HORNSBY
SHIRE COUNCIL



Hornsby Development Control Plan

2013

Hornsby Development Control Plan 2013
prepared by Planning Division.

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Amendments

Date	Summary of Amendment
12/12/13	Carlingford Road precinct key principles diagram updated to identify additional traffic improvements
21/01/14	Galston Village Masterplan and Part 6 Subdivision updated to permit vehicular access from Arcadia Road to properties within Nancy Place, Galston
24/10/14	General, Residential, Business and Heritage Chapters updated to support Epping Urban Activation Precinct
18/12/14	General, Business and Heritage Chapters updated to support Hornsby West Side Planning Proposal
10/11/16	General, Rural and Subdivision Chapters updated to support Rural Lands Planning Proposal
30/11/16	Housekeeping Amendment 2016 Practice Note: The *Local Government (City of Parramatta and Cumberland) Proclamation 2016* provides transitional arrangements for the application of development control plans to newly amalgamated authorities. The Proclamation stipulates that until new plans are adopted for an amalgamated area, the existing plan from the previous authority applies.
22/02/18	Amendments to Tree and Vegetation Preservation clauses in General Chapter.
14/03/18	City of Parramatta Council amendments to Tree and Vegetation Preservation clauses in General Chapter.
10/01/2019	General, Residential and Heritage Chapters updated to support Council's Design Excellence Review of Planning Controls.
31/05/2019	City of Parramatta Council amendments to Transport and Parking clauses in General chapter.
19/02/2021	Residential, Business and Heritage Chapters updated to reflect changes to building height controls implemented under the Housekeeping Amendment Planning Proposal applicable in Hornsby Shire.
06/08/2021	City of Parramatta Council amendments to Transport and Parking clauses in General chapter along with changes to Residential and Heritage chapter.
24/08/2022	Amendments to correct issues with the interpretation of development controls and changes to state legislation names and references.
19/05/2023	Amendments to support the High and Ashley Street Planning Proposal. Amendments to implement Hornsby Employment Land Study recommendations, clarify the interpretation of development controls and align controls with the Hornsby Local Environmental Plan 2013.

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1A Introduction

1A.1 Preamble

This Development Control Plan (DCP) applies to all land within the Hornsby Local Government Area. The plan is called the *Hornsby Development Control Plan 2013*.

1A.2 Commencement Date

This DCP was adopted by Council on 19 December 2012 and came into effect on 11 October 2013. It is subject to amendments, which are listed in the Schedule of Amendments at the end of this part.

1A.3 Objectives

The objectives of this DCP are to:

- provide a comprehensive document that provides a framework for development of land in the Hornsby Local Government Area,
- clearly set out the processes, procedures and responsibilities for the involvement of the community and key stakeholders in the development of land,
- promote development that is consistent with Council's vision of creating a living environment,
- protect and enhance the natural and built environment, and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from development,
- encourage high quality development that contributes to the existing or desired future character of the area, with particular emphasis on the integration of buildings with a landscaped setting,
- protect and enhance the public domain,
- minimise risk to the community, and
- ensure that development incorporates the principles of Ecologically Sustainable Development (ESD).

Note:

For further information on Council's vision of creating a living environment, refer to Hornsby Shire 2020 - Framework for a Sustainable Future available on Council's website hornsby.nsw.gov.au

1A.4 Strategic Context

a. The planning controls promote development that is consistent with Council's vision of *'creating a living environment'* for a sustainable Hornsby Shire. The planning controls within this DCP are informed by a number of studies and adopted strategies including the following:

Hornsby Shire Biodiversity Conservation Strategy (2006)

b. The objectives of the Hornsby Shire Biodiversity Conservation Strategy include to achieve an improvement in the quality and extent of existing indigenous vegetation in Hornsby Shire, maintain biodiversity on private properties, and to conserve and recreate biodiversity connectivity across fragmented landscapes.

Hornsby Shire Sustainable Total Water Cycle Management Strategy (2005)

c. The Hornsby Shire Sustainable Total Water Cycle Management Strategy promotes the implementation of sustainable total water cycle management. Sustainable water practices include:

- maintenance of natural water courses,
- adoption of current best management practices to reduce the quantity and improve the quality of runoff, and
- minimised use of reticulated water through conservation practices and reuse of stormwater.

Hornsby Integrated Land Use and Transport Strategy (ILUTS) (2005)

d. An objective of ILUTS is to reduce car travel by promoting other modes of transport. This includes promoting land use patterns and development controls that support the development of public transport services and the use of sustainable alternatives.

Ku-ring-gai and Hornsby Subregional Employment Study (2008)

e. The objectives of the Ku-ring-gai and Hornsby Subregional Employment Study include to develop planning controls for employment lands consistent with the current strategic planning guidance. This includes to ensure that the distribution of additional jobs supports existing centres, and that employment lands are accessible to residents and workers and are linked into the transport network.

Hornsby Shire Housing Strategy (2010)

f. The Hornsby Shire Housing Strategy identifies areas suitable for the provision of additional housing to assist meet Council's housing obligations into the future. The Strategy has been prepared in response to the State Government's Metropolitan Strategy and draft North Subregional Strategy.

g. A concentrated housing model has been adopted, with housing located in planned precincts rather than dispersed throughout urban areas. The housing form identified includes some mixed use commercial precincts and consists predominantly of 5 storey apartment buildings, along with a mix of townhouses, 3 storey walk-up flats, and 8-10 storey apartments. The Housing Strategy precincts are identified in Figure 3(a) of this DCP.

Hornsby Shire River Settlements and Foreshores Review (2007)

h. The Hornsby Shire River Settlements and Foreshores Review investigated the suitability of the existing planning controls for the River Settlement areas having regard to emerging issues and current best practices.

Hornsby Shire Rural Lands Study (1995) and Hornsby Shire Rural Lands Planning Provisions Review (2009)

i. The Hornsby Shire Rural Lands Study investigates the role of rural lands within the Local Government Area and provides controls for development to improve the environment. Development should aim to protect rural activities, resource lands, rural landscapes and biodiversity. To conserve the desirable values of the rural lands, the Study (1995) identified the qualities which give the areas its scenic and rural character.

Epping Town Centre Precinct and the Urban Activation Precinct Program

j. The planning controls within this DCP are also informed by the Epping Town Centre Study 2011 and the Epping Town Centre Precinct Structure Plan and Public Domain Plan 2013 prepared for the Precinct by the then Department of Planning and Infrastructure.

1A.5 Relationship to other plans and policies

a. This DCP is made under Section 3.43 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

b. This DCP must be read in conjunction with an environmental planning instrument (EPI) that applies to the land. EPIs include local environmental plans (LEP) and state environmental planning policies (SEPP).

c. The *Hornsby Local Environmental Plan 2013* (HLEP) is the only local environmental planning instrument that applies to land to which this DCP applies. A number of State Environmental Planning Policies (SEPPs) may also apply to a development application. The provisions of any EPI prevail in the event of any inconsistency with this DCP.

d. Section 1B.6 prescribes trees or other vegetation for the purpose of preservation.

1A.6 Development contributions and planning agreements

a. Some developments generate the need for development contributions where they result in an increase in the demand for community services and infrastructure. These developments will also need to address:

- The *Hornsby Shire Council Section 7.11 Development Contributions Plan 2020 – 2030*.
- The *Hornsby Shire Council Section 7.12 Development Contributions Plan 2019 – 2029*.

b. Planning agreements may also be made in accordance with the requirements of the EP&A Act and are voluntary agreements between Council and an applicant for development.

Note:

The above Development Contributions Plans are available for viewing on Council's website hornsby.nsw.gov.au

1B Administration

1B.1 How to Use this DCP

a. This DCP consists of a written document and figures, and is divided into a number of Parts. Within each Part are a number of Sections.

b. The Parts to the DCP relate either to all land, the zoning of land, a development type or a specific area. An application may be required to meet development controls contained in a number of parts of the DCP. Table 1B.1(a) provides a summary of the DCP parts and where they should be applied.

c. DCP Part Nos.2 to 9 inclusive incorporate an Introductory statement that identifies a more detailed strategic context for the planning controls that follow.

d. The applicability of each Part and/or Section of the DCP is described under the heading to each Part and/or Section of the DCP. An example of the applicability of the DCP to various development types is provided in Table 1B.1(b).

Table 1B.1(a): Description of DCP Parts

DCP Part	Summary of Applicability
Part 1 - General	Part 1 provides general controls that apply to all **Development Applications**. Part 1A explains the purpose of the DCP. Part 1B provides administrative provisions including how to use the DCP, Notification and Exhibition requirements and Tree and Vegetation preservation controls. Part 1C establishes the general development controls for all development, including controls for the natural environment, built environment and hazards.
Part 2 - Rural	Part 2 provides controls for development of land in the Rural area, as defined by Figure 2(a). Section 2.1 provides controls for Rural Buildings within defined zones. Section 2.2 provides controls for certain rural landuses. Section 2.3 provides Village Masterplans within the rural area. Section 2.4 provides controls for land zoned RU5 in Dural Village. Section 2.5 provides controls for Extractive Industries.
Part 3 - Residential	Part 3 provides controls for development of prescribed residential landuses within prescribed residential localities (identified by the HLEP zone and HLEP height map).
Part 4 - Business	Part 4 provides controls for development of land in a Business Zone.
Part 5 - Industrial	Part 5 provides controls for development of land in Industrial Zones IN1 and IN2.
Part 6 - Subdivision	Part 6 provides specific additional controls for the subdivision of land.
Part 7 - Community	Part 7 provides specific controls for certain types of developments such as: childcare centres, schools, places of public worship, community housing, telecommunications, temporary events and health service facilities.
Part 8 - River Settlements	Part 8 provides controls for development of land in the River Settlements, as defined by Figure 8(a). Section 8.1 provides controls for buildings within defined zones. Section 8.2 provides controls for certain types of River Settlement Landuses, such as boat sheds, jetties and seawalls. Section 8.3 provides Masterplans for Berowra Waters and Kangaroo Point.
Part 9 - Heritage	Part 9 provides controls for development that may impact on heritage items or areas. Section 9.1 provides administrative controls for development involving heritage. Section 9.2 provides controls for development involving listed heritage items. Section 9.3 applies to Heritage Conservation Areas. Section 9.4 applies to land in the vicinity of heritage items and Heritage Conservation Areas Section 9.5 applies to development of land (including undisturbed land) that may contain an Aboriginal relic or place. Section 9.6 provides specific controls for the Beecroft Heritage Precinct (redevelopment area).
Annexures	Contains detailed information referenced throughout the DCP

Table 1B.1(b): Example of Application of DCP Controls

Development Applications should demonstrate compliance with the following DCP Parts and Sections		Dwelling house (Residential zone eg R2 zone)	Dwelling house (Rural zone eg RU2)	Dwelling house in Heritage Conservation Area (R2 zone)	Dwelling and Jetty in Brooklyn (R2 zone)	Townhouses (in R3 zone)	Residential flats (5 Storey Precinct)	Mixed Use Building (Beecroft Centre)	Place of Worship (IN1 zone)	Residential Subdivision (R2 zone)	Rural Subdivision (RU2 zone)	Child care centre (R2 zone)
1	General	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2.1	Rural Buildings		✓								✓	
2.3	Village Masterplans	*	*							*	*	*
3.1	Dwelling Houses	✓		✓	✓					*		
3.2	Medium Density Housing					✓						
3.4	Residential Flat Buildings (5 storeys)						✓					
4.1	Commercial Centres Hierarchy							✓				
5	Industrial								✓			
6.1	Subdivision (General Provisions)									✓	✓	
6.1	Residential Subdivision									✓		
6.3	Rural Subdivision										✓	
6.4	Accessway Design									✓	✓	
7.1	Community Uses								✓			✓
8.2	River Settlement Uses				✓							
9	Heritage	*	*	✓	*	*	*	✓	*	*	*	*

Legend

✓ Applicable

* Section may be applicable.

1B.2 Desired Outcome, Prescriptive Measures, Figures and Notes

a. Each DCP section includes desired outcomes, prescriptive measures, figures and notes.

Desired Outcomes

b. Desired outcomes are statements that describe the outcomes sought.

Prescriptive Measures

c. Prescriptive measures are requirements that are likely to achieve the desired outcomes.

d. Where an application proposes a variation to the prescriptive measures of the DCP, justification should be provided with the application.

e. Compliance with the prescriptive measures does not guarantee approval of an application. Each Development Application will also be assessed having regard to the *HLEP*, the provisions of this DCP, and other matters listed in Section 4.15 of *EP&A Act*.

f. The provisions of this DCP will be consistently applied by the consent authority.

Figures

g. Figures fulfil different functions within the DCP, as follows:

- Figures are Prescriptive Measures when specifically referenced in the text above and are indicated by the annotation (C),
- Figures interpret the prescriptive measures in the text. These Figures are not referenced in the text above and are indicated by the annotation (I). For Example, Figure 3.1(a) explains how the building height controls should be interpreted, and
- Figures provide an example of how the prescriptive measures could be applied. The Figure title identifies that this is an example and are indicated by the annotation (E). For Example, Figure 3.1(e) is an example of how sun shading devices could be incorporated into the design of a dwelling house. (E)
- Notes

h. Notes fulfil different functions within the DCP, as follows:

- Notes include definitions and are essential for the interpretation of the DCP,
- Notes provide references for further information, guidelines and cross-references to other legislative requirements,
- Notes include educational material to assist in interpreting the DCP controls and identify preferred and/or discouraged outcomes, and
- Notes identify some Development Application submission requirements.

1B.3 Interpretation

i. Where this DCP uses terms that are defined in the *HLEP*, the definitions in the *HLEP* are adopted. Other terms used throughout this DCP are defined in Annexure A Glossary of Terms.

j. In addition, certain provisions of this DCP include definitions that are specific to those provisions.

k. A reference in this DCP to any Australian Standard or legislation includes a reference to any amendment or replacement as made.

1B.4 Submitting an Application

l. Development applications should be accompanied by information as described within:

- the Hornsby Shire Council Development Application Submission Guideline,
- this DCP,
- environmental planning instruments (eg *HLEP* and applicable SEPPs), and
- *Environmental Planning and Assessment Regulation 2000* (Schedule 1).

m. Development Applications for buildings 10 storeys or more, should be accompanied by a digitally produced, 3D massing model and information as described within:

- *SEPP 65 - Design Quality of Residential Apartment Development*, Apartment Design Guide; and
- *Clause 6.8 Design Excellence* of the *HLEP*.

Note:

For further information refer to the Hornsby Shire Council Development Application Submission Guideline available at Council's website hornsby.nsw.gov.au.

1B.5 Notification and Exhibition

1B.5.1 Public Exhibition Strategy

a. The public exhibition strategy for a notifiable Development Application (DA) comprises the following steps:

- Adjoining property owners are notified via letter when a DA is lodged,
- Property owners and occupiers in the broader area, who may have an interest in the DA, are notified via a sign that is to be erected on the site,
- In addition, all significant applications are advertised in a Local Paper,
- Neighbours are able to remain up to date with the status of the application via the DA tracking facility provided on line,
- All submissions are taken into consideration in the Council's Development Assessment Report, and
- All submitters are advised of the determination of the application via letter.

1B.5.2 Notification of Applications

General

a. Council will publicly exhibit applications in accordance with the *EP&A Act* and the provisions of this DCP including Table 1B.5(a).

b. The following applications do not require public notification or exhibition:

- Section 4.55(1) modifications for minor errors, misdescription or miscalculation,
- Section 4.55(1A) modifications of minimal environmental impact,
- Temporary community advertisements, or
- Any other development which in Council's opinion would not adversely impact upon the amenity of the locality.

Sign On Property

c. The applicant should display a Council issued A4 sized notice on the site in a prominent position that can be read by members of the community for the duration of the exhibition period, in accordance with Table 1B.5(a).

d. The applicant should provide Council with evidence that the sign was in place on the site at the commencement of the exhibition period.

Note: Evidence could include a dated photo or statutory declaration.

Table 1B.5(a): Notification and Exhibition of Application

Application Type	Sign on Property	Local Paper Advertisement	Letter to adjoining property owner	Exhibition Period
Designated, Advertised and Nominated Integrated Development (*Heritage Act and Water Management Act*)	Yes	Yes	Yes	30 days
Integrated Development	Yes	Yes	Yes	14 days
Local Development (other than listed below)	Yes	Yes	Yes	14 days
Local Development involving ■ dwelling houses and ancillary work, or ■ advertising signs, or ■ temporary use of land per Clause 2.8 of *HLEP*	Yes	No	Yes	14 days
Section 8.2 Applications	Yes	As per original DA	Yes, and to any objectors of original DA	14 days
Section 4.55(2) and 4.56 Applications	Yes	As per original DA	Yes, and to any objectors of original DA	14 days

Exhibition Period

e. Applications requiring exhibition will be exhibited in accordance with Table 1B.5(a).

f. For applications that require a local paper advertisement, the minimum exhibition period is to commence on the day after the day on which the published notice is first published in a newspaper.

g. Council may extend the minimum exhibition period for Local Development from 14 days to 21 days where there is significant community interest in the application.

h. Council may extend the minimum exhibition period prescribed in Table 1B.5(a) during the Christmas/ New Year holiday period. In this regard, the dates between 20 December and 6 January inclusive should not be included in the minimum exhibition period.

Local Paper Advertisement

i. Where required in accordance with Table 1B.5(a), Council will publish receipt of the application in a locally circulated newspaper, being one of the following:

- Hornsby and Upper North Shore Advocate,
- Hills News, or
- Northern District Times.

Notification on Council's Website

j. On a weekly basis, a list of all applications received during that period will be placed on Council's website.

Letter to Adjoining Property Owners

k. A letter will be sent to adjoining property owners advising them of the receipt of an application and inviting them to comment in accordance with this part of the DCP.

l. An adjoining property means properties that share a common boundary with the subject site or which are located on the opposite side of the road directly opposite the subject site.

m. In addition to an adjoining property, Council may extend the area of notification if in Council's opinion the development may potentially impact upon the amenity of the wider locality.

n. If an adjoining property is a lot within the meaning of the *Strata Schemes (Freehold Development) Act 1973*, a written notice to the owners corporation is taken to be a written notice to the owner of each lot within the strata scheme.

o. If an adjoining property is a lot within the meaning of the *Strata Schemes (Leasehold Development) Act 1986*, a written notice to the lessor under the leasehold strata scheme concerned and to the owners corporation is taken to be a written notice to the owner of each lot within the strata scheme.

p. If an adjoining property is owned or occupied by more than one person, a written notice to one owner or one occupier is taken to be a written notice to all the owners of that land.

q. Upon request, Civic Trusts, Chambers of Commerce and other community groups will be provided with a written notice of applications likely to have implications for the broader community in the area in which the proposed development is situated.

Public Authorities

r. Council will refer applications to public authorities where the concurrence or approval of the authority is required under the *EP&A Act*, or where Council is of the opinion the authority may have an interest in the application.

Notifications of Amendments Prior to Determination of Applications

s. Council may re-exhibit an amended application where, in the opinion of the assessing officer, the amendments have the potential to alter the amenity of surrounding properties.

t. Where re-exhibition occurs, and the assessing officer is of the opinion that the amended application differs only in minor respects from the original application, Council will notify by letter to affected property owners and submitters. The exhibition period will be for a period of 14 days, or upon receipt of all submissions, whichever occurs first.

u. Where the amended application differs significantly from the original application, then a re-exhibition should be undertaken as occurred with the original proposal.

Note:

The re-exhibition requirements for Designated and other Advertised Development are prescribed in the EP&A Act and Regulations.

1B.5.3 Submissions

Lodging a Submission

a. Any person may make a submission in response to a development application whether or not a notification letter has been forwarded to the person.

b. Submissions must be made in writing (including e-mail). The submission should clearly identify the:

- name and address of the writer (and email address where available),
- the address of the proposed development,
- Council's application number, and
- the reasons for any objection to, or support of, the proposal.

c. In accordance with Section 10.4 of the *EP&A Act,* any person or organisation who has made a submission in respect of a relevant planning application, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement.

Consideration of Submissions

d. Council does not acknowledge receipt of submissions. However, all submissions received within the exhibition period will be included in the assessment of the application.

e. Submissions are not regarded as confidential and may be placed on Council's website.

f. Where an application is to be determined at a Council meeting, rather than by Council officers, Council will extend an invitation to the applicant and all submitters to attend the meeting.

g. Where a petition has been received, all correspondence will be directed to the lead petitioner only. The responsibility to inform co-petitioners rests with the lead petitioner.

Notes:

Applicants can check on the status of development applications on Council's website hornsby.nsw.gov.au.

Whilst every effort will be made to consider a submission received by Council outside of the prescribed exhibition period, this can not be guaranteed.

A petition will be recorded as one submission containing x number of signatures.

1B.5.4 Determination of Applications

Post Determination Notification

a. Council will notify submitters of its determination of the application in writing.

b. Council will publish determination of all applications in a locally circulated newspaper, being one of the following:

- Hornsby and Upper North Shore Advocate,
- Hills News, or
- Northern District Times.

c. All applications determined will be notified on Council's website.

1B.6 Tree and Vegetation Preservation

This section is made in accordance with State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity and Conservation SEPP) and prescribes the trees and vegetation to which the Vegetation SEPP and/or Clause 5.10 of the HLEP applies and the applicable approval process.

1B.6.1 Tree Preservation

Prescribed Trees

a. The prescribed trees that are protected by the Biodiversity and Conservation SEPP and/or Clause 5.10 of the HLEP and this Section of the DCP includes:
   - trees except exempt tree species in Hornsby Shire, as listed in Table 1B.6 (a) or subject to the Biodiversity Offset Scheme,
   - all trees on land within a heritage conservation area described within the *HLEP,* and
   - all trees on land comprising heritage items listed within the *HLEP*.

b. To damage or remove any tree protected under this DCP is prohibited without the written consent of Council, except in accordance with the exemptions prescribed in this part (under the heading 'Exempt Tree Work').

c. For the purposes of this section:
   - **Arborist (Project and Consulting)** must have obtained through training and completed Australian Qualification Framework (AQF) Level 5, Diploma of Aboriculture.
   - **A tree** is defined as a long lived woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than 3 metres.
   - **Biodiversity Offset Scheme (BOS)** means a scheme enacted by the *Biodiversity Conservation Act 2016, Biodiversity Conservation Regulation 2017* and *Local Land Services Amendment Act 2016*. The BOS includes a Sensitive Biodiversity Values (SBV) Map and Area Threshold, either which trigger an alternative approval framework for the clearing of native vegetation. The SBV Map can be viewed on the OEH website and the SBV Area Thresholds are included as notes at the end of this section.
   - **Native vegetation** has the same meaning as in Part 5A of the *Local Land Services Act 2013,* with the exclusion of 60B(4) for the purposes of including marine vegetation in the definition of native vegetation.
   - **Damage** means to impair the value or usefulness, or weaken the health or the normal function of a tree or vegetation.
   - **Remove** means to cut down, knock down, kill, lop or destroy.
   - **Prune** means to selectively remove branches.
   - **Tree Protection Zone** means the area above or below ground at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree.

Table 1B.6(a) Exempt Tree Species in Hornsby Shire

Botanical name	Common Name
Acacia baileyana	Cootamundra Wattle
Acacia saligna	Golden Wreath Wattle
Acer negundo	Box Elder
Ailanthus altissima	Tree of Heaven
Alnus jorullensis	Evergreen Alder
Arecastrum romanzoffianum	Cocos Palm
Celtis sinensis	Hackberry
Cinnamomum camphora	Camphor Laurel
All edible fruit and nut trees except native species such as *Acmena spp* (Lilli Pilli), *Syzygium spp* (Lilli Pilli) *Elaeocarpus spp* (Blueberry Ash) or *Macadamia spp* (Macadamia Tree)	Fruit and Nut trees
Cotoneaster spp.	Cotoneaster
Eriobotrya japonica	Loquat
Erythrina spp	Coral tree
Ficus elastica	Rubber tree
Gleditisa triacanthos	Honey Locust
Lagunaria patersonii	Norfolk Island Hibiscus
Ligustrum spp	Privet
Populus spp	Poplar
Pyracantha augustifolia	Firethorn
Robinia pseudoscacia	Golden Robinia
Salix spp	Willow
Schefflera actinophylla	Umbrella Tree
Schinus spp	Peppercorn Tree
Toxicodendron spp	Rhus

Notes:

Further information on exempt tree species in Hornsby Shire is available on Council's website hornsby.nsw.gov.au.

Exempt Tree Work

d. The following exemptions to this part apply as set out below:

- The removal of a tree deemed by Council in writing and shown by recorded photographic evidence to be dead and is not required as the habitat of native fauna.
- The removal of species listed under the NSW *Biosecurity Act 2015*.
- Pruning of a tree by less than 10% of the foliage area in accordance with Australian Standard *Australian Standard AS 4373 Pruning of Amenity Trees AS 4373-2007* not more than once annually.
- The removal of or pruning of a tree where the base of the trunk of the tree at ground level is located within 3 metres of the foundation of an approved building (excluding detached garages, carports and other buildings ancillary to a dwelling house).
- The removal of a tree less than 3 metres in height not located within native vegetation.
- Trees deemed by Council in writing and shown by recorded photographic evidence or written evidence provided by a qualified Arborist (AQF5) as an imminent risk to human life or is likely to cause substantial damage to property in the near future.
- The removal of or pruning to a tree located on Council owned or managed land provided the works are undertaken by Council or Council authorized agents.

e. **The exemptions at (d) above do not apply to:**

- all lands mapped as Biodiversity on the *HLEP Terrestrial Biodiversity Map*, or
- threatened species or land that contains native vegetation which is habitat for threatened species, populations or ecological communities listed in Schedule 1and 2 of the *Biodiversity Conservation Act 2016* and protected matters listed under the *Commonwealth EPBC Act 1999*, or
- work that is contrary to a development consent that requires trees to be retained, or
- Any work to a tree that is or forms part of a heritage item or heritage conservation area, requires approval from the Council pursuant to the provisions of Section 2.10(3) of the Biodiversity and Conservation SEPP and/or Clause 5.10 of the *HLEP*.
- land located within 50 metres of and including land that contains native vegetation which is habitat or potential habitat for species, populations or ecological communities listed in Schedule 1and 2 of the *Biodiversity Conservation Act 2016* and protected matters listed under the *Commonwealth EPBC Act 1999*

Lodging an Application for Tree Work

f. An application is required to be completed and forwarded to Council for all work to protected trees where an exemption does not apply. Table 1B.6(b) below identifies what type of application is required to be completed for work to trees.

g. Where works to trees is required as part of other works for which development consent is required, the works will be assessed as part of the Development Application.

Notes:

Pursuant to 5.10.3 of the *HLEP*, Council has the ability to determine the type of application required in relation to trees on heritage properties.

AQF is the Australian Qualification Framework, a national framework for all educational and training purposes in Australia.

Table 1B.6(b) Type of Tree Application Required

Location	Extent of Works	Form of Application
Heritage Item	Council is satisfied that the works to a tree are minor as described by Section 2.10 (3) of the Biodiversity and Conservation SEPP and Clause 5.10(3) of the HLEP	Tree Permit
	Major work to any tree	Development Application
Land within a Heritage Conservation Area	Council is satisfied that the works to a tree are minor as described by Section 2.10 (3) of the Biodiversity and Conservation SEPP and Clause 5.10(3) of the HLEP.	Tree Permit
	Major work to any tree	Development Application
Other land - tree removal or pruning	Removal or pruning of trees not subject to BOS	Tree Permit
Other land - work within a Tree Protection Zone of a protected tree and/or a tree located on other land *Work includes Construction (driveways, concrete slabs, retaining walls) and earthworks (changes in soil levels, embankments, trenching)*	Work within the Tree Protection Zone not subject to BOS	Tree Permit
Work that is contrary to a development consent that requires trees to be retained	Work to any prescribed tree	Section 4.55 Application

h. For the purpose of Table 1B.6(b), a *Tree Protection Zone* is defined as the area within:

- 9 metres of a tree with a diameter at breast height of 800mm or greater,
- 7 metres of a tree with a diameter at breast height of between 400mm and 800mm, and
- 4 metres of a tree with a diameter at breast height of 400mm or less.

Consideration of an Application for Tree Work

i. The removal of, or work to, trees should be consistent with the applicable provisions of the Biodiversity and Conservation SEPP, HLEP and HDCP.

j. Trees will be assessed using arboricultural, ecological and industry accepted safety evaluation methods to determine the safe useful life expectancy of the trees. Accordingly, any application for removal must demonstrate that the removal of the tree is appropriate based on an assessment of the safe useful life and risk to human life or property using industry relevant risk assessment such as Tree Risk Assessment Qualification (TRAQ) or Qualified Tree Risk Assessment (QTRA).

k. Where trees are to be retained, the provisions of *Australian Standard AS 4970* Protection of Trees on Development Sites must be applied.

l. All tree pruning work must be carried out in accordance with *Australian Standard AS 4373 Pruning of Amenity Trees.*

m. Any tree approved to be removed from a site should be replaced with a tree of like habit and indigenous to Hornsby Shire, planted as near as practicable to the location of the removed tree, grown to maturity and replaced if the planting fails to survive and thrive in accordance with Council's Green Offsets Code.

Notes:

Works on land identified as "Biodiversity" on the HLEP Terrestrial Biodiversity Map should have regard to Section 1C.1.1 Biodiversity of this DCP.

Works involving heritage items and heritage conservation areas should also have regard to Part 9 Heritage of this DCP.

Section 2.12 of the Biodiversity and Conservation SEPP provides that the applicant for a permit may appeal to the Land and Environment Court against refusal by a Council to grant a permit. Any such appeal is to be made within 3 months of the date on which the applicant is notified of the decision or within 3 months after the Council is taken to have refused the application (whichever is later).

The Biodiversity Offset Scheme (BOS) includes a Sensitive Biodiversity Values (SBV) Map and Area Threshold. If either criteria is met then the offsets scheme must be applied unless it is subject to a listed exemption.

The SBV Map has been prepared as part of the BOS and may be viewed on the OEH website www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap

The Biodiversity Conservation Regulation 2017 sets out the following SBV Area Thresholds:

Minimum lot size	Proposed area of clearing
Less than 1 hectare	0.25 hectares
Less than 2 hectares	0.5 hectares
2 to 39 hectares	0.5 hectare
40 to 999 hectares	1 hectare
1000 hectares or more	2 hectares

1B.6.2 Vegetation Preservation

Prescribed Vegetation

a. The prescribed vegetation that is protected by the Biodiversity and Conservation SEPP and/or Clause 5.10 of the *HLEP* and this Section of the DCP includes:

- Native vegetation except subject to the Biodiversity Offset Scheme (BOS), and
- vegetation on heritage listed properties under the *HLEP*.

b. To damage or remove any vegetation protected under this DCP is prohibited without the written consent of Council, except in accordance with the exemptions prescribed in this part (under the heading 'Exempt Vegetation Work').

c. For the purposes of this part:

- **A tree** is defined as a long lived woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than 3 metres.
- **Biodiversity Offset Scheme (BOS)** means a scheme enacted by the *Biodoversity Conservation Act 2016, Biodiversity Conservation Regulation 2017* and *Local Land Services Amendment Act 2016*. The BOS includes a Sensitive Biodiversity Values (SBV) Map and Area Threshold, either which trigger an alternative approval framework for the clearing of native vegetation. The SBV Map can be viewed on the OEH website and the SBV Area Thresholds are included as notes at the end of this section
- **Native vegetation** has the same meaning as in Part 5A of the *Local Land Services Act 2013,* with the exclusion of 60B(4) for the purposes of including marine vegetation in the definition of native vegetation.
- **Damage** means to impair the value or usefulness, or weaken the health or the normal function of a tree or vegetation.
- **Remove** means to cut down, knock down, kill, lop or destroy.

Exempt Vegetation Work

d. An application is not required for the following work to vegetation protected under this DCP:

- The clearing of vegetation (excluding trees) on a property once every 5 years in accordance with the maximum cumulative area in Table 1B.6.2(a).

Table 1B.6.2(a) Exempt Vegetation Work

Land zone under HLEP	Maximum exempt vegetation removal
Prescribed rural areas (Zones RU1, RU2, RU4)	30m^2
Prescribed urban areas (Zones R2, R3, R4, RU5, SP2, SP3, B1, B2, B3, B4, B5, B6, IN1 & IN2)	10m^2

- The clearing of vegetation where deemed by Council in writing and shown by recorded photographic evidence to be dead and is not required for habitat for native fauna.
- The clearing of vegetation where deemed by Council in writing and shown by recorded photographic evidence to be an imminent risk to human life or is likely to cause substantial damage to property in the near future.

e. **The exemptions in Table 1B.6.2(a) do not apply to:**

- land with a gradient in excess of 20 percent,
- land containing marine vegetation,
- land located within 20 metres of and including a watercourse,
- land located within 50 metres of and including land identified as "Biodiversity" on the Terrestrial Biodiversity Map in *HLEP*,
- land located within 50 metres of and including land that contains native vegetation which is habitat or potential habitat for species, populations or ecological communities listed in Schedule 1and 2 of the *Biodiversity Conservation Act 2016* and protected matters listed under the *Commonwealth EPBC Act 1999*
- work that is contrary to a development consent that requires vegetation to be retained,
- all vegetation on heritage listed properties,
- native vegetation within heritage conservation areas,
- land if it results in the fragmentation or isolation of native vegetation, or
- land if it reduces effective vegetation buffers to adjoining Community Open Space or Private Open Space lands.

f. Notwithstanding the exemptions at (d) above, minor work to vegetation that is or forms part of a heritage item or heritage conservation area, requires approval from the Council pursuant to the provisions of Section 2.10(3) of the Biodiversity and Conservation SEPP and/or Clause 5.10 of the HLEP.

g. Any vegetation removed pursuant to the exempt provisions within this section should:

- occur in areas deemed to be ancillary to an approved existing dwelling or structure,
- be undertaken by hand (not heavy machinery), and
- require replacement planting to stabilise the soil (where necessary) that is indigenous to the adjoining vegetation community present and not include species recognised as invasive to native vegetation.

Lodging an Application for Vegetation Work

h. An application is required to be completed and forwarded to Council for all work to protected vegetation where an exemption does not apply. Table 1B.6.2(b) below identifies what type of application is required to be completed for work to vegetation.

i. Where vegetation work is required as part of other works for which development consent is required, the works will be assessed as part of the Development Application.

Table 1B.6.2(b) Type of Vegetation Application Required

Location	Extent of Works	Form of Application
Heritage Item	Minor work to any vegetation that is or forms part of a Heritage Item as described by Section 2.10(3) of the Biodiversity and Conservation SEPP and Clause 5.10(3) of the HLEP	Vegetation Permit
	Major work to any vegetation that is or forms part of a Heritage Item (i.e. work that is not minor as described by Section 2.10(3) of the Biodiversity and Conservation SEPP and Clause 5.10(3) of the HLEP)	Development Application
Land within a Heritage Conservation Area	Minor work to any protected vegetation as described by Section 2.10(3) of the Biodiversity and Conservation SEPP and Clause 5.10(3) of the HLEP	Vegetation Permit
	Major work to any protected vegetation (i.e. work that is not minor as described by Section 2.10(3) of the Biodiversity and Conservation SEPP and Clause 5.10(3) of the HLEP)	Development Application
Other land	Removal or modification of native vegetation not associated with development requiring consent	Vegetation Permit
Work that is contrary to a development consent that requires vegetation to be retained	Work to vegetation that is required to be retained or rehabilitated by the consent conditions	Section 4.55 Application

Consideration of an Application for Vegetation Work

j. The removal of, or work to, vegetation should be consistent with the applicable provisions of the Biodiversity and Conservation SEPP, HLEP and HDCP.

k. Vegetation will be assessed using an arboricultural, ecological and industry accepted safety evaluation method. Accordingly, any application for removal must demonstrate that the removal of vegetation is appropriate based on an assessment of the:

- conservation significance/health/longevity of the vegetation; and
- risk to human life or property.

Notes:

The clearing of native vegetation that is exempt in Table 1B.6.2(a) is to facilitate minor development such as sheds ancillary to dwellings that may be otherwise permissible under SEPP (Exempt and Complying Development Codes) 2008. The intent is not to allow extensive bushland removal.

Works on land identified as "Biodiversity" on the HLEP Terrestrial Biodiversity Map should have regard to Section 1C.1.1 Biodiversity of this DCP.

Works involving heritage items and heritage conservation areas should also have regard to Part 9 Heritage of this DCP.

Environmental Protection Works including bush regeneration work is permitted without development consent in the land use table for most zones under the HLEP.

Section 2.12 of the Biodiversity and Conservation SEPP provides that the applicant for a permit may appeal to the Land and Environment Court against refusal by a Council to grant a permit. Any such appeal is to be made within 3 months of the date on which the applicant is notified of the decision or within 3 months after the Council is taken to have refused the application (whichever is later).

The Biodiversity Offset Scheme (BOS) includes a Sensitive Biodiversity Values (SBV) Map and Area Threshold. If either criteria is met then the offsets scheme must be applied unless it is subject to a listed exemption.

The SBV Map has been prepared as part of the BOS and may be viewed on the OEH website www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap

The Biodiversity Conservation Regulation 2017 sets out the following SBV Area Thresholds:

Minimum lot size	Proposed area of clearing
Less than 1 hectare	0.25 hectares
Less than 2 hectares	0.5 hectares
2 to 39 hectares	0.5 hectare
40 to 999 hectares	1 hectare
1000 hectares or more	2 hectares

1B.7 Tree and Vegetation Preservation within the City of Parramatta (land formerly part of Hornsby LGA)

The following section provides controls for land within the City of Parramatta Local Government Area (LGA) which was formerly part of Hornsby LGA (see Figure 1B.7a).

This section outlines the trees or vegetation to which Part 2.3 of the Biodiversity and Conservation SEPP applies by reference to species, size or location.

Section 1B.7.3 sets out the meanings of expressions used in Section 1B.7.

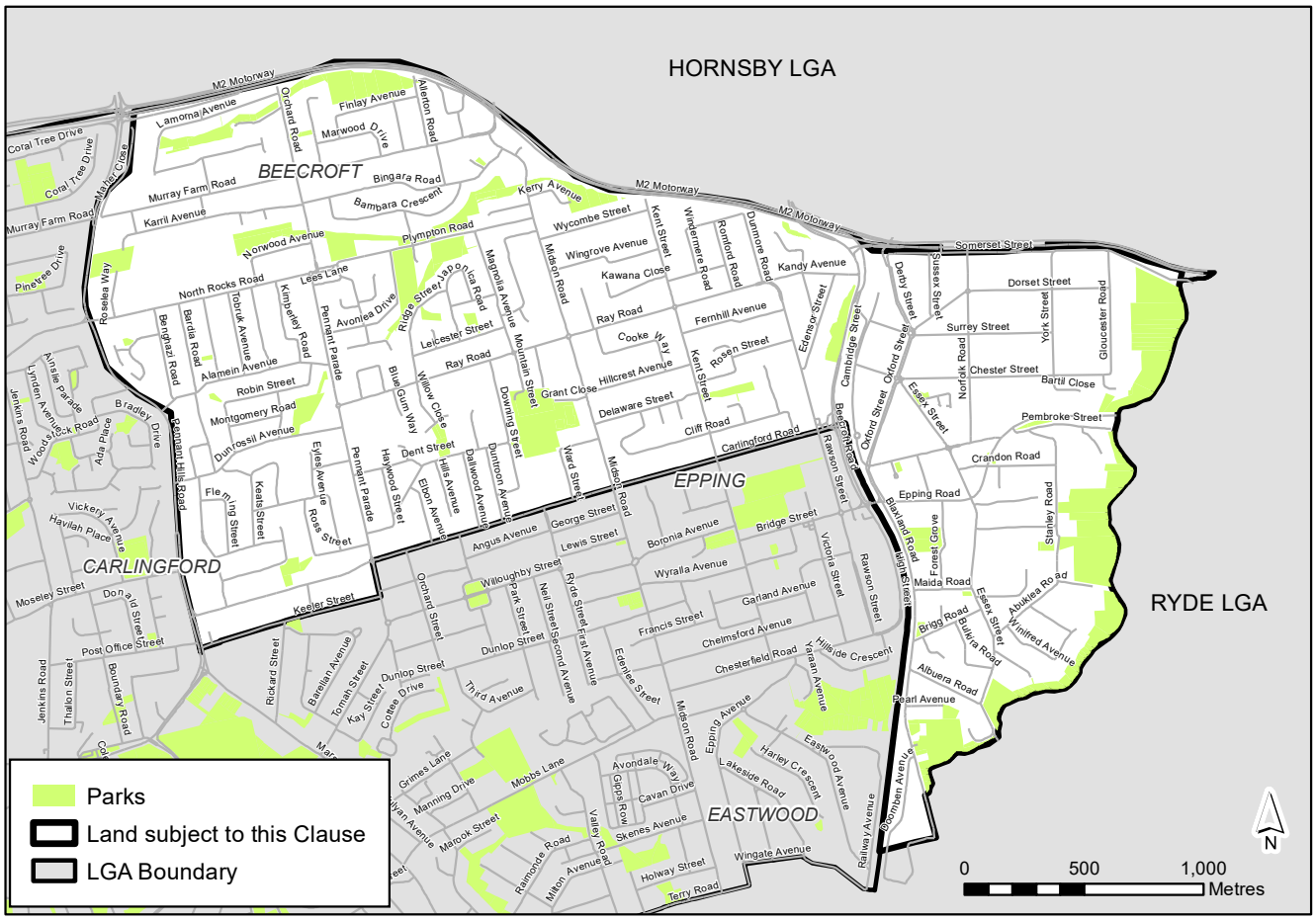

Figure 1B.7a - Land to which this section applies

Trees play an important role in the 'greening' of our city. They make our surroundings pleasant, provide relief from summer heat and reduce glare from the pavement. They also increase the value of real estate, reduce runoff and improve the quality of the air we breathe.

Council considers it important to carefully manage this precious resource and to preserve the existing urban forest within the City of Parramatta LGA for the purpose of establishing green corridors and maintaining the natural aesthetic values within the urban environment.

Trees on sites listed on the New South Wales State Heritage Register require Heritage Council approval or exemption from this approval prior to any pruning or proposed removal. Exemptions may be granted for pruning up to 30% of the canopy of a tree on a State Heritage Register-listed site within a two year period. More information on Heritage Council approvals and exemptions is available online at www.heritage.nsw.gov.au/development.

Objectives

- To maintain and enhance the amenity of City of Parramatta LGA through the preservation of appropriate trees and vegetation.
- To retain City of Parramatta LGA's urban forest cover particularly its street tree and parkland tree population to alleviate urban heat impact.
- To appropriately manage trees and vegetation in order to ensure their health and long term retention.
- To conserve trees of ecological, heritage, aesthetic and cultural significance.
- To protect and manage individual trees as an important community asset.
- To establish the procedural framework and requirements governing the pruning, removal and subsequent replacement of trees within the City.
- To ensure all new development considers and protects existing trees on development sites and provides opportunity for the healthy growth of large trees.

How to use this section

a. This section is to be read in conjunction with the Biodiversity and Conservation SEPP.

b. Other sections of Hornsby Development Control Plan 2013 may also be relevant considerations, including Biodiversity and other natural environment controls in Section 1C.1. The controls in this section, to the extent of any inconsistency in relation to trees and vegetation in City of Parramatta LGA, take precedence over the controls in other sections of this DCP.

c. All references to Acts, Regulations, Codes, Australian Standards, Plans, policies, the Technical Manual and the Guide are to those documents as amended over time.

Note: Under the Biodiversity and Conservation SEPP, clearing of native vegetation, including trees, above a certain threshold triggers an alternate approval pathway through the Native Vegetation Panel. As at November 2017 the threshold included clearing of more than 2,500sqm of native vegetation on a site, or the clearing of ANY native vegetation on sites identified by the Office of Environment and Heritage as having high biodiversity value on the Biodiversity Value Map (www.lmbc.nsw.gov.au/BVMap). More information on the Policy and the Native Vegetation Panel is available online at www.planning.nsw.gov.au/VegetationSEPP.

1B.7.1 Tree Preservation - land within the City of Parramatta LGA

Prescribed Trees

a. The prescribed trees to which Part 2.3 of the Biodiversity and Conservation SEPP and the controls in this section apply include:

- Any tree or palm – whether indigenous, endemic, exotic or introduced species - with a height equal to or exceeding 5 metres.
- Any tree or mangrove vegetation located on public land, irrespective of size.
- Any tree or plant, irrespective of size:

  i. that is or forms part of a heritage item, or that is within a heritage conservation area; or

  ii. that is or forms part of an Aboriginal object, or that is within an Aboriginal place of heritage significance.

Penalties

b. A person found guilty of an offence for a contravention of these controls may be issued a penalty infringement notice not exceeding $3,000 for individuals, $6,000 for companies, fined up to $110,000 if dealt with in the Local Court or up to $1,100,000 if dealt with in the Land & Environment Court.

c. In addition to a penalty awarded, the Court may also order the repair, remedial pruning or replacement of a damaged or removed tree and impose an order to maintain such replacement to maturity.

d. The Biodiversity Conservation Act 2016 also provides for additional penalties that may be imposed for offences relating to the harming or damaging of protected or threatened plants, animals and ecological communities. Maximum penalties include fines and imprisonment.

Tree Permit

This section explains which tree works require a tree permit and sets out the controls for these works.

Controls

e. A tree permit must be obtained before any tree works are carried out on a prescribed tree, including its root zone. An arboricultural report and other reports and information, may be required to be submitted as part of the Tree Permit assessment process.

f. All tree works must be carried out in accordance with the WorkCover NSW Code of Practice: 'Amenity Tree Industry' - 1998.

g. Trees removed as a consequence of approval by a tree permit may need to be replaced with a suitable canopy tree or trees in a suitable location on the site.

Offset Program

h. Should Council approve tree works, Council prefers that trees that are removed are replaced on the site with a suitable replacement canopy tree and in a suitable location onsite. However, there may be circumstances when there is no suitable location on site (for example, in the case of small backyards); in this case, a financial contribution will be required to be paid to support public tree planting. Offset fees are contained within City of Parramatta Council's published fees and charges.

How an application is made

i. An application for consent to undertake tree works shall be made, using City of Parramatta Council's Tree Permit Application, by all owners of the land on which the tree works are to be carried out or by any person with written consent of the owners. The application form must be completed and submitted to City of Parramatta Council together with the appropriate fee.

j. City of Parramatta's Tree Permit Application form can be found online at www.cityofparramatta.nsw.gov.au/living-and-community/trees.

Trees Considered to be Dangerous

k. If a tree is considered to be:

- Dead or dying and is not required as the habitat of native animals; or
- Posing an imminent risk to human life or property (see Section 2.7(2) and 2.7(3) of the Biodiversity and Conservation SEPP;

a tree permit application is not required to be submitted to Council for the removal of that tree.

l. Before any tree works are undertaken, Council must be satisfied that the tree is dead, dying or posing an imminent risk to human life or property. If satisfied, Council will issue a letter confirming that the tree is exempt from the requirement of a tree permit. Council may require a replacement tree be planted to ensure that in time this tree is replaced.

m. In determining if the tree is posing an imminent risk to human life or property, a tree risk assessment will be undertaken that will consider:

- Likelihood of failure
- Likelihood of impacting a target
- Consequences of impact.

Note: Section 'Penalties' sets out the penalties for persons found guilty of unlawfully clearing trees and vegetation without the necessary approvals. Sections 'Exempt Works' and 'Exempt Pruning Works' detail exemptions from a tree permit for tree works to be undertaken by the State Emergency Service or Rural Fire Service in response to emergency, severe natural event and other nominated circumstances.

Assessment Process

n. In considering a tree application, the Council shall consider the retention value of the tree through a 3 step process:

Step 1: Assess the sustainability of the tree in its location. This is determined by considering the vitality, structural condition, age/longevity and suitability of the tree to the site.

Questions to be considered:

- Has the tree reached the end of its lifespan or is there evidence of decline?
- Does the tree show evidence of potential structural failure, and could become dangerous requiring it to be removed at a later date?
- Does the tree impact on a main area of private open space, so that it compromises the use of the open space for passive or active recreation?
- Is there evidence of damage to the tree due to pests or disease that will reduce the lifespan of the tree?
- Is there evidence that the tree is causing structural damage to a building?

- Is the species of tree suited to the location?

Step 2: Assess the landscape and amenity significance of the tree. This is determined by considering the amenity, heritage and environmental value of each tree.

Questions to be considered:

- Is the tree prominent in the streetscape?
- Does the tree have heritage significance or contribute to the significance of a place?
- Is the tree a contributory item to a heritage place or conservation area?
- Would the proposed works adversely affect the heritage significance of a heritage item, Aboriginal object, Aboriginal places of heritage significance or heritage conservation area?
- Does the tree represent a typical planting of the era of the associated building or park's construction or creation?
- Does the tree contribute to an established streetscape?
- Does the tree have high aesthetic value?
- Does the tree provide privacy screening value?
- Is the tree an Indigenous or endemic species?
- Is the tree part of a remnant endemic collection of trees or vegetation?
- Does the tree have potential to provide a habitat for native fauna, including hollows or nests?
- Is the tree part of a threatened ecological community listed under the Biodiversity Conservation Act 2016 or mapped on the OEH Biodiversity Values Map? If yes, a 'Test of Significance' or assessment under the Biodiversity Offset Scheme (BOS) may be required.

Where a tree is identified as part of a threatened ecological community under the Biodiversity Conservation Act 2016, Section 1.7 of the Environmental Planning and Assessment Act 1979 applies and a "Test of Significance" must be prepared by a qualified ecologist and submitted to Council with the application.

Step 3: Consider sustainability and landscape significance together to determine the retention value.

- Trees will be categorised as having a high, medium, low or very low retention value.
- Trees with a high retention value or medium retention value should be considered for retention.
- Trees with a low retention value can usually be removed, however their replacement may be a requirement of removal.

