suggestions and Variations

If cul-de-sacs are included within the development, these need to be as short as practicable and needed to provide turning facilities to cater for a 12.5 m truck.

These turning facilities can include a "bulb" cul-de-sac head, of the size to permit the design vehicle to turn without backing while still leaving kerbside space for parked cars or may also include a "Y" or "T" head facility designed to cater for the design vehicle.

Section 5.3 Subdivision in the R2 Low Density Residential and R5 Large Lot Residential zones

Explanation
This section of the DCP applies to land zoned under the Hilltops Local Environmental Plan 2022: - R2 Low Density Residential Zone and - R5 Large Lot Residential Zone
Objectives
a) To ensure that large lot residential allotments function effectively for residential lifestyle purposes b) That the subdivision of land provides for an appropriate level of servicing and infrastructure.

LLSD1 Subdivision Layouts

Performance Criteria
PLLSD1 To ensure that roads are constructed to a standard that is durable and suitable for the proposed development, and which are capable of being upgraded to serve standard residential allotments.
Acceptable Solutions
ALLSD1.1 Subdivision is to provide road reserves of at least 20m in width, and road carriageways of at least 8m in width. ALLSD1.2 All roads created as a part of the subdivision are sealed and are designed and constructed in accordance with Council's Engineering Guidelines.

ALLSD1.3 Carriageway edges are stabilised using a concrete boundary strip, dish drain, rollover kerb, or other means.

ALLSD1.4 Drainage swales to roadways, where required, are provided with a low flow pipe to Council's Engineering Department's specifications and are graded to permit mowing with a 2.8m width or similar.

ALLSD1.5 All roads created as a part of the subdivision are dedicated to Council to become public roads.

ALLSD1.6 Any street and advisory signs that are required are manufactured, located and erected in accordance with Council's Engineering Guidelines and Australian Standards.

Performance Criteria
PLLSD2 All weather vehicular access is provided to and from the site.
Acceptable Solutions
ALLSD2.1 A layback is provided to each allotment created, consistent with Section 3.1 of this DCP. ALLSD2.2 Where battle-axe allotments are provided, no more than two such allotments may be serviced by a shared driveway.

LLSD2 Site Design

Performance Criteria
PRSD3.A Minimise cut and fill through site sensitive subdivision, road layout and infrastructure to support future dwellings/development.

PRSD3.B Facilitate sensitive design and construction of retaining walls on sloping land at the subdivision works stage of a development to support future dwellings/development
Acceptable Solutions
ARSD3.1 Subdivision will be designed to respond to the natural topography of the site wherever possible to minimise the extent of cut and fill.
ARSD3.2 Subdivision and building work are designed to ensure minimal cut and fill is required for the construction phase.
AISD3.3 Retaining walls are to be a maximum 1m.
AISD3.4 A A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.
AISD3.4 B Council may require for steep sloping sites exceeding 10% grade, a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation.

LLSD3A Servicing - Road Construction:

Performance Criteria
PLLSD4 To ensure that roads are constructed to a standard that is durable and suitable for the proposed development, and which are capable of being upgraded to serve standard residential allotments.

Acceptable Solutions
ALLSD4.1 All roads created as a part of the subdivision are sealed and are designed and constructed in accordance with Council's Engineering Guidelines.
ALLSD4.2 Carriageway edges are stabilised using a concrete boundary strip, dish drain or rollover kerb, or alternative means.
ALLSD4.3 Drainage swales to roadways (where required) are provided with a low flow pipe to Council's Engineering Department's specifications and are graded to permit mowing with a 2.8m, or similar.
ALLSD4.4 All roads created as a part of the subdivision are dedicated to Council to become public roads.
ALLSD4.5 Any street and advisory signs that are required are manufactured, located and erected in accordance with Council's Engineering Guidelines and Australian Standards.

LLSD3B Servicing - Utilities:

Performance Criteria
PLLSD5 The development is to be serviced appropriately and connected to Council's reticulated water and sewer systems as well as adequate connection to backbone power and gas.
Acceptable Solutions
ALLSD5.1 Power is provided in the form of underground services, in accordance with relevant electricity authority requirements.

ALLSD5.2 Street lighting is provided in accordance with the requirements of Essential Energy.

ALLSD5.3 Where allotments created are provided with reticulated water and sewer connection, the connection to which is designed and constructed in accordance with Council's Engineering Guidelines.

ALLSD5.4 All allotments created are provided with a connection point to Council's water mains, the connection to which is designed and constructed in accordance with Council's Engineering Guidelines.