Neighbour's Trees

o. If a neighbour's tree overhangs your property boundary, you may undertake pruning within your property boundary, provided it can be carried out in accordance with Australian Standard 4373 – 2007, 'Pruning of Amenity Trees' from within your property and you have obtained consent from Council prior to undertaking such works. A tree permit will be required for pruning works to prescribed trees on a neighbour's property.

Consent Duration

p. Consent issued by Council shall lapse if the works referred to in the consent have not been completed within two (2) years from the date of consent.

q. Consent issued by Council in conjunction with a subdivision approval, a building approval, complying development or development consent shall lapse if these approvals or consents lapse or become invalid, void or are surrendered.

r. Consent for tree works associated with development may, if granted, be issued concurrently with the development application or complying development consent, but may also be subject to any landscaping and street scaping requirements or any conditions imposed under any relevant SEPP, LEP, DCP or other Council policy.

s. A copy of the consent must be kept on the site of the tree works and produced on demand to Council's duly authorised officers, servants or agents.

Issues which do not usually warrant removal / pruning of trees

- A tree shedding leaves, fruit, bark, cones twigs or minor dead wood.
- A tree is causing minor structural damage, such as footpaths or driveways.
- There are unsubstantiated fears about healthy trees failing.
- A tree is causing minor shading.
- A tree is causing blockage to pipes, unless the damage is serious and recurring. Root pruning, replacement of old dilapidated pipes, or use of root barriers may solve the problem (evidence would need to be provided if the problem is serious).
- Pruning for amenity views.

- A tree that is dead or dying that provides habitat to native animals and is not posing a risk to human life or property.
- There are concerns about bush fire hazard, where the land is not within bush fire prone land as defined by Council's Bush Fire Prone Land Map (removal of trees or other vegetation for bush fire hazard reduction is governed by the Rural Fires Act 1997).

Publicly Owned Land

t. The following provisions apply to applications for consent to prune or remove trees located on publicly owned land, including council parks, reserves and road reserves:

- City of Parramatta Council, or its duly authorised servants or agents, may carry out the pruning or removal of a tree/s including bushland vegetation from Council owned or controlled land.
- All tree works conducted by Council will comply with relevant Australian Standards and specifications as determined by the Council policies. The cost of all non-essential tree works for trees located on public land will be the responsibility of the applicant. Council or an authorised agent will carry out any such approved works.
- Where a Council Public Works project requires tree/s to be pruned or removed, consent must be sought at the planning stage in consultation with Council's Open Space and Natural Resources Unit.

u. Public consultation on the removal of public trees will be undertaken in accordance with City of Parramatta Council's Public Tree Assessment and Procedural Guidelines.

Opportunity for Review

v. Section 2.12 of the Biodiversity and Conservation SEPP provides that an applicant for a permit may appeal to the Land and Environment Court against refusal by a council to grant the permit. Any such appeal is to be made within 3 months after the date on which the applicant is notified of the decision or within 3 months after the council is taken to have refused the application (whichever is the later).

Exempt Works

This section explains when approval from Council is not required to carry out tree works, including the removal or pruning of a tree.

Exempt Tree Works

The following are exempt works and do not require a permit:

w. **Part A: Exemptions applying to land under care, control, management of Council:**

1. Tree works on a tree on land owned or under the care, control and management of Council where the tree works are carried out by Council.

x. **Part B: Exemptions applying to all land:**

1. Removal of a dead tree in accordance with WorkCover NSW Code of Practice 'Amenity Tree Industry' – 1998 (except trees that are required as the habitat of native animals or are on land mapped as "Biodiversity" under Hornsby Local Environmental Plan (HLEP) Terrestrial Biodiversity Map or the Biodiversity Value Map published by the Office of Environment and Heritage).
2. Tree works carried out on a tree by State Emergency Service or Rural Fire Service in response to an emergency or severe natural event.
3. Tree works required under the provisions of Section 48 of the Electricity Supply Act 1995.
4. Tree works on any tree of a species that has been declared a weed in the Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022 – Appendix 1 & 2, pursuant to Division 5 of the NSW Biosecurity Act 2015.
5. Trees that are required to be removed as part of a Section 66 Directive under the Rural Fires Act 1997 or the provisions provided under the 10/50 Vegetation Clearance Code of Practice for New South Wales.
6. Trees that are required to be removed by a Rural Fire Brigade because it poses or will pose a significant threat to access along required fire trails or to human life, buildings or other property during a bushfire.
7. Trees that have otherwise become dangerous from actions associated with hazard reduction burns undertaken in accordance with a Part V approval under the Environmental Planning and Assessment Act 1979, or a bushfire.
8. Trees that are required for immediate removal where this is essential for emergency access or emergency works by Council or the State Emergency Services.
9. Trees that are required for removal in accordance with Part 6 Division 4 section 46 of the Sydney Water Act 1994.
10. Trees required for removal in accordance with sections 88, 107, 138 and 139 of the Roads Act 1993.

y. **Part C: Exemptions applying to all land, except for land/tree which:**

- Is or is located on a site classified as being part of a threatened ecological community or provides or has the potential to provide habitat for native fauna or fauna classified as threatened under the Biodiversity Conservation Act 2016 or the Environmental Protection and Biodiversity Conservation Act 1999 (Commonwealth);
- Is or forms part of a heritage item or place;
- Is within a heritage conservation area;
- Is or forms part of an Aboriginal object;
- Is within an Aboriginal place of heritage significance;
- Is on public land;
- Is mapped as "Biodiversity" on the HLEP Terrestrial Biodiversity Map or the Biodiversity Value Map published by the Office of Environment and Heritage;
- Is required to be retained as part of a development consent.

Note: Works on land identified as "Biodiversity" on HLEP Terrestrial Biodiversity map should have regard to Section 1C.1.1 Biodiversity of Hornsby DCP. Works involving heritage items and heritage conservation areas should also have regard to Part 9 Heritage of Hornsby DCP.

1. Tree works on a tree where the trunk of the tree at ground level is within 3 metres of:

   i. the outside enclosing wall of a legally constructed building; or

   ii. the outside edge of the footings of a legally constructed carport; or

   iii. the outside edge of the coping of a legally constructed in-ground swimming pool;

Note: this exemption does not apply to a tree on adjoining land. The tree and the dwelling house or other structure referred to above must be both on the same land for the exemption to apply.

2. The tree is of a species Populus spp. (Poplar), Salix spp. (Willow), Cinnamommum camphora (Camphor Laurel) and Liquidambar styraciflua (sweet gum), where the trunk of such tree is located within 5 metres of any sewer or:

   i. the outside enclosing wall of a legally constructed building;

   ii. the outside edge of the footings of a legally constructed carport; or

   iii. the outside edge of the coping of a legally constructed in-ground swimming pool.

Note: This exemption does not apply to a tree on adjoining land. The tree and the dwelling house or other structure referred to above must be on the same land for the exemption to apply.

3. Tree works on any tree on the following list:

Note: The trees listed below are identified by their botanical name (common names are provided as reference only). Cultivated varieties (cvs.) of the trees listed are not included for exemption except where specified.

Table 1B.7.1a Botanical and Common Names of Tree Species

Botanical name	Common Name
Acacia baileyana	Cootamundra Wattle
Acacia decurrens	Green Wattle
Acacia salignus	W.A. / Golden Wreath Wattle
Acer negundo	Box Elder
Albizia lopantha	Crested Wattle / Persian Silk
Ailanthus altissima	Tree of Heaven
Alnus jorullensis	Evergreen Alder
Cotoneaster pannosus	Cotoneaster
Eriobotrya japonica	Loquats
Erythrina spp.	Coral Trees
Ficus elastica	Rubber Tree
Gleditsia triacanthos	Honey Locust
Lagunaria patersonia	Norfolk Is. Hibiscus
Ligustrum lucidum & cvs	Large Leafed Privet
Ligustrum sinense	Small Leafed Privet
Melia azedarach	White Cedar
Nerium oleander	Oleander
Olea europaea var. africana	African Olive
Populus alba	White / Silver Poplar
Populus deltoides	White / Silver Poplar
Populus nigra	Black Poplar
Populus nigra italica	Lombardy Poplar
Pyracantha augustifolia	Firethorn
Robinia pseudoacacia	False Acacia / Black Locust
Rhus toxicondendron	Rhus / Sumac Tree
Salix alba ssp. babylonica	Weeping Willow
Salix matusdana 'Tortuosa'	Tortured Willow
Schefflera actinophylla	Umbrella Tree
Schinus terebinthifolius	Brazilian Mastic / Pepper Tree
Syagrus romanzoffianum	Cocos Island / Queen Palm
All edible fruit and nut trees except native species such as Acmena spp. (Lily Pilly), Syzygium spp. (Lily Pilly), Elaeocarpus spp. (Blueberry Ash) or Macadamia spp. (Macadamia Tree).	

Exempt Pruning Works

This clause only allows pruning of a tree if it is carried out in accordance with Australian Standard AS4373 – 2007, 'Pruning of Amenity Trees' and WorkCover NSW Code of Practice 'Amenity Tree Industry' – 1998.

z. These exemptions apply to all land:

- The removal of a dead branch from a tree.
- Selective pruning, being only pruning to remove branches no larger than 50mm diameter at the nearest branch collar to clear:
  i. a roof; or
  ii. an external face of a building:
  - where branch encroachment is within 2m of such and where the owner of the land where the centre of the tree trunk originates provides written consent.
- Pruning of trees to remove branches no larger than 50mm diameter at the nearest branch collar to maintain distance clearances to power lines as set out under section 48 of the Electricity Supply Act 1995.
- Crown modification pruning of a hedge by no more than 20% of its height and/or width in any one year.
- Crown maintenance pruning of trees in accordance with sections 88, 107, 138 and 139 of the Roads Act 1993 and in accordance with AS4373 2007.
- Selective pruning of branches or foliage emanating over public land from privately owned trees where access is required to be restored or created by Council or the State Emergency Services.
- Selective pruning to remove any species of parasitic mistletoe or parasitic plant from any part of a tree.

1B.7.2 Vegetation Preservation – land in the City of Parramatta LGA

Prescribed Vegetation

a. The prescribed vegetation to which Part 2.3 of the Biodiversity and Conservation SEPP and the controls in this section apply include:

- Bushland; and
- Vegetation on heritage listed properties under the *HLEP.*

b. To damage or remove any vegetation protected under this DCP is prohibited without the written consent of Council, except in accordance with the exemptions prescribed in this part.

Penalties

c. A person found guilty of an offence for a contravention of these controls may be issued a penalty infringement notice not exceeding $3,000 for individuals, $6,000 for companies and fined up to $110,000 if dealt with in the Local Court or up to $1,100,000 if dealt with in the Land and Environment Court.

d. In addition to a penalty awarded, the Court may also order the repair, remedial pruning or replacement of a damaged or removed tree and impose an order to maintain such replacement to maturity.

e. The Biodiversity Conservation Act 2016 also provides for additional penalties that may be imposed for offences relating to the harming or damaging of protected or threatened plants, animals and ecological communities. Maximum penalties include fines and imprisonment.

Opportunity for Review

f. Section 2.12 of the Biodiversity and Conservation SEPP provides that an applicant for a permit may appeal to the Land and Environment Court against refusal by a council to grant the permit. Any such appeal is to be made within 3 months after the date on which the applicant is notified of the decision or within 3 months after the council is taken to have refused the application (whichever is the later).

Exempt Vegetation Work

g. An application is not required for the following work to vegetation protected under Hornsby DCP:

- The clearing of vegetation (excluding trees) on a property once every 5 years in accordance with the maximum cumulative area in Table 1B.7.2a.

Table 1B.7.2a Exempt Vegetation Work

Land Zone Under HLEP	Maximum exempt vegetation removal
Prescribed Urban Areas (Zones R2, R3, R4, RU5, SP2, SP3, B1, B2, B3, B4, B5, B6, IN1 and IN2)	10m^2

- The clearing of vegetation where Council is satisfied that the vegetation is dying or dead and is not required as the habitat of native fauna.
- The clearing of vegetation where Council is satisfied the vegetation is a risk to human life or is causing or likely to cause substantial damage to property.

h. The exemptions in Table 1B.7.2a do not apply to:

- Land with a gradient in excess of 20 percent;
- Land containing marine vegetation;
- Land located within 20m of and including a watercourse;
- Land located within 50m of and including land identified as "Biodiversity" on the Terrestrial Biodiversity Map in HLEP;
- Land located within 50m of and including land that contains native vegetation which is habitat or potential habitat for species, populations or ecological communities listed in the Biodiversity Conservation Act 2016;
- Work that is contrary to a development consent that requires vegetation to be retained;
- All vegetation on heritage listed properties;
- Bushland within heritage conservation areas;
- Land if it results in the fragmentation or isolation of bushland;
- Land if it reduces effective vegetation buffers to adjoining Community Open Space or Private Open Space lands.
- Land that is identified on the Biodiversity Value Map as published by the Office and Environment and Heritage.

i. Notwithstanding the exemptions above, minor work to vegetation that is or forms part of a heritage item or heritage conservation area, requires approval from the Council pursuant to the provisions of Clause 5.10 of HLEP.

j. Any vegetation removed pursuant to the exempt provisions within this section should:

- Occur in areas deemed to be ancillary to an approved existing dwelling or structure;
- Be undertaken by hand (not heavy machinery); and
- Require replacement planting to stabilise the soil (where necessary) that is indigenous to the adjoining vegetation community present and not include species recognised as invasive to bushland.

Lodging a Permit for Vegetation Work

k. A permit is required to be completed and forwarded to Council for all work to protected vegetation where an exemption does not apply.

l. Where vegetation work is required as part of other works for which development consent is required, the works will be assessed as part of the development application.

Note: Under the Biodiversity and Conservation SEPP, clearing of native vegetation above a certain threshold triggers an alternate approval pathway through the Native Vegetation Panel. More information on the Policy and the Native Vegetation Panel is available online at www.planning.nsw.gov.au/VegetationSEPP.

Consideration of an Application for Vegetation Work

m. The removal of, or work to, vegetation should be consistent with the applicable provisions of the Biodiversity and Conservation SEPP and Hornsby DCP.

n. In determining if vegetation is significant, it will be assessed using an arboricultural, ecological and/or an Occupational Health and Safety based evaluation. Accordingly, any application for removal should demonstrate that the removal of vegetation should demonstrate that the removal of vegetation is appropriated based on an assessment of the:

- significance/health/longevity of the vegetation; and
- risk to human life or property.

1B.7.3 Definitions – applying to land within the City of Parramatta LGA

For the purposes of section 1B.7:

"**Aboriginal Object"** means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

"Aboriginal Place of Heritage Significance" means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition, that is:

- The site of one or more Aboriginal objects or a place that has physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the lands by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves; or
- A natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation ceremonial or storey places or area of more contemporary cultural significance.

Note: the term may include (but is not limited to) places that are declared under section 84 of the National Parks and Wildlife Act 1974 to be Aboriginal places for the purposes of that Act.

"Bushland" means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

"Contributory Item" means a tree that makes a contribution to a heritage item or conservation area including streetscape and parkland trees. This contribution may be visual, aesthetic or functional (i.e. wind protection, provision of scale, shelter).

"Damage" means to impair the value or usefulness, or weaken the health or the normal function of a tree or vegetation.

"Dangerous Tree" means a tree that will inflict imminent liability or harm to a person's life or property.

"Dead Tree" means a tree that is no longer capable of performing any of the following processes:

- Photosynthesis via its foliage crown (as indicated by the presence of moist, green or other coloured leaves).
- Osmosis (the ability of the roots system to take up water).
- Turgidity (the ability of the plant to hold moisture in its cells).
- Epicormics shoots (the production of new shoots as a response to stress, generated from buds under the bark or from a lignotuber – an underground stem).

Or is exhibiting any of the following symptoms:

- Permanent leaf loss in both deciduous and evergreen plants.
- Permanent wilting (loss of turgidity which is marked by drying of stems, leaves and roots).
- Shedding of the epidermis (bark dries out and peels off to the beginning of the sapwood – new wood).

"Destroy" means any immediate or ongoing process or activity leading to the death of a tree.

"Dying Tree" means a tree that has entered senescence and is unable to be restored to a former health condition.

"Hedge" means a dense line or row of trees planted as a screen, fence line or boundary indicator.

"Height" means the distances measured vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

"Heritage Conservation Area" means an area of land of heritage significance shown on a heritage map and described in a heritage schedule in a Local Environmental Plan, and includes any heritage items situated on or within that area.

"Heritage Item" means a building, work, place, relic, tree, object or archaeological site the location and nature of which is identified in a Heritage Study and described in a heritage schedule in a Local Environmental Plan or the NSW State Heritage Register.

"Imminent" means a tree which is about to fall over, a tree which is heaving (moving at the base/ground level) or a large part of a tree which is broken and/or hanging about to fall and injure persons or property.

"Injury" and **"Wilful Destruction"** includes the administering of a chemical or artificial substance to a tree or part of a tree or, the alteration of ground level or water table which causes damage to the tree or any part of the tree including roots. This includes any physical injury especially by machinery on construction sites.

"Legally Constructed" means built in compliance with environmental and planning legislation and instruments in force within the City of Parramatta Council at the time of construction.

"Lop" or "**Lopping"** means cutting branches or stems between branch unions or internodes, with the final cut leaving a stub.

"Marine vegetation" means mangroves, seagrasses or any other species of plant that at any time in its life cycle must inhabit water (other than fresh water)."

"Native vegetation" has the same meaning as in the Biodiversity and Conservation SEPP.

"Owner" has the meaning ascribed to it in the Local Government Act 1993, No. 30.

"Pruning" means the removal of any stem/s back to the intersection of another stem/s to a swollen area of the intersection called the branch collar. This also means any act or acts of severing any part of a tree so as to cause reduction of the airspace occupied by the branches and foliage of a tree. All pruning is to conform to Australian Standard AS 4373 – 2007 'Pruning of Amenity Trees'.

"Removal" and **"Cutting Down"** means the cutting down or dismantling of a tree so that the tree, including its branches, foliage, trunk, stump and root system, will not regrow. This includes the poisoning of the stump and/or roots and/or removal or grinding out of its remains to prevent regrowth.

"Top" or **"Top Lopping"** means the reduction of the height of a tree through the practice of lopping.

"Transplant" or **"Transplanting"** is the removal of a tree that is excavated from its place of origin from within the ground and is relocated within the ground of the same property or reestablishment within the ground or a container within another property.

"Tree" long lived woody perennial plant greater than (or with the potential to grow to a height greater than) 5m in height with one or relatively few stems (Australian Standard AS4373-1996 "Pruning of Amenity Trees").

"Urban Forest" is the totality of trees and shrubs on all land around urban areas and is measured as a canopy cover percentage of the total urban area.

1C General Controls

The following section provides general controls for the protection of the environment and applies to all forms of development.

1C.1 Natural Environment

1C.1.1 Biodiversity

HLEP Clause 6.4 contains provisions for development of land identified as Biodiversity on the Terrestrial Biodiversity Map.
The following controls apply to land with biodiversity value, including land affected by the HLEP provisions.

Desired Outcomes

a. Development that provides for the conservation of biodiversity including threatened species and populations, endangered ecological communities, remnant indigenous trees, regionally and locally significant terrestial and aquatic vegetation.

b. Development that maintains habitat for native wildlife and wildlife corridors to provide for the movement of fauna species.

Prescriptive Measures

General

a. Development should seek to:

- avoid potential adverse impact on biodiversity,
- if that impact cannot be avoided, minimise that impact, or
- if the impact cannot be minimised, to mitigate the impact.

b. A flora and fauna assessment is required for development that may impact on:

- land mapped as Biodiversity on the HLEP Terrestrial Biodiversity Map, or
- native vegetation which is habitat for species listed in Schedule 1, 1A or 2 of the *Threatened Species Conservation Act 1995*.

c. Development should avoid the fragmentation of existing native vegetation.

d. Development should seek to retain unique environmental features of the site including:

- rock outcrops,
- wetlands and the like,
- watercourses, drainage lines and riparian land,
- groups of significant trees and vegetation, and
- mature hollow trees and other fauna habitat features on the site.

e. Development should incorporate and maintain a buffer zone to significant flora and fauna. Development should not include buildings, structures and earthworks within the required buffer zone prescribed in Table 1C.1.1(a).

Table 1C.1.1(a): Buffer Zones to Vegetation Types

Significant Vegetation Type	Minimum Buffer Zone (metres)
Endangered ecological communities and regionally significant bushland (as mapped in the HLEP Terrestrial Biodiversity Map	20m
Wetland or saltmarsh plant communities	20m
Populations of threatened flora species, habitat for threatened species, locally significant bushland, groups of remnant indigenous trees	10m

f. Notwithstanding the buffers presented in Table 1C.1.1(c) above, certain native vegetation that is habitat for species listed in the Threatened Species Conservation Act may require larger buffer zones in order to avoid potential adverse impacts on biodiversity.

Notes:

A flora and fauna assessment may be required for development that involves the clearing, removal or alteration of other native vegetation. A flora and fauna assessment should be prepared by a suitably qualified consultant and address Council's *Flora and Fauna Assessment Guidelines*. This may require an Assessment of Significance (7-part test) or Species Impact Statement. In addition, a Vegetation Management Plan (VMP) may be required where it is likely that a proposal will impact either directly or indirectly on areas of remnant native bushland and/or riparian areas. For further information refer to:

- NSW DPI Fisheries key estuarine habitats show the spatial distribution of mangroves, saltmarshes and seagrass beds in the estuarine. These ecosystems are fragile and provide key ecological roles to the Hawkesbury Nepean River System. Website at dpi.nsw.gov.au/research/areas/aquatic-ecosystems-estaurine-habitats-maps
- *Flora and Fauna Assessment Guidelines for Development Applications* available at Council's website hornsby.nsw.gov.au
- *Guidelines for the preparation of Vegetation Management and Restoration Plans* available at Council's website hornsby.nsw.gov.au

Under the NSW Scientific Committee Determination for Blue Gum High Forest and Sydney Turpentine Ironbark Forest Endangered Ecological Communities, it is noted that these communities may only be represented by the presence of remnant trees with no remnant or a highly modified understorey.

Landscaping adjacent to bushland

g. Fencing adjoining bushland should be designed to allow for the movement of native fauna, and limit predation on native wildlife by domestic animals. The use of barb wire fencing is not supported.

h. Where landscaping is proposed within the buffer zones, it should comprise trees, shrubs, understorey and groundcover species indigenous to the adjoining vegetation community.

Note:

Species declared as a noxious weed in Hornsby Shire should not be used in landscaping works. For further information see the Noxious Weeds List for Hornsby Shire at website hornsby.nsw.gov.au.

Roadside Vegetation

i. Native vegetation along roadsides should be retained where possible as it provides fauna habitat, links bushland areas, and maintains the scenic qualities of the area.

j. Accessway crossings and utilities should be located and designed to minimise impacts on roadside vegetation.

Land Adjoining Public Open Space

k. Development within or adjoining land zoned or reserved for public open space should address means to protect and minimise bushland disturbance.

l. Development should provide buffers for bushfire protection on private land, not on public land.

Wetlands, Salt Marsh, Seagrass Beds, Mangroves and Fish Habitats

m. Development proposals which may impact on fish habitats should have regard to gazetted Fish* Habitat Protection Plans.

n. Development proposals should avoid impact on key aquatic habitats such as saltmarsh, seagrass beds and mangroves as a result of their key role in the ecology of estuarine ecosystems.

Note:

*The term 'fish' includes all aquatic invertebrates such as yabbies, shrimps, oysters, mussels, insect larvae, beach worms, sea stars,and jelly fish. For key fish habitats, refer to: dpi.nsw.gov.au/fisheries/habitat/protecting-habitats.

NSW Fisheries has gazetted the following Fish Habitat Protection Plans:

- Plan 1 – dealing broadly with dredging and reclamation activities, fish passage requirements and the protection of mangroves, other marine vegetation and snags.
- Plan 2 - for sea grasses,- with the aim to preserve fish stocks and habitats.
- Plan 3 - for the Hawkesbury Nepean River System,- the Plan aims to preserve fish stocks and habitats.

Riparian Areas

o. Development should be designed and located to maintain an effective watercourse riparian zone comprising native vegetation. See planning controls for watercourses at Section 1C.1.3 of this DCP.

Notes:

The Biodiversity controls aim to implement the objectives of Council's Biodiversity Conservation Strategy that includes to protect and improve the quality and extent of existing indigenous vegetation and to conserve and recreate connectivity across fragmented landscapes.

For further information on and mapping of vegetation types refer to the following studies: *Native Vegetation Communities of Hornsby Shire* (P & J Smith 2008) and *Remnant Trees in the Southern Rural District of Hornsby Shire* (P & J Smith 2008)

Endangered Ecological Communities and regionally significant vegetation areas are mapped as Biodiversity on the HLEP Biodiversity Map. Lands excluded from the Biodiversity Map may still contain endangered ecological communities, threatened species or their habitats.

Threatened Species Conservation Act 1995 (NSW) - The clearing or removal of any threatened flora species, endangered population, endangered ecological community or critical habitat under the *Threatened Species Conservation Act 1995* may require a separate approval from the NSW Office of Environment and Heritage.

Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) - The clearing or removal of remnant trees or other native vegetation which is listed as a "matter of national significance" under the *Environment Protection and Biodiversity Conservation Act 1999* may require a separate approval from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities.

1C.1.2 Stormwater Management

Desired Outcomes

a. Development that protects waterways from erosion, pollution and sedimentation, and maintains or improves water quality and aquatic habitats.

b. Water management systems that minimise the effects of flooding and maintains natural environmental flows.

Prescriptive Measures

Sediment and Erosion Control

a. Development should have appropriate controls to stabilise and retain soil and sediments during the construction phase, designed in accordance with *Landcom's Managing Urban Stormwater (2006)* also known as *The Blue Book* and/or Council's water management guidelines.

b. Applicants should submit a plan with the development application according to the level of sensitivity and amount of disturbed area on the site as outlined in Table 1C.1.2(a).

Table 1C.1.2(a) Erosion and Sediment Control

Development Scale	Submission Requirement (Refer to Council's Water Sensitive Urban Design Guidelines)
Less than 1,500 m^2 of disturbed area	An Erosion and Sediment Control Plan (ESCP) prepared in accordance with Council's water management guidelines for all environmentally sensitive sites such as steep land (>20%), or works in the vicinity of waterways or bushland. See Note*
1,500 m^2 to 2,500 m^2	An Erosion and Sediment Control Plan (ESCP) prepared in accordance with the Blue Book
More than 2,500 m^2 of disturbed area	A Soil and Water Management Plan (SWMP) prepared in accordance with the Blue Book

Note*

For non-sensitive sites an Erosion and Sediment Control Plan may be required to be prepared as a condition of development consent, to be certified by the relevant accredited certifier.

For further information on The Blue Book refer to *Managing Urban Stormwater (2006)* by Landcom available at the website landcom.com.au

For further information on Council's water management guidelines for Erosion and Sediment Control refer to Council's Water Sensitive Urban Design (WSUD) Guidelines (2015) available at hornsby.nsw.gov.au

Water Hydrology

c. An on site stormwater management system that deals with detention, retention and discharge rates is required for all development involving external works to maintain environmental flow* rates in the receiving watercourses.

d. An on-site detention (OSD) system, designed in accordance with the HSC Civil Works Specification, should be provided for the following types of development:

- Subdivision,
- Single dwellings where required by covenant,
- Two or more dwellings, or
- Non-residential developments with external alterations.

e. Natural flow paths within a site and the discharge point from the site should be retained and directed to its natural catchment.

f. Stormwater should be gravity drained to Council's drainage system, which may require inter-allotment drainage, except for single dwellings on existing lots where inter-allotment drainage is not available.

g. Where an inter allotment drainage easement is required, proponents should negotiate the creation of easement/s over downstream properties for drainage purposes. A letter of consent from the owner/s of the downstream properties is to be submitted with the development application.

h. On non urban properties, development should not prevent or significantly alter water flows to adjoining properties or natural ecosystems. Flows from impervious areas should be dispersed on-site to minimise erosion and impacts on adjoining properties.

Note:

*Environmental flows are the flows of water in streams and rivers that are necessary to maintain aquatic ecosystems.

Water Quality

i. In urban areas, the following development types should be designed to achieve the water quality targets in Table 1C.1.2(b);

- major redevelopment on sites greater than 2000m^2, and
- other development that increases the impermeable area on a site by more than 2000m^2.

Table 1C.1.2(b) Urban Stormwater Quality Targets

Pollutant Type	Performance Target Reduction Loads
Gross Pollutants	90% reduction in the post development mean annual load of total gross pollutants
Total Suspended Solids	80% reduction in the post development mean annual load of total suspended solids
Total Phosphorous	60% reduction in the post development mean annual load of total phosphorous
Total Nitrogen	45% reduction in the post development mean annual load of total nitrogen.

j. Medium and high density residential developments with a site area of between 1000m^2 and 2000m^2 should demonstrate that they achieve the water quality targets in Table 1C.1.2(b) above, or utilise one of the following deemed to comply solutions:

   - 80% of the roof area of the development is to drain to a tank(s) that has a capacity of 3,000 litres per 100m2 of roof area of the development. The tank(s) is to be connected to the communal water system, and to all dwellings for toilet flushing and laundry, or
   - provide a bioretention system(s) which is at least 1.5% of the total impervious area and drains all of the impervious areas.

k. In non urban areas, intensive rural activities should include water management systems designed to achieve water quality that complies with targets specific to aquatic ecosystem protection in south east Australian, lowland east flowing rivers that comply in accordance with *Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000)*.

l. Chemical storage should be bundled and located away from watercourses, drainage lines or drainage pits which lead to the storm water system.

Notes:

Urban areas include business, industrial, special use and residential zones.

Submission Requirements

m. Where development is required to address the water quality targets in Table 1C.1.2(b), a Water Sensitive Urban Design (WSUD) Strategy should be submitted that addresses water hydrology, water quality and water conservation.

n. For an application requiring a WSUD Strategy, the application is to be accompanied by a Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or equivalent demonstrating compliance with the relevant prescriptive controls.

o. The WSUD Strategy should include measures for access to and the maintenance of WSUD elements.

p. Where WSUD facilities serve more than one property, these facilities should be held in strata or community title.

q. A Water Cycle Management Plan (WCMP) should be submitted with an application for any intensive rural activity detailing how water will be sourced, stored, used, treated and recycled for use.

Notes:

For further details on Council's water management guidelines refer to:

- HSC Civil Works Specification, and
- Council's Water Sensitive Urban Design (WSUD) Guidelines (2015).

For further technical information on Water Sensitive Urban Design refer to *Evaluating Options for Water Sensitive Urban Design – A National Guide (2009)* available at environment.gov.au

The storm water quality targets in Table 1C.1.2(b) apply to the operational phase, requiring developments to achieve the prescribed minimum reductions in pollutant load, when compared to untreated stormwater run-off:

Water Quality Modelling should be undertaken using the *Model for Urban Stormwater Improvement Conceptualisation (MUSIC)* and in accordance with the NSW (Draft) MUSIC modelling guidelines 2010.

Water Conservation Targets are provided in Section 1C.2.8 of this DCP

Some WSUD elements may require a Positive Covenant and a Restriction on Use to be placed on the property title in order to bind all current and future owners to specific maintenance requirements.

A WCMP is also required for an application for a number of rainwater tanks that results in the total capacity of all dams and rainwater tanks on the property exceeding 1 megalitre.

An intensive rural activity includes intensive agriculture, garden centres, plant nurseries, landscaping material supplies, animal boarding or training establishments, rural industries, extractive industries and the like.

1C.1.3 Watercourses

Desired Outcomes

a. Watercourses such as creeks and rivers are retained and enhanced to promote the improvement, and protection of the environment.

b. Native riparian vegetation areas are retained and enhanced, and degraded riparian areas are rehabilitated

Prescriptive Measures

General

a. Existing natural drainage lines and water bodies on a site should be utilised as part of the major drainage network rather than piping stormwater flows.

b. All work should not cause bed and bank instability and any bank stabilisation measures should preferably use soft engineering techniques.

c. Watercourses should be linked with other areas of indigenous vegetation, wildlife corridors and/or natural or visually important site features.

d. Stormwater outlets proposed in the vicinity of a watercourse should:

- point downstream for the final entry point of the structure,
- be graded to the bed level of the stream, or just below any permanent water, and
- be located to avoid existing native vegetation

e. The environmental flow characteristics of down stream watercourses should be maintained.

f. Watercourses should not be piped, filled, excavated, or relocated. In some instances, Council will permit these works to occur. In determining whether to retain or restore a watercourse, consideration should be given to the following:

- the sustainability of actual or potential biodiversity and habitat,
- the actual or potential ability of the watercourse to enhance water quality,
- the actual or potential visual/aesthetic character of the watercourse,
- the actual or potential recreational value of the watercourse,
- the effect on the watercourse of the existing and likely future development in the catchment,
- the effect on the catchment and existing development of any treatment to the watercourse,
- the influence of previously altered sections on the watercourse,
- the actual or potential influence of the watercourse on public health and safety, and
- the mitigation of flooding and the hazard to property.

Riparian Areas

g. The design and location of any development should seek to maintain an effective riparian area and comply with best practice guidelines, that may require:

- A core riparian zone (CRZ) that is the land within and adjacent to the channel. The width of the CRZ from the banks of the stream is determined by assessing the importance and riparian function of the watercourse, and
- A vegetated buffer (VB) that protects the environmental integrity of the CRZ, with a minimum width of 10 metres.

h. In addition, development should comply with any applicable Foreshore Building Line as prescribed by Clause 6.5 of the HLEP.

i. The riparian area should be fully vegetated with local native vegetation (trees, shrubs and groundcover species) at a density that would occur naturally. Species should be consistent with the existing native species present and Council's Riparian Species List.

j. A permanent physical barrier should be placed at the landward extent of the riparian area to prevent inadvertent damage to riparian vegetation where vehicle access to the riparian land, or mowing or slashing of vegetation may otherwise occur.

k. Any Bushfire Asset Protection Zone (APZ) should be measured from the asset to the outer edge of the vegetated buffer (VB). The APZ should contain managed land which should not be part of the CRZ or VB.

Notes:

A watercourse includes a 'river' as defined in accordance with the *Water Management Act 2000*.

A riparian area is a zone of vegetation in and around the banks of a watercourse, lake or estuary. This vegetation stabilises the banks and river bed and acts as a buffer restricting exotic species from entering the river. This is an essential element in retaining good water quality within a catchment area.

For further information refer to the NSW Department of Water *Guidelines for Riparian Corridors on Waterfront Land* available at www.water.nsw.gov.au.

Development within 40 metres of a watercourse may require a licence under the *Water Management Act, 2000*.

For further information on planting in a riparian zone refer to Council's Riparian Species List available at website hornsby.nsw.gov.au.

1C.1.4 Earthworks and Slope

HLEP Clause 6.2 contains provisions for earthworks. The following DCP controls supplement the HLEP provisions.

Separate DCP controls for *Extractive Industries* are provided in Section 2.5 of the DCP.

Desired Outcomes

a. Development that is designed to respect the natural landform characteristics and protects the stability of land.

b. Development that limits landform modification to maintain the amenity of adjoining properties and streetscape character.

c. Earthworks below Mean High Water Mark (MHWM) that avoids, minimises and mitigates the potential for significant environmental harm.

Prescriptive Measures

Development Above MHWM

a. Development should be sited on the area of land presenting the least topographic constraints and away from ridge lines.

b. Earthworks involving filling should not exceed 1 metre in height from the existing ground level.

c. Excavation that extends outside of the building platform should be limited to a depth of 1 metre from the existing ground level, unless the excavation is required to:

- achieve a high quality built form, or
- provide for safe vehicular access to the site, and
- it maintains the amenity of adjoining properties and the desired streetscape character.

d. Filling or excavation should not occur on or adjacent to, or have adverse impacts on sensitive environments, such as watercourses*, riparian land, wetlands, bushland, or significant vegetation.

e. Sloping sites with a gradient in excess of 20% require certification from a geotechnical engineer as to the stability of the slope in regard to the proposed design.

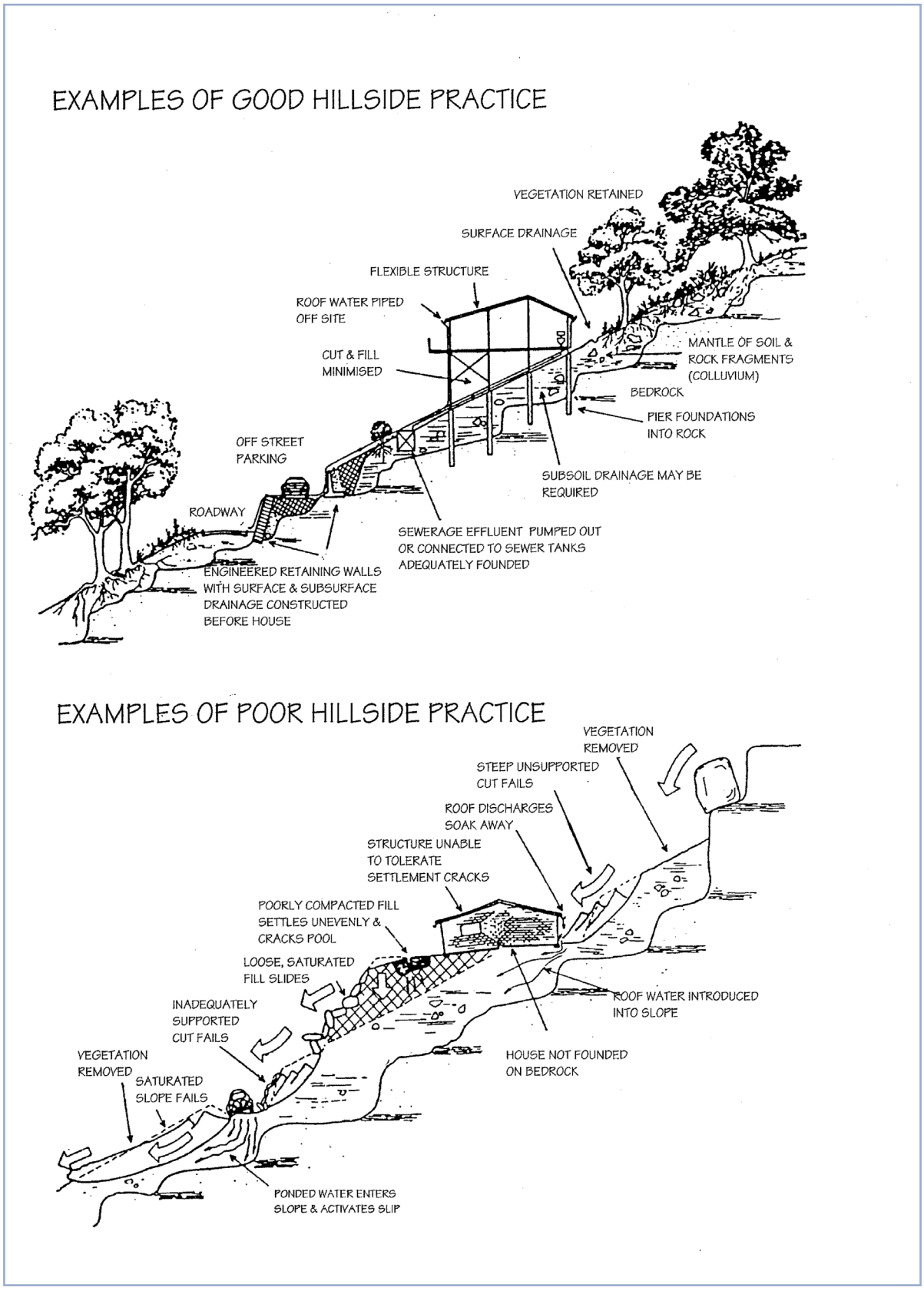

Figure 1C.1.4(a)
Development should be sited and designed to minimise disturbance of land with topographic and geotechnical constraints. (I)

Earthworks Below MHWM

f. Applications for earthworks below MHWM (i.e. dredging or reclamation) should submit adequate environmental documentation that demonstrates there is no significant environmental harm.

g. A Statement of Environmental Effects for the dredging or reclamation of land should (at a minimum) address impact on total catchment management, environmentally sensitive areas, water quality, water quantity, cultural heritage, flora and fauna, riverine scenic quality, agriculture/aquaculture and fishing, rural/residential development, urban development, recreation and tourism, the Metropolitan Strategy and more specifically the following matters for consideration:

- the effect of extraction or reclamation on river dynamics, instream structures and, in particular, the effect on water clarity and turbidity, water velocity, river enlargement and light penetration,
- the desirability of maintaining river shallows to protect and support the aquatic habitat,
- the likely effect of extraction or reclamation on recreational opportunities available in the region,
- the advantages of using cutter-suction methods as against drag-line methods in carrying out the extraction,
- the likely effect of the proposed development on riparian and aquatic plant colonisation and, in particular, the desirability of:
  - confining extractive or reclamation operations to small sections of the waterways which do not contain those colonies, and
  - not permitting extractive or reclamation operations in large sections of those rivers, and
  - re-establishing riparian and aquatic plants if destroyed by the development,
- the need to protect fish breeding grounds, commercial and recreational fishing areas and oyster farming,
- whether the proposed development is appropriate to mitigate the problem necessitating the development without creating a similar problem elsewhere in the river,
- any alternative means of undertaking the works which would reduce the need for extraction or reclamation,
- the necessity to permanently remove materials from those rivers rather than relocating them within those rivers, especially for the purpose of rehabilitating areas of former extractive operations,
- the potential for dredging to bring to the surface pollutants or anoxic sediment that may result in the formation of acid sulphate soils,
- whether, in the circumstances, sufficient understanding exists of the likely impact of the works on the river,
- any representations made by a public authority.

h. The Statement of Environmental Effects for reclamation or dredging of land should contain a level of detail commensurate with an Environmental Impact Statement and demonstrate community benefit where the:

- total material volume proposed to be extracted is 10,000 cubic metres or greater, or
- proposed earthworks operation is located within 40 metres of the C1 National Parks and Nature Reserves zone, C2 Environmental Conservation zone or priority oyster aquaculture areas identified by the NSW Oyster Industry Sustainable Aquaculture Strategy.

Notes:

*Refer to Council's Water Sensitive Urban Design (WSUD) Guidelines (2015) for information on how to prepare an Erosion and Sediment Control Plan for developments <1500m2 .

MHWM means mean high water mark

Clause 6.2(2) of the *HLEP* prescribes that development consent is required for earthworks, unless the earthworks are *exempt development* or ancillary to development that is permitted without consent or development for which development consent has been given. Notwithstanding, pursuant to Section 9.9(7) of the Biodiversity and Conservation SEPP, development consent is also required for earthworks that involves filling in excess of 1 metre in depth or an area of 100m2.

Clause 6.6(3) of the *HLEP* provides additional matters for consideration when assessing proposals for earthworks.

Compaction of filled areas should be undertaken in accordance with relevant Australian Standards, including AS 1289 and AS 3798.

1C.2 Built Environment

The following section provides general controls for the protection of the built environment and applies to all forms of development. -

1C.2.1 Transport and Parking

Desired Outcomes

a. Development that manages transport demand around transit nodes to encourage public transport usage.

b. Car parking and bicycle facilities that meet the requirements of future occupants and their visitors.

c. Development with simple, safe and direct vehicular access.

Prescriptive Measures

General

a. Direct vehicular access to main roads should be avoided and/or access points consolidated.

b. For development (other than single dwelling houses on existing lots), vehicle access and parking should be designed to allow vehicles to enter and exit the site in a forward direction.

c. Design and dimensions of car parks, loading areas and driveways should comply with AS2890.1 and AS2890.2.

d. Planning and design layout of parking areas for people with disabilities should be in accordance with AS2890.6 and AS1428.1.

e. Planning and design layout of loading and manoeuvring areas should be provided in accordance with AS2890.2 and:

- preferably be located to the side or rear of buildings,
- screened from view from local and main roads, and
- located so that vehicles do not stand on any public road, footway, laneway or service road.

f. Planning and design layout of bicycle parking (rails, racks or lockers) should be designed in accordance with AS2890.3.

Dwelling Houses (additional general controls)

g. The driveway to a single dwelling house should be located at least 6 metres from an intersection in accordance with AS2890.1.

h. Driveways for single dwelling houses on existing lots should incorporate a dedicated turning area, designed to allow the 85% Design Car Turning Path, where:

- there is poor sight distance from the driveway to pedestrian or vehicular traffic,
- the accessway fronts a main road or highly pedestrianised area, or
- where vehicles would otherwise have to reverse more than 50 metres.

i. The minimum dimensions of car parking spaces for single dwelling houses should be in accordance with AS2890.1, as summarised in Table 1C.2.1(a):

Table 1C.2.1(a) Dwelling House - Parking Design Guide

Parking Type (residential)	Minimum Dimensions
Unobstructed parking space	2.4m(w) x 5.4m(l)
Single lock-up garage	3m(w) x 5.4m(l)
Double lock-up garage	5.7m(w) x 5.4m(l)

j. The maximum grade for a driveway to a single dwelling house should be no greater than 25% with a maximum transition for changes of grade of 8% per plan metre. Table 1C.2.1(b) may be used as a guide in designing driveways.

Notes:

Main roads

Development adjoining roads that are subject to Section 2.119 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

A highly pedestrianised area includes sites located in close proximity to schools, shopping centres, bus stops, places of worship and other busy community facilities.

Australian Standard AS2890 is available at www.sai-global.com.

**Design levels at the top of the adjacent kerb and gutter/crown or road must be obtained from Council's Works Division and the driveway design amended to comply with AS2890.1.

Table 1C.2.1(b) Dwelling House - Driveway Design Guide

Distance of parking area from the Front Boundary	Level of the parking area above the top of adjacent road* (Property higher than road)	Level of the parking area below the top of adjacent road * (Property lower than road)
5.5m	1.067m	0.567m
6.0m	1.192m	0.692m
7.0m	1.442m	0.942m
8.0m	1.692m	1.192m
9.0m	1.942m	1.442m
10.0m	2.192	1.692m
11.0m	2.442	1.942
12.0m	2.692	2.192m

Service Vehicles

k. On site loading and unloading areas for non-residential developments should be provided in accordance with the RTA Guide to Traffic Generating Development (2002).

l. The on site loading and unloading area in a non residential development should incorporate provision for 1 car space and 1 motor cycle space for use by couriers, sited in a convenient location. Larger developments may require more.

m. On site pick up and manoeuvring areas for waste collection vehicles should be provided in accordance with the waste collection provisions at Section 1C.2.3 of the DCP.

n. On site parking for a removalist vehicle should be provided for a residential development with more than 20 dwellings that adjoins a public road where kerb side parking for removalist vehicles is difficult or restricted. Parking for a removalist vehicle should be designed to accommodate at least a small rigid vehicle (SRV), and preferably a medium rigid vehicle (MRV) as defined by AS2890.2.

Notes:

The RTA Guide to Traffic Generating Development (2002) is available at www.rms.nsw.gov.au. For servicing rates refer to Table 5.1 (page 5-3)

Car parking

o. Car parking should be provided on site in accordance with the minimum parking rates in Tables 1C.2.1(c). Parking spaces are for cars, unless otherwise specified.

p. The car parking rate for sites less than (<) 800 metres from a railway station in Table 1C.2.1(c) is a radial distance from the main pedestrian entry. Where a development site falls partly within the 800 metre radius, the parking rate for "sites <800m" is to apply to the whole development.

q. A Car Parking Demand Assessment should be provided for:

- any significant variation proposed to the minimum parking rates prescribed in Table 1C.2.1(c),
- land uses not specified in Table 1C.2.1(c), or
- intensive traffic generating developments.

r. Before granting approval to depart from on-site parking rates specified in Table 1C.2.1(c), Council will consider the Car Parking Demand Assessment and any other relevant planning consideration.

s. A Car Parking Demand Assessment should address at minimum the following matters:

- any relevant parking policy,
- the availability of alternative car parking in the locality of the land, including:
  - efficiencies gained from the consolidation of shared car parking spaces on the same site,
  - public car parks intended to serve the land,
  - extent of existing on-street parking in non residential zones,
  - extent of existing on-street parking in residential zones,
  - the practicality of providing car parking on the site, particularly for constrained development sites,
  - any car parking deficiency associated with the existing use of the site,
  - local traffic management in the locality of the site,
  - the impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas,
  - the need to create safe, functional and attractive parking areas,
  - access to or provision of alternative transport modes to and from the land, and

- the character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.

t. The minimum number of car parking spaces is to be rounded up to the nearest whole number if it is not a whole number.

u. Stacked parking spaces may be provided if reserved for use by a particular dwelling, commercial unit or the like.

v. Shade trees should be provided in open parking areas at the ratio of 1 shade tree for every 6 spaces.

Note:

Where a Car Parking Demand Assessment or a Parking Study is required, a report should be prepared by a suitably qualified traffic and transport consultant.

Motor Cycle Parking

w. In all buildings that provide on site parking

- 1 space suitable for motor cycles should be provided per 50 car parking spaces, or part thereof.
- motorcycle parking should be available as part of the common property for use by residents and visitors.

Notes:

The Motor Cycle Parking is in addition to the car parking required in Tables 1C.2.1(c) for tenants and/or visitors (not service vehicles which are separately addressed).

Motor Cycle Parking is not required for dwelling houses.

Table: 1C.2.1(c) On Site Car Parking Rates

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
Residential Accommodation		
Dwelling Houses 0-2 Bedrooms 3 or more Bedrooms	 1 space/ dwelling 2 spaces/ dwelling	
Secondary Dwellings (see Note*) 0-2 Bedrooms 3 or more Bedrooms	 1 space/ dwelling 2 spaces/ dwelling	 1 space/ dwelling 2 spaces/ dwelling
Attached Dual Occupancy 0-2 Bedrooms 3 or more Bedrooms		 1 space/ dwelling 2 spaces/ dwelling
Medium and High Density Dwellings in Hornsby LGA (including Universal Design Housing**) 0-1 Bedroom 2 Bedrooms 3 or more Bedrooms Visitors (see Note***)	 0.75 space/ dwelling 1 space/ dwelling 1.5 spaces/ dwelling 1 space per 7 dwellings	 1 space/ dwelling 1.25 spaces/ dwelling 2 spaces/ dwelling 1 space per 5 dwellings
Seniors Housing at all locations other than the combined land described below	per State Environmental Planning Policy (Housing) 2021	
Seniors Independent Housing at combined site comprising Nos. 9,11,15,17 and 19 Ashley Street, Hornsby and Nos. 2 and 4 Webb Avenue, Hornsby	A maximum of 108 resident spaces Visitors and staff – 1 space per 7 dwellings to a maximum of 15 spaces 1 dedicated space for an emergency vehicle	
Tourist and Visitor Accommodation (see Note)**		
Bed & Breakfast Accommodation, Farmstay Accommodation	1 space/guest bedroom + 2 spaces for the permanent residents	
Short Term Rental Accommodation (Holiday lets)	Apply residential accommodation rates above	
Hotel or Motel accommodation	1 space/room + 1 space per 2 employees	
Caravan Parks	1 space/van, cabin or tent site	
Commercial Premises		
Business or Office Premises	1/48m^2 GFA	1/40m^2 GFA
Shops	1/29m^2 GLFA	1/20m^2 GLFA
Bulky Goods Premises	1/75m^2 GLFA, including space for cars with trailers	1/50m^2 GLFA, including space for cars with trailers
Restaurants or Cafes (ex drive-through take-away restaurants)	1/29m^2 GLFA	15/100m^2 GFA + 15/100 m^2 of outdoor seating area
Vehicle Sales or Hire Premises	1/150m^2 site area + 6 spaces/work bay	
Markets	2 spaces per stall (customers only)	
Marina	0.6 spaces/ berth	

Table: 1C.2.1(c) On Site Car Parking Rates

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
Industrial Uses and Areas		
Industry and Warehouse or Distribution Centres *(max 20% ancillary office floor area, Note****)*	1/150m^2 GLFA	1/100m^2 GLFA
Vehicle Repair Station and Vehicle Body Repair Workshops	1/150m^2 GFA + 6 spaces/work bay	
Sex Services Premises	1 space/ workroom + 1 space per 2 employees	
Agriculture		
Intensive Plant Agriculture	1 space/ employee	
Plant Nursery	0.5 spaces per 100m^2 of that part of the site used in conjunction with the nursery + parking for any ancillary uses per rates in this table	
Education		
Child Care Centre	1 space per 4 children	
Educational Establishments	1 space per full time teacher + 1 space per 2 students of driving age	
Health Care		
Health Consulting Rooms	3 per surgery	
Medical Centres	4 per surgery	
Halls, meeting places		
Community Halls	1 space per 5 seats min (subject to parking study)	
Places of Public Worship	1 space per 5 seats min (subject to parking study)	
Entertainment Facility	1 space per 5 seats min (subject to parking study)	
Temporary Community Events	Markets to provide 2 spaces per stall (customers only) available on site or in the immediate locality. Other events subject to a parking study	
Other Uses	as per RTA Guide to Traffic Generating Development or a Parking Study	

Notes:

*To ensure secondary dwellings do not have an oversized garage area and have the potential to covertly evolve into a larger dwelling that does not comply with the maximum secondary dwelling size in the HLEP, a maximum of 2 car spaces/dwelling is permitted.

** All car parking spaces including Universal Design Housing should be in accordance with AS 2890.1

***Visitor parking for medium/high residential development is required for development proposals comprising more than 5 dwellings. On-site parking for visitor accommodation applies to areas accessible by road only.

****Parking requirements for Industrial Units is increased when ancillary retailing is permitted, or an ancillary office space component is in excess of 20% of the floor area.

Gross Floor Area is as defined by the HLEP.

Gross leasable floor area means the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts corridors and other public areas but including stock storage areas.

Carshare

x. Parking carshare spaces are encouraged for:

- any residential development containing more than 25 residential units, or
- any employment generating development with a floor space of 5,000m2, and
- is located within 800 metre radial catchment of a railway station, or within a transit node centre that is serviced by a strategic bus corridor.

A car share parking proposal should be:

y. supported by a parking study to be submitted with the Development Application.

Car share (Hornsby West Side)

z. A minimum of 1 space is to be allocated to car share for developments with 50 or more dwellings. If agreement with a car share provider is not obtained then the car share space is to be used for additional visitor parking until such time as a car share provider is obtained.

aa. For developments which comprise 50 or more dwellings, Council may consider car share spaces in lieu of some resident parking, subject to evidence of an appropriate arrangement with a car share scheme provider.

Storage Areas within Car Parking Areas

ab. Where storage space is provided adjacent to car parking areas or within designated car parking spaces, it should not impede or reduce the area allocated for car parking requirements as set out in the AS 2890 Parking Facilities series, including parking for bicycles and motor cycles.

Notes:

Car share is a self service car rental scheme for short periods of time, typically on an hourly basis. Car sharing works best in locations where there is a good level of public transport provision and access to local services and facilities by walking and cycling (eg. commercial centres inside transit nodes).

Employment generating development comprises office premises and industries.

A transit node centre serviced by a strategic bus corridor comprises land within a 400m radial catchment of the West Pennant Hills commercial centre.

For further information on Council's carshare parking policy refer to the Policy available for view at Council's website hornsby.nsw.gov.au.

Parking for people with disabilities

ac. Car parking for people with disabilities should be provided on-site in accordance with the parking rates in Table 1C.2.1(d):

Table: 1C.2.1(d) Accessible Car Parking Provision

Land uses	Minimum Number of Accessible Spaces
Commercial Premises	1-2% of spaces
Passenger Transport Facility e.g. railway stations, bus/ rail interchanges	1-3% of spaces
Community and Recreation Facilities eg. civic centres and gymnasiums	2-3% of spaces
Educational Establishments	2-3% of spaces
Entertainment Facilities eg. theatres, libraries, sport centres	3-4% of spaces
Health Service Facilities eg. medical centres, clinics, community health centre	3-4% of spaces (See Note [1])
Places of Public Worship	See Note [1]
Medium and High Density Residential Development	■ 1 for each Adaptable Design unit as per AS 2890.6

Notes:

The percentages in Table 1C.2.1(d) refers to the total number of car parking spaces required in Table 1C.2.1(c).

Note [1] To be provided as needed in consultation with management of the premises.

Bicycle parking and associated facilities

ad. Bicycle parking and facilities should be provided on site in accordance with the minimum rates in Table 1C.2.1(e).

ae. Secure and safe bicycle parking should be separated from motor vehicles.

Table: 1C.2.1(e) On site bicycle parking and facilities

Type of Development	Minimum Bicycle Parking Requirement
Medium and High Density Residential Development	1 space per 5 units for residents to be located in a safe, secure and undercover area. 1 space per 10 units for visitors
Commercial Premises (over 1200m² GFA)	1 space per 600m² (GFA) for staff+ Developments with a gross floor area over 2500m² should provide end of destination facilities for staff in the form of at least 1 shower cubicle with ancillary change rooms
Industrial Developments (over 2000m² GFA)	1 space per 1000m² (GFA) for staff + Developments with a gross floor area over 4000m² should provide end of destination facilities for staff in the form of at least 1 shower cubicle with ancillary change rooms
Educational Establishments	1 rack per 20 full-time staff or part thereof, and 5 racks per class (between grades 5 and 12), and lockers for staff at a rate of 1 per 3 staff bicycle racks or part thereof, and end of destination facilities for staff in the form of at least 1 shower cubicle with ancillary change rooms for every 10 bicycle racks required.

Note:

The above rates are based on a rate of 1 bicycle rack/locker per 20 employees, using an average commercial employee ratio of 1 employee per 30m2 and an industrial rate of 1 employee per 50m2.

Access Network

af. For large scale development that is 10 storeys or more:

- A Framework Travel Plan should accompany any development application; and
- A Final Travel Plan should be provided to Council prior to the issue of an Occupation Certificate.

Notes:

A Framework Travel Plan is a design tool to promote efficient and sustainable modes of transport in building and site planning. The Framework Travel Plan is required where the future tenants are unknown.

A Final Travel Plan is a management tool that promotes the implementation and monitoring of a coordinated transport strategy to influence the travel behaviour of employers, employees, residents and visitors towards public transport, walking, cycling, car pooling and car sharing.

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1C.2.1 Transport and Parking within City of Parramatta LGA

Desired Outcomes

a. Development that manages transport demand around transit nodes to encourage public transport usage.

b. Car parking and bicycle facilities that meet the requirements of future occupants and their visitors.

c. Development with simple, safe and direct vehicular access.

Prescriptive Measures

General

a. Direct vehicular access to main roads should be avoided and/or access points consolidated.

b. For development (other than single dwelling houses on existing lots), vehicle access and parking should be designed to allow vehicles to enter and exit the site in a forward direction.

c. Design and dimensions of car parks, loading areas and driveways should comply with AS2890.1 and AS2890.2.

d. Planning and design layout of parking areas for people with disabilities should be in accordance with AS2890.6 and AS1428.1.

e. Planning and design layout of loading and manoeuvring areas should be provided in accordance with AS2890.2 and:

- preferably be located to the side or rear of buildings,
- screened from view from local and main roads, and
- located so that vehicles do not stand on any public road, footway, laneway or service road.

f. Planning and design layout of bicycle parking (rails, racks or lockers) should be designed in accordance with AS2890.3.

Dwelling Houses (additional general controls)

g. The driveway to a single dwelling house should be located at least 6 metres from an intersection in accordance with AS2890.1.

h. Driveways for single dwelling houses on existing lots should incorporate a dedicated turning area, designed to allow the 85% Design Car Turning Path, where:

- there is poor sight distance from the driveway to pedestrian or vehicular traffic,
- the accessway fronts a main road or highly pedestrianised area, or
- where vehicles would otherwise have to reverse more than 50 metres.

i. The minimum dimensions of car parking spaces for single dwelling houses should be in accordance with AS2890.1, as summarised in Table 1C.2.1(a):

Table 1C.2.1(a) Dwelling House - Parking Design Guide

Parking Type (residential)	Minimum Dimensions
Unobstructed parking space	2.4m(w) x 5.4m(l)
Single lock-up garage	3m(w) x 5.4m(l)
Double lock-up garage	5.7m(w) x 5.4m(l)

j. The maximum grade for a driveway to a single dwelling house should be no greater than 25% with a maximum transition for changes of grade of 8% per plan metre. Table 1C.2.1(b) may be used as a guide in designing driveways.

Notes:

Main roads

Development adjoining roads that are subject to Clause 101 (2a) of the *Infrastructure State Environmental Planning Policy 2007* require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

A highly pedestrianised area includes sites located in close proximity to schools, shopping centres, bus stops, places of worship and other busy community facilities.

Australian Standard AS2890 is available at www.sai-global.com.

**Design levels at the top of the adjacent kerb and gutter/crown or road must be obtained from Council's Works Division and the driveway design amended to comply with AS2890.1.

Table 1C.2.1(b) Dwelling House - Driveway Design Guide

Distance of parking area from the Front Boundary	Level of the parking area above the top of adjacent road* (Property higher than road)	Level of the parking area below the top of adjacent road * (Property lower than road)
5.5m	1.067m	0.567m
6.0m	1.192m	0.692m
7.0m	1.442m	0.942m
8.0m	1.692m	1.192m
9.0m	1.942m	1.442m
10.0m	2.192	1.692m
11.0m	2.442	1.942
12.0m	2.692	2.192m

Service Vehicles

k. On site loading and unloading areas for non-residential developments should be provided in accordance with the RTA Guide to Traffic Generating Development (2002).

l. The on site loading and unloading area in a non residential development should incorporate provision for 1 car space and 1 motor cycle space for use by couriers, sited in a convenient location. Larger developments may require more.

m. On site pick up and manoeuvring areas for waste collection vehicles should be provided in accordance with the waste collection provisions at Section 1C.2.3 of the DCP.

n. On site parking for a removalist vehicle should be provided for a residential development with more than 20 dwellings that adjoins a public road where kerb side parking for removalist vehicles is difficult or restricted. Parking for a removalist vehicle should be designed to accommodate at least a small rigid vehicle (SRV), and preferably a medium rigid vehicle (MRV) as defined by AS2890.2.

Notes:

The RTA Guide to Traffic Generating Development (2002) is available at www.rms.nsw.gov.au. For servicing rates refer to Table 5.1 (page 5-3)

Car parking

o. Car parking must be provided on site in accordance with the parking rates in Tables 1C.2.1(d) and (e). Parking spaces are for cars, unless otherwise specified. The minimum parking rates in Tables 1C.2.1(e) should apply for development within 800m of Epping Railway Station. Where the land use is not specified in Table 1C.2.1(e), the relevant rate in Table 1C.2.1(d) will apply. Car Parking rates are minimums unless otherwise specified.

p. (Repealed)

q. The car parking rate for sites less than (<) 800 metres from a railway station in Tables 1C.2.1(d) and 1C.2.1(e) is a radial distance from the main pedestrian entry. Where a development site falls partly within the 800 metre radius, the parking rate for "sites <800m" is to apply to the whole development.

r. A Car Parking Demand Assessment should be provided for:

- any significant variation proposed to the minimum parking rates prescribed in Table 1C.2.1(d) or 1C.2.1(e),
- land uses not specified in Table 1C.2.1(d) or 1C.2.1 (e), or
- intensive traffic generating developments.

s. Before granting approval to depart from on-site parking rates specified in Tables 1C.2.1(d) or 1C.2.1(e), Council will consider the Car Parking Demand Assessment and any other relevant planning consideration.

t. A Car Parking Demand Assessment should address at minimum the following matters:

- any relevant parking policy,
- the availability of alternative car parking in the locality of the land, including:
  - efficiencies gained from the consolidation of shared car parking spaces on the same site,
  - public car parks intended to serve the land,
  - extent of existing on-street parking in non residential zones,

- extent of existing on-street parking in residential zones,
- the practicality of providing car parking on the site, particularly for constrained development sites,
- any car parking deficiency associated with the existing use of the site,
- local traffic management in the locality of the site,
- the impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas,
- the need to create safe, functional and attractive parking areas,
- access to or provision of alternative transport modes to and from the land, and.
- the character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.

u. The minimum number of car parking spaces is to be rounded up to the nearest whole number if it is not a whole number. The maximum number of car parking spaces is to be rounded down to the nearest whole number if it is not a whole number.

v. Stacked parking spaces may be provided if reserved for use by a particular dwelling, commercial unit or the like.

w. Shade trees should be provided in open parking areas at the ratio of 1 shade tree for every 6 spaces.

Note:

Where a Car Parking Demand Assessment or a Parking Study is required, a report should be prepared by a suitably qualified traffic and transport consultant.

Motor Cycle Parking (excluding Epping Town Centre Core)

x. In all buildings that provide on site parking

- 1 space suitable for motor cycles should be provided per 50 car parking spaces, or part thereof.
- motorcycle parking should be available as part of the common property for use by residents and visitors.

Motor Cycle Parking (Epping Town Centre Core)

y. Motorcycle parking should be available as part of the common property for use by residents and visitors and should be provided in accordance with Table 1C.2.1(c)

Table: 1C.2.1(c) Motor Cycle Parking (Epping Town Centre Core)

Building Type	Motor Cycle Parking
On site car parking with less than 25 parking spaces	1 space (minimum)
On site car parking with more than 25 parking spaces	4 spaces (area equal to a minimum of one car parking space)

Notes:

The Motor Cycle Parking is in addition to the car parking required in Tables 1C.2.1(d) and 1C.2.1(e) for tenants and/or visitors (not service vehicles which are separately addressed).

Motor Cycle Parking is not required for dwelling houses.

Table: 1C.2.1(d) On Site Car Parking Rates (Excluding Development Listed in Table 1C.2.1(e) within 800m of Epping Railway Station) - relevant extracts only

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
Residential Accommodation		
Dwelling Houses 0-2 Bedrooms 3 or more Bedrooms	 1 space/ dwelling 2 spaces/ dwelling	
Secondary Dwellings (see Note*) 0-2 Bedrooms 3 or more Bedrooms	 1 space/ dwelling 2 spaces/ dwelling	 1 space/ dwelling 2 spaces/ dwelling
Attached Dual Occupancy 0-2 Bedrooms 3 or more Bedrooms		 1 space/ dwelling 2 spaces/ dwelling
Medium and High Density Dwellings in Hornsby LGA (including Universal Design Housing**) 0-1 Bedroom 2 Bedrooms 3 or more Bedrooms Visitors (see Note***)	 0.75 space/ dwelling 1 space/ dwelling 1.5 spaces/ dwelling 1 space per 7 dwellings	 1 space/ dwelling 1.25 spaces/ dwelling 2 spaces/ dwelling 1 space per 5 dwellings
High Density Dwellings (including Universal Design Housing**) Studio 1 Bedroom 2 Bedrooms 3 or more Bedrooms Visitors (see Note***)	 Maximum 0.4 space/dwelling Maximum 0.4 space/dwelling Maximum 0.7 space/dwelling Maximum 1.2 space/dwelling 1 space per 7 dwellings	 1 space/ dwelling 1.25 spaces/ dwelling 2 spaces/ dwelling 1 space per 5 dwellings
Tourist and Visitor Accommodation (see Note)**		
Bed & Breakfast Accommodation, Farmstay Accommodation	1 space/guest bedroom + 2 spaces for the permanent residents	
Short Term Rental Accommodation (Holiday lets)	Apply residential accommodation rates above	
Hotel or Motel accommodation	1 space/room + 1 space per 2 employees	
Caravan Parks	1 space/van, cabin or tent site	
Commercial Premises		
Business or Office Premises	1/48m^2 GFA	1/40m^2 GFA
Shops	1/29m^2 GLFA	1/20m^2 GLFA
Bulky Goods Premises	1/75m^2 GLFA, including space for cars with trailers	1/50m^2 GLFA, including space for cars with trailers
Restaurants or Cafes (ex drive-through take-away restaurants)	1/29m^2 GLFA	15/100m^2 GFA + 15/100 m^2 of outdoor seating area
Vehicle Sales or Hire Premises	1/150m^2 site area + 6 spaces/work bay	
Markets	2 spaces per stall (customers only)	
Marina	0.6 spaces/ berth	

Table: 1C.2.1(d) On Site Car Parking Rates on land within 800 metres of Epping Railway Station

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
Industrial Uses and Areas		
Industry and Warehouse or Distribution Centres *(max 20% ancillary office floor area, Note****)*	1/150m² GLFA	1/100m² GLFA
Vehicle Repair Station and Vehicle Body Repair Workshops	1/150m² GFA + 6 spaces/work bay	
Sex Services Premises	1 space/ workroom + 1 space per 2 employees	
Agriculture		
Intensive Plant Agriculture	1 space/ employee	
Plant Nursery	0.5 spaces per 100m² of that part of the site used in conjunction with the nursery + parking for any ancillary uses per rates in this table	
Education		
Child Care Centre	1 space per 4 children	
Educational Establishments	1 space per full time teacher + 1 space per 2 students of driving age	
Health Care		
Health Consulting Rooms	3 per surgery	
Medical Centres	4 per surgery	
Halls, meeting places		
Community Halls	1 space per 5 seats min (subject to parking study)	
Places of Public Worship	1 space per 5 seats min (subject to parking study)	
Entertainment Facility	1 space per 5 seats min (subject to parking study)	
Temporary Community Events	Markets to provide 2 spaces per stall (customers only) available on site or in the immediate locality. Other events subject to a parking study	
Other Uses	as per RTA Guide to Traffic Generating Development or a Parking Study	

Table: 1C.2.1(e) On Site Car Parking Rates on land within 800 metres of Epping Railway Station

Type of Development	Car Parking Requirement
Residential flat buildings and shop top housing on land within 800 metres of Epping Railway Station (including Universal Design Housing)**	
Studio	Maximum 0.4 space/dwelling
1 Bedroom	Maximum 0.4 spaces/dwelling
2 Bedrooms	Maximum 0.7 spaces/dwelling
3 or more Bedrooms	Maximum 1.2 spaces/dwelling
Visitors (see Note***)	Minimum of 1 space per 7 dwellings
Business or Office Premises	Maximum of 1/50m² of GFA
Shops	Maximum of 1/30m², GLFA
Restaurants or Cafes (ex drive-through take-away restaurants)	Maximum of 1/30m², GLFA
Accessible Parking	Minimum of 1-2% of all spaces to be provided as readily accessible spaces, appropriately designed for use by people with disabilities.
Health Consulting Rooms/Medical Centres	Maximum of 1/50m² of GFA
Other Uses	as per Table 1C.2.1(d)
A condition of consent will be imposed by the consent authority requiring the following restrictions to be placed on the property title prior to the issue of the Occupation Certificate: ■ Apartment owners and tenants are excluded from participating in any future Council residential parking permit scheme; and ■ Car share car spaces cannot be reallocated as parking spaces for residents or as visitor parking.	

Carshare

z. Parking carshare spaces are encouraged for:

- any residential development containing more than 25 residential units, or
- any employment generating development with a floor space of 5,000m2, and
- is located within 800 metre radial catchment of a railway station, or within a transit node centre that is serviced by a strategic bus corridor.

A car share parking proposal should be:

aa. Supported by a parking study to be submitted with the Development Application.

Car share (Epping Town Centre Core and Hornsby West Side)

ab. A minimum of 1 space is to be allocated to car share for developments with 50 or more dwellings. If agreement with a car share provider is not obtained then the car share space is to be used for additional visitor parking until such time as a car share provider is obtained.

ac. For developments which comprise 50 or more dwellings, Council may consider car share spaces in lieu of some resident parking, subject to evidence of an appropriate arrangement with a car share scheme provider.

Storage Areas within Car Parking Areas

ad. Where storage space is provided adjacent to car parking areas or within designated car parking spaces, it should not impede or reduce the area allocated for car parking requirements as set out in the AS 2890 Parking Facilities series, including parking for bicycles and motor cycles.

Notes:

Car share is a self service car rental scheme for short periods of time, typically on an hourly basis. Car sharing works best in locations where there is a good level of public transport provision and access to local services and facilities by walking and cycling (eg. commercial centres inside transit nodes).

Employment generating development comprises office premises and industries.

A transit node centre serviced by a strategic bus corridor comprises land within a 600m radial catchment of the Carlingford commercial centre or a 400m radial catchment of the West Pennant Hills commercial centre.

For further information on Council's carshare parking policy refer to the Policy available for view at Council's website hornsby.nsw.gov.au.

Parking for people with disabilities

ae. Car parking for people with disabilities should be provided on-site in accordance with the parking rates in Table 1C.2.1(f):

Table: 1C.2.1(f) Accessible Car Parking Provision

Land uses	Minimum Number of Accessible Spaces
Commercial Premises	1-2% of spaces
Passenger Transport Facility e.g. railway stations, bus/ rail interchanges	1-3% of spaces
Community and Recreation Facilities eg. civic centres and gymnasiums	2-3% of spaces
Educational Establishments	2-3% of spaces
Entertainment Facilities eg. theatres, libraries, sport centres	3-4% of spaces
Health Service Facilities eg. medical centres, clinics, community health centre	3-4% of spaces (See Note [1])
Places of Public Worship	See Note [1]
Medium and High Density Residential Development	■ 1 for each Adaptable Design unit as per AS 2890.6

Notes:

The percentages in Table 1C.2.1(e) refers to the total number of car parking spaces required in Table 1C.2.1(c).

Note [1] To be provided as needed in consultation with management of the premises.

Bicycle parking and associated facilities

af. Bicycle parking and facilities should be provided on site in accordance with the minimum rates in Table 1C.2.1(g).

ag. Secure and safe bicycle parking should be separated from motor vehicles.

Table: 1C.2.1(g) On site bicycle parking and facilities

Type of Development	Minimum Bicycle Parking Requirement
Medium and High Density Residential Development	1 space per 5 units for residents to be located in a safe, secure and undercover area. 1 space per 10 units for visitors
Commercial Premises (over 1200m^2 GFA)	1 space per 600m^2 (GFA) for staff+ Developments with a gross floor area over 2500m^2 should provide end of destination facilities for staff in the form of at least 1 shower cubicle with ancillary change rooms
Industrial Developments (over 2000m^2 GFA)	1 space per 1000m^2 (GFA) for staff + Developments with a gross floor area over 4000m^2 should provide end of destination facilities for staff in the form of at least 1 shower cubicle with ancillary change rooms
Educational Establishments	1 rack per 20 full-time staff or part thereof, and 5 racks per class (between grades 5 and 12), and lockers for staff at a rate of 1 per 3 staff bicycle racks or part thereof, and end of destination facilities for staff in the form of at least 1 shower cubicle with ancillary change rooms for every 10 bicycle racks required.

Note:

The above rates are based on a rate of 1 bicycle rack/locker per 20 employees, using an average commercial employee ratio of 1 employee per 30m2 and an industrial rate of 1 employee per 50m2.

Bicycle Parking (Epping Town Centre Core)

ah. Bicycle parking for medium and high density development (including mixed use and shop top component) should be provided at the following rate:

- secure resident bicycle parking at a minimum rate of 1 space per dwelling, and
- secure visitor bicycle parking at a minimum rate of 1 space per 10 dwellings.

ai. Secure bicycle spaces for residents can be provided individually (per dwelling) or collectively for the use of all residents within a designated area. Bicycle parking and access should ensure that potential conflict with vehicles are minimised.

aj. Visitor bicycle parking should be provided close to the street entrance of a residential or mixed use development in accordance with Safer by Design principles and be appropriately designated. Bicycle parking and access should ensure that potential conflict with vehicles is minimised. Council's consent will be required where visitor bicycle spaces are proposed on Council's footpath.

ak. Access Network

For large scale development that is 10 storeys or more:

- A Framework Travel Plan should accompany any development application; and
- A Final Travel Plan should be provided to Council prior to the issue of an Occupation Certificate.

Notes:

A Framework Travel Plan is a design tool to promote efficient and sustainable modes of transport in building and site planning. The Framework Travel Plan is required where the future tenants are unknown.

A Final Travel Plan is a management tool that promotes the implementation and monitoring of a coordinated transport strategy to influence the travel behaviour of employers, employees, residents and visitors towards public transport, walking, cycling, car pooling and car sharing.

For residential flat buildings within 800 metres of Epping railway station, a condition of consent will be imposed by the consent authority requiring a Travel Plan to be provided to the satisfaction of the City of Parramatta Council prior to the issue of the Construction Certificate. A Travel Plan is a package of measures designed to reduce car trips and encourage the use of sustainable transport. It must include, at the minimum:

a. Analysis on the existing policy context.
b. Analysis on the existing transport conditions.
c. Objectives and targets.
d. Methods for encouraging modal shift which is to include at the minimum:

- Strategies: these focus on managing car use, promoting public transport, cycling and walking and other mechanisms, for example, a Transport Access Guide.
- Actions: this spells out the modal shift mechanisms, for example, reduced car parking rates, car sharing, car pooling and sales of car parking spaces.
- Targeted audience: this describes the audience at which the Strategies and Actions are targeted at, for example, residents, visitors, employees and business owners.
- Timeline: an indication of when the action is delivered, for example, prior to or upon occupation, on-going, etc.
- Responsibility: this outlines the responsible body, for example, the proponent, Council, Building Manager, Residents, Travel Plan Coordinator, etc.

a. Management and Monitoring of the Travel Plan.

Bicycle parking should be designed in accordance with AS 2890.3 Parking Facilities – Bicycle Parking Facilities.

Accessible parking is to be designed in accordance with the requirements of relevant Australian Standards.

al. End-of-trip facilities

For development that is within 800 metres of Epping railway station and includes 300 m2 of commercial floor space, end-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for the commercial floor space.

1C.2.2 Accessible Design

Desired Outcomes

a. Publicly accessible buildings that provide a safe and continuous path of travel for people with impaired mobility.

b. Residential development that includes adaptable units and accessible residential accommodation to address potential demand.

Prescriptive Measures

General

a. All new building work should comply with the accessibility provisions of the *Building Code of Australia (BCA)* and the *Disability (Access to Premises - Buildings) Standards 2010* where required.

b. Continuous unobstructed paths of travel should be provided from public footpaths, accessible car parking, and setdown areas to public building entrances. Paths of travel should be designed in accordance with the *Disability (Access to Premises - Buildings) Standards 2010*.

c. Accessways for pedestrians and for vehicles are to be separated.

Seniors Housing

d. Access is to be provided in accordance with the requirements of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP).

Heritage Buildings

e. Access to heritage buildings should be provided that is sympathetic to the heritage significance of the building and its curtilage.

Medium and High Density Residential Developments

f. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing should be equitably distributed through all types and sizes of dwellings.

Notes:

For further information refer to the Disability (Access to Premises - Buildings) Standards 2010 available at www.ag.gov.au.

An access report, prepared by a relevantly qualified access consultant may be required for development that involves the following:

- Medium to high density residential developments with 10 or more dwellings, or
- Housing for Aged or People with Disabilities, or
- Other developments that are required to comply with the Disability (Access to Premises - Buildings) Standards 2010.

Adaptable Housing is defined by Australian Standard *AS 4299*, which is specifically designed to allow for the future adaptation of a dwelling to accommodate the occupant's needs.

For car parking requirements for Adaptable Housing refer to Table 1C.2.1(f) Accessible Car Parking Provision

Universal Design is an international design philosophy that enables people to continue living in the same home by ensuring that apartments are able to change with the needs of occupant's.

Universally designed apartments provide design features such as wider circulation spaces, larger car parking spaces, reinforced bathroom walls and easy to reach and operate fixtures in accordance with the Livable Housing Guidelines (2012) available online at livablehousingaustralia.org.au

1C.2.3 Waste Management

Desired Outcomes

a. Development that maximises re-use and recycling of building materials.

b. Waste storage and collection facilities that are designed to encourage recycling, located and designed to be compatible with the streetscape, accessible, clean and safe for users and collectors.

Prescriptive Measures

Demolition and Construction Waste

a. A Waste Management Plan should be prepared in accordance with Council guidelines and submitted with the development application, to address demolition and construction waste, and include:

- An estimate of the types and volumes of waste and recyclables to be generated,
- A site plan showing sorting and storage areas for demolition and construction waste and the vehicle access to these areas,
- How excavation, demolition and building waste materials will be re-used or recycled and where residual wastes will be disposed, and
- The total percentage (by weight) of demolition and construction waste that will be reused or recycled to achieve the minimum waste minimisation target established by the State Government.

Notes:

The State Government waste minimisation targets are set out in the *Waste Avoidance and Resource Recovery Act 2001* and NSW Waste Avoidance and Resource Recovery Strategy 2014 - 2021. The minimum reuse/ recycling rate for construction and demolition waste is currently 80%. (until 2021).

This section should be read in conjunction with Council's Waste Minimisation and Management Guide available at website hornsby.nsw.gov.au.

Asbestos and other hazardous demolition materials should be handled and disposed of to authorised waste disposal depots.

Waste Facility Design

b. The location and design of waste storage and collection areas and facilities should:

- accommodate a sufficient number of mobile waste containers to contain the volume of waste and recycling expected to be generated between collection services, and sufficient aisle space to access and manoeuvre the containers within the Material Separation Area (see Note 1).
- have regard to streetscape aesthetics, odour, and noise generation and be sited away from adjacent sensitive landuses and comply with the location guidelines in Table 1C.2.3(a),
- comply with Council's design guidelines (see Note 2),
- include bunding in impervious materials where Dangerous Goods may be stored,
- incorporate an additional bulky waste storage area of at least 8m2 and every 50 dwellings or part thereof for residential flat buildings, multi dwelling housing and town houses.
- allow ease of access for tenants, the path of travel should comply with AS 1428 Disabled Access.

c. Residential developments proposing on-site collection of waste should:

- design for a Heavy Rigid Vehicle (HRV) Council waste collection vehicle, or
- for land within the 5 storey residential flat building precincts (R4 Zone, Area P on the HLEP Height of Building Map), design for a Small Rigid Vehicle (SRV) Council waste collection vehicle, and
- provide an easement in favour of Council to enable collection vehicles to service the development (see Note 3).

d. New Commercial and Industrial developments proposing on site collection of waste should design for a HRV commercial garbage truck. (see Note 4)

Note:

The guideline reference notes above are included within the Council's guideline the *Waste Minimisation and Management Guide* available at website hornsby.nsw.gov.au, as noted below:

- Note1: See reference FD1.01
- Note 2: See references FD1.02, FD1.03, FD1.04
- Note 3: See reference A5.04
- Note 4: See reference A5.02

Heavy Rigid Vehicles for waste collection details are provided at A5.02 of the *Waste Minimisation and Management Guide.*

Small Rigid Vehicles (SRV) for waste collection is defined by AS 2890.2.

Garbage Chute Systems

e. Buildings containing more than 3 storeys should incorporate a garbage chute system for waste and an interim recycling bin storage in either a room or a cupboard on each floor.

f. Where a required garbage chute system is unable to be provided, an interim waste storage room is to be provided on each floor that is serviced by a goods lift to transfer the waste to the communal waste storage facility in the basement.

g. The location, design and construction of garbage chute systems and storage rooms should be in accordance with Council's guidelines.

Note:

For further information refer to part FD2.01 in Council's guideline the Waste Minimisation and Management Guide available at website hornsby.nsw.gov.au.

Volume Handling Equipment

h. Where a building requires a chute system:

- The bin capacity under the chute must be sufficient for at least 3 days garbage generation.
- Where in excess of 14 residential units are serviced by the chute, appropriate volume handling equipment is to be provided.

Note:

Volume handling equipment automatically changes the bin under the chute when it becomes full. The volume handling equipment is not to include compaction. Designing for 3 days bin capacity under the chute will mean the site caretaker will not have to attend the site on weekends to manage the waste.

i. The location, design and construction of volume handling equipment to automatically change the bin under the chute when it becomes full should be in accordance with Council's guidelines.

Ongoing Waste Management Submission Requirements

j. A Waste Management Plan should be prepared in accordance with Council's guidelines and submitted with the development application, to address the generation of waste from the occupation of the development, and include:

- an estimate of the amount of waste and recyclables to be generated,
- identify the number of, and capacity of, waste storage bins and volume handling equipment required,
- a site plan showing:
  - areas allocated for waste storage and recycling,
  - details of any volume handling equipment,
  - nomination of the waste collection point for the site, and
  - identification of the path of access for users and collection vehicles.
- details of the on-going management of the storage and collection of waste, including responsibility for cleaning, transfer of bins between storage areas and collection point, maintenance of signage, and security of storage areas.

Note:

For further information refer to:

Council's guideline *Waste Minimisation and Management Guide* available on the website hornsby.nsw.gov.au. - see parts A6.01 and A03.02 to estimate waste generation and bins required.

NSW Government Waste Guidelines.

Waste Classification Guidelines (2008) - Department of Environment, Climate Change and Water.

NSW Waste Avoidance and Resource Recovery Strategy 2014 - 2021 and Performance Report 2008 - Department of Environment and Climate Change.

Table 1C.2.3(a) Location of Waste Storage and Collection Areas (including recyclables)

Landuse	Waste Storage	Waste Collection
Residential Development (Including Subdivision)		
0-6 dwellings	Provide a hard stand area of 1m x 2m behind the building line for each dwelling	Road frontage of the property
7 or more dwellings (up to 5 storeys)	Provide a communal waste storage facility in a level position. The waste storage area may also be the collection point if on site or if driveway access is required for collection.	The waste collection point (where bins are placed for servicing) should be no more than 5 metres from the truck parking location) and designed to accommodate a HRV Council waste collection vehicle. Alternatively, on site access or driveway access should be provided where development characteristics or site constraints dictate, such as: ■ The status of the roadway (heavy traffic or extensive on-street parking) requires on-site access; ■ An open air storage and recycling facility would detrimentally impact on streetscape or residential amenity; or ■ Site characteristics make access to the street difficult for individual unit holders (e.g. Distance > 75 metres and/or Gradient > 1:8).
5 storey RFBs Housing Strategy Precincts (R4 Zone, Area P on Height Map)	Provide a waste storage facility within the basement or within the building envelope.	On-site access required for a Small Rigid Vehicle (SRV). The waste collection point (where bins are placed for servicing) should be no more than 5 metres from the truck parking location). Waste collection vehicles must be able to enter and exit the site in a forward direction.
6 or more storey RFBs	Provide a waste room within the basement of the development.	On-site access required for a large Council HRV waste collection vehicle. The waste collection point (where bins are placed for servicing) should be no more than 5 metres from the truck parking location).
Commercial and Industrial Development		
New buildings	Provide an internal communal waste storage facility behind the building line or a waste room within the development. Where a development involves multiple occupancy, communal facilities should be provided: • where the design makes it difficult for all units to have ready access to a collection point; and • where site characteristics restrict entry of vehicles to individual units. Premises which generate at least 50 litres per day of meat, seafood or poultry waste must have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until collection.	For large developments, a waste collection area should be located on site On-site access required for a large commercial garbage truck. The waste collection point should be located to provide efficient access by collectors and collection vehicles.
Mixed-Use Building		
	The residential component and non-residential component of the development must have separate self-contained waste management systems, including separate bin storage room. Commercial tenants must be prevented (via signage, locks and other means) from using the residential waste/ recycling bins and vice versa.	On-site access required for HRV Council waste collection vehicles. The waste collection point should be no more than 5 metres from the communal waste storage facility/ waste room.

1C.2.4 Effluent Disposal

Desired Outcomes

a. Sewage is disposed of in a manner that minimises impacts on the natural and built environment and public health.

Prescriptive Measures

a. Areas that are not serviced by the Sydney Water reticulated sewerage system are required to dispose of wastewater using a NSW Health Department accredited Sewage Management Facility.

b. An on site sewage management plan should be provided for applications involving new work in the unsewered areas of the shire, involving:

- the subdivision of land,
- the erection of new or enlarged habitable buildings, or
- other work that requires modification to an existing on-site sewage management system.

c. The sewage management plan should demonstrate the existing and/or proposed system is sited and designed to:

- prevent the spread of disease by micro-organisms, foul odours, the contamination of water, the degradation of soil and vegetation, and discourage insects and vermin,
- ensure that persons do not come in contact with untreated sewage or effluent,
- accommodate a suitable pump-out point and tanker standing location, where necessary,
- minimise any adverse impacts on the amenity of the premises and surrounding lands,
- protect water quality in watercourses,
- maintain a buffer zone to significant flora and fauna in accordance with 1C.1.1 Biodiversity,Table 1C.1.1(a), and
- comply with relevant Best Practice Guidelines.

Notes:

The installation of any on site sewage management facility requires approval from Council under the *Local Government Act (1993).* An application to install an On Site Sewage Management Facility should be submitted when the Development Application is lodged.

Best practice guidelines and legislation to be considered in designing an on-site sewage management system includes, but is not limited to, the following:

- *Environment & Health Protection Guidelines - On-site Sewage Management for Single Households* (Department of Local Government, 1998),
- *AS 1547- On-site Sewage domestic- wastewater disposal* (Standards Australia, 2000),
- *Septic Tank and Collection Well Accreditation Guidelines 2001* (NSW Health),
- *Register of Accredited Sewage Management Facilities,* (NSW Health),
- *Greywater Reuse in Single Domestic Premises 2000,* (NSW Health),
- *Interim NSW Guideline for Management of Private Recycled Water Schemes*,
- *Water Industries Competition Act 2006,*
- *Local Government (Approvals) Regulation*,
- Biodiversity and Conservation SEPP, and
- *State Environmental Planning Policy (Primary Production) 2021* (Primary Production SEPP).

The above documents are accessible from either Council's website hornsby.nsw.gov.au, the Department of Environment, Climate Change and Water on www.environment.nsw.gov.au, the NSW Department of Health, on www.health.nsw.gov.au, and legislation can be viewed at www.legislation.nsw.gov.au.

For further information on some of the key controls from the above best practice guidelines, refer to Hornsby Shire Council, *Form 18 - An application for approval to Install a Wastewater Treatment System* available at website hornsby.nsw.gov.au

1C.2.5 Noise and Vibration

Desired Outcomes

a. Development designed and managed to minimise noise and vibration impacts on the occupants of residential dwellings and other noise sensitive land uses.

Prescriptive Measures

Construction Noise Management

a. Development proposals should be accompanied by documentation that includes a conceptual description of the measures to be applied to minimise construction noise.

Note:

Applicants should refer to the *Interim Construction Noise Guidelines (2009)* by the Department of Environment and Climate Change NSW available at www.environment.nsw.gov.au in preparing a noise management plan.

Noise Sensitive Development

b. Noise sensitive landuses should include siting and design measures to ameliorate the potential impact of existing noise generating uses on the proposed development.

c. Noise sensitive landuses adjoining a major road or a railway corridor should be accompanied by an acoustic report that demonstrates the site and building design is suitable for use in terms of acoustic amenity.

d. High, solid acoustic fences should be avoided forward of the building line other than for noise sensitive landuses along major roads that are exposed to significant noise. In these instances, fences should be a maximum height of 1.8 metres and incorporate articulation. Large unbroken sections of fencing should be avoided.

Notes:

Noise sensitive landuses include dwellings or approved residential building envelopes on vacant lots, a place of public worship, a hospital, an educational establishment, a child care centre, a public open space area/park and other specialised commercial uses such as temporary accommodation (eg caravan parks or motels).

Major Roads for the purpose of this part of the DCP comprises roads with an annual average daily traffic volume of more than 40,000 vehicles, as defined by Section 2.120 of the Transport and Infrastructure SEPP, that may include Pennant Hills Road, Beecroft Road, Epping Road, Castle Hill Road and Boundary Road.

Noise Generating Development

e. Development should be sited and designed so that noise is kept to a minimum and does not create offensive noise as defined by the *Protection of the Environment Operations Act 1997.*

f. Noise generating developments should be accompanied by an acoustic report that demonstrates the development is sited and designed to:

- minimise the effect of noise and vibration on surrounding sensitive landuses, and
- comply with relevant State Government and Council guidelines.

g. The location and design of noise generating activities, such as loading and unloading areas, garbage collection areas, driveways, parking areas, active recreation areas, air conditioning or mechanical plants, should be sited away from adjacent sensitive landuses and/or screened by walls or other acoustic treatments.

h. In addition to physical noise mitigation measures, noise impact management measures should be used to further limit potential noise impacts on sensitive landuses such as:

- scheduled times to undertake noise generating activities and/or use of noise generating machinery, and
- reasonable hours of operation including delivery hours.

Notes:

Noise generating development may include, but is not limited to the following: child care centres, schools, places of public worship, industrial uses, commercial developments, hotels, backpackers' accommodation, and some active recreational facilities.

For further information on relevant guidelines refer to:

- State Government Guidelines, including the *NSW Industrial Noise Policy* (EPA 2000) and the *NSW Environmental Criteria for Road Traffic Noise* (EPA 1999), available at www.environment.nsw.gov.au, and
- Transport and Infrastructure SEPP and the associated guildelines *Development Near Rail Corridors and Busy Roads - Interim Guideline* (DoP 2008) available at www.planning.nsw.gov.au, and
- Council's *Policy and Guidelines for Noise and Vibration Generating Development* available at website hornsby.nsw.gov.au.

1C.2.6 Air Quality

Desired Outcomes

a. Development designed and managed to minimise air quality impacts on the occupants of residential dwellings and other sensitive land uses.

Prescriptive Measures

General

b. Buffer zones should be provided between potentially air polluting activities and air quality sensitive landuses.

Note:

Some buffers to sensitive landuses are prescribed within the chapters of this DCP - for example buffers between intensive rural uses and sensitive landuses are prescribed in Chapter 2 of this DCP.

Air Quality Sensitive Development

c. Air quality sensitive landuses adjoining a major road are to include siting and design measures to ameliorate the potential impact of vehicle emissions on the site.

d. An Air Quality assessment report that takes into account the provisions of the Transport and Infrastructure SEPP should be provided for air quality sensitive landuses within 100 metres of a major road (excluding a single dwelling house on an existing lot).

Notes:

Air quality sensitive landuses include a dwelling, school, child care centre, residential aged care facility, hospital, office or public recreational area per page 33 in *Development Near Rail Corridors and Busy Roads - Interim Guideline* (DoP 2008).

Major Roads for the purpose of this part of the DCP, comprises freeways and main roads with moderate congestion levels and accommodating more than 2500 vehicles per hour, that may include the Pacific Highway (south of Edgeworth David Ave), Pennant Hills Road, Carlingford Road, Beecroft Road, Epping Road, Castle Hill Road, Boundary Road and New Line Road.

Air Quality Impacting Development

e. Any development that is likely to, or capable of, generating levels of air emissions exceeding the requirements of the *Protection of the Environment Operations Act 1997* should incorporate appropriate measures to mitigate against air pollution.

f. Land uses that have the potential to generate offensive odour should be sited and designed to minimise odour impacts on adjoining land uses.

Notes:

For further information, refer to:

- Transport and Infrastructure SEPP and additional guidelines on air quality are provided in *Development Near Rail Corridors and Busy Roads - Interim Guideline* (DoP 2008) available at www.planning.nsw.gov.au, and
- Development assessment guidelines on air quality available at www.planning.nsw.gov.au
- *Technical framework: Assessment and Management of Odour from Stationary Sources in NSW* (November 2006) by the Department of Environment and Conservation

1C.2.7 Crime Prevention

Desired Outcomes

a. Development designed to reduce crime risk and minimise opportunities for crime.

Prescriptive Measures

Surveillance

a. Development should be designed to provide or enhance opportunities for effective surveillance by providing:

- clear sight lines between public and private places,
- effective lighting of public places, and
- landscaping that makes places attractive but does not provide offenders with a place to hide or entrap victims.

Access Control

b. Development should be designed to incorporate physical or symbolic barriers to attract, channel or restrict the movement of people to clearly defined public spaces.

c. For sites located next to rail corridors, any window or balcony that is adjacent to and is within 20 metres of the corridor must provide screening or barriers to prevent objects being thrown from open space areas of the development. A high glass wall/ balustrade should be installed at ground level, and louver screening should be installed at higher levels.

d. Development should comprise elements that contribute to effective access control by creating:

- landscapes and physical locations that channel and group people into public areas,
- public spaces that attract, rather than discourage people from gathering, and
- restricted access to high crime risk areas such as car parks and other rarely visited areas.

Territorial Reinforcement

e. Development should incorporate design elements that contribute to the creation of a sense of community ownership of public spaces by:

- encouraging people to gather in public spaces and feel some responsibility for its use and condition,
- clearly defining transitions and boundaries between public and private spaces, and
- clearly defining the use of public spaces.

Space Management

f. A Crime Prevention Through Environmental Design (CPTED) report is required for large scale or crime sensitive developments and should detail:

- how the proposal has incorporated CPTED principles,
- strategies to be implemented to ensure site cleanliness, rapid repair of vandalism and graffiti, removal or refurbishment of decayed physical buildings and elements, and
- measures to be incorporated into the development to reduce the potential for crime.

Note:

For further information refer to the NSW Government's publication *Crime Prevention and the Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979* available at www.planning.nsw.gov.au.

A CPTED assessment (Safer by Design Evaluation) is required for the following large scale and/or crime sensitive developments:

- Developments with 20 or more dwellings,
- Major commercial/ retail developments,
- Major community facilities, hospitals and schools,
- New industrial complexes,
- Clubs/ hotels, liquor outlets,
- Service stations,
- Sex services premises, and
- Other high risk landuses.

1C.2.8 Building Sustainability

Desired Outcomes

a. Development that incorporates environmentally sustainable design and construction.

Prescriptive Measures

Residential Buildings

a. A certificate should be submitted, when required, demonstrating that the building complies with *SEPP - Building Sustainability Index (BASIX).*

Non-Residential Buildings

b. The energy efficiency provisions of the *Building Code of Australia* should be incorporated into the design of non-residential buildings. This may require the inclusion of the following:

- Windows that are appropriately sized and shaded to reduce summer heat load and permit entry of winter sun,
- Building materials selected to assist thermal performance and ceiling insulation used where appropriate,
- Natural ventilation,
- Buildings should have an area, orientation and roof pitch that is suitable for the installation of solar collectors,
- Low energy, high efficiency plant, fittings and appliances should be specified, and
- The use of solar collectors for hot water heating and power is encouraged to reduce energy consumption.

c. Water conservation principles should be incorporated into non-residential developments, including the following:

- Water efficient fittings and appliances including: 4 star dual-flush toilets and taps, 3 star showerheads and urinals, water efficient washing machines and dishwashers,
- Rainwater tanks should be provided to meet 80% of non-potable demand including outdoor use, toilets and laundry,
- Cooling Towers are designed in accordance with best practice guidelines to reduce potable water consumption, and
- Water use within open spaces (for irrigation, water features etc.) should be supplied from sources other than potable mains water (eg stormwater, greywater or wastewater) to meet 80% water use demand.

d. Ecologically sustainable, second hand and recycled building materials should be considered for use in building construction.

Note:

In achieving the desired outcomes of this element, applicants for non-residential developments are encouraged to demonstrate that the development is designed to achieve a minimum 4 star rating under the Green Building Council of Australia's Green Star Rating Tool. Go to www.gbca.org.au for more details on the green star rating tool.

Sydney Water's best practice guide for cooling towers is available at www.sydneywater.com.au

For further information on ecologically sustainable building materials refer to Council's guidelines at A3.01 of the *Waste Minimisation and Management Guide* available at website hornsby.nsw.gov.au.

1C.2.9 Landscaping

Desired Outcomes

a. Landscaping that integrates the built form with the locality and enhances the tree canopy.

b. Landscaping that improves the environmental performance of the development.

Prescriptive Measures

a. Landscaping on site should be incorporated into the site planning of a development to (where appropriate):

- reinforce the desired future character of the locality,
- maintain significant landscape features,
- provide planting within setback zones (setbacks identified within the relevant applicable parts of the DCP),
- soften the visual impact of buildings, carparks and roads,
- cater for outdoor recreation areas,
- separate conflicting uses,
- screen undesirable elements, and
- improve the aesthetic quality of the development.

b. Landscape planting should achieve a mature height in scale with the structures on the site.

c. Where canopy trees, shrubs and groundcovers are required, preference should be given to incorporating locally indigenous plants.

d. Street tree planting within public land should comply with Council's Tree Management Plan.

e. Topsoil and mulch should be included in landscape areas and should contain organic matter to support plant growth.