ALLSD5.5 All lots created are drained:

- a) Directly to the street drainage system or to receiving waters; and
- b) To the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's standards.
- c) To easements or on site detention where no direct discharge is possible.

ALLSD5.6 Written confirmation is provided by the natural gas and telecommunications company stating that facilities are available, or unavailable, to each allotment or that otherwise suitable arrangements have been made.

ALLSD5.7 Easements are provided wherever necessary to permit unrestricted access for sewerage, water and drainage purposes.

- a) Easement widths are a minimum of 3m wide and provide at least 1.5m clear access either side of the facility protected by the easement. or

- b) Easement widths provide at least 1.5m clear access either side of the facility protected by the easement.

ALLSD5.8 Payment of any head-works contributions for water and/or sewer for lots connecting to water and or sewer where applicable. Refer to Councils Development Serving Plans for development that would apply.

ALLSD5.9 Payment of any Section 7.11 or Section 7.12 development contributions applicable to the development. Refer to Councils Development Contributions plans found on Council's website.

LLSD4 Design Suggestions and Variations

Alternative approaches will be considered on merit.

Section 5.4 Industrial Subdivision

Explanation
This section of the DCP applies to land zoned under the Hilltops Local Environmental Plan 2022: - E3 Productivity Support and - E4 General Industrial
Objectives
a) To ensure that industrial allotments function effectively for industrial purposes. b) Ensure that new industrial allotments provide an appropriate level of servicing and infrastructure

ISD1 Subdivision Layout

Performance Criteria
PISD1 To achieve width and depth ratios for new industrial allotments that respond to typical industrial building forms, and which ensure heavy vehicles can adequately manoeuvre on site.
Acceptable Solutions
AISD1.1 Industrial lots are to have a minimum frontage and square width of 24 m, and a minimum area of 2000 m². AISD1.2 Lots are of regular size and shape with a depth to width ratio not exceeding 3:1.

Performance Criteria
PISD2 To ensure that roads are constructed to a standard that is durable and suitable for the proposed use.

Acceptable Solutions
AISD2.1 Roadways created to serve an industrial subdivision have a minimum road reserve width of 25m, for roads with dual frontage, or 19m for roads with single frontage AISD2.2 Roadways avoid, where practicable, dead-end roads. However, if these are provided, a minimum turning head of 25m is provided. AISD2.3 Roadways are constructed in accordance with <i>Council's Engineering Guidelines</i>.

Performance Criteria
PISD3.A Minimise cut and fill through site sensitive subdivision, road layout and infrastructure to support future dwellings/development. PISD3.B Facilitate sensitive design and construction of retaining walls on sloping land at the subdivision works stage of a development to support future dwellings/development.
Acceptable Solutions
AISD3.1 Subdivision will be designed to respond to the natural topography of the site wherever possible to minimise the extent of cut and fill. AISD3.2 Subdivision and building work are designed to ensure minimal cut and fill is required for the construction phase. AISD3.3 A Retaining walls are to be a maximum 1m.

AISD3.3 B A written variation to the maximum cut or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.

AISD3.3 C Council may require for steep sloping sites exceeding 10% grade, a geotechnical study (prepared by a suitably qualified geotechnical engineer) to accompany and support a written variation.

ISD2 Servicing

Performance Criteria

PISD4 To ensure that new industrial allotments provide an appropriate level of servicing and infrastructure.

Acceptable Solutions

AISD4.1 Water, sewer and power are provided, in accordance with the relevant authorities requirements and in accordance with *Council's Engineering Guidelines*. Underground power is required for these developments.

AISD4.2 Development contributes to headworks and or development servicing plan charges, if required.

Performance Criteria

PISD5 Vehicular access is provided to and from the site.

Acceptable Solutions

AISD5.1 A layback is provided to each allotment created, consistent with Section 4.1 of this DCP. Where a rollover kerb is not deployed; or where upright, a 150mm kerb and gutter is used.

AISD5.2 Where battle-axe allotments are provided, no more than two such allotments may be serviced by a shared driveway.

Performance Criteria

PISD6 The development shall have appropriate stormwater drainage connected, where possible into Council's existing stormwater infrastructure.

Acceptable Solutions

AISD6.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements or on site detention where no direct discharge to waters is available. Post development flow must not exceed pre-development flows.

AISD6.2 Proposed hard stand and sealed areas are to be suitably drained. Lots are to be designed to provide for conveyance of stormwater flows per AS3500 and current Australian Rainfall and Runoff Guidelines, including factoring of Climate Change via the Climate Change Rainfall modifier, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.

ISD3 Design Suggestions and Variations

Alternative approaches will be considered on merit.