Planting on Structures

f. Where landscaping is provided in a structured environment such as a raised planter box or 'on slab' they should include waterproofing, drainage and automatic irrigation.

- The minimum plant material pot container sizes for trees should be 75 litres, shrubs 200mm and groundcovers 150mm.

g. Green roofs and walls should be provided in higher density urban environments where opportunities for deep soil landscaping are limited and/ or where large walls face active areas of the public domain.

h. Public landscape works in high density urban areas are to refer to Council's Public Domain Manual and Technical Guides for details and specifications.

Notes:

The following should be considered in designing your landscape plan:

- Detailed landscape requirements for some localities are prescribed within the relevant applicable parts of this DCP.
- DA Submission Guideline available at hornsby.nsw.gov.au
- SEPP 65 Design Quality of Residential Apartment Development - Apartment Design Guidelines
- The following Australian Standard specifications should be considered in the design of landscaping:

  AS4419-2001 Soils for landscaping and garden use

  AS4454-2003 Composts soils conditioners and mulches

  AS4654.2-2009 Waterproofing membrane systems for exterior use – above ground level

  AS3500.3-2003 Plumbing and drainage – stormwater

  AS1377-2006 PVC pipes and fitting for pressure applications

  AS2032-2006 Installation of PVC pipe

  AS4678-2002 Earth retaining structures

  AS 2303-2015 tree stock for landscape use

- The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at website hornsby.nsw.gov.au. The use of non-locally indigenous plants is acceptable where they are recognised as providing a superior performance to the micro-climatic conditions of the development.

1C.2.10 Services and Lighting

Desired Outcomes

a. Development that provides necessary services to cater for future occupants.

b. Development that integrates required services in building and site design to minimise impacts on the streetscape.

Prescriptive Measures

Services

a. Applicants should consult service providers for energy, electricity, gas, water, telephone, national broadband network (NBN) fibre cables and fire requirements.

b. Any services and structures required by the providers should be located within the basement, or concealed within the facade, with appropriate access. Where this is not possible, an alternative method of minimising street impact should be demonstrated, such as screening with landscape or built elements.

c. With the exception of dwelling houses, all buildings should accommodate proposed or future air conditioning units within the basement or on rooftops, with provision of associated vertical/ horizontal stacks to all sections of the building.

d. Air conditioning units and mechanical plant located on the roof should be well screened and integrated into the building form.

e. Air conditioning units and mechanical plant should be sited away from adjacent sensitive landuses and/or screened by walls or other acoustic treatments.

Lighting

f. External and security lighting should be positioned to avoid light spillage, particularly to adjacent sensitive areas in accordance with AS4282- Control of the Obtrusive Effects of Outdoor Lighting.

g. Tennis courts and sports patios ancillary to a dwelling house should not be artificially illuminated

Satellite dishes

h. A maximum of one satellite dish should be provided per residential building.

i. Satellite dishes should be preferably ground mounted, and

- located to the rear of an existing building,
- setback 15 metres from any property boundary in a rural zone,
- be of a dark or recessive colour to blend with the surrounds,
- not impact on the streetscape and views enjoyed by adjacent properties, and
- in an urban area, have a maximum height of 2.5 metres above the natural ground level, or
- in a non-urban area, have a maximum height supported by a report prepared by an appropriately qualified consultant demonstrating that the height proposed is required to receive the signal.

j. Satellite dishes may be roof mounted where:

- a report is submitted by an appropriately qualified consultant demonstrating that roof mounting of the satellite dish is required to receive a signal,
- it is located no higher that the ridgeline of the section of roof on which it is located,
- it is of a similar colour to the roof on which it is located, and
- it does not impact on the streetscape and views enjoyed by adjacent properties.

Note:

Transgrid's guidelines on development in the vicinity of easement areas should be considered for work near any high voltage transmission network infrastructure. For further information, refer to transgrid.com.au.

1C.2.11 Signage

Desired Outcomes

a. Signage compatible with the character of the locality.

b. Signage that complements the scale, size and architecture of the building or structure on which it is displayed.

c. Signage that does not compromise pedestrian, cyclist or motorist safety.

Prescriptive Measures

General

a. Signs should be designed and located to:

- relate to the use of the premises,
- be consistent with best practice guidelines,
- be integrated with the architecture of the supporting building, not obscure significant architectural features and maintain the dominance of the architecture,
- be limited in number to avoid cluttering, distraction and unnecessary repetition,
- not cover mechanical ventilation inlets or outlets,
- not comprise a roof sign,
- not compromise road or pedestrian safety,
- be a minimum of 2.6 metres above any footpath where the sign is not flush with the wall, and
- be at least 600mm from a kerb or roadway edge where the sign is over a public road.

b. In addition to the above, illumination of signage should:

- be integrated with the design of the sign,
- not cause light spillage into nearby residential properties,
- not use complex displays, moving signs, flashing lights or the like that hold driver's attention beyond 'glance appreciation', and
- be fitted with an automatic timing device, controlling the illumination hours.

c. In residential zones, signage should not be illuminated.

d. All commercial advertising should comply with the *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP).

Notes:

Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

(a) an advertising structure,

(b) a building identification sign,

(c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

For best practice guidelines on the planning and design of outdoor advertisements refer to *Transport Corridor Outdoor Advertising Signage Guidelines* (July 2007) available at www.planning.nsw.gov.au. Note that this includes prescriptive maximum luminance levels for signs to maintain road safety. (at Section 3.2.5 of the guidelines).

All signage applications should consider the provisions of the Industry and Employment SEPP which is available at www.planning.nsw.gov.au.

The following signage types are discouraged: illuminated signs in residential areas, flag signs, animated signs, mechanical moving signs, scrolling messages, moving LED signs, video/ television screens, projected laser advertising and other flashing lights, signs with large areas of red or incorporate a display resembling traffic lights.

Business Identification Signs

e. Business identification signs should:

- identify the significant owners, tenants and uses of buildings,
- consolidate signs for multiple tenancies,
- not incorporate advertising of products and services that are not directly related to the approved use of the premises, and
- comply with the general controls and the relevant prescriptive measures in the following Tables 1C.2.11(a) to (f).

Note:

***A business identification sign** means a sign:*

(a) that indicates:

(i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,
but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Table 1C.2.11(a) Awning fascia sign
Should not project above or below the fascia
Should not be illuminated

An awning fascia sign is attached to the fascia or return end of an awning.

Table 1C.2.11(b) Under Awning Sign
Should be erected below the awning fascia, horizontally to the ground and at right angles to the building
Should not exceed 0.4m in width
Should not exceed a vertical height of 0.5m
Should be located 2m from the side property boundary, and not closer than 3m to another under awning sign

A suspended under awning sign, also known as an under awning sign, is a sign attached to the underside of an awning.

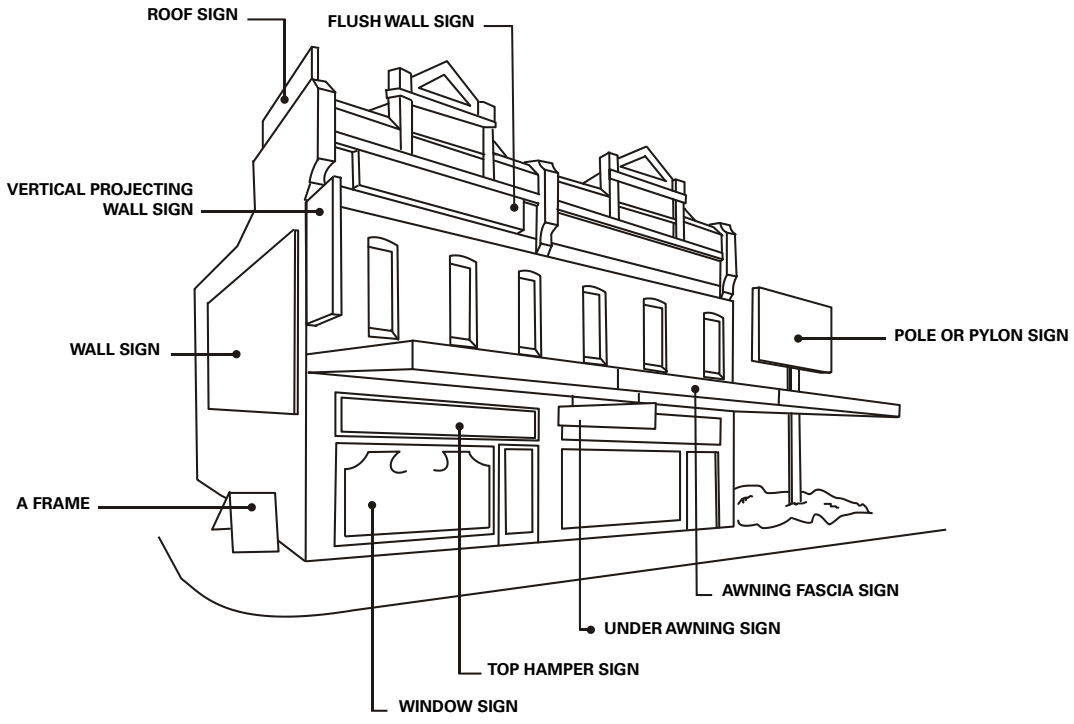

Figure 1C.2.11(a) Illustration of signage types (I)

Table 1C.2.11(c) Flush wall and painted wall signs
Should not extend laterally beyond the wall of the building to which it is attached
Should be flush with the building
The total area of wall signs should not exceed 5m^2, unless it can be demonstrated that the sign is consistent with the character of the locality in accordance with the Industry and Employment SEPP

A flush wall or painted wall sign are signs that are fixed flat or painted on the wall on which they are displayed. This also includes a top hamper sign. and a window sign. Note that painting a building in corporate colours may be considered a painted wall sign.

Table 1C.2.11(d) Vertical projecting wall signs
Should not project above the wall to which it is attached
Should not exceed 1.5m^2 in area
Should be erected at right angles to the wall of the building to which it is attached
Maximum of one sign per building

A projecting wall sign is a sign that is attached to the wall of a building and projecting horizontally more than 300mm.

Table 1C.2.11(e) Pole or pylon sign
Signage for multiple businesses within the one complex should be advertised on a single sign structure
Should not exceed a maximum height of 8m above ground
Should not exceed 2m in width
Should not exceed 0.5m in depth
Should be located: ■ Within property boundaries, and ■ A minimum of 2.6m above any footpath.

A pole or pylon sign, also known as a freestanding signs, are signs erected on a pole or pylon independent of any building or other structure.

Table 1C.2.11(f) Moveable signs (A-Frame, sandwich board signs)
Where site constraints make it difficult to provide a fixed sign, a moveable sign may be supported
Maximum area of 1.2m^2 per face - maximum 2 faces
Should not exceed 0.6m in width
Should be located to maintain an unencumbered pedestrian throughfare of 2 metres where located on a public footpath
Minimum frontage of 6m per sign

Moveable free standing signs are generally discouraged as they contribute to visual and physical clutter and increase trip hazards for pedestrians. It is preferable to have business identification signs fixed to buildings or structures.

Temporary Community Banners

f. Temporary community banners are exempt from requiring development consent when erected in accordance with the provisions of Schedule 2 of the *HLEP*.

g. Special consideration will be given to signs associated with community events that comply with Table 1C.2.11(g) below:

Table 1C.2.11(g) Temporary Community Banner
The banner is a temporary advertisement for a religious, cultural, political, social or recreational event only
Maximum area of 4m^2
Sponsorship information is a maximum of 20% of the total area of the banner displayed at the venue or the sponsor's premises
The banner is erected a maximum of 28 days before the event
The banner is removed within 7 days following the event
Maximum of 6 banners are erected in association with the event at separate locations including the venue
The banner should not be attached to a tree

Details of the locations designated by Council as suitable for the display of community banners without consent are available at website hornsby.nsw.gov.au

1C.2.12 Avoiding Isolated Sites

Desired Outcomes

a. The consolidation of sites in a manner that avoids adjoining sites becoming isolated so that they cannot be developed in accordance with the planning controls.

Prescriptive Measures

a. The creation of isolated sites is not desirable.

b. Where a development may result in the creation of an isolated site, the applicant should demonstrate that:

- Negotiations for amalgamations of sites commenced early, prior to the lodgement of a development application,
- If negotiations are not successful, details of the negotiations should be provided with the development application submission, including at least one recent independent valuation (which considers the property as being part of a complying amalgamated site) and include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property, and
- The orderly and economic development of the isolated site can be achieved that is consistent with the provisions of the HLEP and DCP. This should include the applicant providing an envelope for that site, indicating height, building form, setbacks and separations (building and basement) sufficient to understand the relationship between the proposed development and the isolated site and the streetscape implications.

c. The development of an isolated site should not detract from the character of the streetscape and is to achieve a satisfactory level of amenity, including solar access, visual and acoustic privacy.

Notes:

An Isolated Site means a site whose size and location could potentially significantly limit development as a result of not being included in an adjoining development proposal. Sites may not be defined as isolated if they have the future potential to amalgamate with an alternate adjoining property.

For further information on the Planning Principles for considering the isolation of sites refer to Karavellas v Sutherland Shire Council [2004] NSWLEC 251 at www.lawlink.nsw.gov.au.

1C.3 Hazards

The following section provides general controls for hazards and applies to all forms of development.

1C.3.1 Bushfire

Desired Outcomes

a. Development that is located and designed to minimise the risk to life and property from bushfires.

b. Development that balances the conservation of native vegetation and bushfire protection.

Prescriptive Measures

a. Development on land identified as bushfire prone on Council's Bushfire Prone Land Map should address the bush fire protection measures in the publication *Planning for Bushfire Protection (2019)*.

b. Development should be located and designed to minimise the need for bushfire hazard reduction within native vegetation areas.

c. Bushfire Asset Protection Zones should be located entirely within the development site.

d. Measures such as higher fire resistant construction standards, improved access and water supplies should be considered for infill developments where they would reduce the need for removal of significant native vegetation, provided the development still complies with *Planning for Bushfire Protection (2019)*.

Notes:

The key objectives and controls to address bushfire risk are not set out in this Plan but are incorporated into the Rural Fire Service publication entitled Planning for Bushfire Protection 2019 (PBP) (as amended), as well as the *Rural Fires Act 1997* available at www.bushfire.nsw.gov.au.

All development applications on bushfire prone land will require either:

- A bushfire risk assessment and certification or
- A detailed bushfire report (for integrated development)

A Bushfire Risk Assessment and Certification are prepared for non-integrated developments such as single dwelling houses. The report and certification will state the applicable Bushfire Attack Levels (BAL) that apply and the relevant Asset Protection Zones (APZ) required, and that the development conforms to the relevant specifications and requirements, AS 3959 and Planning for Bushfire Protection 2006. Council or a suitably qualified consultant can provide this assessment.

A Detailed Bushfire Report is required to be provided for Integrated Development under the Rural Fires Act, including for example the subdivision of land. The report must be prepared by a suitably qualified bushfire consultant and address the requirements of the NSW Rural Fire Service (RFS) and Planning for Bushfire Protection 2019. The Council will refer this plan to the RFS for its consideration.

1C.3.2 Flooding

HLEP Clause 6.3 contains provisions for development of land at or below the flood planning level. Areas identified as 'Flood Planning areas' are identified in the HLEP Flood Planning Map.

Desired Outcomes

a. Development that is located and designed to minimise the risk to life, property and the environment from flooding.

Prescriptive Measures

General

a. Where a development proposal is on land shown as 'Flood Planning areas' on the HLEP Flood Planning Map or is on other land at or below the flood planning level, a comprehensive flood study should be prepared by a qualified hydraulic engineer and is to be submitted with any development application on land that demonstrates that:

   - The development addresses the provisions of Clause 6.3 of the HLEP, and
   - The development complies with best practice.

b. The overland flow path should not be built upon and should have minimal planting. Development is required to demonstrate that any overland flow is maintained for 1 in 100 year average recurrence interval (ARI) flood.

c. All potential pollutants that are stored or detained on-site (such as on-site effluent treatment facilities, chemicals or hazardous materials) should be stored 0.5 metres above 1 in 100 year ARI flood level. Details should be provided as part of any application.

Sea Level Rise

d. Development on land adjacent to tidal waters, including the Hawkesbury River and Berowra Creek, should be designed to minimise the risk to property and the environment from sea level rise in the event of a 1 in 100 year ARI flood by:

   - siting the floor level of habitable rooms, wet areas and other sensitive uses (eg. on-site wastewater disposal areas) above the 2100 (year) NSW sea level rise planning benchmark of 0.9 metres, and
   - siting other non-habitable structures (eg. sheds, decks, pergolas) above the 2050 (year) NSW sea level rise planning benchmark of 0.4 metres.

- All habitable floor levels are to be a minimum of 0.5m above the 1:100 ARI Flood Level and all garages or basement ramps should be 0.3 metres above the 1:100 ARI Flood level.

Notes:

The flood planning level means the level of a 1 in 100 year ARI (average recurrence interval) flood event plus 0.5 metre freeboard.

For best practice guidelines refer to :

- NSW Governments's *Floodplain Development Manual (2005)*, and
- *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* (DoP 2010) and
- *Flood Risk Management Guide - Incorporating sea level rise benchmarks in flood assessments* (DECCW 2010)

* Clause 6.3 of the HLEP refers to the 1 in 100 year Average Recurrence Interval (ARI) flood event for flood planning purposes. ARI is the long term average number of years between the occurrence of a flood as big as or larger than the selected event. This flood event is a tool for broadly assessing the suitability of land for development. It does not mean that properties and development above the flood planning level are not subject to flood risk.

* While some of the land in the Hornsby Shire that is at or below the flood planning level is depicted on the HLEP Flood Planning Map - flood planning area', this map is not exhaustive. A Section 10.7 Planning Certificate will identify whether or not the land is subject to exposure to tidal inundation and/or flood hazard risk.

* The *NSW Sea Level Rise Policy Statement (2009)* adopts a sea level rise planning benchmark of an increase above 1990 mean sea levels of 90cm by 2100 or 0.4m by 2050.

The CSIRO on behalf of the Sydney Coastal Council Group (SCCG) has undertaken modelling of coastal inundation under future sea levels. They have released sea level rise maps for Hornsby Shire that will help residents understand the impact of predicted sea levels. The maps can be accessed online at:

hornsby.nsw.gov.au/property/development-applications/sea-level-rise-map

1C.3.3 Acid Sulfate Soils

HLEP Clause 6.1 contains provisions for development of land that may contain acid sulfate soils. These lands are identified on the HLEP Acid Sulfate Soils Map.

Desired Outcomes

a. Development that does not disturb, expose or drain acid sulfate soils and cause environmental damage.

Prescriptive Measures

a. Developments that involve the carrying out of works prescribed in Clause 6.1 of the HLEP should be accompanied by an Acid Sulfate Soil Management Plan prepared in accordance with the *Acid Sulfate Soils Manual.*

Notes:

For further information refer to the HLEP and the Acid Sulfate Soils Map.

The Acid Sulfate Soils Manual means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

A preliminary investigation of the proposed development site or an acid sulfate soils management plan required by the HLEP must be prepared by a suitably qualified environmental consultant.

1C.3.4 Land Contamination

Desired Outcomes

a. Development that remediates contaminated land for the purpose of reducing the risk of harm to human health and the environment

Prescriptive Measures

a. Developments applications should prepare and submit a preliminary contamination assessment in accordance with *the State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) where land is suspected to be contaminated, and:

   - The application proposes a change of use to a sensitive land use such as residential, educational, recreational, child care purposes, or for the purposes of a hospital land, or
   - Work is proposed that may disturb contaminated land (for example, earthworks at a petrol station).

b. Where a preliminary assessment identifies that a contaminant is present on the site, a detailed investigation of the site should also be prepared and lodged with the development application.

c. A remedial action plan, validation report and a site audit statement may also be required to be completed.

Notes:

For further information refer to:

- Resilience and Hazards SEPP is available at www.planning.nsw.gov.au, and
- NSW Environment Protection Authority's C*ontaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites and Contaminated Sites – Sampling Design Guidelines* available at www.environment.nsw.gov.au.

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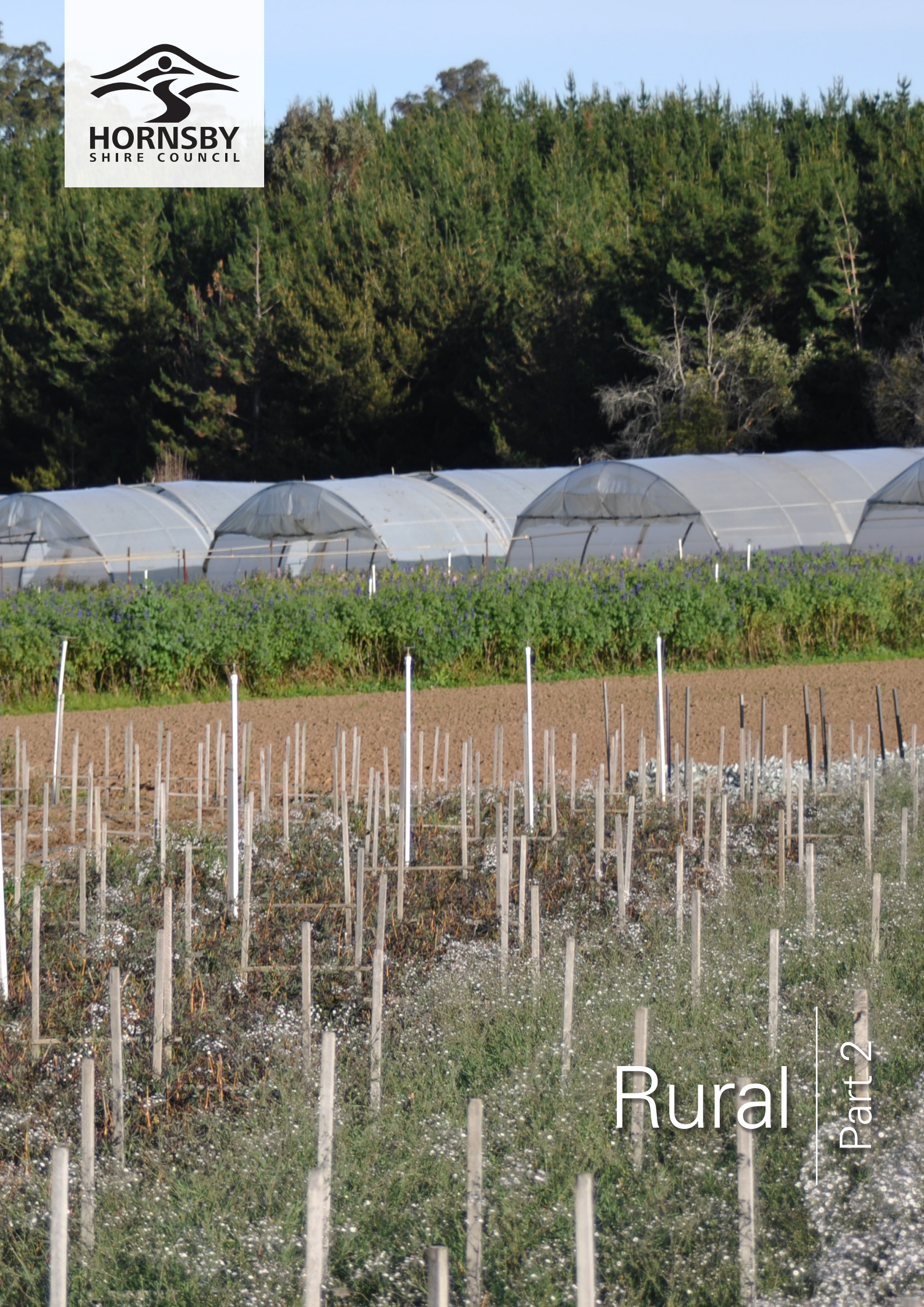

Rural

Part 2

Part 2 Rural

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Introduction

This Part of the DCP applies to land within the Rural area of Hornsby Shire. The Rural areas extend from Glenhaven and Dural in the south to Wisemans Ferry in the North, as indicated in Figure 2(a).

The planning controls for the rural area are informed by the Rural Lands Study (1995), the Rural Resource Lands Study (2006) and the Hornsby Shire Rural Lands Planning Provisions Review (2009).

Development in rural areas will be environmentally sustainable and protect and improve water quality, native flora and fauna, soil, air and other environmental values. Development will also protect and enhance the visual qualities and characteristics of the rural environment by being compatible with the scale, form, design, colour, height, materials, setbacks and landscaping of the surrounding rural area.

Rural uses will be protected and promoted in Hornsby Shire as they are important for the local and regional economy. Existing or potentially productive agricultural land will be protected from fragmentation and sterilisation by competing land uses as agricultural production provides an important source of food supply and natural resources for the Sydney Basin. Natural and man made tourism and tourist infrastructure important for the economy will also be protected from the encroachment of urban and rural residential development.

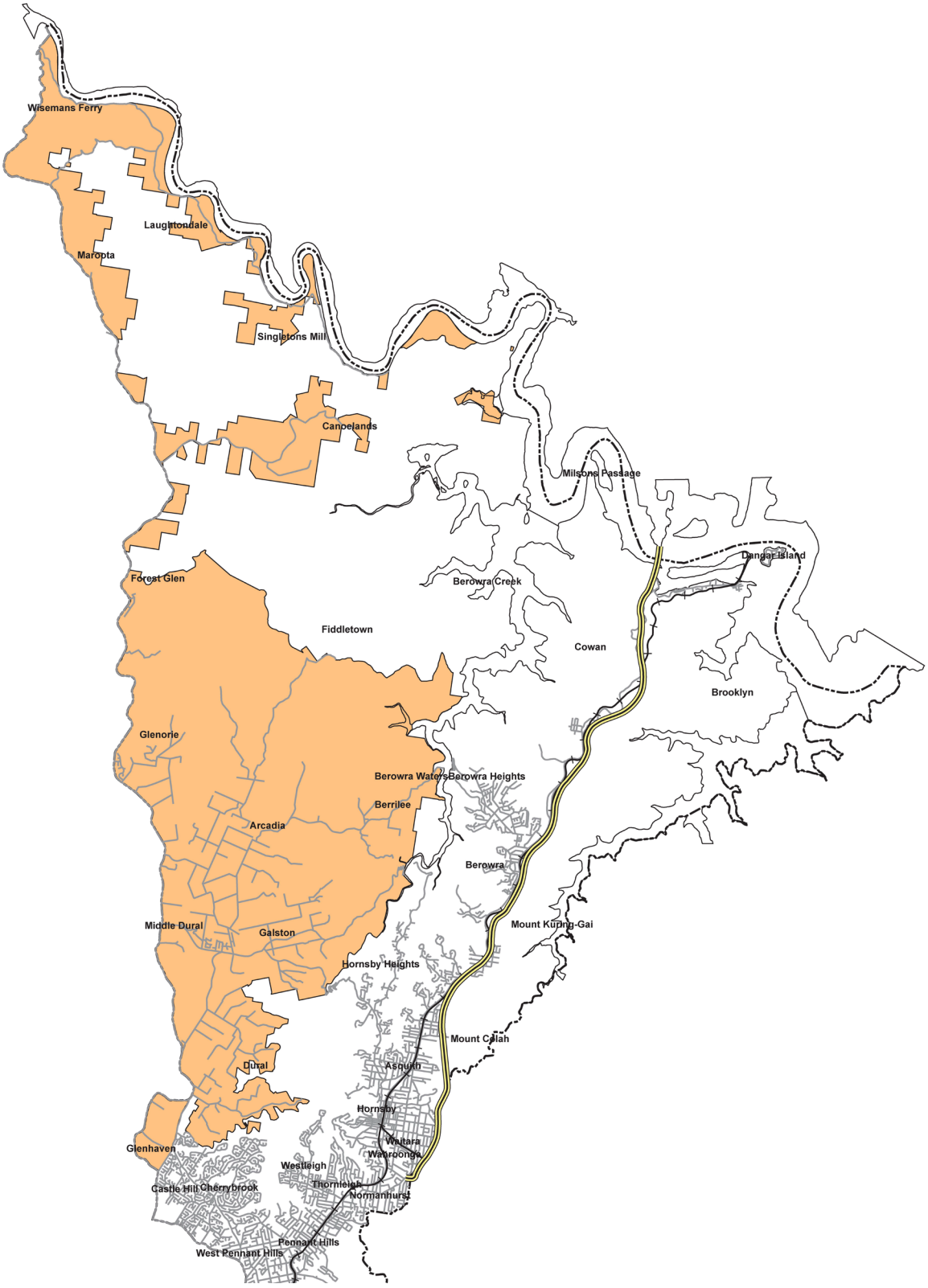


Figure 2(a): The Rural Area of Hornsby Shire. (C)

2.1 Rural Buildings

The following section provides controls for the erection of a building or structure in the following zones: RU1 Primary Production, RU2 Rural Landscape, RU4 Small Lot Primary Production, SP3 Tourist (Wisemans Ferry), C2 Environmental Conservation and C3 Environmental Management.

2.1.1 Scale

Desired Outcomes

a. Development with a height, bulk and scale that is compatible with the rural area.

Prescriptive Measures

Height

a. Sites with the following maximum building heights under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 2.1.1(a).

Table 2.1.1(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
K	10.5m	2 storeys + attic

b. Buildings should respond to the topography of the site by minimising earthworks (cut and fill).

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Roof Design

d. To ensure conformity with the landscape and protection of the scenic quality of the area, roof pitch and design should:

- sit below the dominant tree canopy, and
- not detract from natural ridgelines, and
- consider the slope of land.

e. The roof should have a maximum pitch of 35 degrees, except if a steeper roof pitch is more consistent with the existing character of the locality.

f. Any attic level is to be contained wholly within the roofspace.

g. The external walls of the building should not extend above the attic floor level.

Notes:

Attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

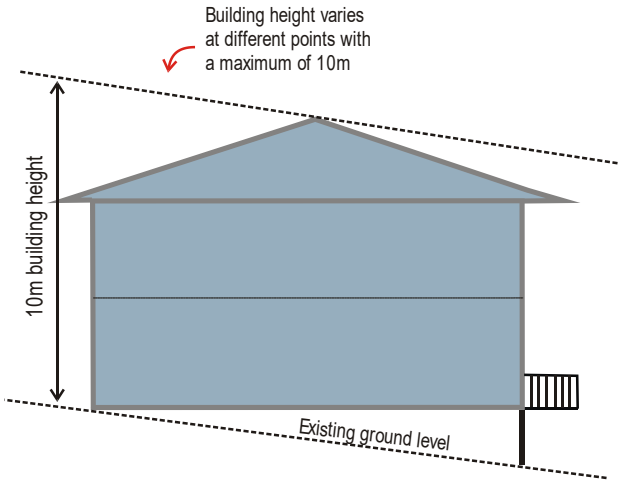


Figure 2.1(a) Explanation of building height controls (I)

Height controls are based on a typical residential floor to floor height of 3 metres, with allowances for roof articulation and undercroft areas for steeply sloping sites.

Site Coverage

h. The maximum site coverage of all buildings on the property should comply with Table 2.1.1(b) as follows:

Table 2.1.1(b): Maximum Site Coverage

Lot Size	Maximum site coverage (% of total lot size)
up to 899m²	50%
900m² to 1499m²	40%
1500m² to 3999m²	30%
4000m² or larger	on merit, based on-site constraints

Notes:

Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) any basement, and

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary, and

(c) any eaves, and

(d) unenclosed balconies, decks, pergolas and the like.

Lot size (or site area) in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

(a) any land on which the development is not permitted under an environmental planning instrument, and

(b) if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

Rural Outbuildings

i. All rural outbuildings on lots 4000m² or larger should have a maximum area of 250m² for each outbuilding and a total maximum combined area of all outbuildings of 500m² unless demonstrated that they are required for an intensive rural activity.

Roadside Stalls

j. Roadside stalls on land zoned RU1, RU2, and RU4 should be no greater than 40m² pursuant to Clause 5.4 of the HLEP.

k. Roadside stalls should be constructed in a form and of materials that are of a rural character.

l. Roadside stalls should provide a concession to the setbacks contained in Table 2.12(a) Minimum Boundary Setbacks to enable a temporary structure to have a minimum setback of 1 metre from the front property.



Figure 2.1(b) Examples of roadside stalls that are of a rural character (Globe Notes Travel 2014, Fruit Growers Tasmania Inc 2008). (E)

Notes:

Outbuilding means any of the following:

(a) balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,

(b) cabana, cubby house, fernery, garden shed, gazebo or greenhouse,

(c) carport that is detached from a dwelling house,

(d) farm building,

(e) garage that is detached from a dwelling house,

(f) rainwater tank (above ground) that is detached from a dwelling house,

(g) shade structure that is detached from a dwelling house,

(h) shed.

An intensive rural activity includes intensive agriculture, garden centres, plant nurseries and landscaping material supplies, animal boarding or training establishments, rural industries and the like.

Roadside stall means a place or temporary structure used for the retail sale of agriculture produce of hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property

2.1.2 Setbacks

Desired Outcomes

a. Setbacks that complement the rural character and allow for separation between neighbouring rural developments.

b. Setbacks that retain natural landscape features.

Prescriptive Measures

a. All buildings and structures should comply with the minimum boundary setbacks in Table 2.1.2(a).

Table 2.1.2(a): Minimum Boundary Setbacks

Property Boundary	Lots <4000m^2	Lots >4000m^2
Waterfront Setback	see Clause 6.1 of *HLEP* and Foreshore Building Line Map	
Front boundary (primary frontage)	10m or the average of the front setbacks of the nearest two neighbouring houses, whichever is greater	15m to local roads and 30m to designated roads
Secondary boundary (on corner lots)	5m	10m
Side boundary	5m	10m
Rear boundary	10m	15m

b. The above setback controls also apply to structures, including crop netting and green houses.

Sites with more than one frontage

c. For buildings with a corner frontage:

- front and rear boundary setbacks apply to the shorter street frontage (the primary frontage), and
- side boundary setbacks apply to the longer of the two street frontages (the secondary boundary).

d. For a lot that adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.

Setbacks to Landscape Features

e. The setback of buildings from the property boundary may need to be increased to maintain landscape features, as detailed in Section 2.1.3 of this DCP.

Landuse Separation

f. Despite the setbacks in Table 2.1.2(a), a proposed sensitive landuse located adjacent to an existing intensive rural activity, may need an increased boundary setback to minimise potential landuse conflict and comply with the Landuse Separation provisions in Section 2.2 of this DCP.

Setback Encroachments

g. The following minor structures are able to encroach into the prescribed setbacks:

- A driveway between the on-site car parking area and a public road,
- Stairs to the ground floor of the dwelling,
- Fences,
- A rural outbuilding on a designated road, with a maximum total floor area of 200m^2 is able to encroach to within 20 metres of the primary frontage on a designated road,
- An inground swimming pool is able to encroach to within 1 metre of the side or rear boundary, measured to the water line,
- A dam with a wall height less than 3 metres is able to encroach to within 5 metres of any boundary, and
- A roadside stall with a maximum area of 20m^2 may be located on-site adjacent to the front property boundary.

Notes:

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

An intensive rural activity includes intensive agriculture, garden centres, plant nurseries and landscaping material supplies, animal boarding or training establishments, rural industries, extractive industries and the like.

Sensitive land uses include dwellings or approved building envelopes on vacant lots, tourist accommodation, community uses, educational uses, public open space, and sheds or premises used for the manufacture, preparation, sale or storage of food.

2.1.3 Landscaping

Desired Outcomes

a. Landscaping that integrates the built form with the locality and enhances the tree canopy.

b. Landscaping that retains existing landscape features.

c. Landscaping that is consistent with the visual landscapes in the rural area.

Prescriptive Measures

General

a. Landscaping should maintain the natural features, topography and vegetation on the site.

b. Setback areas should be landscaped.

c. Vehicle crossings should be located to preserve natural vegetation which contributes to the visual amenity of the area.

d. Intensive rural activities, should provide a landscape buffer to boundaries with a minimum width of 5 metres.

Retention of Landscape Features

e. Buildings, driveways and service trenches should have a minimum setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10 to 20 metres to significant bushland as prescribed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of *AS4970* from significant trees to be retained.

Notes:

An intensive rural activity includes intensive agriculture, garden centres, plant nurseries and landscaping material supplies, animal boarding or training establishments, rural industries, extractive industries and the like.

A Landscape buffer is to include screen planting, preferably including vegetation that is endemic to the area. Alternatively, fire retardant species should be considered in bushfire prone areas.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available on Council's website hornsby.nsw.gov.au.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

Fences and Gates

f. Frontages/ streetscapes should not contain excessively urban features such as formal gates and high fences.

g. Fences should be open style and constructed of materials such as timber or post and wire, with a maximum height of 1.8 metres.

h. Any masonry gate entry feature should not extend more than 3 metres either side of the driveway entrance.

i. High, solid fences constructed as sound barriers should be avoided. On main roads alternative measures of reducing traffic noise should be explored, such as double glazing, internal layout, earth mounds and vegetation, rather than high solid fences.



Figure 2.1(a) Example of a suitable open style rural fence. (E)



Figure 2.1(b) Example of a masonry entry feature that does not extend more than 3 metres either side of the driveway. (E)

2.1.4 Open Space

Desired Outcomes

a. Private open space that functions as an extension to a dwelling house.

Prescriptive Measures

Principal Private Open Space

a. A dwelling house should be provided with private open space that incorporates a principal private open space area in accordance with Table 2.1.4(a).

Table 2.1.4(a): Minimum Private Open Space

Minimum Principal Area	Minimum Dimension of Principal Area
24m^2	3m

b. The principal private open space area should be sited behind the front building line and be directly accessible from the living area of the dwelling.

c. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area.

Clothes Drying Area

d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public areas.

2.1.5 Vehicle Access and Parking

Desired Outcomes

a. Development that provides sufficient and convenient parking with vehicular access that is simple, safe and direct.

Prescriptive Measures

a. Car parking for dwelling houses should be provided behind the front building line.

b. A paved driveway should be provided between the required on-site car parking area and a public road.

c. A driveway should be setback a minimum 2 metres from side boundaries to provide for landscaping between the driveway and the side boundary.

Note:

Refer to Part 1 'General' of the DCP for more detailed parking and service vehicle design requirements.

2.1.6 Design Details

Desired Outcomes

a. Development that contributes positively to the character of the rural area.

b. Building sizes, styles and forms that relate to the character of the area.

Prescriptive Measures

Building Form

a. Buildings should be sited to maintain the continuity of, and minimise the disturbance to, agriculturally productive land.

b. Buildings should consist of simple forms and planes.

c. Extensive blank or unarticulated walls to street frontages are discouraged.

d. Buildings and structures should respond to the topography of the site by minimising earthworks (cut and fill).

e. On steeply sloping sites, split level and/or pole or pier construction of buildings is encouraged.

f. Buildings, structures and driveways should be located to retain natural vegetation and follow the natural contours of the land.

g. Parking areas and driveways should not dominate the streetscape.



Figure 2.1(c): Example of a dwelling house designed and sited to contribute positively to the rural landscape. (E)

Colours and Materials

h. Building materials of dwelling houses should contribute to the rural character, including: stone masonry, brickwork or timber construction with tile, slate or metal roofing.

i. Building colours should be harmonious with the surrounding natural environment.

Storage Areas

j. Outdoor storage areas should be located behind the front building setback and screened from view from adjoining sensitive areas.

k. Above ground liquid storage facilities, including chemicals and waste, should be in a covered bunded area that is constructed of impervious materials.

Undercrofts (Steep Sites)

l. Undercroft spaces with a vertical height at any point of more than 1.5 metres above existing ground level should not be enclosed.

m. Undercrofts, including any plumbing or rainwater tanks located within, should be painted in dark recessive colours.

n. Supports to habitable platforms above undercrofts should be setback a minimum of 2 metres from the leading platform edge to reduce the overall bulk and scale of the undercroft area.

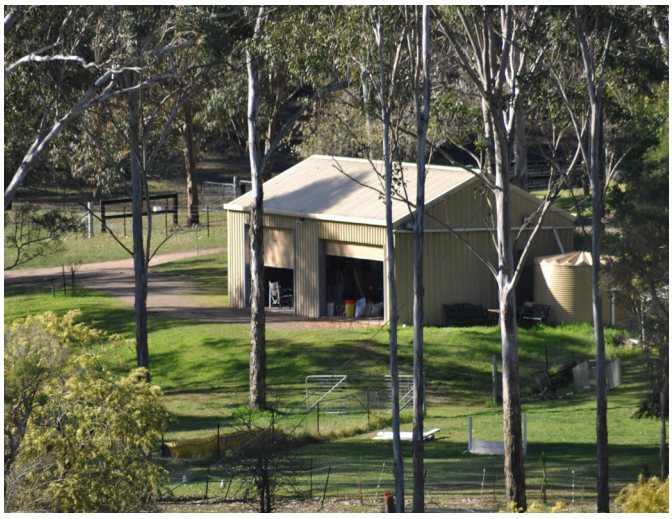


Figure 2.1(d): Example of a rural outbuilding sited and designed to contribute positively to the rural landscape. (E)

2.2 Rural Land Uses

The following section provides controls for rural landuses, in addition to the building controls provided elsewhere in this DCP.

2.2.1 Intensive Plant Agriculture

Desired Outcome

a. Intensive plant agriculture establishments that are appropriately separated from adjoining sensitive land uses to minimise visual impacts and land use conflicts.

b. Development for intensive plant agriculture that does not result in significant landform modification.

Prescriptive Measures

General

a. Site planning should provide adequate area for:

- landscaping buffers,
- dams and/or water tanks,
- waste water treatment,
- water quality treatment,
- driveways and parking areas, and
- dwelling houses and ancillary facilities.

b. Any portion of a site with a slope greater than 10% should not be used for intensive plant agriculture.

Landuse Separation

c. Intensive plant agriculture should be sited to limit the potential for landuse conflicts with neighbouring sensitive land uses.

d. Structures should be screened by the use of crops or landscape buffers.

e. The distance between intensive plant agriculture and an adjoining dwelling house should conform to the minimum requirements in Table 2.2.1(a).

Table 2.2.1(a): Minimum separation to intensive plant agriculture

Land use in a Rural Zone	Separation to Intensive Plant Agriculture (metres)
Any dwelling (whether on a neighbouring property) (with no vegetation buffer)	50m
Any dwelling (whether on a neighbouring property) (with a vegetation buffer)	20m

Notes:

Intensive plant agriculture means any of the following:

(a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),

(b) horticulture,

(c) turf farming,

(d) viticulture.

Sensitive land uses include dwellings or approved building envelopes on vacant lots, tourist accommodation, community uses, educational uses, public open space, and sheds or premises used for the manufacture, preparation, sale or storage of food.

Vegetation buffers should provide significant foliage and grow to a height to screen structures. In bushfire prone areas, fire retardant species should be utilised.

For further information refer to *Prime Fact 1139 Assessing Intensive Plant Agriculture Developments* (Dec 2011) by the Department of Primary Industries available on www.dpi.nsw.gov.au.

The minimum separations prescribed in Table 2.2.1(a) aim to minimise rather than eliminate impacts from rural activities. Larger separations between intensive plant agriculture and sensitive uses at a zone interface would be appropriate to ensure all impacts are internalised.

2.2.2 Water Storage Facilities (Dams)

Desired Outcomes

a. Water storage facilities that are constructed and sited to be stable and have minimal environmental impact.

Prescriptive Measures

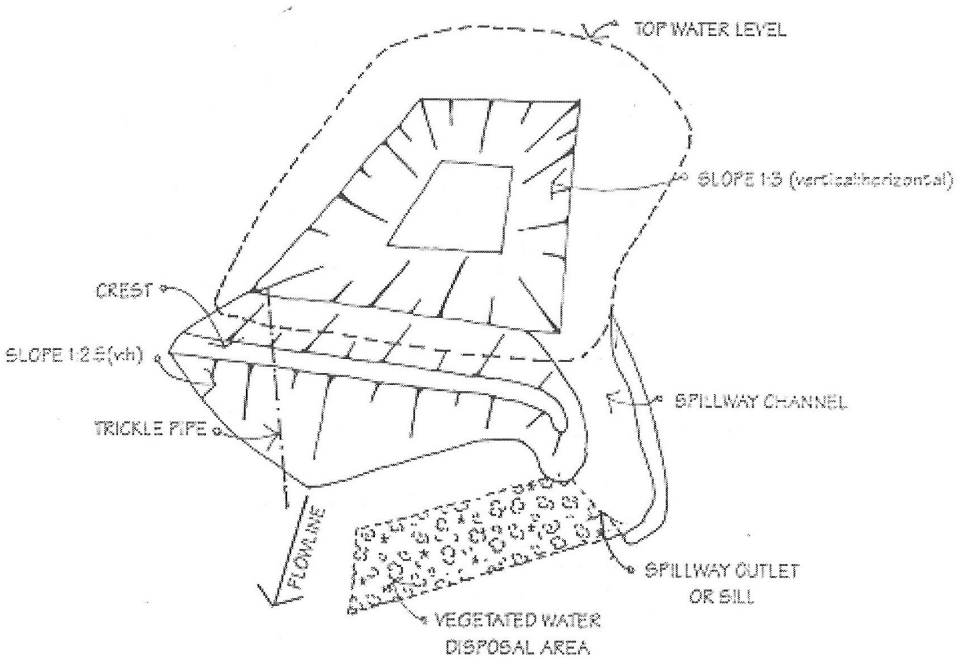
a. Dams should not prevent or significantly alter water flows to adjoining properties or natural ecosystems.

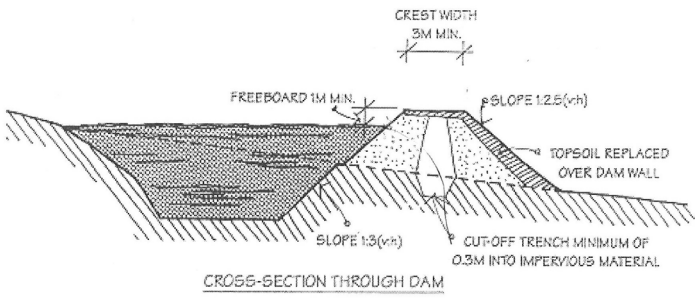
b. Dams should not be located on sites with a gradient in excess of 15%.

c. Dam design guidelines are illustrated in Figure 2.2(a). The dam spillway should be designed for the 1 in 20 year storm event.

d. Development applications for a dam that has a maximum capacity greater than 0.4 megalitres or for an additional dam that results in the total capacity of all dams on the property exceeding 1 megalitre should be accompanied by a report from a suitably qualified hydraulic services consultant, assessing the impact that the proposed dam will have on downstream flows and environments.

e. Water quality management measures should be incorporated with the dam, such as vegetation on the perimeter of the dam and within the dam to reduce the occurrence of problematic algae.





Catchment area (Ha)	Channel width (m)	Outlet or sill width (m)
<20	3	7
20-40	6	12
>40	(Need to be designed)	(Need to be designed)

RECOMMENDED MINIMUM SPILLWAY SIZES FOR STABLE SOILS

Figure 2.2(a) Dam Design Guidelines (C)

Notes:

Water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

A licence from the Office of Water is required for certain categories of dams. Please refer to the Office's website www.water.nsw.gov.au and information sheet titled *Farm Dams – do you need a licence* for further information.

2.2.3 Garden Centres, Plant Nurseries and Landscaping Material Supplies

Desired Outcome

a. Garden centres, plant nurseries and landscaping material supplies that are that are sympathetic to the rural character of the area and appropriately separated from adjoining sensitive land uses to minimise visual impacts and land use conflicts.

Prescriptive Measures

General

a. Site planning should provide adequate area for:

- landscaping buffers,
- dams and/or rainwater tanks,
- waste water treatment,
- water quality treatment,
- driveways and parking areas, and
- sanitary facilities for staff and customers.

b. External storage areas, including bulk bin storage, should be

- located behind the front building line, and
- setback a minimum of 10 metres from side and rear boundaries, and
- landscaped with significant foliage to screen any storage items and structures.

Landuse Separation

c. Noise generating components of the development such as loading and unloading areas, cafes, and childrens play areas should be sited to limit the potential for landuse conflicts with neighbouring sensitive landuses.

d. The distance between any planted areas/ green houses and an adjoining dwelling house should conform to the minimum requirements in Table 2.2.1(a).

Ancillary Land Uses

e. The maximum floor space permitted to be constructed/ utilised for a permissible ancillary use such as retailing and restaurants combined is:

- (a) a maximum of 20% of the site area used for the garden centre; or
- (b) 400m^2,

whichever is the lesser.

f. Ancillary uses to garden centres and the like should have the same hours of operation as the landscape and/ or material supply business.

Notes:

Garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

(a) outdoor furniture and furnishings, barbeques, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,

(b) pets and pet supplies,

(c) fresh produce.

Plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on-site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

Landscaping material supplies means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

2.2.4 Animal Boarding or Training Establishments

Desired Outcomes

a. Animal boarding or training establishments that are sympathetic to the rural character of the area and have minimal impact on the amenity of surrounding land uses.

Prescriptive Measures

General

a. Animal boarding and training establishments (including exercising areas) should be sited and designed to minimise noise and odour impacts on adjoining land.

b. Applications should be accompanied with a management plan addressing sustainable stocking rates that take
into account pasture quality, hand feeding, and land degradation.

Landuse Separation

c. Animal accommodation (such as stables, kennels, exercise areas, aviaries, pens and the like) should be separated from sensitive land uses at least in accordance with Table 2.2.4(a).

Table 2.2.4(a): Minimum separation between animal boarding and training establishment and sensitive land uses

Animal Accommodated	Minimum Separation to Sensitive Land Uses (metres)
Poultry	30m
Ducks	30m
Horses	30m
Goats	45m
Pigs	60m
Cats and Dogs	100m

d. Notwithstanding the above, an increase in the minimum separation to sensitive landuses may be required, taking into account the following:

- The likely generation of noise. An Acoustic Consultant should recommend suitable separations to sensitive landuses taking into account the intensity of the facility (no of animals), the building construction proposed, any exercise run design and other noise attenuation measures, and
- The likely generation of offensive odours. An odour modelling assessment should be provided that may require an increase in landuse separation to sensitive land uses.

e. Noise from barking dogs should be limited by design techniques such as:

- siting kennels so that they do not face each other,
- limiting external stimulation, e.g. by partitioning between kennels or using blinds,
- provide screening between the dogs and neighbouring properties and the public domain in order to avoid distracting the animals, (eg. by children playing, vehicles entering and leaving a property), and
- holding dogs singly or in compatible pairs.

Notes:

An animal boarding or training establishment 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

Sensitive land uses include dwellings or approved building envelopes on vacant lots, tourist facilities, community uses, educational uses, public open space, and sheds or premises used for the manufacture, preparation, sale or storage of food.

For further information refer to *Prime Fact 932 Planning for Horse Establishments 2009* for details on stocking rates for horses available at www.dpi.nsw.gov.au and/or contact the NSW Department of Primary Industries.

Refer to the *Local Government General Regulation (2005)* Schedule 2 for additional controls on the keeping of animals.

2.2.5 Rural Industry

Desired Outcome

a. Rural industries that are sympathetic to the rural character of the area and have minimal impact on environment and the amenity of surrounding land uses.

Prescriptive Measures

a. The following criteria should be considered in selecting a site for a rural industry:

- sites greater than 4000m^2,
- reduced exposure to neighbouring dwellings and noise sensitive areas,
- the intensity, size and scale of the industry,
- sites with good vehicular access, parking, and loading/unloading facilities,
- ability to visually screen the development, and
- an appropriate area for expansion.

b. Rural industries should be sited and designed to minimise noise, odour and visual impacts on adjoining land uses and include measures such as:

- landscaped buffers,
- odour management,
- sound attenuation, such as earth mounds, fencing and insulation of machinery.

Note:

A rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

(a) agricultural produce industries,

(b) livestock processing industries,

(c) composting facilities and works (including the production of mushroom substrate),

(d) sawmill or log processing works,

(e) stock and sale yards,

(f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

2.2.6 Rural Workers' Dwelling

Desired Outcomes

a. Rural workers' dwellings that facilitate the use of land for a commercially viable rural operation and maintain the rural character of the area.

Prescriptive Measures

a. A rural workers' dwelling should:

- have a maximum gross floor area of 110m^2, or
- involve the conversion of an existing dwelling.

b. Rural workers' dwellings should only be constructed where rural undertakings on the property have the capacity to support both the primary producer and the rural worker.

c. Rural workers' dwellings should be located not to affect the capability of land to be used for agriculture.

d. All applications for rural workers dwellings should be accompanied by advice from a qualified agricultural consultant or financial documentation certifying that the agricultural activity on the allotment justifies the demand for a rural workers dwelling.

e. Development applications for a rural workers' dwellings should be accompanied by:

(a) a site plan showing the nature and extent of agricultural undertakings on the land;

(b) a detailed description of the agricultural undertakings on the land which should include:

- the calculated area of the site used for each agricultural activity,
- the rural workers' hours of employment, and
- the number of people employed, and on what basis (e.g. full-time, part-time, casual, seasonal).

(c) gross margin budgets or accounts which demonstrate the ability of the established enterprises to support both the farmer and the rural worker.

f. A rural workers dwelling cannot be erected on a separate lot created for the purposes of primary production pursuant to Clause 4.2 of the HLEP.

Note:

A **rural worker's dwelling** means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

2.2.7 Secondary Dwelling

HLEP Clause 5.5 contains provisions for development of Secondary Dwellings on rural land.. The following controls apply to land zoned RU1 Primary Production, RU2 Rural Landscape, RU4 Small Lot Primary Production, and RU5 Village.

Desired Outcomes

a. Secondary dwellings that provide opportunity for an extension of family accommodation or affordable rental accommodation in the rural area and maintain the rural character of the area.

Prescriptive Measures

a. A secondary dwelling should:

- have a maximum total floor area of 120m^2, or
- 33% of the total floor area of the principal dwelling, whichever is the greater.

b. Secondary dwellings should not be attached to farm buildings or rural buildings.

c. Secondary dwellings should be located not to affect the capability of land to be used for agriculture.

d. Vehicular access to both dwellings should be from a single common driveway or access from the public road.

e. Where the creation of a secondary dwelling involves an extension to an existing dwelling house, the secondary dwelling should be constructed of the same materials of the existing dwelling, or the existing dwelling should be renovated to match the proposed external materials of the new dwelling.

f. Where the primary and secondary dwelling are attached on land zoned RU1, RU2 and RU4, the total length of the front elevation should not exceed 50% of the frontage of the lot.

g. Subdivision of land to provide a separate lot for an approved secondary dwelling is not supported if the resultant lots are smaller than the applicable minimum lot size shown on the HLEP Lot Size Map, pursuant to Clause 2.6 of the *HLEP.*

h. A secondary dwelling can not be erected on a separate lot created for the purposes of primary production pursuant to Clause 4.2 of the *HLEP.*

Notes:

A secondary dwelling means a self-contained dwelling that:

(a) is established in conjunction with another dwelling (the principal dwelling), and

(b) is on the same lot of land as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling.

Total Floor Area means gross floor area as defined by the HLEP.

Case Study Example:

Mike and Lisa own a 2 hectare block of land zoned RU4 and have developed a 500m2 principal dwelling on the site (excluding the garage). The property can therefore accommodate a secondary dwelling with a gross floor area of up to 165m2 (33% of 500m2).

In determining where and how the secondary dwelling should be accommodated, they now need to consider the provisions of 2.2.7 of the DCP and other applicable controls, (eg. Part 1 and Section 2.1 of the DCP) that includes controls such as:

- Scale (height, roof design, design details)
- Setbacks (including separation to intensive rural activities)
- Private Open Space,
- Car parking,
- Biodiversity,
- Bushfire,
- Landscaping,
- Effluent Disposal, and
- Building Sustainability (BASIX)

2.2.8 Tourist and Visitor Accommodation

These controls apply to Bed and Breakfast Accommodation, Farm Stay Accommodation and Short-Term Rental Accommodation (comprising short-term holiday letting of a dwelling).

Desired Outcomes

a. Tourist and visitor accommodation that is compatible in scale and character with development in the locality.

b. Tourist and visitor accommodation that provides adequate facilities and services for occupants and are located and designed to minimise amenity impacts on the locality.

Prescriptive Measures

General

a. A single sign should be displayed in public view within the property boundaries that:

- has a maximum area of 0.5m^2,
- includes details of the land use, name(s) of the owner/establishment and 24 hour contact phone number, and
- should not be illuminated.

b. In unsewered areas, it should be demonstrated that the existing sewage management system is adequate for the proposed use or will be upgraded.

c. Active recreation facilities, such as barbeque areas, should be located away from the bedroom areas of adjoining dwellings.

d. If relevant, a bushfire evacuation plan should be submitted with the development application showing means of evacuation in an emergency. The bushfire evacuation plan should be displayed within the dwelling or sleeping rooms.

Bed and Breakfast Accommodation and Farm Stay Accommodation

e. Bed and breakfast accommodation and farm stay accommodation should:

- be undertaken by the permanent residents of the dwelling-house, and
- be on a short-term basis, and
- comprise a maximum maximum of 3 bedrooms catering for a maximum of 6 guests.

Short-Term Rental Accommodation

f. Short-term rental accommodation should:

- be undertaken in a lawful dwelling,
- be on a short-term basis (less than 90 days), and
- comprise a maximum of 6 guests.

g. A Code of Conduct to be signed and adhered to by guests should be prepared and submitted with the development application. The Code of Conduct should, at a minimum, address the following responsibilities of guests during their stay:

- maximum guest numbers,
- contact number of the property manager including an after hours number,
- noise and lighting restrictions for activities between 10pm and 8am,
- instructions concerning recycling, garbage services and special requirements relating to the disposal of garbage, and
- procedures in case of an emergency.

Notes:

The change of use of a dwelling to tourist and visitor accommodation may require a change of classification under the Building Code of Australia (BCA). This may require significant fire upgrading work and disabled access provision to the building.

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 that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

Short-term rental accommodation differs from bed and breakfast accommodation in that visitors of the latter are hosted by the permanent residents of the dwelling where the former has no on-site manager. It is otherwise known as short-term holiday letting. So called "party houses" conflict with residential amenity, damaging to the Holiday Rental industry and are not permitted.

For further information on preparing a Holiday Rental Code of Conduct, refer to the best practice publication *Holiday Rental Code of Conduct - Version 1 (March 2012)* available at destinationnsw.com.au.

2.2.9 Attached Dual Occupancy

The following controls apply to the development of Attached Dual Occupancies on land zoned RU1 Primary Production, RU2 Rural Landscape and RU4 Small Lot Primary Production.

Desired Outcomes

a. Attached dual occupancies that provide opportunity for an extension of family accommodation or affordable rental accommodation in the rural area and maintain the rural character of the area.

Prescriptive Measures

a. An attached dual occupancy should be on land with a lot size equal to or greater than than the applicable minimum lot size shown on the HLEP Lot Size Map, pursuant to Clause 6.9 of the HLEP.

b. One of the dwellings that forms an attached dual occupancy should not have a total floor area that is greater than 200m^2, pursuant to Clause 6.9 of the HLEP.

c. An attached dual occupancy should either be attached by a common wall or the main roof and have the general appearance of a single dwelling house when viewed from the primary street frontage. Mirror reversed dual occupancies or replica dwelling designs are not supported.

d. Where attached dual occupancies front a public road, the total length of the front elevation should not exceed 50% of the frontage of the lot.

e. Where the roof is shared, the closest walls of the dwelling should not be more than 6 metres apart. Structures such as carports, pergoals or covered walkways are not acceptable means of attaching the two dwellings.



Figure 2.2(b): Covered walkways are not acceptable means of attaching the two dwellings. (E)

f. Vehicular access to both dwellings should be from a single common driveway or access from the public road.

g. Where the creation of an attached dual occupancy involves an extension to an existing dwelling house, the new dwelling should be constructed of the same materials of the existing dwelling, or the existing dwelling should be renovated to match the proposed external materials of the new dwelling.

h. Subdivision of land pursuant to provide a separate lot for an approved attached dual occupancy is not supported if the resultant lots are smaller than the applicable minimum lot size shown on the HLEP Lot Size Map. pursuant to Clauses 4.1, 4.1AA and 4.1A of the HLEP.

i. An attached dual occupancy cannot be erected on a separate lot created for the purposes of primary production pursuant to Clause 4.2 of the HLEP.

Notes:

Attached dual occupancy or **Dual occupancy (attached)** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Total Floor Area means gross floor area as defined by the HLEP.

Case Study Examples:

John and Mary own a 2.5 hectare block of RU2 zoned land and have a 500m^2 existing dwelling on the site (excluding the garage). They propose to attach a second dwelling to the existing dwelling. The property can therefore accommodate and attached dual occupancy with a gross floor area of up to 200m, pursuant to Clause 6.9 of the HLEP.

In determining where and how the second dwelling should be accommodated, they now need to consider the provisions of 2.2.9 of the HDCP and other applicable controls (eg. Part 1 and Section 2.1 of the DCP) that includes controls such as:

- Scale (height, roof design, design details);
- Setbacks (including separation to intensive rural activities);
- Private Open Space;
- Car Parking;
- Biodiversity;
- Bushfire;
- Landscaping;
- Effluent Disposal; and
- Building Sustainability (BASIX).

2.3 Village Masterplans

2.3.1 Village Masterplans - General

The following section provides controls for the Rural area localities identified on the Masterplans. This includes a variety of zones including, but not limited to Rural Zones, Residential Zones, and Business Zones.

Desired Outcomes

a. Orderly development that is consistent with the principles in the village masterplans.

Prescriptive Measures

a. Village masterplans apply to the following localities:

- Dural Village,
- Galston, and
- Wisemans Ferry

b. Development should be designed to embody the urban design guidelines and principles of the relevant village masterplans.

c. Vehicular access should be rationalised in accordance with the relevant masterplan.

d. Public domain works and pedestrian thoroughfares should be provided in accordance with the relevant masterplan.

Dural Village Masterplan

MAJOR CONSTRAINTS

During the preparation of this plan a number of major constraints were identified and considered. These included:-

* overhead power and telephone wires
* underground services
* vision for vehicles and pedestrians
* future road widening
* dry, harsh site conditions

SUGGESTED PLANTING LIST

INDIGENOUS SPECIES

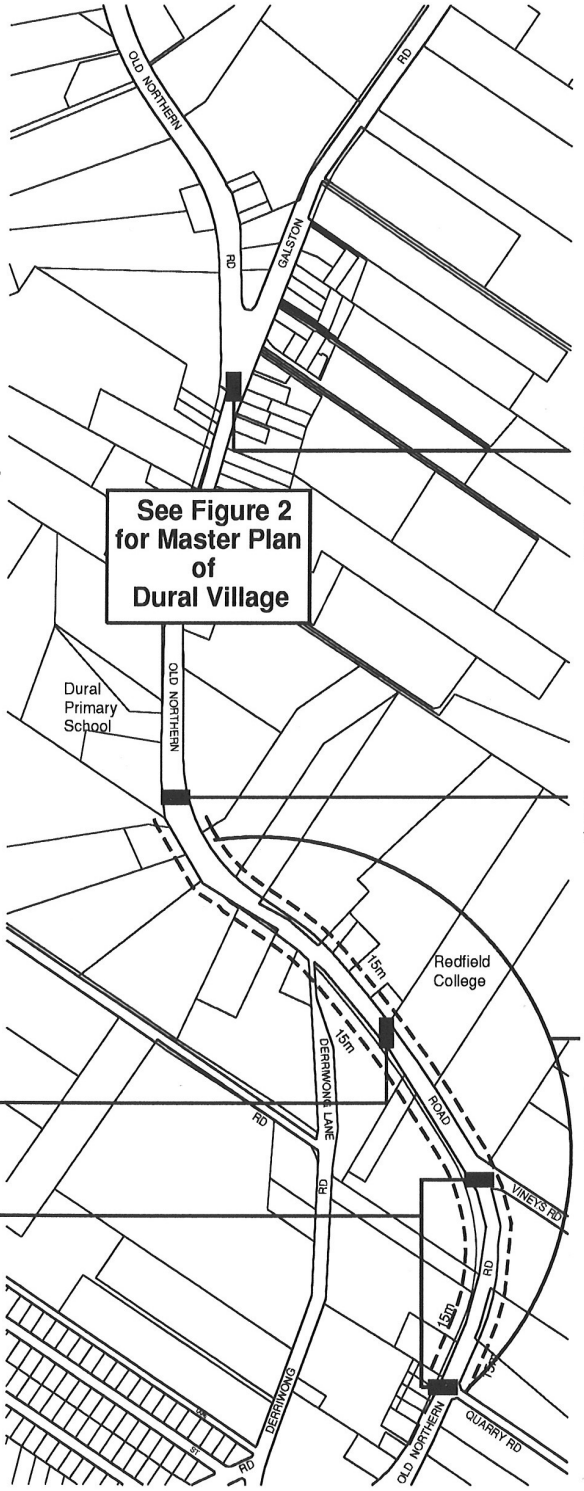
BENEATH OVERHEAD WIRES
Callicoma serratifolia
Ceratopetalum gummiferum
Hakea sericea

NO OVERHEAD WIRES
Eucalyptus gummifera
Eucalyptus haemastoma
Eucalyptus piperita
Syncarpia glomulifera
Tristaniopsis laurina

LARGE TREES FOR UNRESTRICTED AREAS
Eucalyptus pilularis
Eucalyptus saligna

EXOTIC SPECIES

NO OVERHEAD WIRES
Jacaranda mimosifolia
Pistacia chinensis
Ulmus parvifolia
Pinus radiata



DURAL VILLAGE CENTRE

This area requires special attention to create its own identity or 'sense of place'. A rural theme should be established through the choice of signs, fencing and street furniture.

Planting subject to future road widening. Planting not to be placed in front of school to ensure vision is unrestricted.

Road to be widened to four lanes with a median strip extending from the Dural Village Centre to Quarry Road

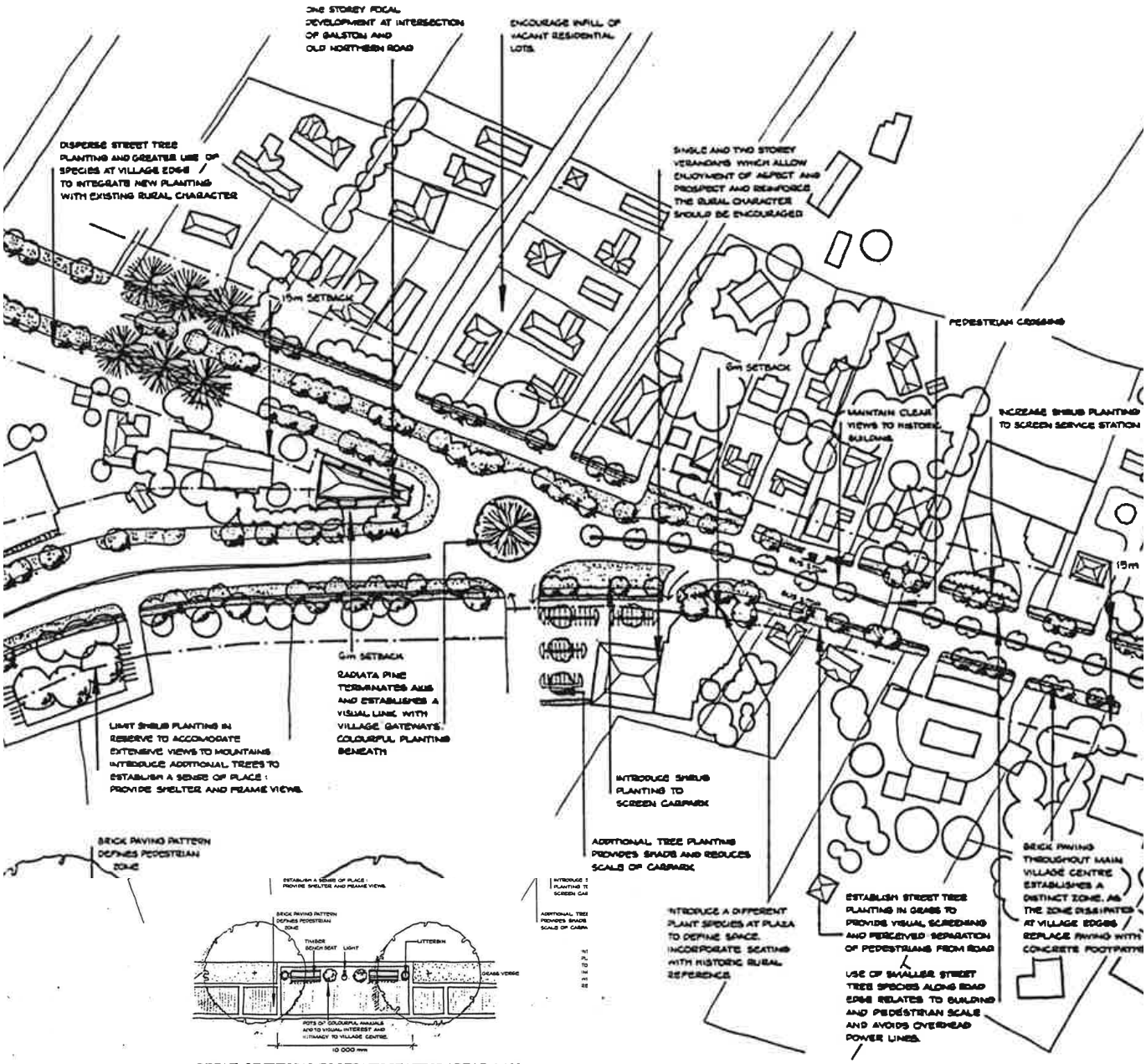
A 15m setback applies from the realigned road boundar

Street tree planting to be implemented along both sides of Old Northern Road, north of Quarry Road where road widening has been completed.

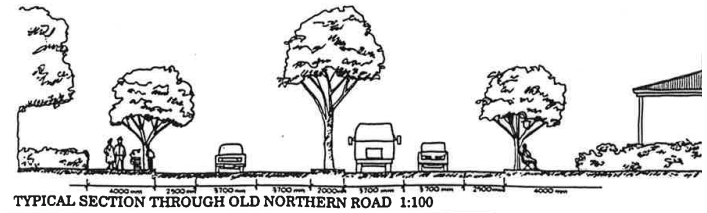
Low planting under wires subject to future road widening

Channelised intersections

Dural Village Masterplan (Figure 2)



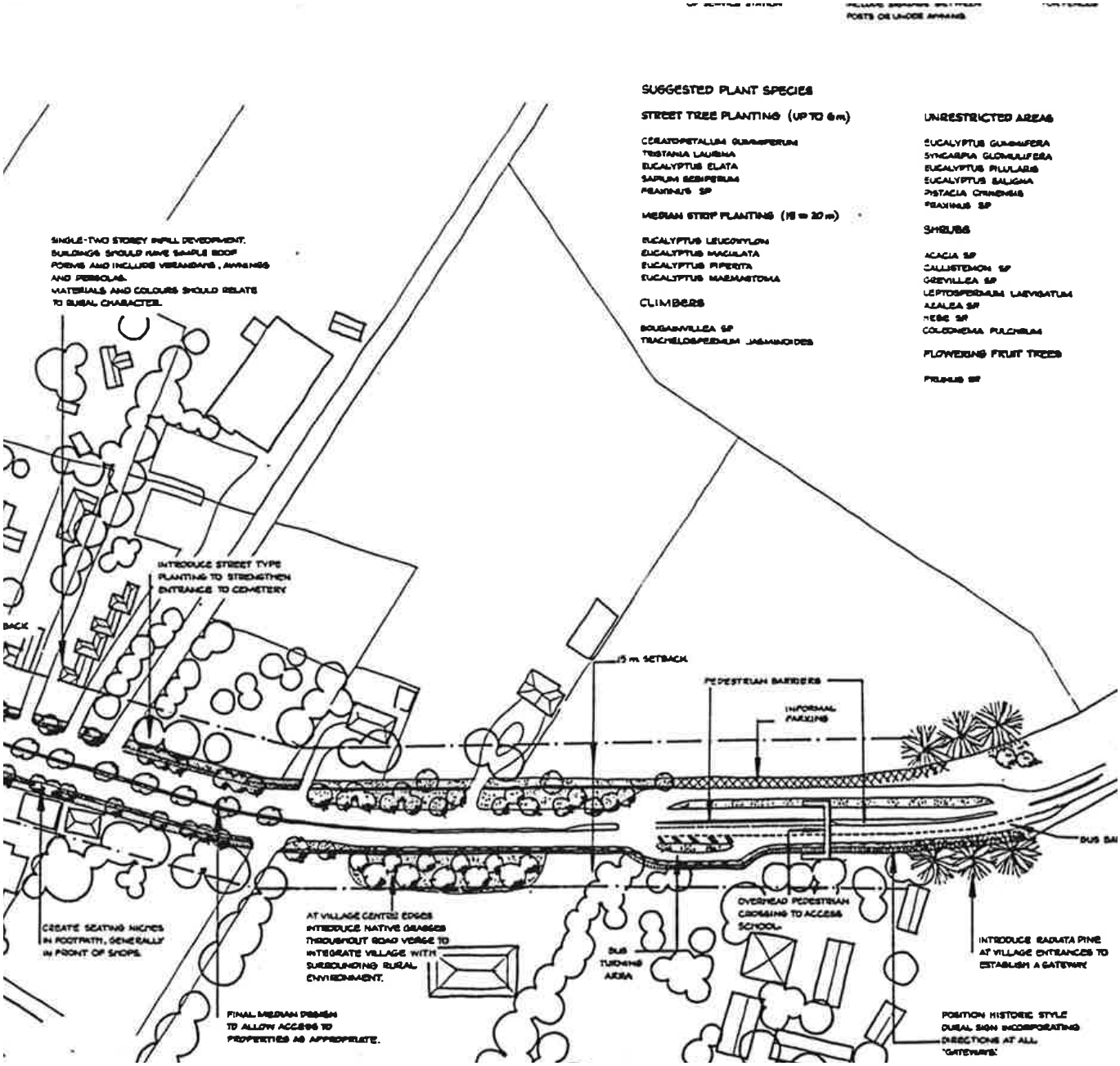
DETAIL OF TYPICAL FOOTPATH SEATING AREAS 1:100

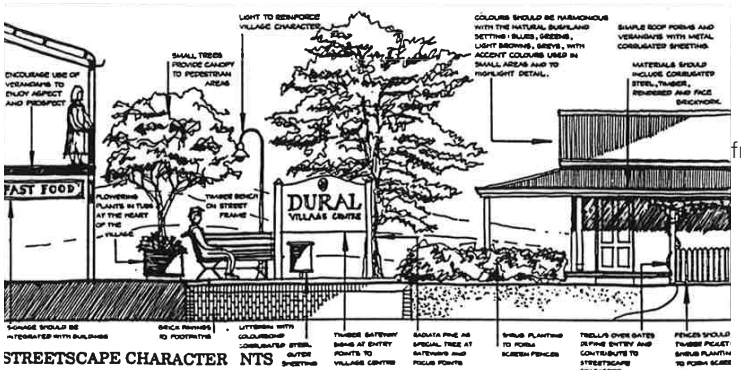


TYPICAL SECTION THROUGH OLD NORTHERN ROAD 1:100

DURAL VILLAGE CENTRE
MASTERPLAN
prepared for
THE COUNCIL OF THE SHIRE OF HORNSBY
CONYBEARE MORRISON & PARTNERS 92.176
NOVEMBER 1992 1:1000, 1:400, 1:100

Dural Village Masterplan (Figure 2 cont)



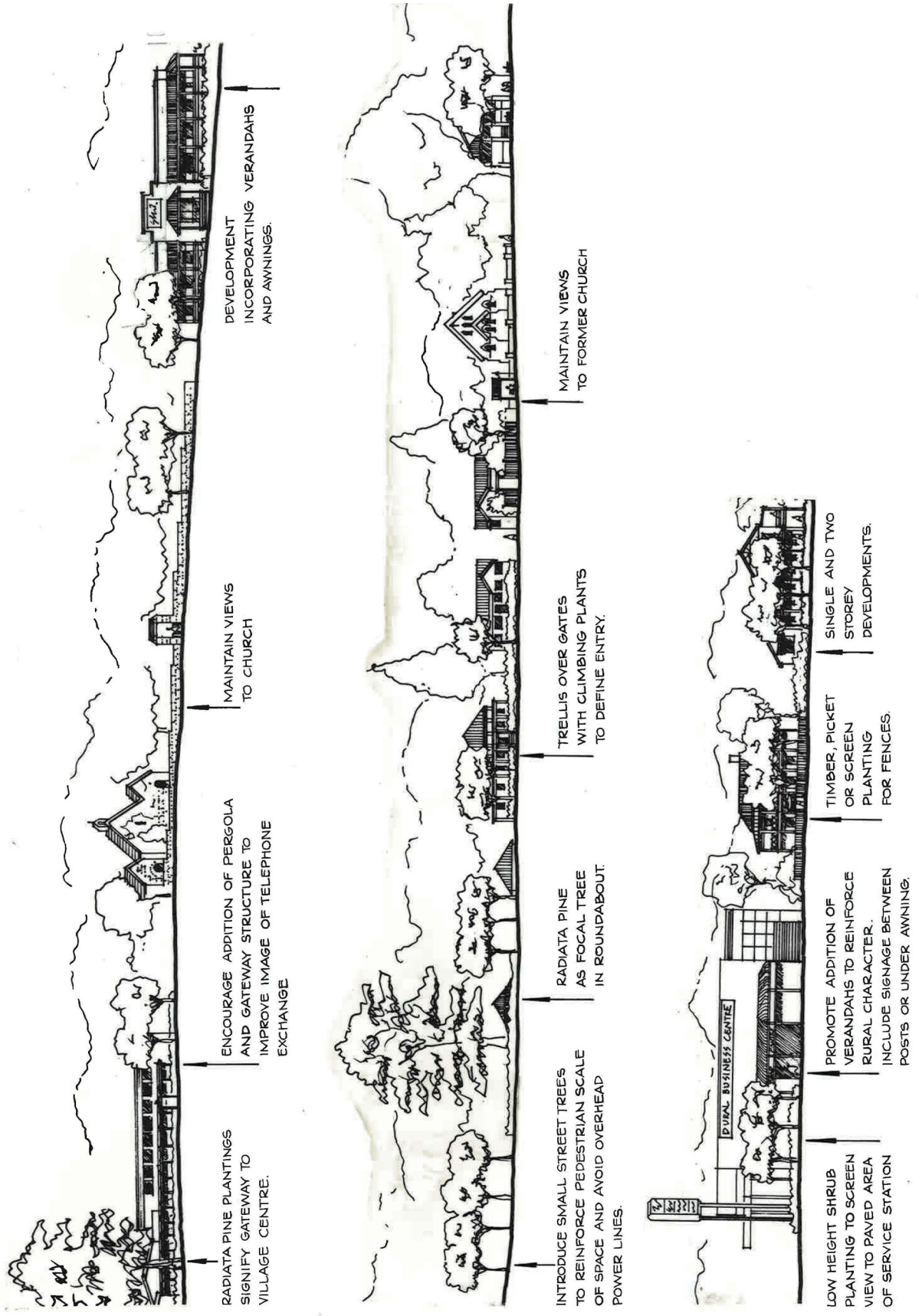


STREETSCAPE CHARACTER NTS

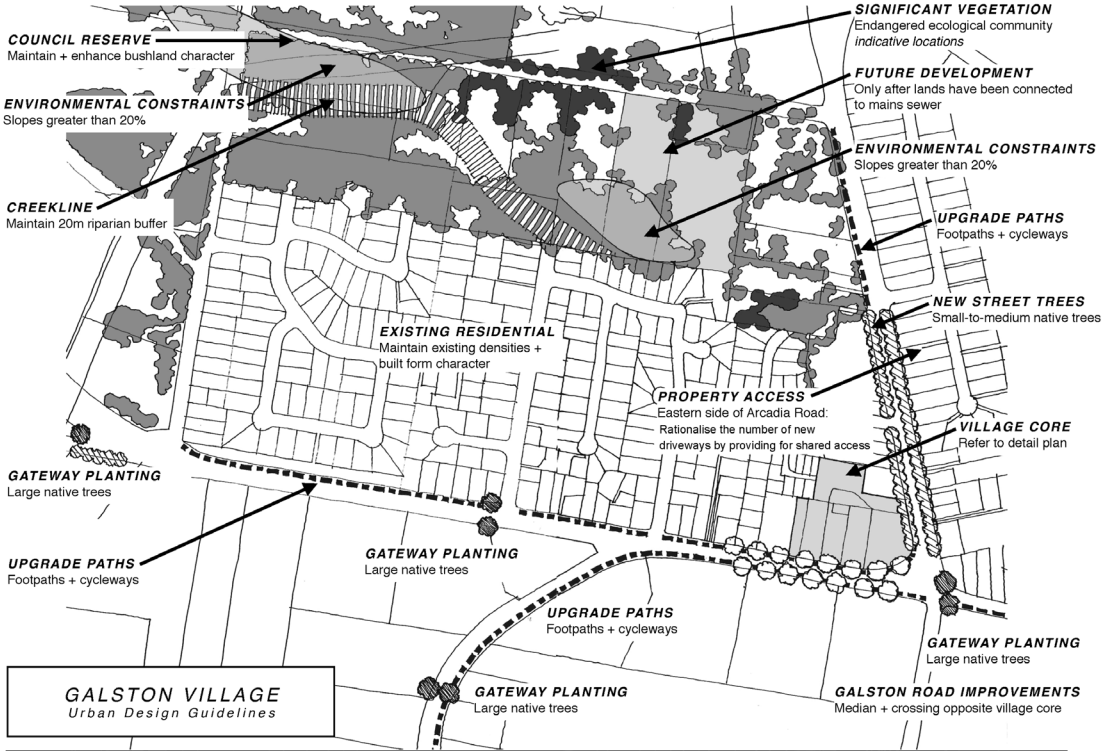
Note:

A Large Scale Plan is Available from Hornsby Council Planning Division if Required

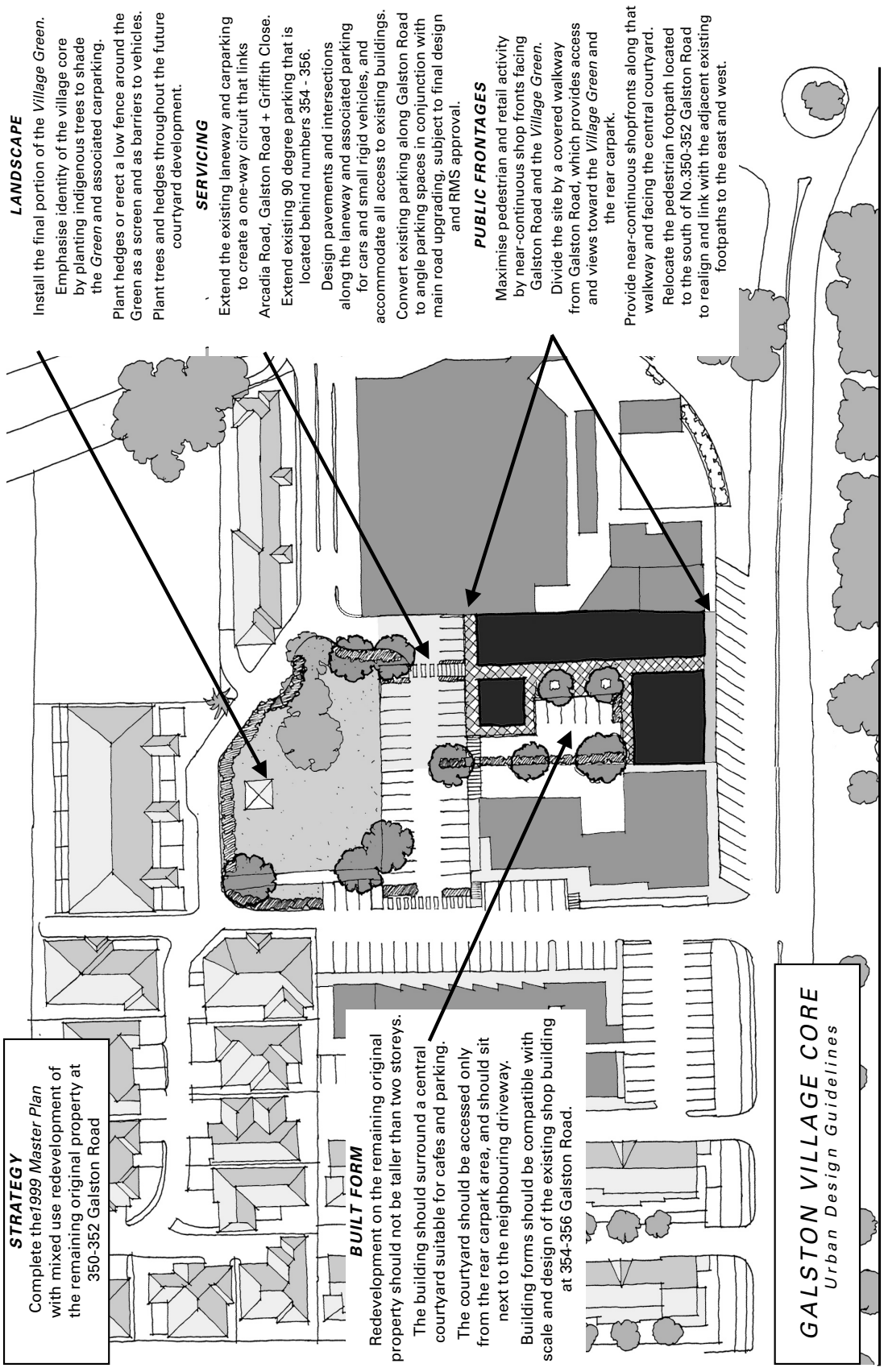
Dural Village Masterplan (Elevation)



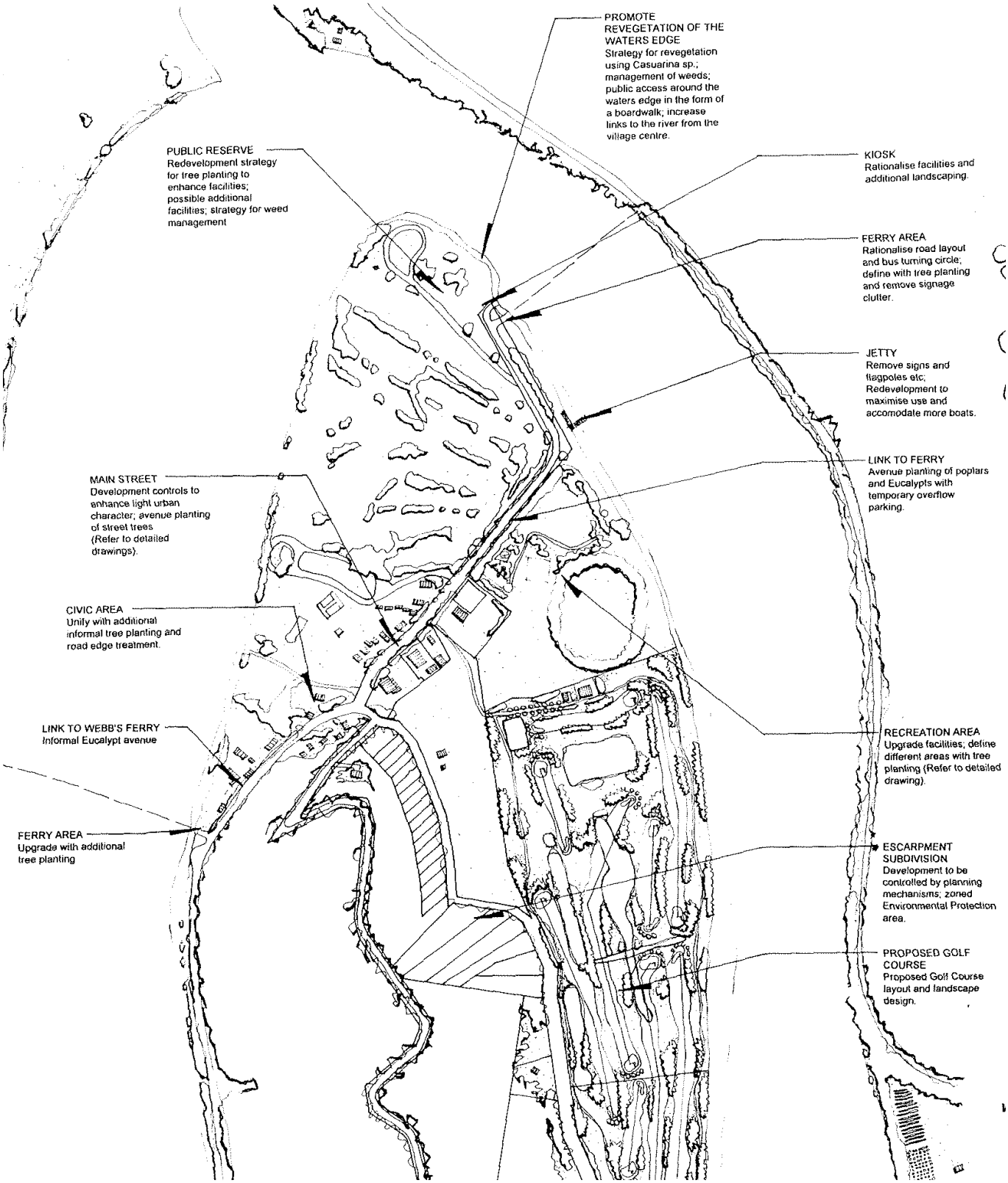
Galston Village Masterplan



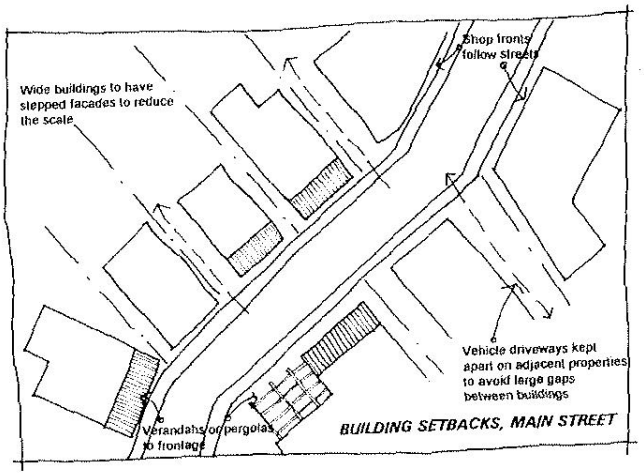
Galston Village Masterplan

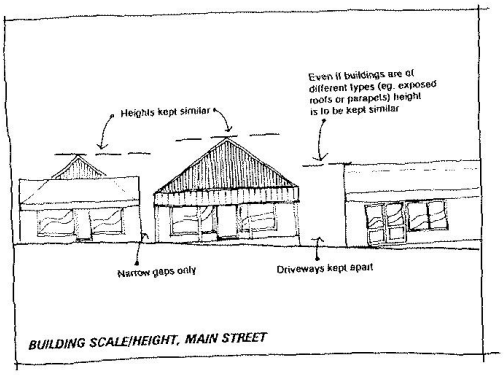


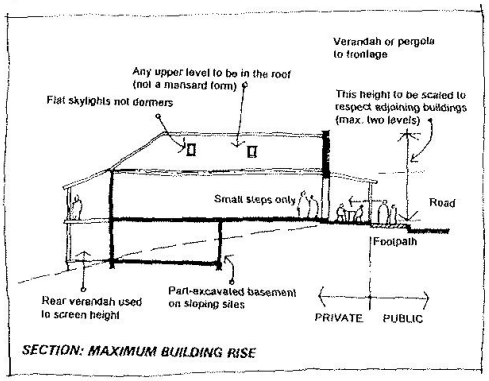
Wisemans Ferry Village Masterplan

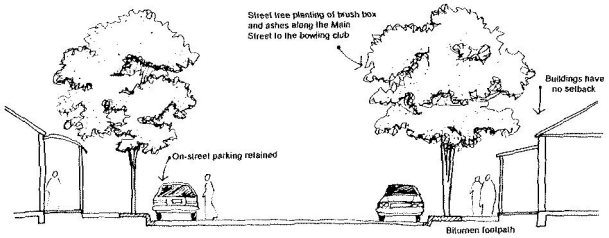


Wisemans Ferry Village Masterplan

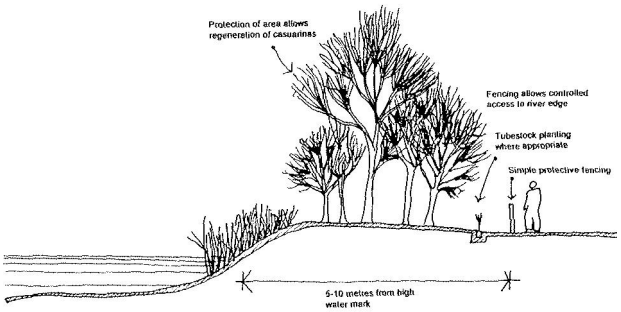




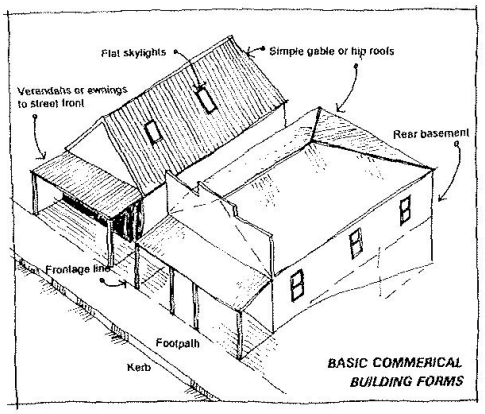


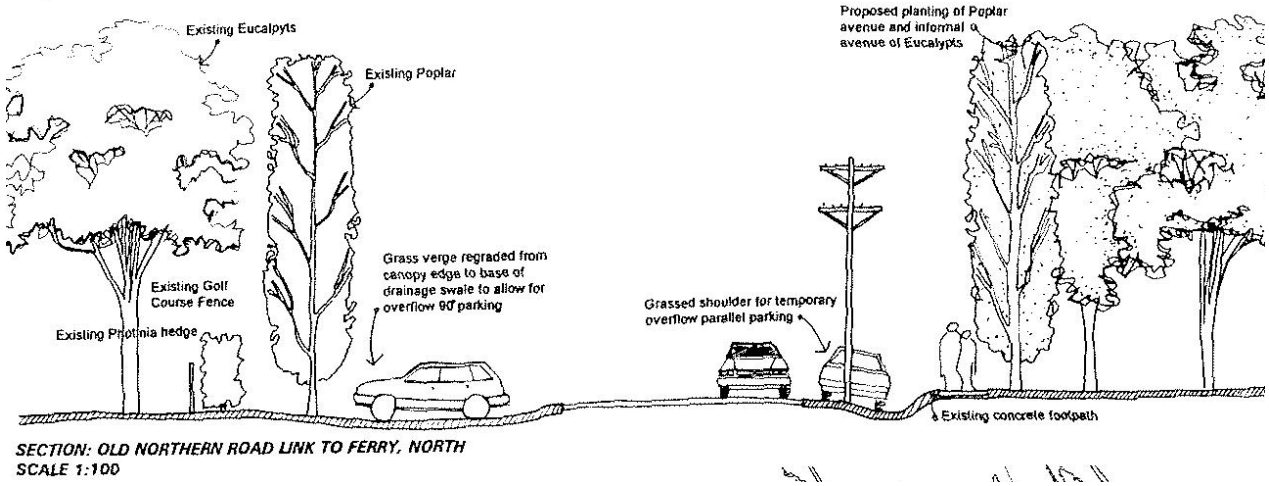


MAIN STREET LANDSCAPE TREATMENT SCALE 1:100



RIVER VEGETATION SCALE 1:100





SECTION: OLD NORTHERN ROAD LINK TO FERRY, NORTH
SCALE 1:100

2.4 Dural Village

The following provides controls for development in the RU5 Rural Village Zone.

2.4.1 Scales

Desired Outcomes

a. Development with a height, bulk and scale that is compatible with the character and amenity of the Village Centre.

Prescriptive Measures

Height

a. Sites with the following maximum building heights under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 2.4.1(a).

Table 2.4.1(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
I	8.5	2 storeys + attic

b. Buildings should respond to the topography of the site by:

- minimising earthworks (cut and fill), and
- siting the floor level of the lowest residential storey a maximum of 1.5 metres above natural ground level.

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Roof Design

d. Low pitched roofs with wide eaves should be encouragedfor compatibility with streetscape character and sun control.

e. The roof should have a maximum pitch of 35 degrees, except if a steeper roof pitch is more consistent with the existing character of the locality.

f. Any attic level is to be contained wholly within the roofspace.

g. The external walls of the building should not extend above the attic floor level.

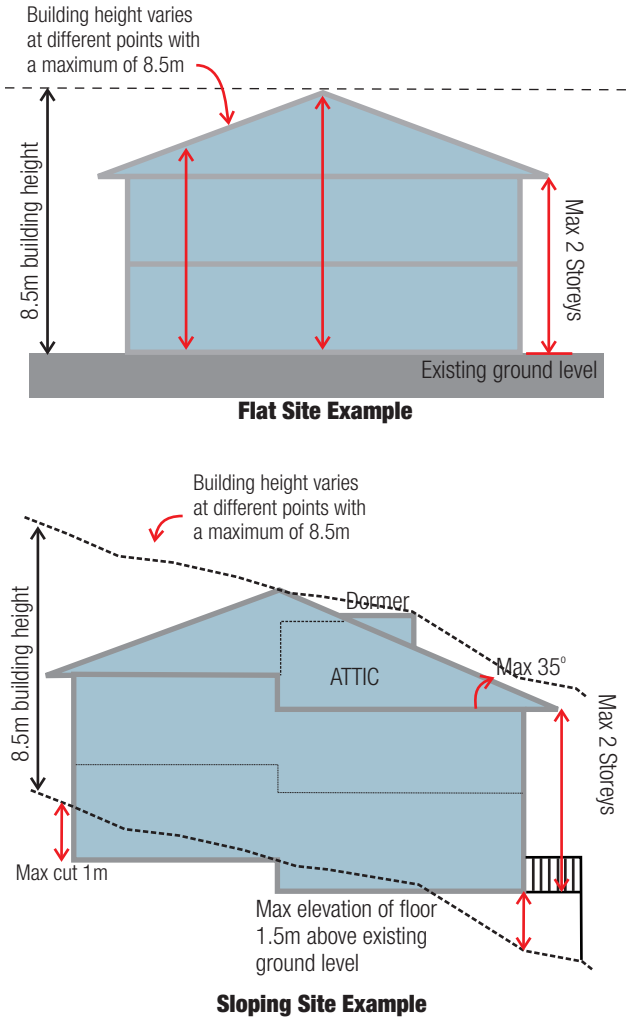


Figure 2.4(a) Explanation of building height controls (I)

Height controls are based on a typical residential floor to floor height of 3 metres, with allowances for roof articulation and undercroft areas for steeply sloping sites.

Site Coverage

h. The maximum site coverage of all buildings on the property should comply with Table 2.4.1(b):

Table 2.4.1(b): Maximum Site Coverage

Lot size	Maximum site coverage *(% of total lot size)*
200m² to 249m²	65%
250m² to 299m²	60%
300m² to 449m²	55%
450m² to 899m²	50%
900m² to 1499m²	40%
1500m² or larger	30%

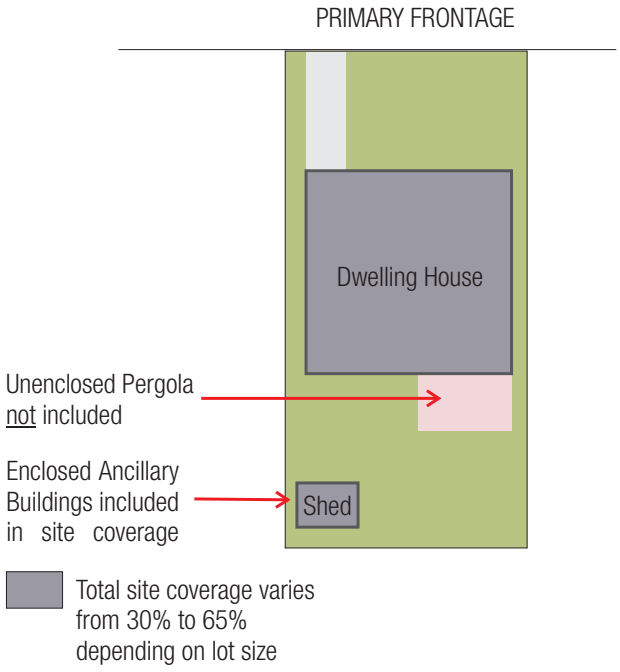


Figure 2.4(b): Site coverage calculation (I)

Floor Space

i. The maximum floor space ratio shall be in accordance with the *HLEP* Floor Space Ratio Map as summarised in Table 2.4.1(c).

Table 2.4.1(c): Maximum Floor Space Ratio

HLEP Area	Maximum Floor Space Ratio
D	0.5:1

j. In accordance with Clause 6.6 of the HLEP, development for the purpose of health consulting rooms, medical centres, office premises, restaurants or cafes, or take away food and drink premises, is limited to the following per allotment:

- a maximum gross floor area per premises of 100m² and a maximum of 3 premises listed above per allotment, or
- if the use is wholly within the external walls of a dwelling that existed prior to 21 February 2003, there is no prescribed limit.

Notes:

Site coverage means the proportion of a site area covered by buildings. However the following are not included for the purpose of calculating site coverage:

(a) any basement,

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,

(c) any eaves,

(d) unenclosed balconies, decks, pergolas and the like.

Floor Space Ratio as detailed in Clause 4.5 of the HLEP, means the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of Gross Floor Area.

2.4.2 Setbacks

Desired Outcomes

k. Setbacks that are compatible with adjacent development and complement the streetscape.

l. Setbacks that allow for canopy trees to be retained and planted along the front and rear property boundaries.

Prescriptive Measures

m. All buildings and structures should comply with the minimum boundary setbacks in Table 2.4.2(a).

Table 2.4.2(a): Minimum Boundary Setbacks

Boundary Setback	Minimum Building Setback
All public road boundaries	6m to local roads and 9m to designated roads, except for: 539 Galston Rd and 925-945 Old Northern Road - 6m to designated road
Side boundary	up to 1 storey = 0.9m 2 storey element = 1.5m
Rear boundary	up to 1 storey = 3m 2 storey element = 8m

n. The setback is to be measured from the RMS realigned road boundary. The road reservation is depicted on the *HLEP* Land Reservation Acquisition Map.

o. For the purpose of the setback controls, a 1 storey building or element is not to exceed a building height of 4.5 metres above existing ground level.

p. Notwithstanding the above, carparking for commercial uses should be setback 3 metres from side boundaries.

q. The setback of the building and ancillary structures from the property boundary may need to be increased to maintain landscape features, as detailed in Section 2.4.3 of this DCP.

Setback Encroachments

r. The following minor structures are able to encroach into the prescribed setbacks:

- A driveway between the on-site car parking area and a public road,
- Stairs to the ground floor of the building,
- Fences,
- A single storey outbuilding, with a maximum floor area of 25m2, is able to encroach to within 0.9 metres of the rear boundary (eg. garden shed, garage, pergola), and
- An inground swimming pool is able to encroach to within 1 metre of the rear boundary, measured to the water line.

Notes:

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

The **rear boundary** is ordinarily located parallel to and/or opposite the primary frontage which is the shorter street frontage.

2.4.3 Landscaping

Desired Outcomes

a. Landscaping that integrates the built form with soft landscaping and retains and enhances the tree canopy.

b. Development that retains existing landscape features.

Prescriptive Measures

a. The minimum landscaped area on a property should comply with Table 2.4.3(a):

Table 2.4.3(a): Minimum Landscaped Area

Lot size	Minimum Landscaped Area (% of the lot size)
200m² to 299m²	10%
300m² to 449m²	15%
450m² to 599m²	20%
600m² to 899m²	30%
900m² to 1499m²	40%
1500m² or larger	45%

b. Areas included as part of the minimum landscaped area should have a minimum width of 1.5 metres.

c. At least 50 percent of the minimum landscaped area should be located behind the building line to the primary road frontage.

d. A proportion of the front yard should be maintained as landscaped area as follows:

- 25 percent of the front yard for lots less than 18 metres wide, and
- 50 percent of the front yard for lots greater than 18 metres wide.

Notes:

Landscaped area means a part of a site used for growing plants, grasses and trees but does not include any building, structure or hard paved area. (Note: Swimming pools are not included in the minimum landscaped area calculation).

The applicant is encouraged to incorporate species from Council's publication I*ndigenous Plants for the Bushland Shire* available on Council's website hornsby.nsw.gov.au.

Retention of Landscape Features

e. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

f. Within front setbacks, fences should not be higher than 1.2 metres. The use of picket fencing on the front property alignment is encouraged.

g. Front fencing should be constructed from predominately lightweight materials with the design allowing at least 50 percent openings.

h. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.

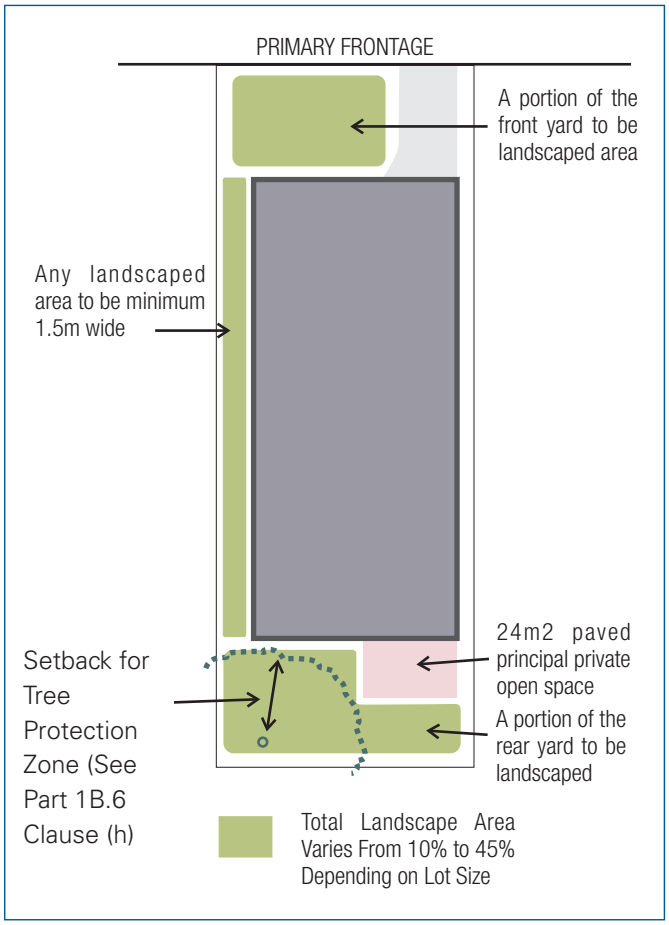


Figure 2.4(c): Landscaped area. (I)

2.4.4 Open Space

Desired Outcomes

i. Private open space that functions as an extension to the dwelling house.

Prescriptive Measures

Private Open Space

a. A dwelling house should be provided with private open space that incorporates a principal private open space area in accordance with Table 2.4.4(a).

Table 2.4.4(a): Minimum Private Open Space

Minimum Principal Area	Minimum Dimension of Principal Area
24m^2	3m

b. The principal private open space area should be sited behind the front building line and is to be directly accessible from the living area of the dwelling.

c. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area.

Clothes Drying Area

d. Each dwelling house should have access to an external air clothes drying area, in addition to the minimum principal private open space area. This is to be screened from public places.

2.4.5 Sunlight Access

Desired Outcomes

a. Dwelling houses designed to provide solar access to open space areas.

b. Development designed to provide reasonable sunlight to adjacent properties.

Prescriptive Measures

a. On 22 June, 50 percent of the required principal private open space area should receive 3 hours of unobstructed sunlight access between 9am and 3pm.

b. On 22 June, 50 percent of the required principal private open space on any adjoining property should receive 3 hours of unobstructed sunlight access between 9am and 3pm.

Note:

SEPP -BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing

2.4.6 Privacy and Security

Desired Outcomes

a. Development that is designed to provide reasonable privacy to adjacent properties and high levels of residential security.

Prescriptive Measures

Privacy

a. For development at the interface of a commercial and residential area, development should encourage views from the commercial development to the horizon rather than downward onto residential areas.

b. Living and entertaining areas of dwelling houses should be orientated towards the private open space of the dwelling house and not side boundaries.

c. A proposed window in a dwelling house should have a privacy screen if:

- it is a window to a habitable room, other than a bedroom, that has a floor level of more than 1 metre above existing ground level,
- the window is setback less than 3 metres from a side or rear boundary, and
- the window has a sill height of less than 1.5 metres.

d. A deck, balcony, terrace or the like should be located within 600mm of existing ground level where possible to minimise potential visual and acoustic privacy conflicts.

e. Decks and the like that need to be located more than 600mm above existing ground should not face a window of a habitable room, balcony or private open space of another dwelling located within 9 metres of the proposed deck unless appropriately screened.

Security

f. Private open spaces, living room windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

g. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

h. Where a mix of land uses are proposed, separate, secure access should be provided to commercial and residential entrances/ lobbies, and car parking areas.

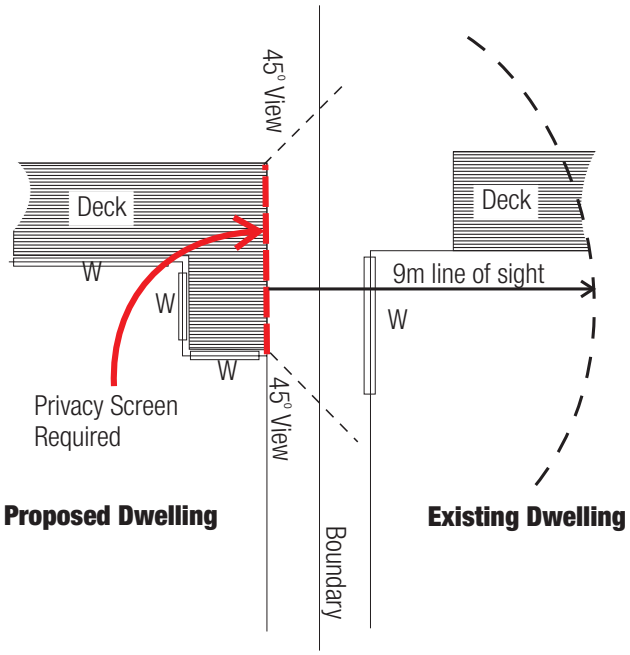


Figure 2.4(d): Decks adjoining a neighbouring dwelling should be screened. (I)

Notes:

All developments should comply with the minimum building setback controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5m high, measured from the floor level, and has no individual opening more than 30mm wide, and has a total of all openings less than 30% of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

2.4.7 Vehicle Access And Parking

Element Objectives

a. Development that provides sufficient and convenient parking for residents with vehicular access that is simple, safe and direct.

Prescriptive Measures

a. The number of existing accessways should be rationalised where possible.

b. Car parking should be provided behind the front building line for all landuses.

c. Parking for commerical uses should also be setback a minimum of 3 metres from the side and rear property boundaries and the area landscaped with screening shrubs.

d. A paved driveway should be provided between the required on-site car parking area and a public road.

Note:

Refer to Part 1 'General' of the DCP for more detailed parking and service vehicle design requirements.

2.4.8 Design Details

Desired Outcomes

a. Development compatible with a low density residential environment that complements the zone objectives.

Prescriptive Measures

General

a. Development should embody the urban design principles in the Dural Village Masterplan.

b. Buildings should be oriented primarily towards the street and the rear boundary.

c. Extensive blank or unarticulated walls to street frontages are discouraged.

d. Dwelling houses should provide a covered entry to the home at least 1.5 metres deep and clearly visible from the street.

e. Buildings on corner allotments should be designed to provide elevations that address both street frontages.

f. Garages should not dominate the facade of a building nor the streetscape. Garage doors should be as follows:

- setback 1 metre from the front facade of the home,
- no wider than 6 metres, and
- maximum 2.4 metres high.

Dormer Windows

g. The design of dormer windows in any attic level should comply with the following:

- Dormers should face the street and/or the rear property boundary,
- Dormers should be setdown below the ridge line and setback from the side walls,
- Dormers should not be wider than 1.3 metres,
- Be vertically proportioned at a ratio of 1.5:1 measured from head to sill of the window frame, and
- The number of dormer windows is limited to a maximum of two per facade.

Materials and Finishes

h. The colours, textures and materials used in external finishes should be consistent with a heritage theme.

2.5 Extractive Industries

The following provides controls for extractive industries at Maroota to which *the State Environmental Planning Policy (Resources and Energy) 2021* (Resources and Energy SEPP) applies as indicated in Figure 2.5(a). These controls may also be applied elsewhere in the rural areas where similar extractive industries are proposed.

Extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

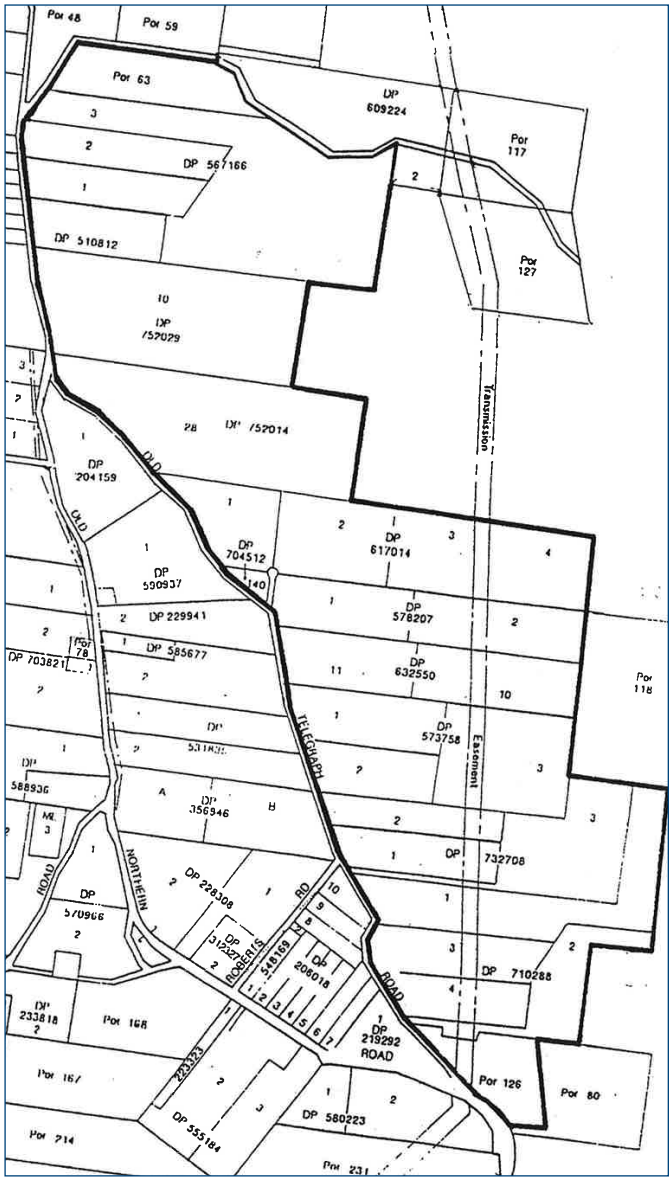


Figure 2.5(a): Resources and Energy SEPP locality. (C)

2.5.1 Setbacks

Desired Outcome

a. Setbacks to extractive operations that protect the natural environment and provide reasonable visual and acoustic amenity to the area.

Prescriptive Measures

a. Extraction operations including internal access roads should be setback to comply with Table 2.5.1(a):

Table 2.5.1(a): Minimum Setbacks

Feature	Minimum Setback
Adjoining property boundaries	10m (to include a landscape buffer)
Public road	30m (to include a landscape buffer)
Land reserved under the National Parks and Wildlife Act 1974	40m (to include a vegetative buffer)
Site or relic of heritage, archaeological, geological, cultural significance	40m
Habitats of threatened species, populations and ecological communities	40m (to include a vegetative buffer)
Top bank of a watercourse	40m or otherwise to the requirements of the NSW Office of Water
Public or Community facility	100m
Residence not associated with extraction	100m

b. Where extraction is occurring on adjoining properties, the setbacks required by Table 2.5.1(a) may be reduced to provide an integrated final land form.

2.5.2 Transport

Desired Outcomes

a. Extractive industries that maintain a safe and efficient road network.

b. Extractive industries that have minimal impact on the local road network.

Prescriptive Measures

a. Safe, controlled and limited access points to the road network should be provided.

b. Heavy vehicle routes on the local road network should be direct and avoid sensitive land uses. Where sensitive land uses can not be avoided the frequency and timing of heavy vehicles should be controlled.

c. Internal access should be no less than 20 metres wide (easement width).

d. The standard of construction of internal accessways should have regard to:

- cross sectional characteristics, both typical of straight and on curves and bends,
- horizontal and vertical alignment characteristics,
- pavement and drainage proposals,
- other technical parameters, and
- vehicle grades not exceeding 6%.

e. Extractive operations should contribute to the maintenance of the road network as a result of road damage caused by heavy vehicles.

DA Submission Requirement

f. Documentation outlining anticipated heavy vehicle routes, loading and frequency associated with the extractive industry should be submitted with the application.

Post DA Submission Requirement

g. Certified weighbridge dockets and a log book to verify the frequency and timing of vehicle movements may be required as a condition of consent.

Note:

Designs of all access/ intersection points to the external road network should comply with the requirements of the Hornsby Shire Civil Works Design Specification and/or Roads and Maritime Services.

2.5.3 Water Resources

Desired Outcomes

a. The protection of existing drainage patterns including location, quantity and quality of water.

b. The conservation and effective management of the sustainability of surface and groundwater resources.

c. The protection of downstream dependent riparian ecosystems and natural habitats.

Prescriptive Measures

a. Proposals should employ extraction procedures capable of maintaining, monitoring and managing pre-existing surface drainage patterns and groundwater flow and water quality conditions.

b. Extraction should not occur within 2 metres of the high groundwater level.

DA Submission Requirements

c. Proposals should be accompanied by a *Groundwater Impact Assessment Report* which should:

- identify and classify aquifer systems on extraction sites,
- identify all groundwater dependent users and environs at the site and within adjacent catchment areas,
- assess vulnerability of groundwaters,
- identify a freeboard level (to AHD) above high groundwater level capable of protecting groundwater flow patterns and water quality,
- identify potential sources of impacts including seepage from tailing dams, and
- outline procedures for protecting and monitoring groundwater flow and quality.

d. Applications should be accompanied by a *Water Management Plan* which provides a framework for the identification, classification and management of artificial and natural surface and subsurface water cycles during all phases of clearing, extraction and rehabilitation including:

- site investigations used to identify and classify catchment origin, drainage patterns, water flow and quality,
- source, quantity and quality of water required to provide a reliable supply of water to the operations,

- procedures capable of maintaining natural surface water flow and quality conditions along downstream boundary alignments,
- the design and likely impact of any temporary diversion of drainage patterns,
- procedures for maintaining and monitoring water quality at downstream boundaries,
- procedures for minimising importation of water,
- procedures for maximising reuse/recycling of collected waters, particularly during extreme climatic conditions,
- risks, safeguards and contingency plans for extreme climatic conditions and operational hazards including groundwater breach or contamination,
- method of treating polluted and contaminated waters,
- destination points for collected waters are retained within each extraction area/stage,
- procedures for ensuring that contaminated waters are contained on-site during 1 in 100 year ARI storm events (1% AEP),
- protection of significant site features and natural springs, and
- procedures for monitoring groundwater flow, quality and recharge areas within catchments having regard to the Groundwater Impact Assessment Report.

Post DA Submission Requirement

e. An updated Water Management Plan may be required to be resubmitted annually to Council as a condition of consent. The report would be required to be prepared by a suitably qualified Environmental Consultant and demonstrate that:

- the protection of water dependent features and ecosystems of the site and adjacent catchments,
- the actual source, quantity and quality of water used by all aspects of the operation,
- the effectiveness of the Water Management Plan in providing a framework for a complete balance for both artificial and natural surface and subsurface waters,
- risks, safeguards and contingency plans for extreme climatic conditions and operational hazards including groundwater breach or contamination,
- the results of monitoring water at downstream boundaries relative to the stage of extraction,
- the results of monitoring of groundwater flow and quality within the extraction-site and adjacent catchment,
- the advice and licensing requirements of state agencies including NSW Office of Water and the EPA,
- recommendations to alter operational procedures to improve the performance of artificial and natural surface and subsurface water cycles, and
- applications should include a determination of the likely impact upon groundwater and nominate an effective freeboard above the high groundwater level capable of protecting groundwater flow patterns and water quality on each extraction site.
- Based on the above factors, the report should idenitfy any adverse environmental impacts in accordance with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC Guidelines, 2000), and outline any mitigation measures.

Note:

All bores and extraction operations which intercept the water table and/or require pumps should be licensed with the NSW Office of Water

2.5.4 Soil And Water Management

Desired Outcome

a. Extractive operations that minimise soil erosion and water pollution by minimising land disturbance, and requiring control measures on-site.

Prescriptive Measures

Clearing

a. Vegetation should only be removed in stages to retain as much protective ground cover vegetation as possible.

b. The natural vegetation outside the extraction site should be protected at all times by the installation and maintenance of sediment control devices.

c. Progressive clearing should be restricted to within the approved boundaries of the extraction area.

Topsoil and overburden removal

d. Topsoil and overburden stripping should not advance any more than 30 metres in front of the current extraction operation.

e. Stockpiles should be located in low erosion hazard areas away from drainage lines and stabilised by vegetation and the use of silt fences.

f. Removed topsoil should be used for rehabilitation of previously disturbed areas in order to maintain the freshness of the topsoil. Topsoil removal should occur in two stages, organic matter and then the topsoil.

g. Where material is to be stored in stockpiles, the stockpile should be:

- of one soil type;
- kept flat and low to ensure survival of organic matter and aerobic organisms;
- keep free of traffic and drainage lines;
- not left for more than 14 days without a vegetation cover;
- surrounded by sediment control devices, and
- used as soon as possible (no longer than 12 months).

h. Stockpiles over 5 metres in height should be benched to ensure stability and incorporate internal drains. The batter slopes should be no steeper than 1:2 (v:h) for stable soils and 1:4(v:h) for highly erodible soils, to limit wind and water erosion.

i. Topsoil stripping should not be undertaken when soil is too wet or too dry to avoid compaction, loss of structure and viability of seeds.

Runoff Controls

j. Surface runoff from undisturbed areas should be diverted around proposed extraction/operation areas and returned to natural watercourses at non-erosive velocities. All channels should be designed to convey water at velocities less than 1.2m/s for vegetated channels and 0.4m/s for bare earth channels.

k. All channels, waterways and detention structures should be designed to accommodate peak discharge of a 1 in 20 year average recurrence interval storm with appropriate freeboard margins (generally 750mm for catchments less than 15 hectares).

l. The long term stability of natural channels downstream of the study area should be maintained by ensuring that discharges from subcatchments remain the same.

m. Overland flow paths and spillways should be designed to ensure that flood waters and stormwater runoff, which exceeds the design capacity of channels, watercourses and structures, do not adversely affect adjoining lands.

Water Quality

n. Water quality at the downstream boundary of each development area will be required to be monitored monthly by the proponent. A report, including the results of the water sampling will be required to be prepared by a suitably qualified environmental consultant and submitted to Council annually. Should the results of the water sampling identify elevated levels compared with the ANZECC Guidelines 2000, the report must outline the mitigation measures undertaken at the development area to maintain water quality.

Sediment Control Devices

o. Wind breaks including vegetation, bund walls and stockpiles should be of sufficient height, length, orientation, location and permeability to be capable of reducing wind velocity across extraction areas.

p. Appropriate sediment control devices should be installed to prevent sediment moving off-site (these can include sediment fences, straw bales, sediment traps and sediment basins).Existing rural dams should be retained to serve as sediment basins and to reduce runoff during development.

q. All sediment and control dams should be sized to retain at least the equivalent volume of 10mm depth of runoff over the entire disturbed area they serve. The settling volume is to be provided as active storage with a minimum depth of 0.6 metres. A sediment storage volume of at least half this allowance is to be provided below the settling volume.

r. The design of the sediment control dam should include details of the proposed dewatering method for the settling volume, spillway configuration and the design life of the structure.

s. All water retaining structures should incorporate an impermeable barrier in the dam wall.

t. A sediment control dam should be located downstream of wet screening plants and the tailing dams. The structure is to have a sediment trapping capacity of at least half the volume of the largest tailing dam.

u. Batters of dams and detention basins should have a maximum gradient of 1 (vertical) in 4 (horizontal) and be vegetated immediately following construction. Prior to the establishment of this vegetative cover, sediment loss is to be controlled by the installation of catch drains and sediment traps along the downstream toe of the embankment. These should be maintained until such time as 80% vegetation cover is achieved on the batters.

v. Sedimentation dams associated with sediment control structures will require periodic removal of sediment. This material should be dried and utilised on landfill in rehabilitated landforms.

Tailing (Sludge) Pond Measures

w. Tailing (sludge) ponds should be designed having regard to:

- site investigations including soil profiles, water table level, and insitu materials,
- site suitability, including topography, geotechnical and meteorological conditions of the locality,
- physical, mineral and chemical properties of tailings,
- stability of embankments, including height, slope, nature strength, materials and degree of compaction of foundations,
- potential seepage into groundwater, including high pressure groundwater levels resulting from high water table levels within the embankment, and
- potential seepage through embankments to surface water streams or overtopping from heavy storm events.

x. Tailing ponds should be rehabilitated having regard to:

- preventing leaching into ground and surface waters,
- surface drainage and erosion control to prevent tailing laden waters leaving storage area,
- stabilised surface cover to prevent wind erosion, and
- minimise maintenance by designing a cover which provides an effective infiltration rate that prevents surface erosion, saturation of topsoil layer and to function as a capillary barrier.

DA Submission Requirements

y. A *Soil and Water Management Plan (SWMP)* should be submitted containing appropriate Best Management Practices that recognise site constraints and support ESD principles. The Plan should include:

- Soil conservation and pollution/nutrient control measures to be installed prior to clearing and earthworks and maintained until landscaping measures are complete,
- Protection measures for site access and exits,
- Catchment drainage characteristics of existing and proposed drainage patterns,
- Protection of existing overland flowpaths, watercourses, stormwater kerb inlets and drains,
- Upslope clean surface runoff diversions around the disturbed areas,
- Staggered site works to minimise disturbance,
- Rehabilitation and stabilisation of the disturbed areas,
- Site investigations used to determine areas most and least suited to extraction operations,

- Clearing, grading and drainage plans for the site layout, including entry and exit points,
- Procedures and timing for installing and maintaining sediment devices for all phases of extraction,
- Procedures and timing for removal of the controls,
- Method of controlling water flow through the site,
- Procedures and timing for maintaining protective ground covers and long term stability of the site, and
- All natural features and environmentally sensitive areas (eg existing vegetation and watercourses).

Post DA Submission Requirement

z. Geotechnical reports may be required to be resubmitted annually to Council as a condition of consent, reporting on the stability and integrity of tailings ponds.

2.5.5 Acoustic Environment

Desired Outcome

a. Reasonable acoustic amenity for residents and other users of the area.

Prescriptive Measures

a. Effective noise control measures should be incorporated into extraction sites.

b. The hours of operation of machinery and the transportation of materials should be in accordance with Table 2.5.5(a).

Table 2.5.5(a): Hours of Operation

Weekday	Hours of Operation
Monday to Saturday inclusive	7am to 6pm
Sundays and Public Holidays	No work should occur

c. Signs and barriers should be maintained at the point of access to ensure compliance with the hours of operation. The barriers should be kept locked except during authorised hours of operation.

d. The maximum average noise emission level of extraction should not exceed 5dB(A) above maximum average background noise levels.

DA Submission Requirements

e. An *Acoustic Impact Assessment Report* identifying and assessing the range of noise levels within the locality, the noise levels generated by the extractive operation and detailing proposed measures to ensure noise emission levels are within acceptable limits.

2.5.6 Air Quality

Desired Outcome

a. Extractive industries designed with measures to prevent air pollution.

Prescriptive Measures

a. Access roads should be sealed at the entrance to extraction sites.

b. Internal access roads should be sealed or watered on a regular basis for the purpose of dust suppression.

c. Dust suppression equipment should be fitted to processing equipment.

d. Stockpiles of material should be stabilised and maintained so as to prevent any dust nuisance.

e. Proponents should utilise wind activated water sprinkler systems to ensure extraction sites minimise dust generation particularly during periods of high wind and when sites are unattended.

f. Prior to leaving extraction sites, all laden trucks should have their payloads fully covered by suitable material to prevent spillage from the trucks onto roads and adjoining properties.

g. Proponents should provide details of effective measures proposed to be implemented to suppress dust generated from:

- blasting,
- removal of overburden,
- site clearing,
- extraction and haulage,
- moving material onto and from stockpiles,
- mobile earthmoving equipment,
- blowoff from truck loads, and
- crushing and screening procedures.

h. Proponents should ensure that blasting is not undertaken in strong wind and/or prolonged dry weather periods.

DA Submission Requirements

i. An *Air Quality Assessment Report* detailing:

- meteorological conditions of the site and locality including temperature, humidity, wind and rain,
- number and classification of emission sources and distance to potential receptors,
- propensity for on-site and imported material to generate dust and odour, including washed sands,
- gaseous emissions from vehicles and machinery including carbon monoxide, nitrogen oxides, hydrocarbons and particulate matters,
- maximum acceptable increase for dust deposition over existing levels,
- expected annual average dust concentration and deposition levels,
- compliance with EPA criteria for dust deposition and concentration rates, and
- recommendations, including suggested range of dust control measures.

2.5.7 Mitigation and Monitoring

Desired Outcomes

a. The implemention of good environmental management practices and mitigation measures throughout the life of an extractive operation.

b. The establishment of a framework for ongoing monitoring of the environmental management practices and mitigation measures of an extractive operation including a flora and fauna monitoring program.

Prescriptive Measures

a. A framework should be established for the ongoing monitoring of an extractive operations environmental management practices and mitigation measures.

DA Submission Requirements

b. An *Environmental Management Plan* should be submitted to Council outlining appropriate environmental management practices for the proposed extractive operation as well as establishing a framework for ongoing monitoring of the proposed practices.

Note:

The Environmental Management Plan should establish a Flora and Fauna Monitoring Program to verify the effectiveness of mitigation measures implemented.

Post DA Submission Requirement

c. An annually updated *Environmental Management Plan* may be required to be resubmitted to Council as a condition of consent, demonstrating that environmental management practices are being followed and specifying a timeframe for the implementation of any necessary remedial actions identified by monitoring.

Note:

Applicants are advised to consult the publication titled *Guidelines for the Preparation of Environmental Management Plans (2004)* by the Department of Infrastructure, Planning and Natural Resources.

2.5.8 Extraction Sequence

Desired Outcomes

a. Extraction that occurs in an orderly and controlled manner.

b. Extraction that is undertaken in an environmentally acceptable manner.

c. Protection of land holdings not currently being extracted and to facilitate future extraction.

Prescriptive Measures

a. Applications should document the means to reduce the depth and area of extraction in locations most likely to have an impact upon groundwater, flora, fauna, archaeology, and other sensitive site features.

DA Submission Requirements

b. Applications should be accompanied by an *Extraction Program Plan*, which identifies an orderly sequence of extraction having regard to:

- topographical and landscape areas of scenic or environmental sensitivity,
- variations in the type, quantity and quality of the deposit over the entire development site,
- location, area, depth of extraction unit/area,
- the estimated volume of deposit of each extraction unit/area within the overall extraction program plan, and
- expected duration/lifespan of each extraction unit/area.

Note:

The Extraction Program Plan should be supplemented with scaled plans, profiles and cross sections for all phases and stages of the operation.

2.5.9 Rehabilitation

Desired Outcomes

a. Extractive industries that implement progressive rehabilitation strategies that minimise long-term impacts on surrounding landuses and optimise sustainable future land use.

b. Extractive industries that adopt measures to ensure ongoing biodiversity conservation and sustainable management of vegetation.

Prescriptive Measures

a. Extraction areas should be progressively rehabilitated to reflect the topography, drainage characteristics and landscape quality of the surrounding terrain.

b. Vegetative cover incorporating native plants and grass covers and endemic species should be established at the earliest possible opportunity.

c. Stockpiles of clean topsoil & overburden should be appropriately formed and shaped to ensure the viability of the soil and seed source of the site/area for later re-spreading or backfilling.

d. Topsoil and overburden used as bund walls during extraction should be stabilised using appropriate native species and rehabilitation techniques under the direction of a qualified plant Ecologist or Landscape Architect and used as backfill only when not contaminated with exotic grasses or weeds.

e. The extraction area should only be backfilled with earth and rock materials sourced as a result of extraction. No solid waste or putrescible materials should be disposed of within the site.

DA Submission Requirements

f. A *Vegetation Management and Restoration Plan (VMRP)* should be submitted with the application.

g. Applications should be accompanied by a *Rehabilitation Plan* outlining the rehabilitation program proposed to optimise sustainable future land use including:

- details of the proposed future land use and final landform,
- timeframe for rehabilition works,
- measures to maintain the viability of topsoil over time and to re-use this resource for site rehabilitation,
- erosion control measures,
- revegetation of disturbed areas in line with the Vegetation Management Restoration Plan,
- weed management proposals,
- final drainage patterns, and
- identifying who will be responsible for undertaking any further remediation after operations cease.

Note:

Applicants are advised to consult Council's publication *Guidelines for the preparation of Vegetation Management and Restoration Plans 2008*.

The collection, processing and storage of native seeds should utilise current best practice measures. Visit the Department of Environment, Climate Change and Water (DECCW) website www.or the FloraBank website www.florabank.org.au for further information on best practice in planning for seed collection.



Residential

Part 3

Part 3 Residential

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Introduction

This Part of the DCP applies to residential development within the Residential zones of the Hornsby Local Government Area.

The planning controls for the low density residential areas are informed by the NSW Housing Code, while the planning controls for the medium and high density residential areas are informed by the Hornsby Shire Housing Strategy (2010) and the State Government's Urban Activation Precinct Program.

The Hornsby Shire Housing Strategy and the State Government's Urban Activation Precinct Program identified areas suitable for the provision of additional housing to assist meet Council's housing obligations into the future. A concentrated housing model has been adopted, with housing located in planned precincts rather than dispersed throughout urban areas. The additional housing precincts are identified on Figure 3(a).

Existing planning controls and policies were reviewed to determine their effectiveness in permitting appropriate forms of housing to meet the future needs of the population. It was found that satisfaction with the built form in existing medium and high density residential precincts was dependent on the amount and quality of landscaping, building separation and underground car parking. Therefore the planning controls developed, in consultation with an urban design consultant, recommended that floor space ratio not be used as a control, as it does not include many elements that affect the built form.

The planning controls for the medium and high density residential controls are form based controls that aim to achieve the desired future character of the locality that includes high quality buildings with a limited footprint, sited within a landscaped setting.

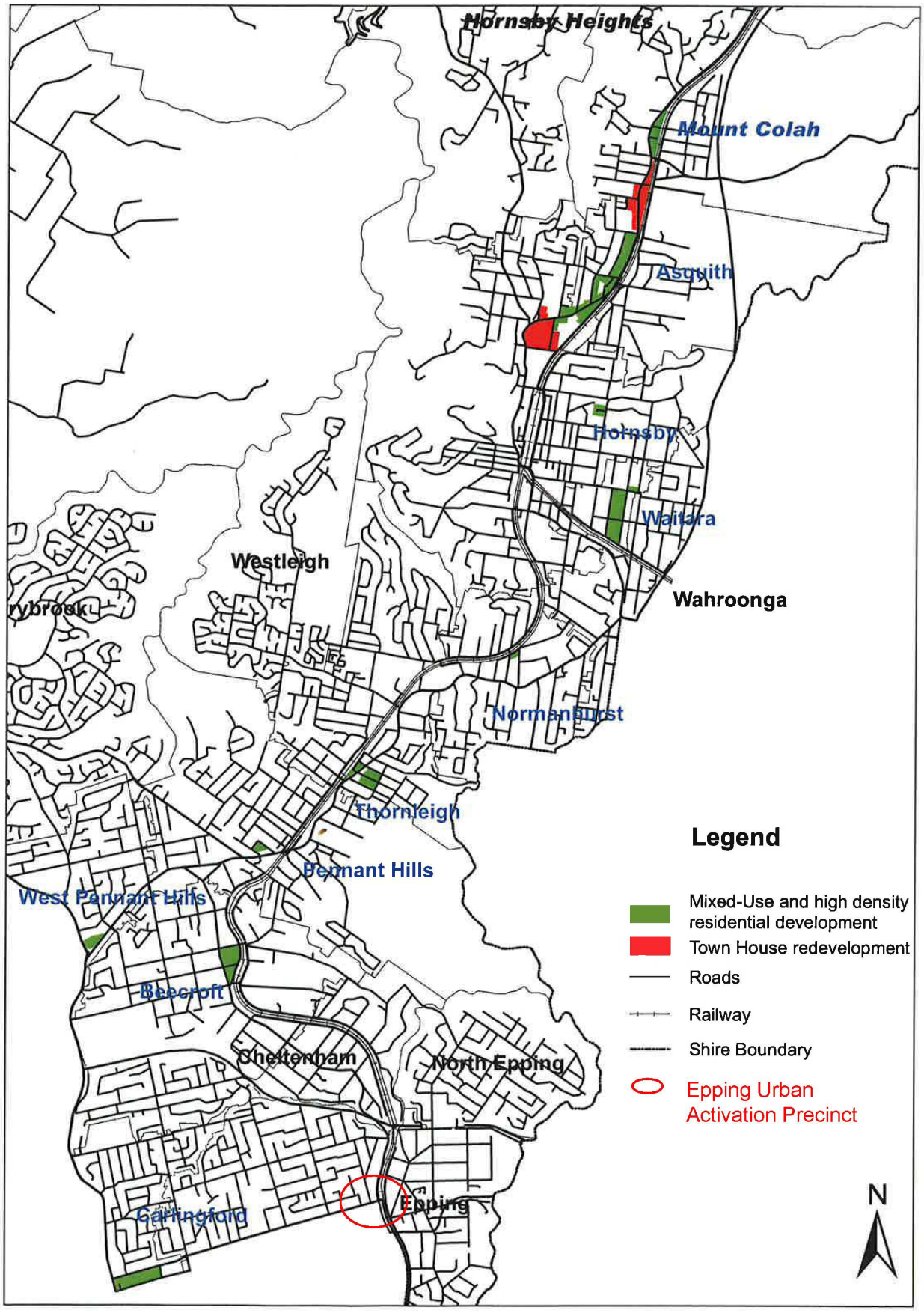


Figure 3(a) - Hornsby Housing Strategy Precincts and Epping Urban Activation Precinct (I)

3.1 Dwelling Houses

This section provides controls for erecting, and undertaking alterations and additions to, dwelling houses and ancillary structures within the R2 Low Density Residential Zone.

3.1.1 Scale

Desired Outcome

a. Development with a height, bulk and scale that is compatible with a low density residential environment.

Prescriptive Measures

Height

a. Sites with the following maximum building heights under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 3.1.1(a).

Table 3.1.1(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
I	8.5	2 storeys + attic

b. Buildings should respond to the topography of the site by:

- minimising earthworks (cut and fill), and
- siting the floor level of the lowest residential storey a maximum of 1.5 metres above natural ground level.

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Roof Design

d. Low pitched roofs with wide eaves are encouraged for compatibility with streetscape character and sun control.

e. The roof should have a maximum pitch of 35 degrees, except if a steeper roof pitch is more consistent with the existing character of the locality.

f. Any attic level is to be contained wholly within the roofspace.

g. The external walls of the building should not extend above the attic floor level.

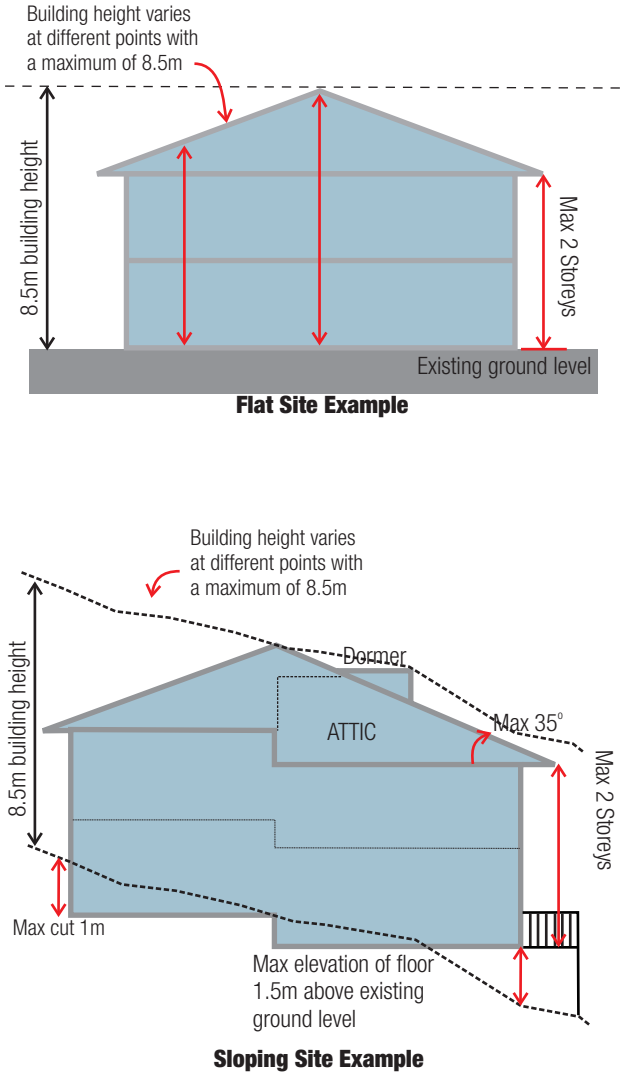


Figure 3.1(a) Explanation of building height controls (I)

Height controls are based on a typical residential floor to floor height of 3 metres, with allowances for roof articulation and undercroft areas for steeply sloping sites.

Site Coverage

h. The maximum site coverage of all buildings on the property should comply with Table 3.3.1(b):

Table 3.3.1(b): Maximum Site Coverage

Lot size	Maximum site coverage *(% of total lot size)*
200m² to 249m²	65%
250m² to 299m²	60%
300m² to 449m²	55%
450m² to 899m²	50%
900m² to 1499m²	40%
1500m² or larger	30%

i. Notwithstanding the above, the site coverage of a single storey dwelling house and all ancillary development on a lot should not be more than 55 percent of the area of the lot, if the lot has an area of at least 450m² but less than 500m².

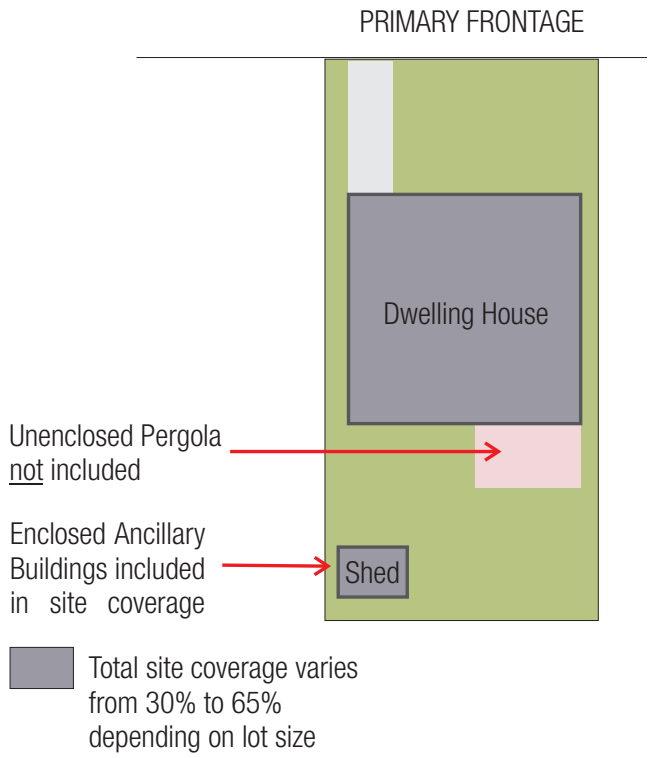


Figure 3.1(b): Site coverage calculation. (I)

Floor Area

j. The maximum floor area for a dwelling house and ancillary outbuildings should comply with Table 3.1.1(c)

Table 3.1.1(c): Maximum Floor Area of a Dwelling House and Ancillary Outbuildings

Lot size	Maximum floor area of dwelling house	Maximum total floor area of all outbuildings
200m² to 249m²	90% of the lot area	36 m2
250m² to 299m²	85% of the lot area	36 m2
300m² to 449m²	270m²	45 m2
450m² to 599m²	330m²	45 m2
600m² to 899m²	380m²	60 m2
900m² or larger	430m²	100 m2

Notes:

Lot size (or site area) in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

(a) any land on which the development is not permitted under an environmental planning instrument, and

(b) if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

Site coverage means the proportion of a site area covered by buildings. However the following are not included for the purpose of calculating site coverage:

(a) any basement,

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,

(c) any eaves,

(d) unenclosed balconies, decks, pergolas and the like.

Floor area of a dwelling house (as defined by the NSW Housing Code) means the sum of the areas of each storey of the dwelling house and any carport, garage, balcony, deck, patio, pergola, terrace or verandah, measured at a height of 1.4m above each floor level, that is within the outer face of:

(a) the external walls of the dwelling house, and

(b) the walls of the carport, garage, balcony, deck, patio, pergola, terrace or verandah,

but does not include any of the following:

(c) any part of an awning, blind or canopy that is outside the outer wall of a building,

(d) the eaves,

(e) a lift shaft,

(f) a stairway,

(g) a void above a lower storey.

Outbuilding (as defined by the NSW Housing Code) means any of the following:

(a) balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,

(b) cabana, cubby house, fernery, garden shed, gazebo or greenhouse,

(c) carport that is detached from a dwelling house,

(d) farm building,

(e) garage that is detached from a dwelling house,

(f) rainwater tank (above ground) that is detached from a dwelling house,

(g) shade structure that is detached from a dwelling house,

(h) shed.

3.1.2 Setbacks

Desired Outcome

a. Setbacks that are compatible with adjacent development and complement the streetscape.

b. Setbacks that allow for canopy trees to be retained and planted along the front and rear property boundaries.

Prescriptive Measures

a. The minimum setback of all buildings and structures to the boundaries of the site should comply with Table 3.1.2(a):

Table 3.1.2(a): Minimum Boundary Setbacks

Boundary Setback	Minimum Building Setback
Front Boundary (primary frontage)	6m to local roads and 9m to designated roads, except for the following: ■ on local roads, where an existing setback of 7.6m or greater exists, it may be necessary to conform to this setback to maintain the streetscape character, and ■ 3m to Brooklyn Road, Brooklyn, and ■ 9m to roads in Cherrybrook
Waterfront Setback	See Clause 6.1 of HLEP Foreshore Building Line Map
Secondary Boundary (on corner lots)	3m
Side Boundary	up to 1 storey = 0.9m 2 storey element = 1.5m
Rear Boundary	up to 1 storey = 3m 2 storey element = 8m

b. For the purpose of the setback controls, a 1 storey building or element is not to exceed a building height of 4.5 metres above existing ground level.

c. For buildings with a corner frontage, front and rear boundary setbacks apply to the shorter street frontage as illustrated in Figure 3.1(c).

d. For the purpose of calculating setbacks for a battle-axe lot, the setback on the opposite side of the lot to the rear setback is taken to be a side setback, as illustrated in Figure 3.1 (d).

e. For a lot that has boundaries with parallel roads, the front boundary setback control applies to both property boundaries.

f. Notwithstanding the above, the minimum side boundary setback of a tennis court should be 3 metres to provide for screen planting.

g. The setback of the dwelling and ancillary structures from the property boundary may need to be increased to maintain landscape features, as detailed in Section 3.1.3 of this DCP.

Permissible Encroachments into Building Setbacks

h. On local roads, where the streetscape will not be adversely affected, a single storey encroachment of 1.5 metres may be permitted for a distance equal to 1/3 of the width of the dwelling measured at the building line. Any encroachment is not to be in the form of a garage.

i. The following minor structures are able to encroach into the prescribed setbacks:

- A driveway between the on-site car parking area and a public road,
- Stairs to the ground floor of the dwelling,
- Fences,
- A single storey outbuilding, with a maximum floor area of 25m2, is able to encroach to within 0.9 metres of the rear boundary (eg. garden shed, garage, pergola), and
- An inground swimming pool is able to encroach to within 1 metre of the rear boundary, measured to the water line.

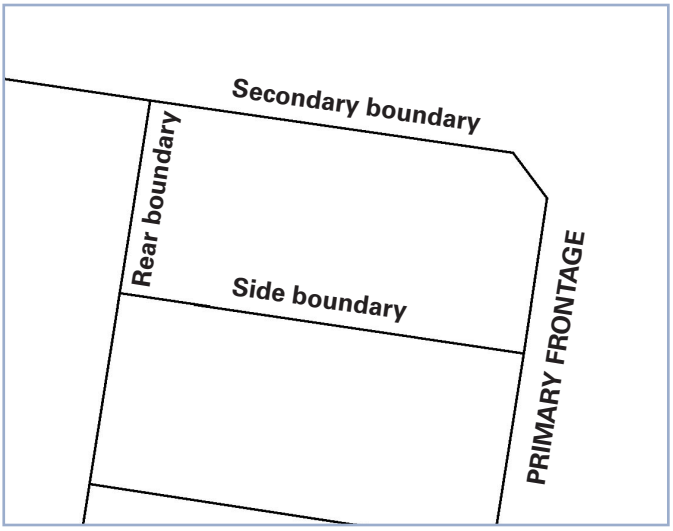


Figure 3.1(c): Setbacks on corner lots.(I)

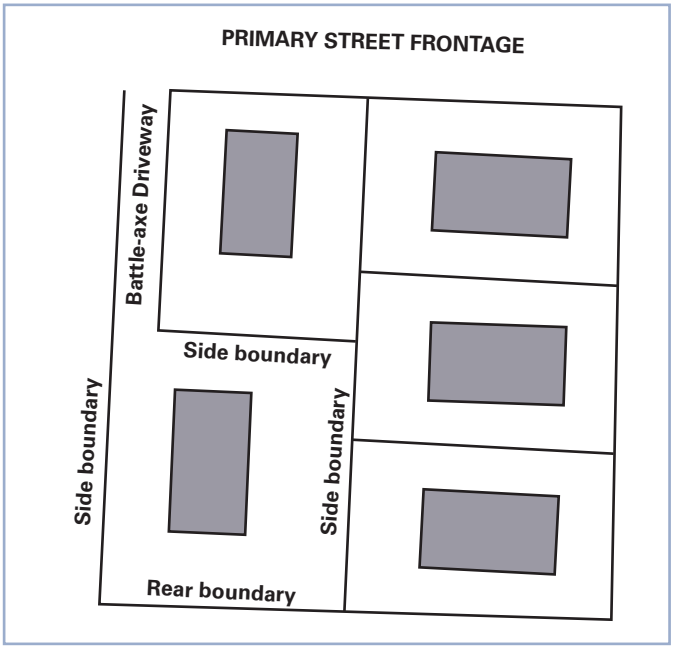


Figure 3.1(d): Setbacks on battle-axe lots.(I)

Notes:

The rear boundary is ordinarily located parallel to and/or opposite the primary frontage.

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

3.1.3 Landscaping

Desired Outcome

a. Landscaping that integrates the built form with soft landscaping and retains and enhances the tree canopy.

b. Development that retains existing landscape features.

Prescriptive Measures

a. The minimum landscaped area on a property should comply with Table 3.1.3(a):

Table 3.1.3(a): Minimum Landscaped Area

Lot size	Minimum Landscaped Area (% of the lot size)
200m² to 299m²	10%
300m² to 449m²	15%
450m² to 599m²	20%
600m² to 899m²	30%
900m² to 1499m²	40%
1500m² or larger	45%

b. Areas included as part of the minimum landscaped area should have a minimum width of 1.5 metres.

c. At least 50 percent of the minimum landscaped area should be located behind the building line to the primary road frontage.

d. A proportion of the front yard should be maintained as landscaped area as follows:

- 25 percent of the front yard for lots less than 18 metres wide, and
- 50 percent of the front yard for lots greater than 18 metres wide.

Retention of Landscape Features

e. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

f. Within front setbacks, fences should not be higher than 1.2 metres.

g. Front fencing should be constructed from predominately lightweight materials with the design allowing at least 50 percent openings.

h. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.

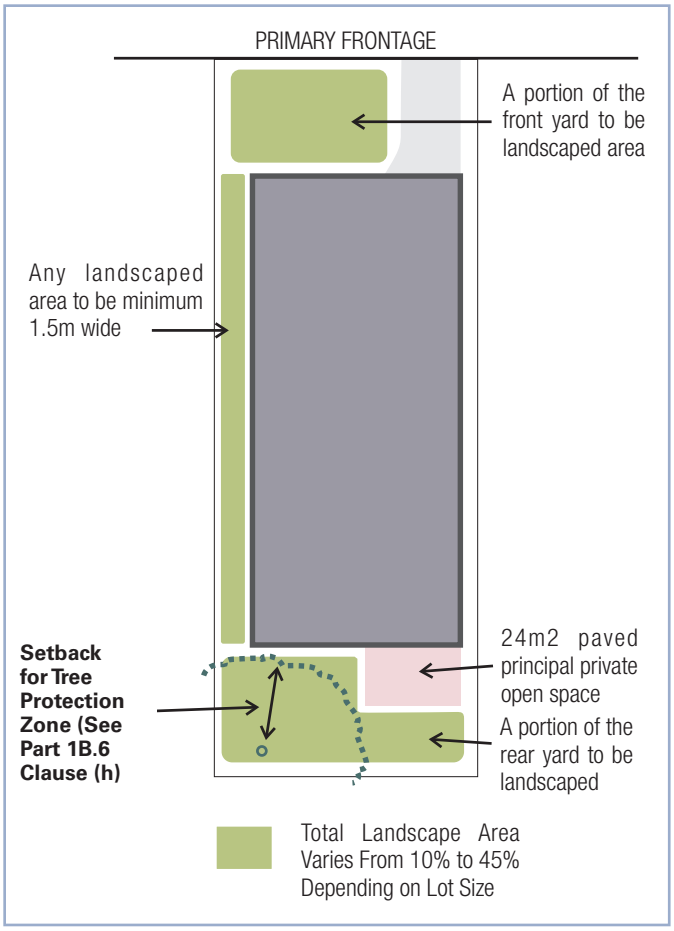


Figure 3.1(e): Landscaped area. (I)

Notes:

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. (Note: Swimming pools are not included in the minimum landscaped area calculation).

Home owners are encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the construction of any new dwelling house.

3.1.4 Open Space

Desired Outcome

a. Private open space that functions as an extension to the dwelling house.

Prescriptive Measures

Private Open Space

a. A dwelling house should be provided with private open space that incorporates a principal private open space area in accordance with Table 3.1.4(a).

Table 3.1.4(a): Minimum Private Open Space

Lot width at Building Line	Minimum Principal Private Open Space Area	Minimum Dimension
6-9m	16m^2	3m
10m or larger	24m^2	3m

b. The principal private open space area should be sited behind the front building line and is to be directly accessible from the living area of the dwelling.

c. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area.

Clothes Drying Area

d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places.

3.1.5 Sunlight Access

Desired Outcome

a. Dwelling houses designed to provide solar access to open space areas.

b. Development designed to provide reasonable sunlight to adjacent properties.

Prescriptive Measures

a. On 22 June, 50 percent of the required principal private open space area should receive 3 hours of unobstructed sunlight access between 9am and 3pm.

b. On 22 June, 50 percent of the required principal private open space on any adjoining property should receive 3 hours of unobstructed sunlight access between 9am and 3pm.

Note:

SEPP -BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing



Figure 3.1(f): Sun shading devices are essential elements of a well designed home.(E)

3.1.6 Privacy

Desired Outcome

a. Development that is designed to provide reasonable privacy to adjacent properties.

Prescriptive Measures

a. Living and entertaining areas of dwelling houses should be located on the ground floor and oriented towards the private open space of the dwelling house and not side boundaries.

b. A proposed window in a dwelling house should have a privacy screen if:

- it is a window to a habitable room, other than a bedroom, that has a floor level of more than 1 metre above existing ground level,
- the window is setback less than 3 metres from a side or rear boundary, and
- the window has a sill height of less than 1.5 metres.

c. A deck, balcony, terrace or the like should be located within 600mm of existing ground level where possible to minimise potential visual and acoustic privacy conflicts.

d. Decks and the like that need to be located more than 600mm above existing ground should not face a window of another habitable room, balcony or private open space of another dwelling located within 9 metres of the proposed deck unless appropriately screened.

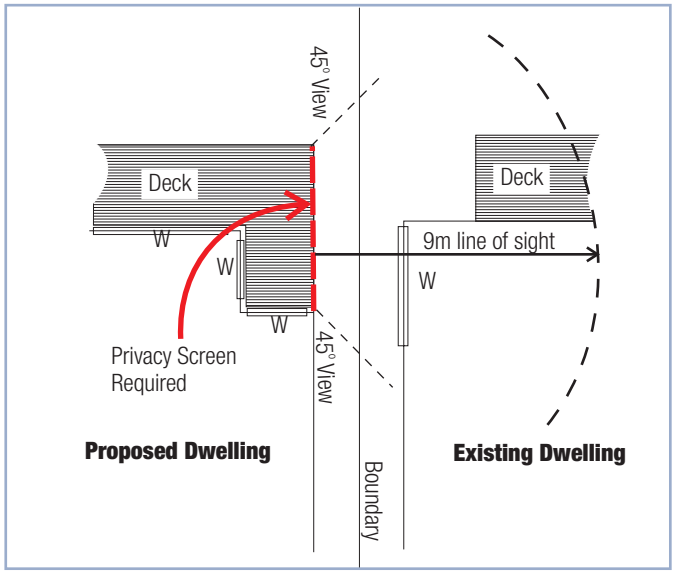


Figure 3.1(g): Decks adjoining a neighbouring dwelling are to be screened. (I)

3.1.7 Vehicle Access And Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents with vehicular access that is simple, safe and direct.

Prescriptive Measures

a. Car parking for dwelling houses should be provided behind the front building line

b. A paved driveway should be provided between the required on-site car parking area and a public road.

c. A driveway should be setback a minimum 0.5 metres from side boundaries to provide for landscaping between the driveway and the side boundary.

Note:

Refer to Part 1 'General' of the DCP for more detailed parking and service vehicle design requirements.

Notes:

All developments should comply with the minimum building setback controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5m high, measured from the floor level, and has no individual opening more than 30mm wide, and has a total of all openings less than 30% of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed

3.1.8 Design Details

Desired Outcome

a. Development compatible with a low density residential environment that complements the zone objectives.

Prescriptive Measures

General

a. Dwelling houses should be oriented primarily towards the street and the rear boundary.

b. Extensive blank or unarticulated walls to street frontages are discouraged.

c. Dwelling houses should provide a covered entry to the home at least 1.5 metres deep and clearly visible from the street.

d. Dwelling houses on corner allotments should be designed to provide elevations that address both street frontages.

e. Garages should not dominate the facade of the dwelling house or the streetscape. Garage doors should be as follows:

- setback 1 metre from the front facade of the home,
- no wider than 6 metres, and
- maximum 2.4 metres high.



Figure 3.1(h): The main entry should be clearly visible from the street and sheltered from the weather, and the garages set back from the front facade. (E)

Source of photo: Landcom, Built Form Design Guidelines.

Dormer Windows

f. The design of dormer windows in any attic level should comply with the following:

- Dormers should face the street and/or the rear property boundary,
- Dormers should be setdown below the ridge line and setback from the side walls,
- Dormers should not be wider than 1.3 metres,
- Be vertically proportioned at a ratio of 1.5:1 measured from head to sill of the window frame, and
- The number of dormer windows is limited to a maximum of two per facade.

View Sharing

g. Development should allow for the reasonable sharing of significant views, including water views and iconic views, in particular:

- views that have not already been obscured,
- views from front and rear boundaries whilst in a standing position, and
- views from living and entertainment areas (including kitchens).

h. Development should allow for the reasonable sharing of significant views by:

- appropriately siting the building,
- appropriately designing the bulk of the building,
- using open materials for balustrades on balconies and decks, and/or
- new landscaping comprising a light open foliage.

Note:

View Sharing Principle - Consistent with Planning Principles, where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. Whereas, with a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

3.2 Medium Density Housing

This section provides controls for erecting, and undertaking alterations and additions to medium density housing except for three storey residential flat buildings in the R3 Medium Density Residential Zone within areas designated K(10.5m - 2 storeys) and M(12m - 3 storeys) on the HLEP Height of Building Map. Controls for three storey residential flat buildings in the R3 Medium Density Zones and the R4 High Density Residential Zones, are contained in Section 3.3.

The provisions in 3.2 apply to residential development which typically includes dwellings that are known as villas, town houses, row houses, terrace houses and residential flat buildings up to 2 storeys.

3.2.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

a. Development applications should demonstrate compatibility with the following statement of desired character:

Desired Future Character Statement

Areas designated as K(10.5m - 2 storeys) and M(12m - 3 storeys) on the HLEP Height of Building Map are characterised by medium density housing comprising 2-3 storey town houses and 2-3 storey residential flat buildings in a landscaped setting. The buildings have low pitched roofs with wide eaves or flat roofs. Additional floor space is provided within an attic, where the floor area is contained wholly within the roofspace.

Development footprints are limited in scale and located to achieve setbacks to boundaries incorporating soft landscaping. Elements of deep soil landscaping surround every building to maintain and enhance the landscape quality of established streetscapes and to provide 'green separation' between neighbouring buildings. Where more than one building is provided on-site, the buildings are separated by garden areas. The established tree canopy is complemented by new trees and shrubs throughout the landscaped area.

Car parking is provided on-site and integrally designed into the building to maintain a landscaped area at the street frontage. Parking should be predominately in the form of basement parking.

Where parking is provided at grade for town houses, the new dwellings address a communal driveway and the public domain. Active residential facades and soft landscaping along the communal driveway is maximised by limiting the proportion of the building facade dedicated to garages.

A high standard of architectural and urban design quality is achieved. Contemporary buildings utilise facade modulation and incorporate shade elements, such as pergolas, verandahs and the like. Well-articulated building forms combined with carefully-designed facades to achieve an appropriate bulk and scale, and contribute to residential amenity.

Developments incorporate a mix of dwelling sizes to provide housing choice. Developments embody active living principles including prioritised pedestrian and cyclist entrances to buildings, connectivity to the public domain and bicycle parking and storage.



Figure 3.2(a): Town houses with basement parking are the most effective form of attached or multi dwelling housing. Positive responses to desired future character include deep soil landscaping along all site boundaries, dwellings that address the street or a central walkway, and that are not oriented towards neighbouring properties, and car parking that is concealed below ground level. (I)

Common areas and private open spaces promote positive social interaction between residents, security, and private amenity for residents.

Notes:

A reference in this section to town houses includes all medium density attached dwellings and multi dwelling housing as defined by the HLEP.

To achieve active living principles development should have regard to NSW Health's Healthy Urban Development Checklist and the National Heart Foundation's Blueprint for an Active Australia.

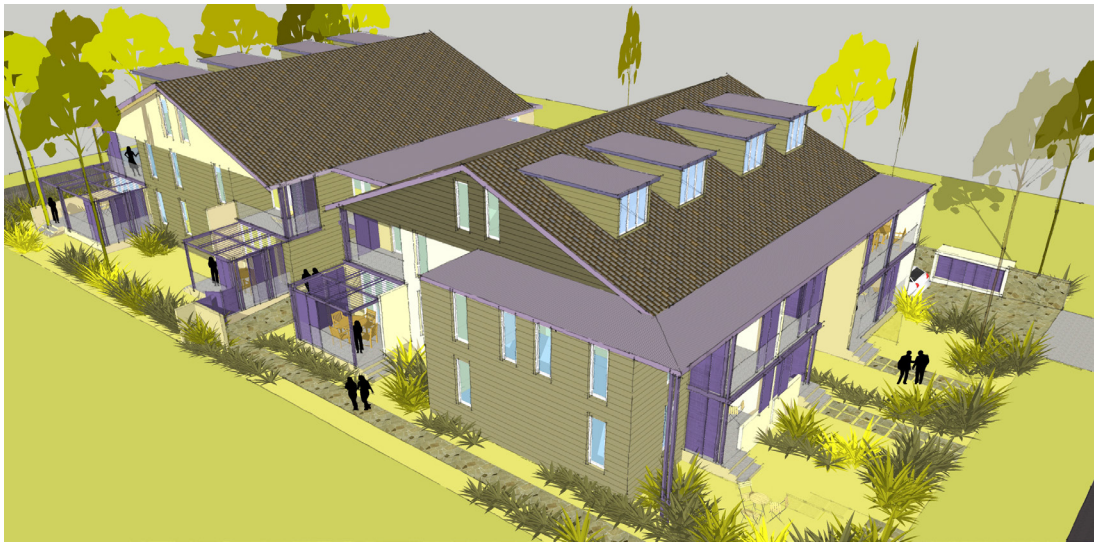


Figure 3.2(b) Residential flat buildings are an effective alternative to town houses. Positive responses to desired future character include deep soil landscaping along all site boundaries, a limit to the footprint of each building, potential for an attic storey within a gently pitched roof, dwellings that are oriented toward the front and rear boundaries and car parking that is concealed below ground level and within the building footprint.(I)



Figure 3.2(c): Town houses with ground level parking potentially provide for lower site yields and are not the preferred form for attached or multi dwelling housing. However where this built form is proposed, positive responses to desired future character include driveways that are flanked by landscapåing, visible entrances to every dwelling and facades not dominated by garages.(I)

3.2.2 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that provide soft landscaping surrounding the building and limit the number of driveway crossings.

Prescriptive Measures

a. The minimum site width should be 30 metres measured at the street frontage.

b. Sites should not be accessed via a battleaxe driveway or right-of-way.

c. Basement driveways and access stairs should be planned and coordinated to minimise the loss of landscape open space and deep soil zones.

- Where practicable locate driveway entries beneath building envelope.
- Driveways should run perpendicular to the street for sites with a regular geometry.
- Driveways should be consolidated on large sites and adjacent development lots where topographically possible to avoid large expanses of driveway to street frontages.

d. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than 30 metres, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

e. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.



Newly developed site | **Existing site isolated by new development (should be avoided)** | **Newly developed site**

Figure 3.2(d): Lot amalgamation should avoid isolating small sites (I)

3.2.3 Height

Desired Outcome

a. A built form not exceeding 2 storeys + attic in height and comprising town houses and residential flat buildings in areas designated K(10.5m - 2 storeys) on the HLEP Height of Building Map.

b. A built form not exceeding 3 storeys in the height and comprising town houses in areas designated M(12m - 3 storeys) on the HLEP Height of Building Map.

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

d. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

e. Developments incorporating mezzanine levels in the roof space, should be visually recessive and lightweight in design. A light weight design character is achieved by roofs that overhang exterior walls which incorporate materials or finishes that provide a distinct contrast with face brick or rendered masonry.

Prescriptive Measures

Storeys

a. Sites with the following maximum building heights under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 3.2.3(a).

Table 3.2.3(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
K	10.5	2 storeys + attic
M	12	3 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

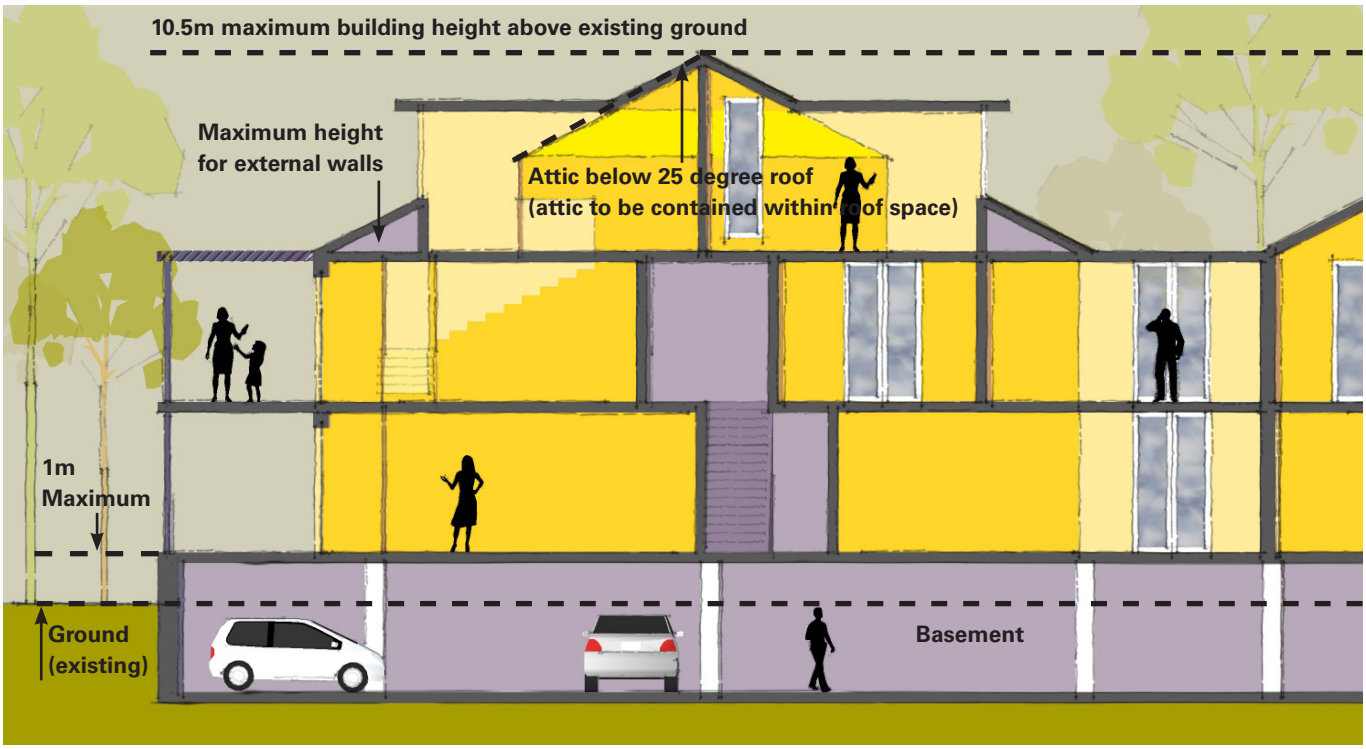


Figure 3.2(e): Building Height Controls - residential flat building of 2 storeys + attic. (l) Height controls are based on a typical residential floor to floor height of 3 metres, with a 3.5 metre allowance for roof articulation and a 1 metre basement projection.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Roof Design

f. Pitched roofs with wide eaves are encouraged for compatibility with streetscape character and sun control.

g. Pitched roofs should not be steeper than 25 degrees, other than gable ends that predominately face a side boundary when used as a minor design feature.

h. Gable roof ends should form a minor design feature of a building's facade and pitch from the external wall of the building, with the exception of eaves.

i. Flat roofs that are surrounded by parapets should be avoided except when used as a minor design feature.

Attic Design

j. The design of attics should be as follows:

- Any attic level should be contained wholly within the roof space;
- Roof span should not be more than 15 metres;
- Internal height should not be more than 3.5metres (measured from attic floor to roof ridge); and
- Roofs should be pitched or setback from exterior walls and should not be pitched from any point above a verandah or balcony.

k. The external walls of the building should not extend above the attic floor level.

l. The design of dormer windows in any attic level should comply with the following:

- Dormers should be setdown below the ridge line and setback from the side walls,
- Dormers should not be wider than 2 metres and the sides of adjoining dormers should be separated by at least 2 metres, and
- Preferably face the front and rear boundaries of the site.

m. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.



Figure 3.2(f): Building Height Controls - 2 storey town houses with a maximum roof pitch of 25 degrees and basement car parking. (E)

Street Elevations

n. Development Applications should be accompanied by plans showing street elevations which include adjacent existing and potential future height envelopes to allow consideration of potential environmental and visual impacts.

3.2.4 Setbacks

Desired Outcome

a. Well articulated building forms that are setback to incorporate landscaping, open space and separation between buildings.

b. Setbacks that preserve and protect existing trees around the perimeter of sites and provide effective deep soil areas that are able to create a garden setting, including substantial tree canopy to all sides of the building.

Prescriptive Measures

a. The minimum setback of all buildings and structures to the boundaries of the site should comply with Table 3.2.4(a):

Table 3.2.4(a): Minimum Boundary Setbacks

Setback	Minimum Setback - Town Houses	Minimum Setback - Residential Flat Buildings
Front Boundary	7.6m to local roads and 9m to designated roads	
Side Boundary (Including balconies)	6m This setback can be reduced to 3m where a dwelling is oriented to the front/ rear property boundaries, and not the side boundary	6m This setback can be reduced to 3m for a maximum of 1/3 of the building length.
Rear Boundary	6m	6m
Basement Parking Setback	6m to front property boundary, 3m from side boundary and 4m from rear boundary to allow for deep soil landscaping	

Sites with more than one frontage

b. For buildings with a corner frontage:

- front boundary setbacks apply to all street frontages, and
- Side boundary setbacks to apply to all other boundaries.

c. For a lot that adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.

Note:

Orientation of a dwelling is perpendicular to the principal windows of living rooms, and to the longest dimension of the principal private open space.

d. Units should be oriented to front or rear boundaries. Where balconies are oriented to side boundaries, they should have a setback of 6 metres.

Setback Encroachments

General

e. The following minor structures are able to encroach into prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide, with deep soil verges at least 2 metres wide adjacent to the side boundary.

Front Setbacks

f. Balconies are able to encroach by 1.6 metres toward the front boundary, for no more than 2/3 of any front facade, including privacy screens or party walls that are part of a light weight verandah or pergola.

g. Structures such as paths, letter boxes, electricity kiosks, fire hydrants, garbage storage and the like are permitted in the front setback where:

- The structures are thoughtfully sited and designed to minimise the impact on the streetscape and integrate into the landscape setting.
- The structures are screened where possible.
- Sufficient areas for deep soil landscaping remain.

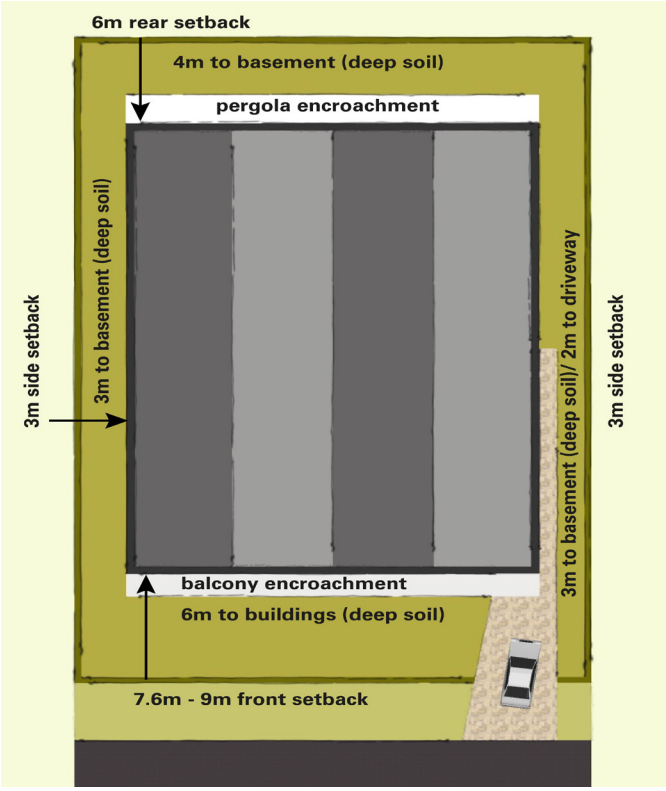


Figure 3.2(h): Setbacks of town houses that are oriented towards the front and/or rear boundary. (E)

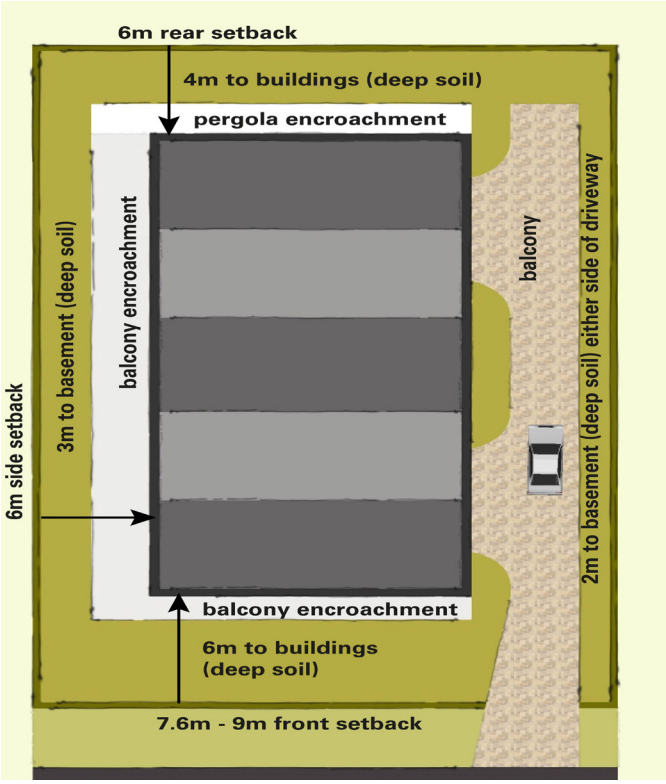


Figure 3.2(i): Setbacks of town houses that are oriented towards a side boundary. (E)

Side Setbacks

h. Ground level light weight verandahs and pergolas are able to encroach to a minimum setback of 3 metres to the boundary.

Rear Setbacks

i. Ground level light weight verandahs and pergolas are able to encroach to a minimum setback of 4 metres to the boundary.

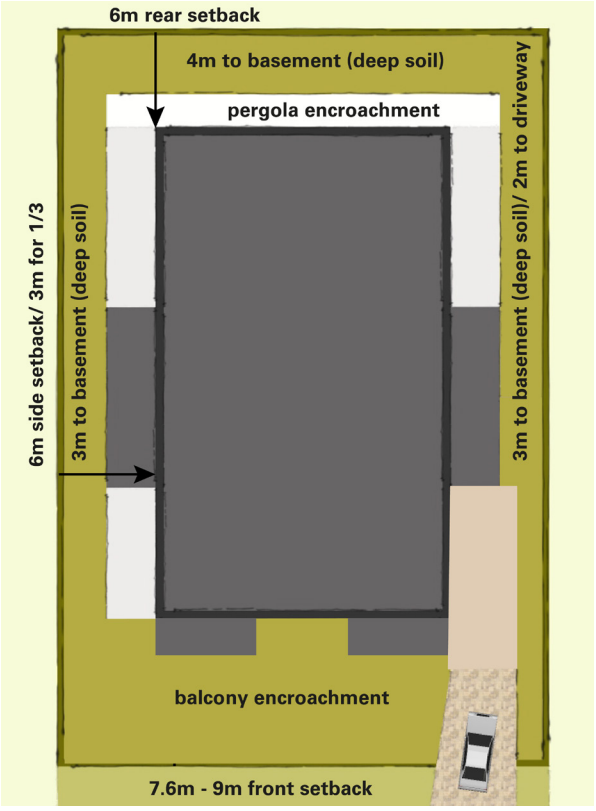


Figure 3.2(j): Setbacks of residential flat buildings. (E)

Notes:

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

Light weight verandahs or pergolas typically comprise timber or metal frames. They are not supported by brick or concrete columns and do not have brick or concrete balustrades and should not include the main roof of the building.

3.2.5 Building Form and Separation

Desired Outcome

a. Articulated buildings that are limited in width and depth, and separated by garden areas.

Prescriptive Measures

Floorplates

a. Floorplates of residential flat buildings should have a maximum dimension of 35 metres measured in a perpendicular direction between opposing exterior walls at any point. Balconies and terraces may project beyond this maximum provided that there is no adverse impact in relation to shadowing or privacy.

b. Floorplates exceeding 25 metres for residential flat buildings should incorporate a distinct indentation which measures at least 4 metres by 4 metres and should create the appearance of two separate "building pavilions" rather than a single building mass. The appearance of separate pavilions should be accentuated by individual roofs above each pavilion element.



Figure 3.2(k): Internal separation and articulation of town house buildings.(E)

Articulation

d. All facades should include elements that contribute to a variety of building forms and minimise scale, such as sunshades, balconies and verandahs that display a light weight design character. Wall planes of buildings should not exceed the following lengths in Table 3.2.5(b) without an offset of at least 1 metre and a corresponding change in roof form:

Table 3.2.5(b): Facade Articulation

Facade	Town Houses	Residential Flat Buildings
For facades that face a street	6m	8m
All other facades	8m	12m

e. Buildings should include structural elements such as sunshades, balconies and verandahs that provide variety in the built form.

f. All town houses should have a covered entry to the dwelling at least 1.5 metres deep, with a direct line of sight towards the street, or to a common walkway on the site.

g. To maintain the design integrity of buildings the enclosure of existing balconies should not occur.

h. Development form and scale should be guided by the principles and recommended guidelines for managing the development scale, relationship to context and elements that contribute to relevant character influences for a specific area contained with the Apartment Design Guide Part 2.

Materials and Finishes

i. Facades should incorporate a mix of compatible materials such as face or rendered brickwork and contrasting areas of light weight cladding.

j. Sunscreens and awnings comprised of timber battens or metal frames are encouraged.

Notes:

A habitable room is any room or area used for normal domestic activities, including living, dining, family, lounge, bedrooms, study, kitchen, sun room and playroom.

A prescriptive floorplate control does not apply to town houses because the floorplate of a town house will be limited in depth given the need for cross flow ventilation in each dwelling per Section 3.2.9. In addition the DCP requires more facade articulation of town houses given the potential for longer elevations.

3.2.6 Landscaping

Desired Outcome

a. Landscaping that integrates the built form with the locality and enhances the tree canopy.

b. Development that retains existing landscape features such as trees, flora and fauna habitats and urban streams.

Prescriptive Measures

General

a. Street trees should be planted for every 7 metres of road frontage.

b. Landscaped areas should adjoin property boundaries in accordance with Table 3.2.6(a) and be designed to accommodate:

- Deep soil landscaping for a minimum 50% of the front setback,
- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setbacks, and
- Shrubs or small trees that will reach mature heights of at least 3 to 5 metres in the side setbacks.

c. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.

d. In addition to the boundary setbacks at 3.2.6(a), landscaped areas should be provided between 2 or more buildings located on a development site, designed to:

- have a minimum total width of 4 metres, with a minimum dimension of 2 metres,
- accommodate shrubs or small trees that will reach a mature heights of at least 3 to 5 metres,
- provide a minimum soil depth of 1 metre, and
- be located in a deep soil area or above a basement car park.

Table 3.2.6(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	6m wide
Secondary Boundary (on corner lots)	3m wide
Side Boundary	3m wide
Rear Boundary	4m wide



Figure 3.2(l): Landscaped areas for town house developments: deep soil adjacent to the property boundary and landscape planters between townhouses above basements. (l)

e. Development Applications should be accompanied by fully detailed landscape plans with provision for vegetation that maximises potential for shading to communal spaces, reducing heat load and improving visual qualities.

f. Structures such as paths, letter boxes, electricity kiosks, fire hydrants, garbage storage and the like proposed in the front setback are to be:

- Sited and designed to minimise the impact on the streetscape and integrate into the landscape setting,
- Screened where possible,
- Designed to retain sufficient areas for deep soil landscaping, and
- Indicated on the landscape plan.

g. Where new substations are required to service new developments, proponents should demonstrate that attempts have been made to co-ordinate / share the use of substations.

Notes:

Landscaped area means a part of the site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Landscaped area between 2 buildings on a development site is able to be erected above a basement, notwithstanding the definition of landscaped area above.

The applicant is encouraged to incorporate species from Council's publication "Indigenous Plants for the Bushland Shire" available at Council's website hornsby.nsw.gov.au.

Retention of Landscape Features

h. Existing healthy trees should be retained and protected wherever possible. Any trees removed as part of the development should be replaced elsewhere on site wherever possible.

i. Connectivity of large street trees with adjoining or nearby remnant groups should be protected where practicable.

j. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

k. Within street setbacks, front fences should be avoided. Planting at grade, or low walls screened by planting, or planter boxes may be permitted at the interface between private land and public domain, subject to privacy, security and environmental impacts.

l. Fencing enclosing private courtyards behind the front building line may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

m. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line. Notes:

Notes:

Landscaped area means a part of the site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Landscaped area between 2 buildings on a development site is able to be erected above a basement, notwithstanding the definition of landscaped area above.

The applicant is encouraged to incorporate species from Council's publication "Indigenous Plants for the Bushland Shire" available at Council's website hornsby.nsw.gov.au.

Deep soil zones are areas of soil not covered by buildings or structures within a development. They exclude basement car parks, services, impervious surfaces including driveways, paths and roof areas.

Deep soil zones have important environmental benefits, such as allowing infiltration of rainwater to the water table and reducing stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees which assist with temperature reduction in urban environments.

3.2.7 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Communal open space comprising landscaped setbacks, landscaping between dwellings, and a principal communal open space area.

Prescriptive Measures

Private Open Space

a. Every dwelling should be provided with a principal private open space area in accordance with Table 3.2.7(a):

Table 3.2.7(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
0-1 Bed Unit	10m^2	2.5m
2 Bed Unit	12m^2	2.5m
3+ Bed Unit	16m^2	2.5m
Town house	24m^2	3m

b. Private open space should be designed as "outdoor rooms" that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

c. Private open spaces at ground level may be located within the side and rear boundary setback areas where there is communal landscaping along the adjacent boundary with a minimum width of 2.5 metres.

d. Roof terraces or balconies are not permitted.

e. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

Clothes Drying Area

f. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

Communal Open Space

g. A principal communal open space area should be provided for each residential flat building of 10 or more dwellings as follows:

- be located at ground level,
- have a minimum area of 50m2,
- have a minimum dimension of 4 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- include deep soil planting to support advanced tree canopies and minimise hard paved areas.
- receive at least 2 hours of sunlight during mid winter,
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

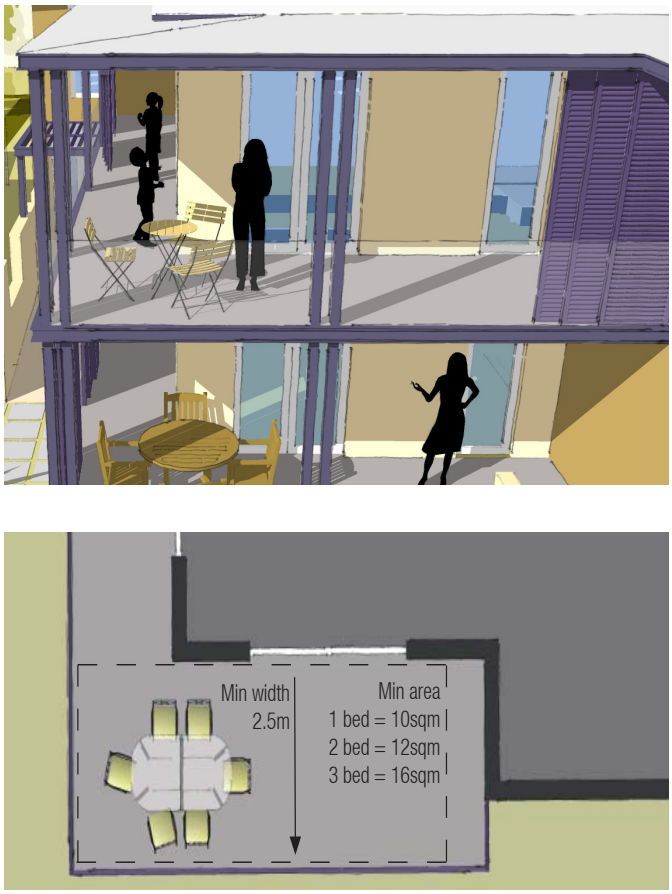


Figure 3.2(n): Private open space in a residential flat.(I)

3.2.8 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent properties and high levels of residential security.

Prescriptive Measures

Privacy

a. Orient residential units' living room and principal private open space areas primarily towards the front and rear of the site, including balconies, to promote privacy to dwellings.

b. Living areas and principal private open space areas of town houses should be located at ground level where possible to limit the potential for privacy conflicts.

c. Balconies, terraces or bedroom windows near ground level should be screened or separated from the street and active communal areas by landscaping or private open space to protect the privacy of dwelling occupants.

d. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

e. Open space areas should not be provided on the roof.

f. The minimum separation between living rooms and principal private open spaces should comply with Table 3.2.8(a).

Table 3.2.8(a): Minimum Separation between Rooms

Separation between rooms	Minimum Distance (m)
between unscreened habitable rooms/ balconies/ principal private open space areas	12m
between screened habitable and non-habitable rooms/blank walls/ balconies/ principal private open space areas	6m



Figure 3.2(p): Fixed screens and communal planters provide privacy for ground level open spaces and rooms but allow casual surveillance of common areas from each dwelling. Adjustable screens on balconies provide for microclimate control. (E)

Security

g. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

h. Private open spaces, living room windows and communal lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

i. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

Note:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5m high, measured from the floor level, and has no individual opening more than 30mm wide, and has a total of all openings less than 30% of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

3.2.9 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

Sunlight Access

a. On 22 June, at least 70 percent of dwellings should receive 3 hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

b. On 22 June, the active communal open space area should receive at least 2 hours sunlight between 9am and 3pm.

Natural Cross Ventilation

c. All town houses should have windows in 2 separate exterior walls to provide effective natural cross ventilation.

d. At least 60 percent of residential flats should have dual aspect and natural cross ventilation.

e. All attic levels should have windows in two separate exterior walls and/or roof planes to provide effective natural cross ventilation.

Note:

SEPP -BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

3.2.10 Materials, Finishes and Services

Desired Outcome

a. Development that enhances the visual quality of the public domain.

Prescriptive Measures

a. Development Applications should be accompanied by a Schedule of External Finishes, Colours and Materials Board which includes samples and large wall sections indicating how the details and colour schedules are to be applied.

b. Colour palletes should reference the natural habitat and environmental influences of the area and avoid use of primary colours.

c. Facade elements should use a range of materials and finishes, with a minimum of 30% exposed brick or natural material cladding (such as sandstone or timber).

d. Facade elements should not be fully rendered.

Services

e. Heating, Ventilation and Air Conditioning (HVAC) equipment should be grouped within designated screened areas either on typical floors or on roof-tops.

f. Wall-mounted equipment and associated pipework should be concealed into wall cabinets and ducts.

g. If service equipment is located on private balconies, additional area above those required by the DCP should be provided.

h. Rainwater drainage goods and balcony drainage should be thoughtfully designed and integrated into the building fabric.

i. All services should be positioned or screened so that they are not visible from common areas or the public domain adjacent to the development.

j. Balustrade designs should address visual screening or large items typically stored on balconies (eg. barbeques, clothes drying devices and bicycles).

k. Letter boxes should be located perpendicular to the road.

l. Developments should facilitate the placement of powerlines underground on the road reserve at the front of the site as well as within the site boundaries.

3.2.11 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

3.2.12 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

General

a. Common driveway systems are preferred.

b. The alignment of driveways should:

- be located at least 2 metres from any side boundary and flanked by continuous landscaped verges, and
- be varied to avoid a straight gun barrel appearance, particularly for town houses with parking at grade.

c. Resident and visitor parking should be preferably provided within basements.

d. Where carparking is provided above ground, it should:

- be located outside of the prescribed building setback and separation areas,
- not be located in a dwelling facade that faces a primary or secondary frontage,
- comprise a maximum of 50 percent of any facade elevation, and
- result in a contiguous group of garages no wider than 6 metres.

e. Parking for service and delivery vehicles should be integrated with the design of driveways and landscaped verges and not visually dominate any street frontage.

Ancillary Fixtures and Facilities

f. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks or private garages, suitable to accommodate larger items such as sporting equipment.

Note:

Refer to Part 1 'General' of the DCP for more detailed parking and service vehicle design requirements.

3.2.13 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Public Domain

a. Development of the public domain should make the locality an attractive place that encourages development and provides amenity for residents.

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. Pedestrian linkages shown on the Key Development Principles Diagrams and Town Centre Linkage Diagrams (Annexure B) shold be provided and reinforced as safe, accessible and vibrant pedestrian areas.

Traffic Management Works

d. Traffic management works should be undertaken in accordance with the traffic improvements identified in the Key Development Principles Diagrams.

e. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

f. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Note:

This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

3.2.14 Key Development Principles

The following provides more detailed controls for some particular precincts zoned for medium density housing as a result of the Hornsby Shire Housing Strategy (2010) and identification of the Epping Urban Activation Precinct.

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles Diagrams.

Prescriptive Measures

a. Key Development Principles Diagrams apply to the following localities:

- Pacific Highway, Mount Colah and Asquith Precinct,
- Stokes Avenue, Asquith Precinct,
- Baldwin Avenue, Asquith Precinct,
- Galston Road, Hornsby Precinct,
- Old Berowra Road, Hornsby Precinct,
- Mildred Avenue, Hornsby Precinct,
- Derby Street, Epping Precinct,
- Essex Street, Epping Precinct, and
- Epping Road/Forest Grove, Epping Precinct.

b. Development should be designed to embody the principles of the relevant Key Development Principles Diagram.

c. Pedestrian thoroughfares should be provided in accordance with the Key Development Principles Diagram and Town Centre Linkage diagrams (see Annexure B).

d. Development in the vicinity of heritage items and Heritage Conservation Areas shown in the Key Development Principles Diagram should have regard to the Heritage provisions in Part 9 of this DCP.

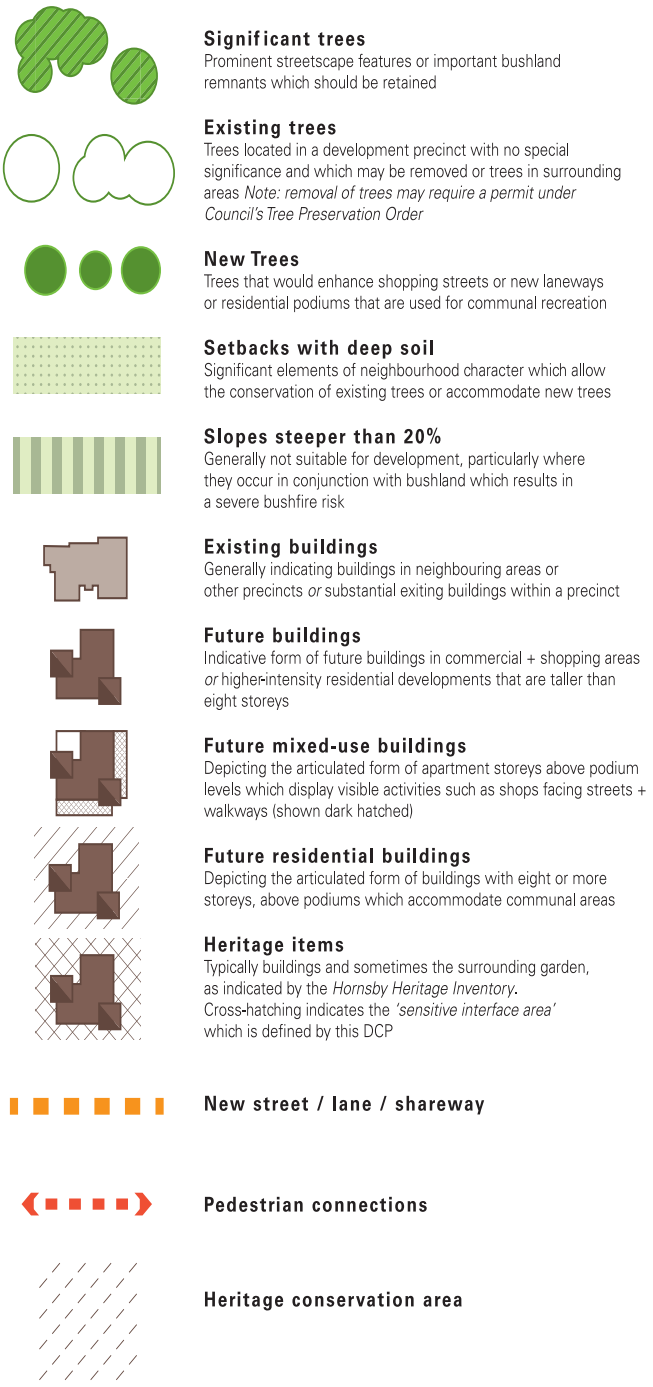
e. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

Note:

The Key Development Principles Diagrams are indicative only and are not to scale. The diagrams indicate unconstrained land that is available for redevelopment. Relevant setback, building form and landscaping controls are provided in Sections 3.2.4, 3.2.5 and 3.2.6 of the DCP.

Legend

The following symbols appear in the Key Development Principles Diagrams



Pacific Highway, Mount Colah and Asquith Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly one + two storey multi-dwelling housing in garden settings.

On properties that adjoin the railway: refer all development applications to RailCorp to confirm any requirements regarding track amplification.

Landscape setting

Provide broad setbacks along rear boundaries, street + park frontages, and locate communal open spaces in order to retain remnants of *Turpentine Ironbark Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Provide avenues of trees and shrubs along shared driveways.

Servicing

Promote access from local streets.

If access is not available from local streets, consolidate existing vehicle entrances from the Pacific Highway.

Install a signallised pedestrian crossing between Rupert Street + Mills Avenue.

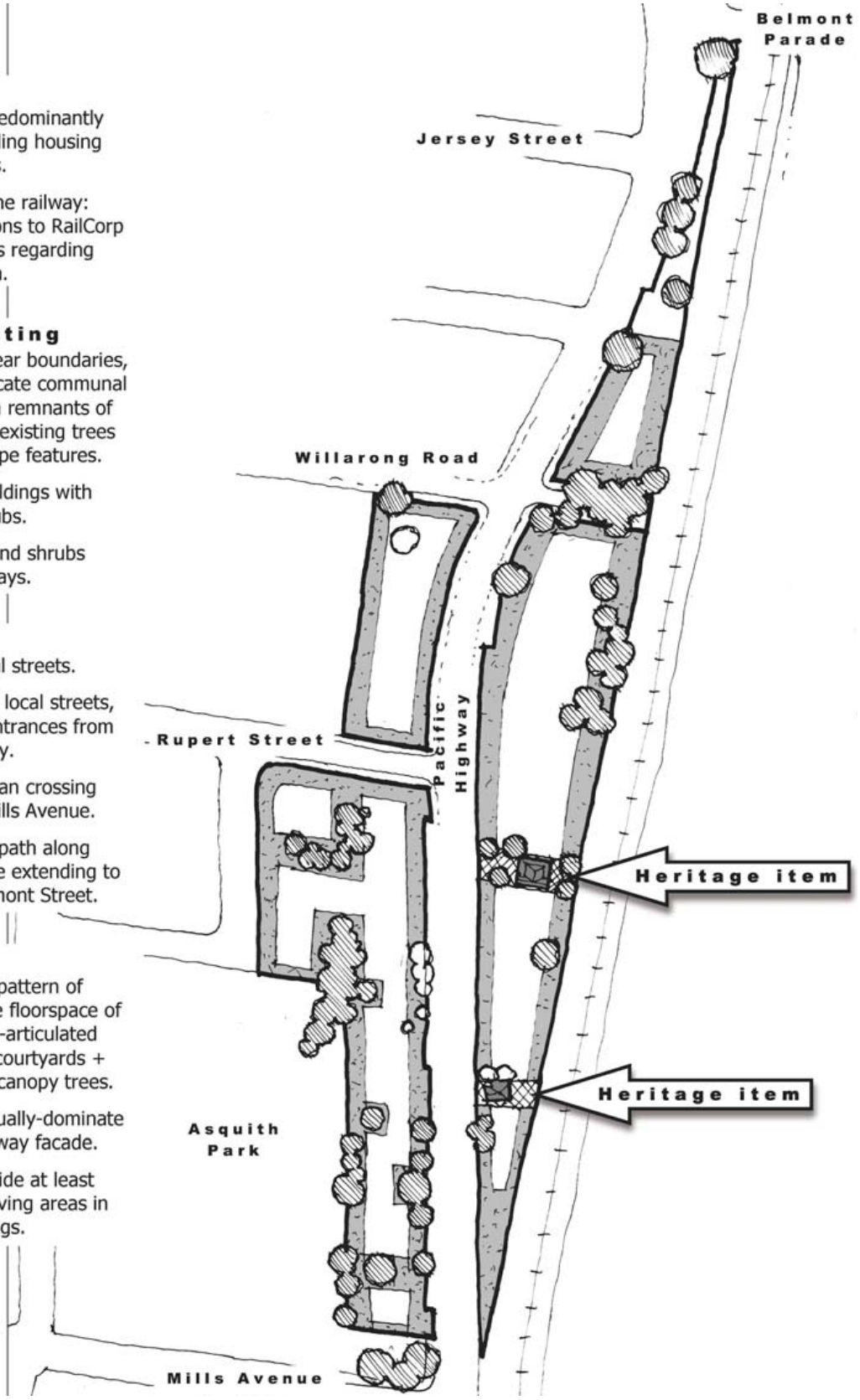
Establish a continuous footpath along the Highway's eastern frontage extending to the existing crossing at Belmont Street.

Built form

To reflect the established pattern of detached-dwellings: divide the floorspace of every new building into well-articulated pavilion forms separated by courtyards + driveways that are lined with canopy trees.

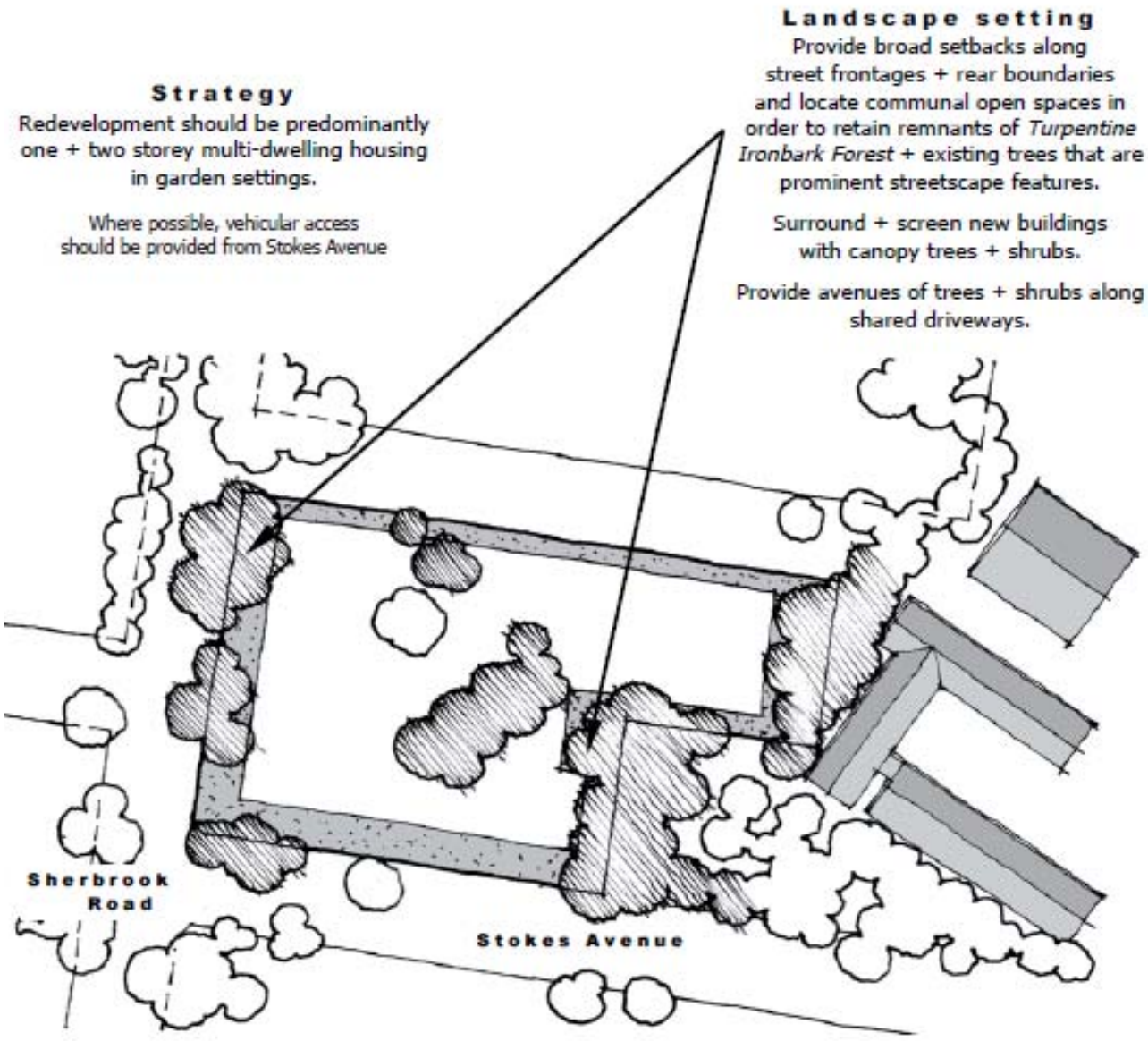
Ensure that garages do not visually-dominate any street frontage or driveway facade.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.



Stokes Avenue, Asquith Precinct

Key Development Principles Diagram



Built form

To reflect the established pattern of detached-dwellings: divide the floorspace of every new building into well-articulated pavilion forms separated by courtyards + driveways that are lined with canopy trees.

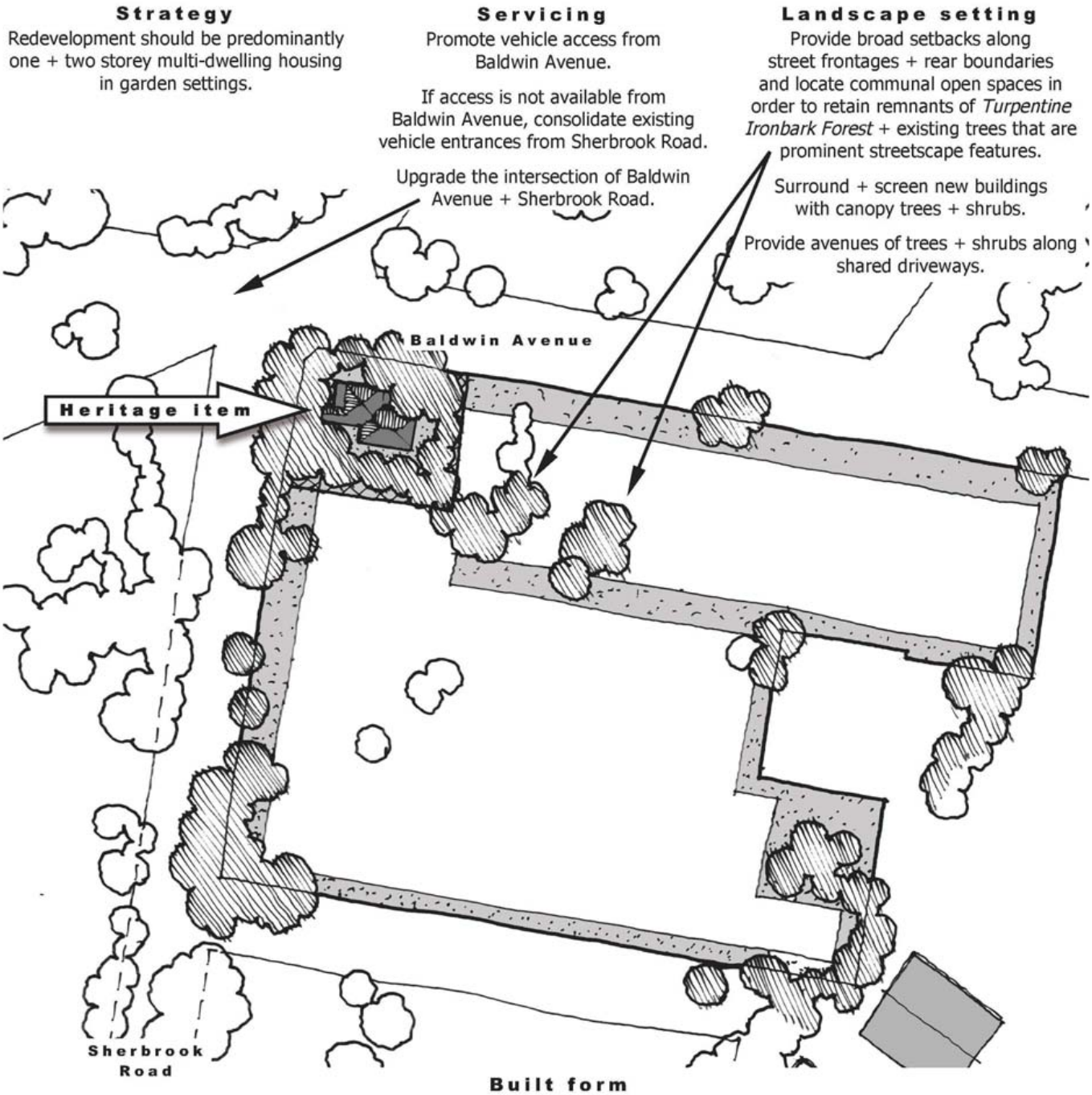
Ensure that garages do not visually-dominate any street frontage or driveway facade.

Siting + design should provide at least three hours sunlight daily for living areas in 70% of new dwellings.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Baldwin Avenue, Asquith Precinct

Key Development Principles Diagram



To reflect the established pattern of detached-dwellings: divide the floorspace of every new building into well-articulated pavilion forms separated by courtyards + driveways that are lined with canopy trees.

Ensure that garages do not visually-dominate any street frontage or driveway facade.

Siting + design should provide at least two hours sunlight daily for living areas in

Immediately adjoining heritage items: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Traffic Management Improvement Plan, Asquith Precincts

Key Development Principles Diagram

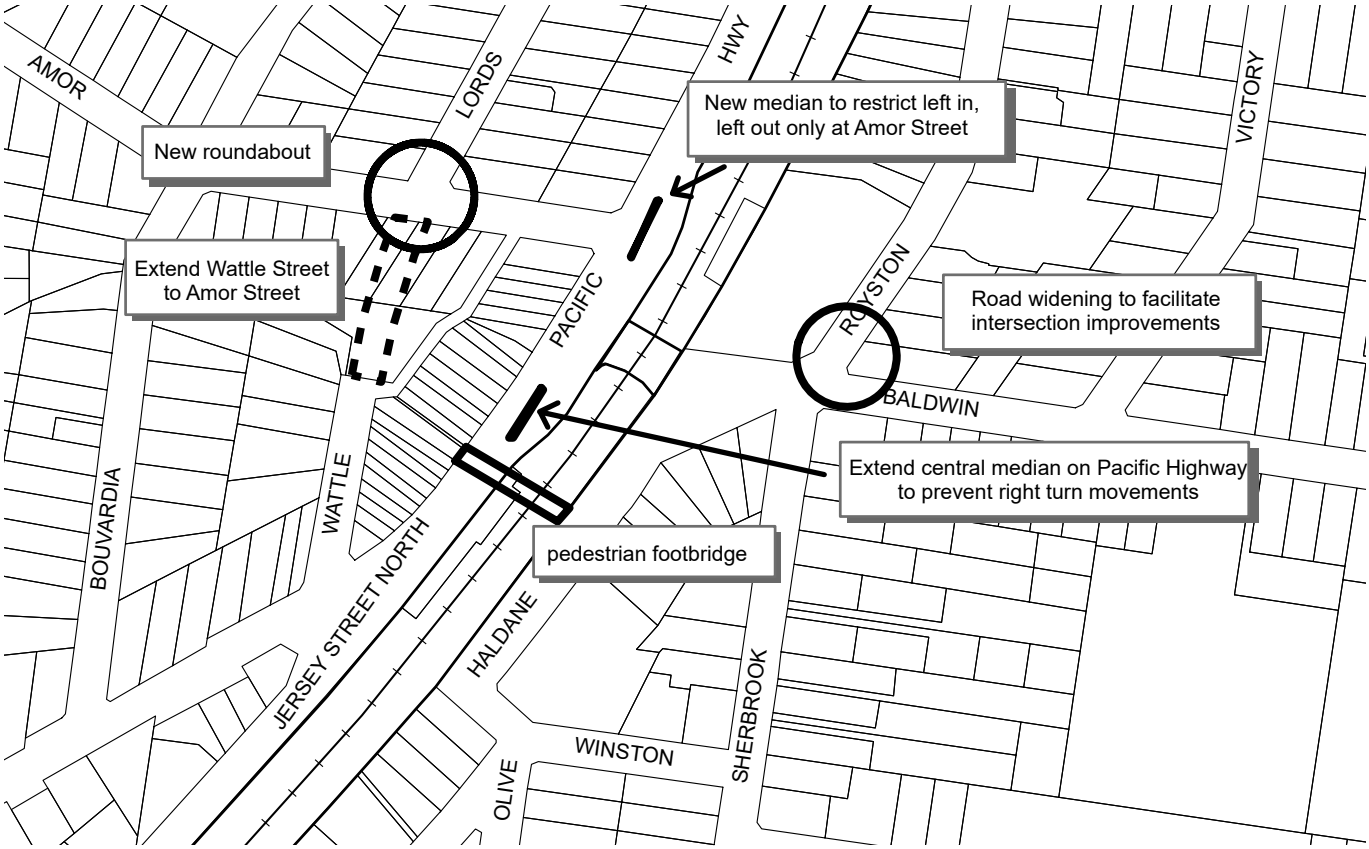
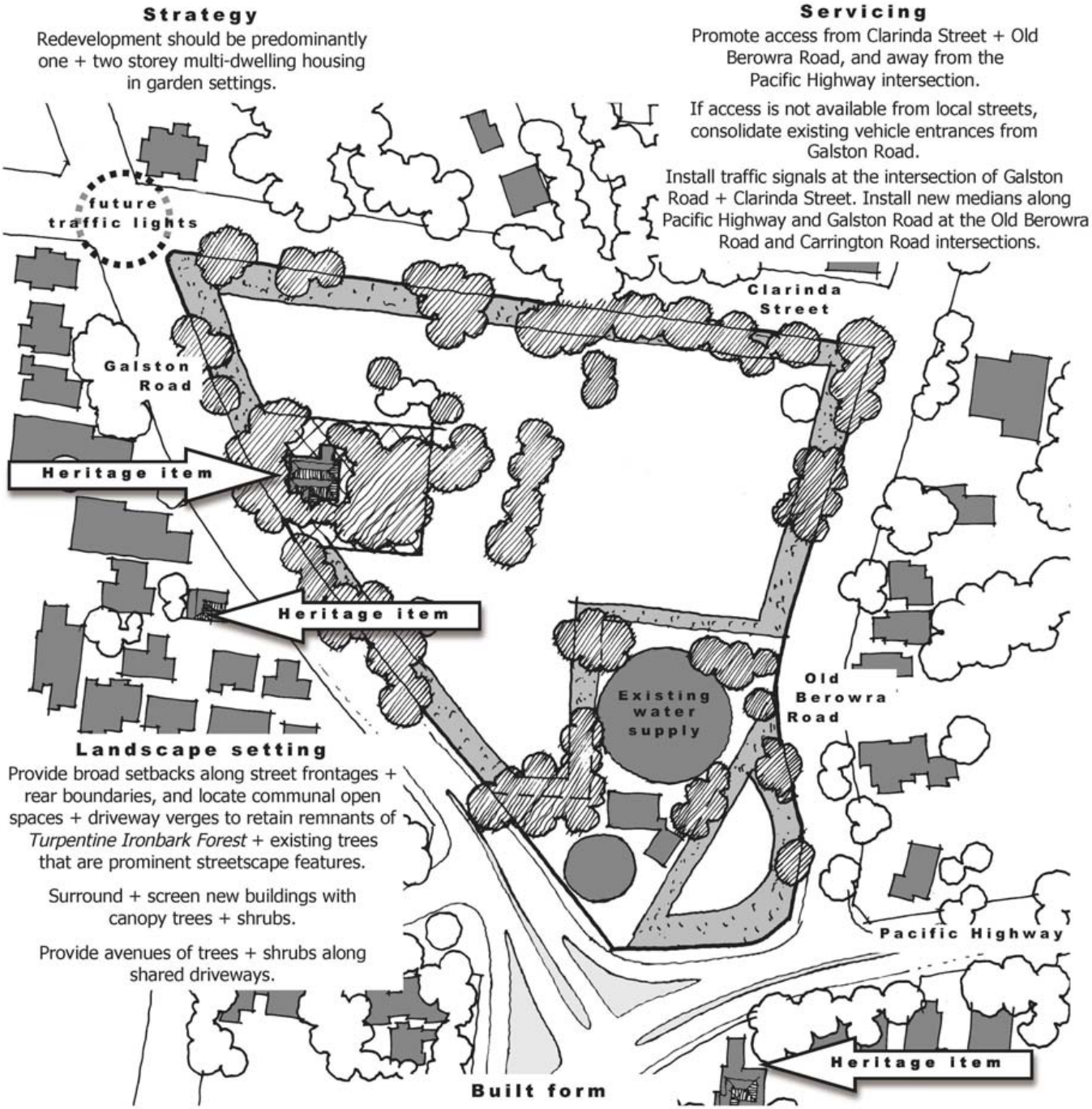


Figure 3.2(q): Traffic Management Improvement Plan - Asquith. (C)

Galston Road, Hornsby Precinct

Key Development Principles Diagram



Old Berowra Road, Hornsby Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly one + two storey multi-dwelling housing in garden settings.

Landscape setting

Provide broad setbacks facing the park + bowling greens and along street frontages + rear boundaries, and locate communal open spaces + driveway verges to retain remnants of *Turpentine Ironbark Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

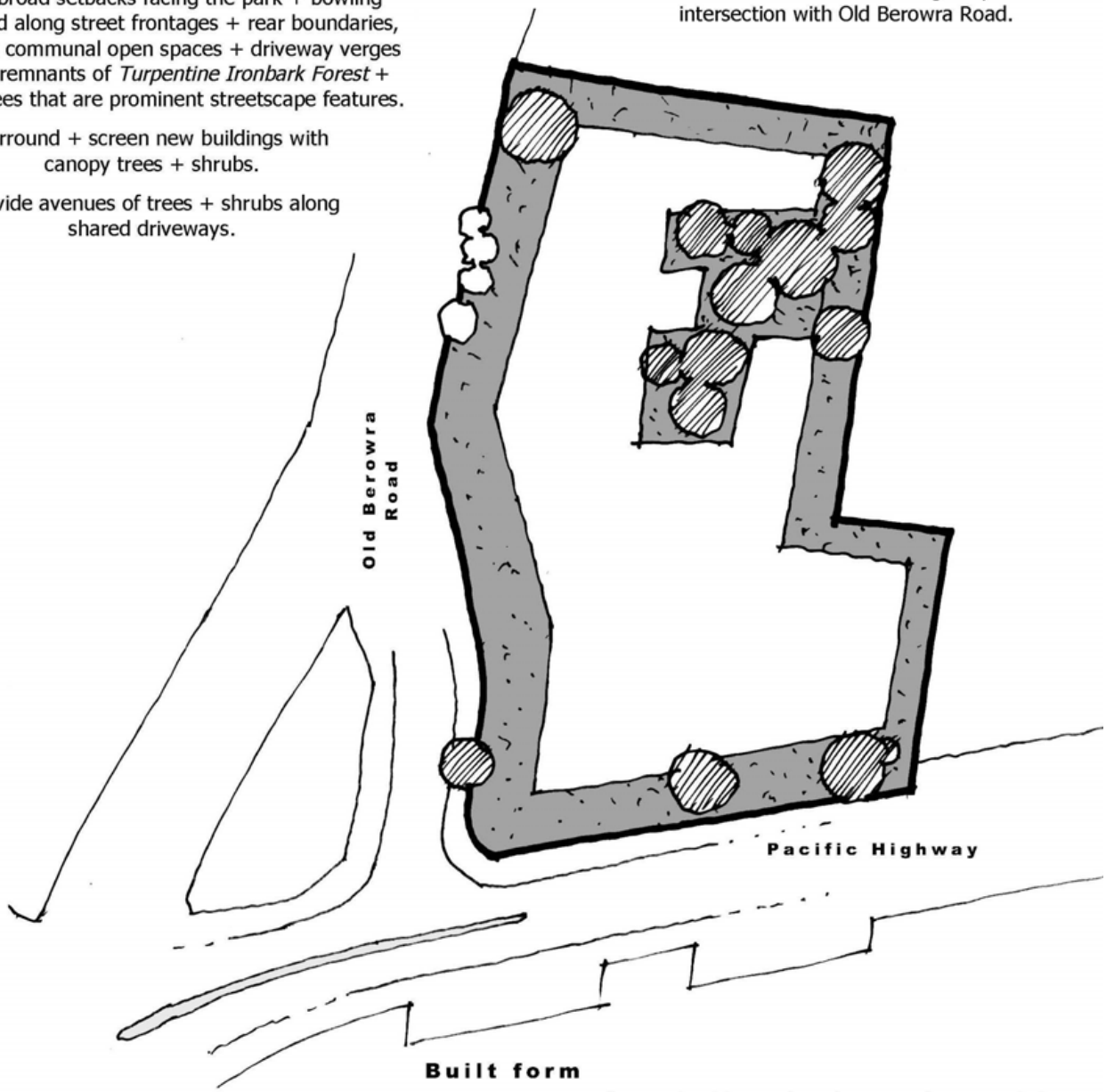
Provide avenues of trees + shrubs along shared driveways.

Servicing

Promote access from Old Berowra Road.

If access is not available from that street, consolidate existing vehicle entrances from the Pacific Highway.

Install medians in the Pacific Highway at the intersection with Old Berowra Road.



Built form

To reflect the established pattern of detached-dwellings: divide the floorspace of every new building into well-articulated pavilion forms separated by courtyards + driveways that are lined with canopy trees.

Ensure that garages do not visually-dominate any street frontage or driveway facade, and that each dwelling presents a prominent "traditional" address.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Mildred Avenue, Hornsby Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly one + two storey multi-dwelling housing in garden settings.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries, and locate communal open spaces + driveway verges to retain remnants of *Turpentine Ironbark Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

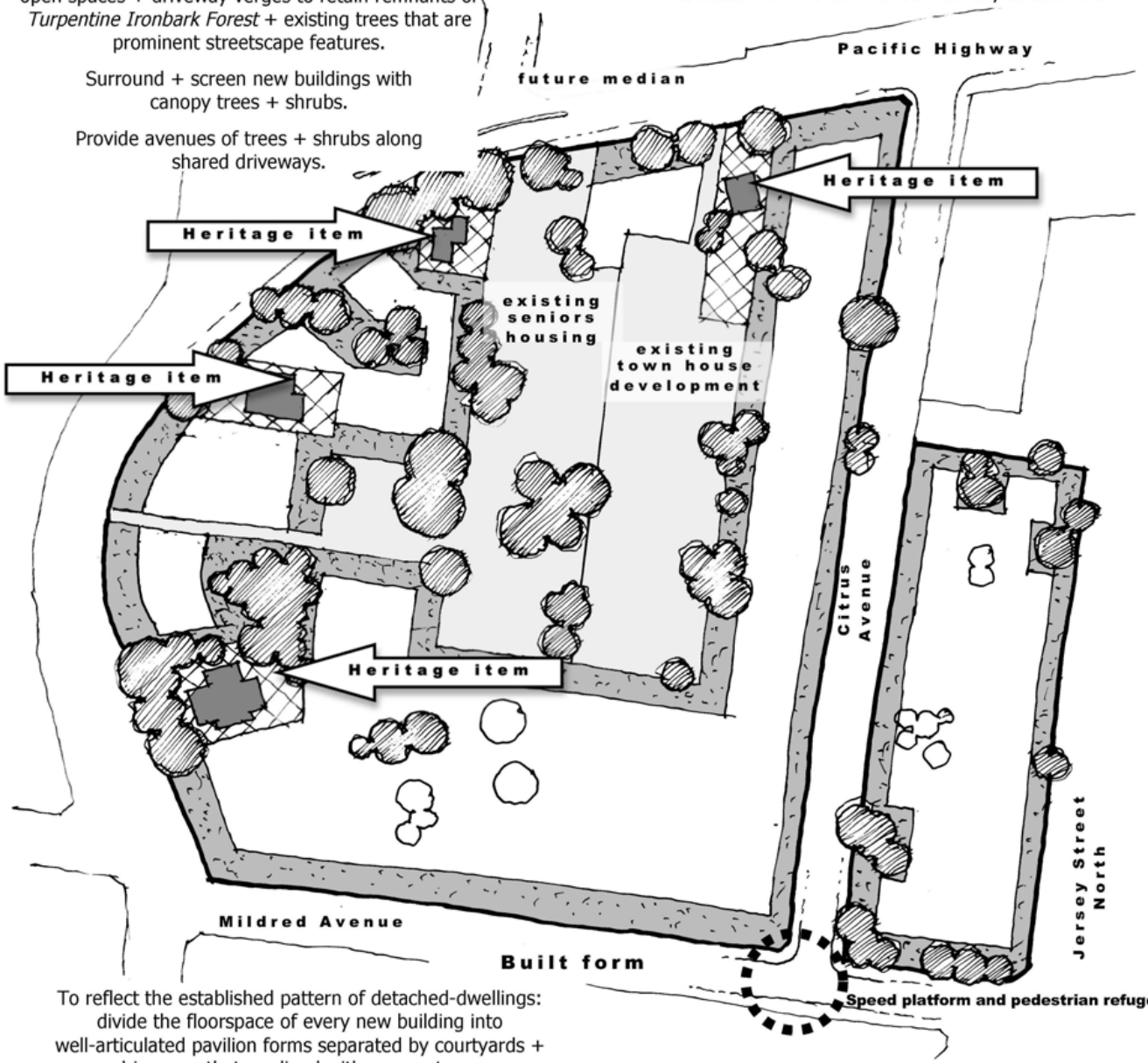
Provide avenues of trees + shrubs along shared driveways.

Servicing

Promote access from Citrus + Mildred Avenues, and away from the Pacific Highway intersection.

If access is not available from those streets, consolidate existing vehicle entrances from the Pacific Highway.

Install speed platforms + pedestrian refuges near the intersection of Mildred Avenue + Jersey Street North.



To reflect the established pattern of detached-dwellings: divide the floorspace of every new building into well-articulated pavilion forms separated by courtyards + driveways that are lined with canopy trees.

Ensure that garages do not visually-dominate any street frontage or driveway facade, and that each dwelling presents a prominent "traditional" address.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Immediately adjoining heritage items: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Derby Street, Epping Precinct

Key Development Principles Diagram-

Strategy

Redevelopment should be predominantly three storey residential flat buidlings and multi-dwelling housing.

Servicing

Promote access from Derby street.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account bushfire, flooding and overland flow path provisions.

Built form

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.



Essex Street, Epping Precinct

Key Development Principles Diagram



Strategy

Redevelopment should be predominantly residential flat buidlings and multi-dwelling housing.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account potential stormwater inundation and overland flow path provisions.

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Built form

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Epping Road/Forest Grove, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly residential flat buidlings of varying heights. Redevelopment along the southern side of Maida Road should be predominately three storey townhouses.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

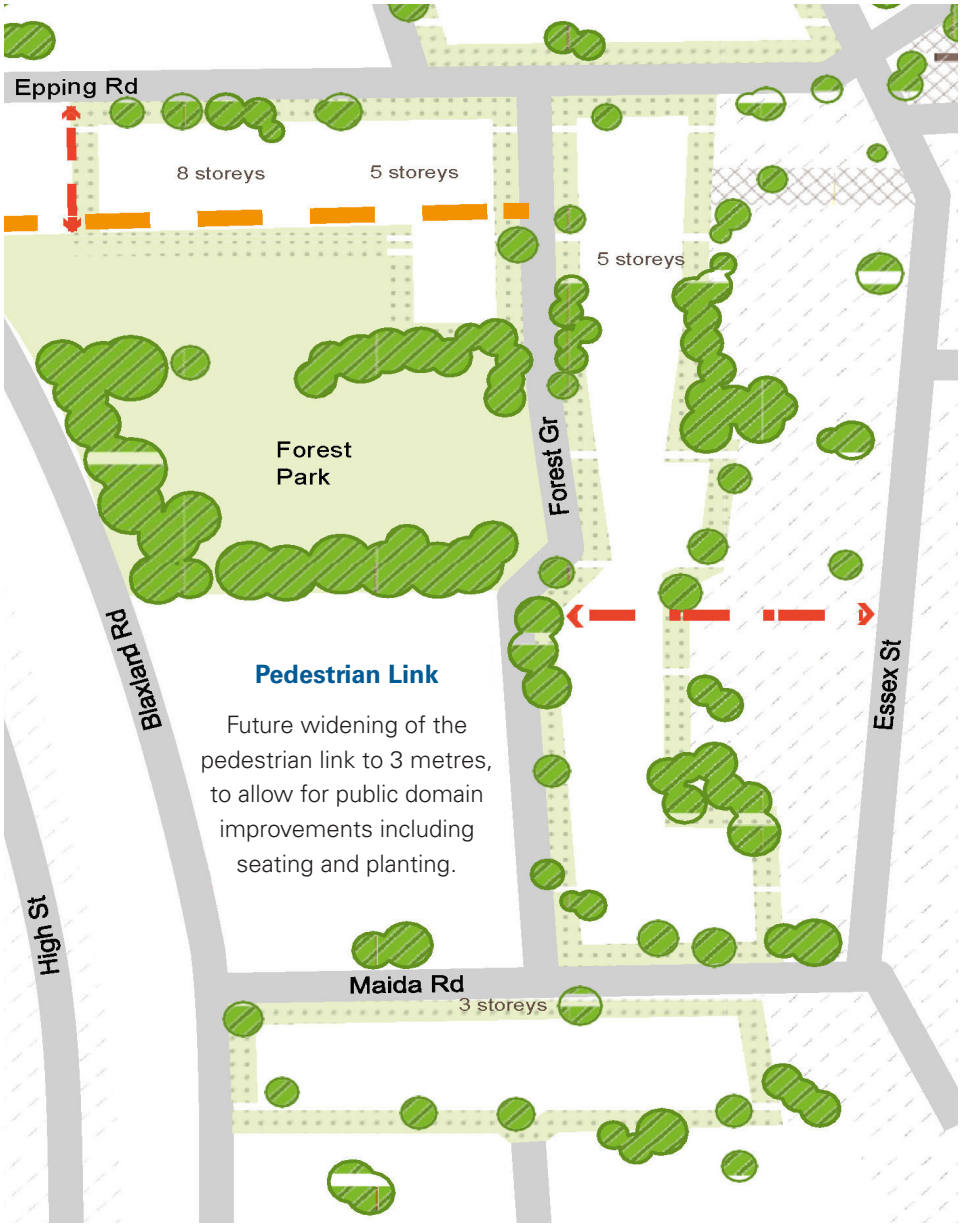
Development should take into account potential stormwater inundation and overland flow path provisions.

Servicing

Promote access from local streets.

If access is not available from the local streets, consolidate existing vehicle entrances on Epping Road.

Setback from Epping Road to be from new boundary in consideration of RMS road widening. Rear laneway to be located between common open space and rear boundary.



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Traffic Management Improvement Plan, Epping Precincts

Key Development Principles Diagram

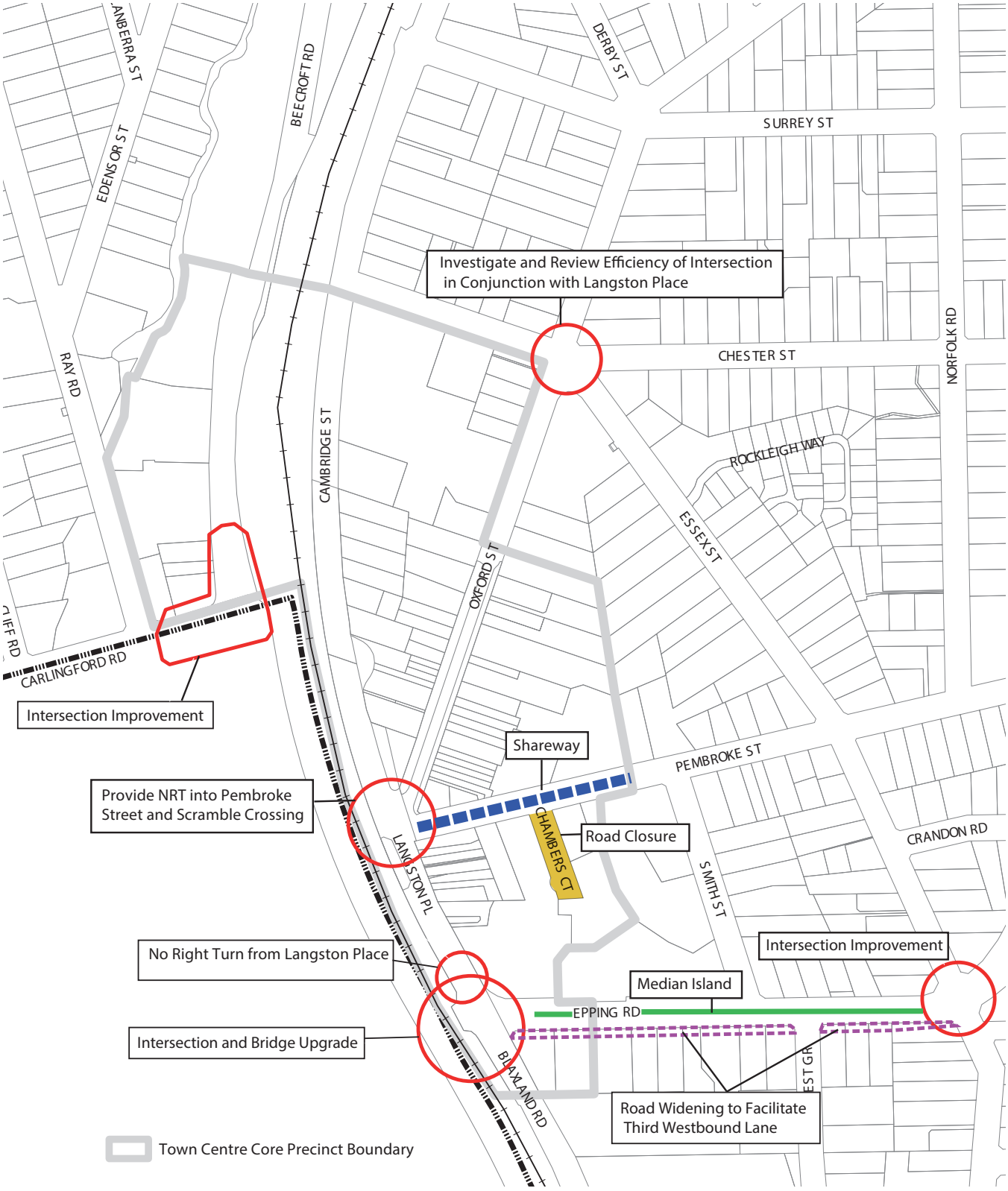


Figure 3.2 (r) : Traffic Management Improvement Plan - Epping (C)

3.3 Residential Flat Buildings (3 Storeys)

This section provides controls for erecting , and undertaking alterations and additions to, a residential flat building in the R3 Medium Density Residential Zone and the R4 High Density Residential Zone, within the area designated as M (12m - 3 storeys) on the HLEP Height of Building map.

3.3.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

b. Development applications should demonstrate compatibility with the following statement of desired character:

Desired Future Character Statement

The locality is characterised by 3 storey residential flat buildings in a landscaped setting. The buildings have low pitched or flat roofs with wide eaves.

Development footprints are limited in scale and located to achieve setbacks to boundaries incorporating soft landscaping. Where more than one building is provided on-site, the buildings are separated by garden areas. The established tree canopy is complemented by new trees and shrubs throughout the landscaped area.

Car parking is provided on-site and integrally designed into the building in the form of basement parking.

A high standard of architectural and urban design quality is achieved. Contemporary buildings utilise facade modulation and incorporate shade elements, such as pergolas, verandahs and the like. Developments incorporate a mix of dwelling sizes to provide housing choice. Developments embody active living principles including prioritised pedestrian and cyclist entrances to buildings, connectivity to the public domain and bicycle parking and storage.

Notes:

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist and the National Heart Foundation's Blueprint for an Active Australia*.



Figure 3.3(a): Example of Desired Character - 3 storey residential flat building.(I)

3.3.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in Schedule 1 of *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* are achieved, and
- the design is consistent with the objectives of the *Apartment Design Guide*

Note:

Development applications should be accompanied by a statement of environmental effects which includes the following:

- an explanation of how the design addresses the design quality principles set out in S*tate Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development,* namely:

  context and neighbourhood character; built form and scale; density; sustainability; landscape; amenity; safety; housing diversity and social interaction; and aesthetics.
- an explanation of how the design addresses the design criteria in Part 3 and Part 4 of the *Apartment Design Guide*.
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development;
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

3.3.3 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that provide soft landscaping surrounding the building and limit the number of driveway crossings.

Prescriptive Measures

a. The minimum site width should be 30 metres measured at the primary street frontage.

b. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than 30 metres, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.

d. Basement driveways and access stairs should be planned and coordinated to minimise the loss of landsape open space and deep soil zones.

- Where practicable locate driveway entries beneath building envelope.
- Driveways should run perpendicular to the street for sites with a regular geometry.
- Driveways should be consolidated on large sites and adjacent development lots where topographically possible to avoid large expanses of driveway to street frontages.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.



Proposed development site resulting in an adjoining isolated site

Isolated site with frontage less than 30m wide

Developed site

Figure 3.3(b): Lot amalgamation should avoid isolating small sites. (I)

3.3.4 Height

Desired Outcome

a. A built form not exceeding 3 storeys in height and comprising residential flat buildings.

Prescriptive Measures

Storeys

a. Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 3.3.4(a).

Table 3.3.4(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
M	12	3 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. For development involving parking in an undercroft, the floor level of the lowest residential storey should be a maximum of 1.5 metres above natural ground level.

d. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

e. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

f. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.

Roof Design

g. Low pitched or flat roofs with wide eaves are encouraged for compatibility with streetscape character and sun control.

h. Flat roofs that are surrounded by parapets should be avoided except when used as a minor design feature.

i. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

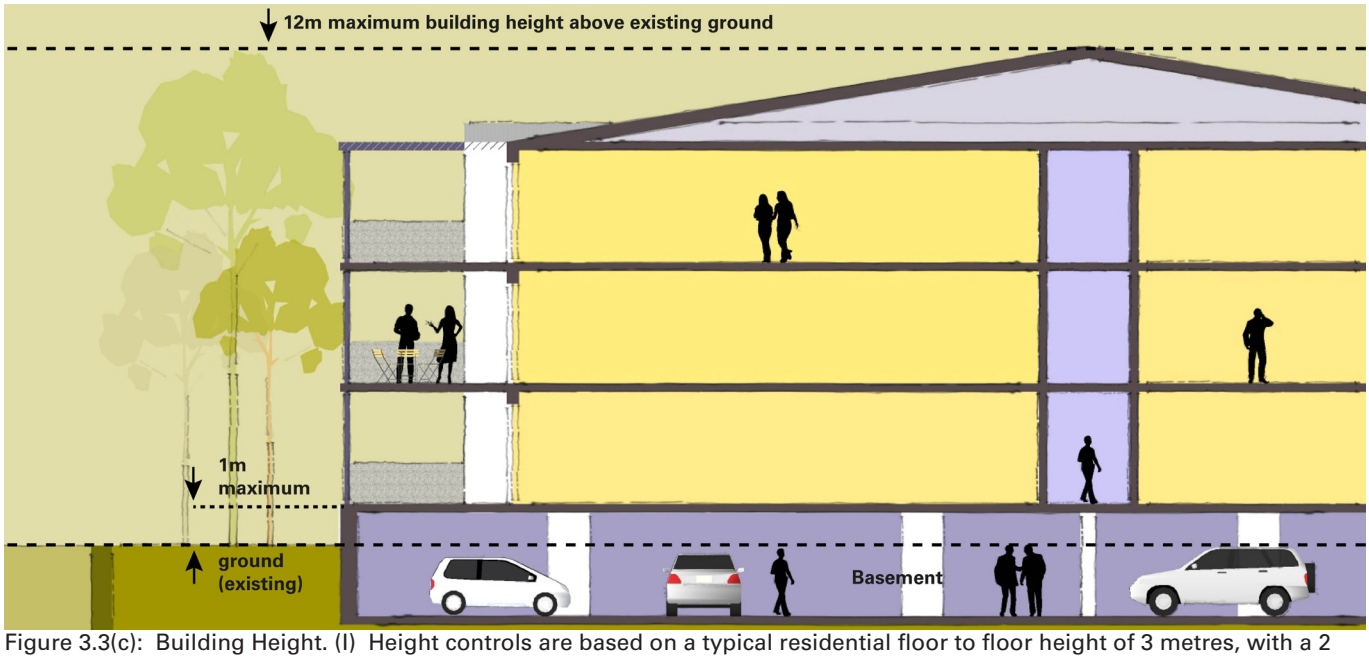


Figure 3.3(c): Building Height. (I) Height controls are based on a typical residential floor to floor height of 3 metres, with a 2 metre allowance for roof articulation and a 1 metre basement projection.

3.3.5 Setbacks

Desired Outcome

a. Well articulated building forms that are setback to incorporate landscaping, open space and separation between buildings.

b. Setbacks that preserve and protect existing trees around the perimeter of sites and provide effective deep soil areas that are able to create a garden setting, including substantial tree canopy to all sides of the building.

Prescriptive Measures

a. The minimum setbacks of all buildings and structures should comply with Table 3.3.5(a).

Table 3.3.5(a): Minimum Setbacks

Setback	Minimum Setback
Front Boundary	9m, which can be reduced to 6m for a maximum of 1/3 of the building width
Side Boundary (includes balconies)	6m, which can be reduced to 3m for a maximum of 1/3 of the building width.
Rear Boundary	6m
Basement Parking Setback	6m from front boundary, and 4m from side and rear boundaries, to allow for deep soil landscaping
Top storey where mezzanine proposed	6m addition setback for exterior walls of the top storey, measured from the walls of the lowest storey.

Sites with more than one frontage

b. For buildings with a corner frontage:

- front boundary setbacks apply to all street frontages, and
- Side boundary setbacks to apply to all other boundaries.

c. For a lot that adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.

Setback Encroachments

d. Balconies are able to encroach to within 6 metres of the front boundaries provided there is no impact on the achievement of daylight access, visual privacy, and acoustic privacy and growth of mature canopy trees.

e. Structures such as paths, letter boxes, electricity kiosks, fire hydrants, garbage storage and the like are permitted in the front setback where:

- The structures are thoughtfully sited and designed to minimise the impact on the streetscape and integrate into the landscape setting,
- The structures are screened where possible, and
- Sufficient areas for deep soil landscaping remain.

f. The following structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide, with deep soil verges at least 2 metres wide adjcacent to the side boundary.

g. The following structures are able to encroach into the prescribed rear boundary setbacks:

- Ground level light weight verandahs and pergolas are permitted to encroach to a minimum setback of 4 metres to the boundary.

Notes:

Building width is measured between the principal external enclosing walls, excluding any permissible encroachments.

Light weight verandahs or pergolas typically comprise timber or metal frames. They are not supported by brick or concrete columns and do not have brick or concrete balustrades.

3.3.6 Building Form and Separation

Desired Outcome

a. Buildings that are limited in width and depth, incorporating articulated facades and separated by garden areas.

Prescriptive Measures

Floorplates

a. Floorplates should have a maximum dimension of 35 metres measured in a perpendicular direction between opposing exterior walls at any point. Balconies, terraces and ground floor lobbies may project beyond this maximum.

b. Development form and scale should comply with principles and recommended strategies for managing development scale, relationship to context and elements that contribute to the relevant character and influences for a specific area contained within the Apartment Design Guide Part 2.

Separation

c. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

d. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

e. On large sites where the floorplate control requires more than one building, adjoining buildings should be separated by a minimum of 9 metres.

Articulation

f. Articulation should be achieved by dividing all facades into vertical panels. Wall planes of buildings should not exceed the following lengths in Table 3.3.6(b) without an offset of at least 1 metre and a corresponding change in roof form:

Table 3.3.6(b): Facade Articulation

Facade	Residential Flat Buildings
For facades that face a street	8m
All other facades	12m

g. Buildings should include structural elements such as sunshades, balconies and verandahs that provide variety in the built form.

h. To maintain the design integrity of buildings, the enclosure of existing balconies should not occur.

Materials and Finishes

i. Facades should incorporate a mix of compatible materials such as face or rendered brickwork and contrasting areas of light weight structures such as wrap around balconies with operable louvres.

j. Balconies should appear as open structures with lightweight balustrades. Solid masonry walls should be minimised.



Figure 3.3(d): Articulation of facades. (E)

3.3.7 Landscaping

Desired Outcome

a. Landscaping that integrates the built form with the locality and enhances the tree canopy.

b. Development that retains existing landscape features such as trees, flora and fauna habitats and urban streams.

Prescriptive Measures

General

a. Communal landscaping should be provided adjacent to the property boundaries to provide a landscape setting for the development.

b. Street trees shoud be planted for every 7 metres of road frontage.

c. Landscaped areas should adjoin property boundaries, in accordance with Table 3.3.7(a), and be designed to accommodate:

- Deep soil lanscaping for a minimum 50% of the front setback,
- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
- Trees that will reach a mature heights of at least 6 to 7 metres in the side setbacks.

Table 3.3 .7(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	6m wide
Secondary Boundary (on corner lots)	as per side setbacks
Side Boundary	4m wide, which can be reduced to 3m for a maximum of 1/3 of the building width
Rear Boundary	4m

d. Paving within deep soil ares should be minimal. Any such paving should be made permeable.

e. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.

f. In addition to the boundary setbacks at 3.3.7(a), landscaped areas should be provided between 2 or more buildings located on a development site, designed to:

- have a minimum total width of 7 metres,
- accommodate trees that will reach a mature height of at least 6 to 7 metres,
- provide a minimum soil depth of 1 metre,
- be located in a deep soil area or above a basement car park, and
- include a component of deep soil area (ie: no basement intrusions) that measures at least 7 metres by 7 metres (sufficient for at least one canopy tree planted 3.5 metres from a building foundation).

g. Structures such as paths, letter boxes, electricity kiosks, fire hydrants and the like proposed in the front setback are to be:

- Sited and designed to minimise the impacts on the streetscape and integrate into the landscape setting,
- Screened where possible,
- Designed to retain sufficent areas for deep soil planting, and
- Indicated on the landscape plan.

h. Where new substations are required to service new developments, proponents should demonstrate that attempts have been made to coordinate / share the use of substations.

Retention of Landscape Features

i. Existing healthy trees should be retained and protected wherever possible. Any trees removed as part of the development should be replaced eslewhere on site wherever possible.

j. Connectivity of large street trees with adjoining or nearby remnant groups should be protected where practicable.

k. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

l. Within street setbacks, front fences should be avoided. Low walls screened by planting and/or planter boxes may be permitted at the interface between private land and public domain, subject to privacy, security and environmental impacts.

m. Fencing enclosing private courtyards behind the front building line may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

n. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.

Notes:

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Building width is measured between the principal external enclosing walls, excluding any permissible encroachments.

Landscaped area between 2 buildings on a development site is able to be erected above a basement, notwithstanding the definition of landscaped area above, except where deep soil is specifically required.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au.

Deep soil zones are areas of soil not covered by buildings or structures within a development. They exclude basement car parks, services, impervious surfaces including driveways, paths and roof areas.

Deep soil zones have important environmental benefits, such as allowing infiltration of rainwater to the water table and reducing stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees which assist with temperature reduction in urban environments.

3.3.8 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Communal open space comprising landscaped setbacks, landscaping between dwellings, and a principal communal open space area.

Prescriptive Measures

Private Open Space

a. Every dwelling should be provided with a principal private open space area in accordance with Table 3.3.8(a):

Table 3.3.8(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m^2	1m
1 bed unit	8m^2	2m
2 bed unit	10m^2	2m
3+ bed unit	12m^2	2.4m
Ground or Podium Level	15m^2	3m

b. Private open spaces should be designed as 'outdoor rooms' that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

c. Roof terraces or balconies are not permitted.

d. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

Clothes Drying Area

e. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

Communal Open Space

f. A principal communal open space area should be provided for each residential flat building of 10 or more dwellings as follows:

- be located at ground level,
- have a minimum area of 50m2,
- have a minimum dimension of 4 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- include deep soil planting to support advanced tree canopies and minimise hard paved areas,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

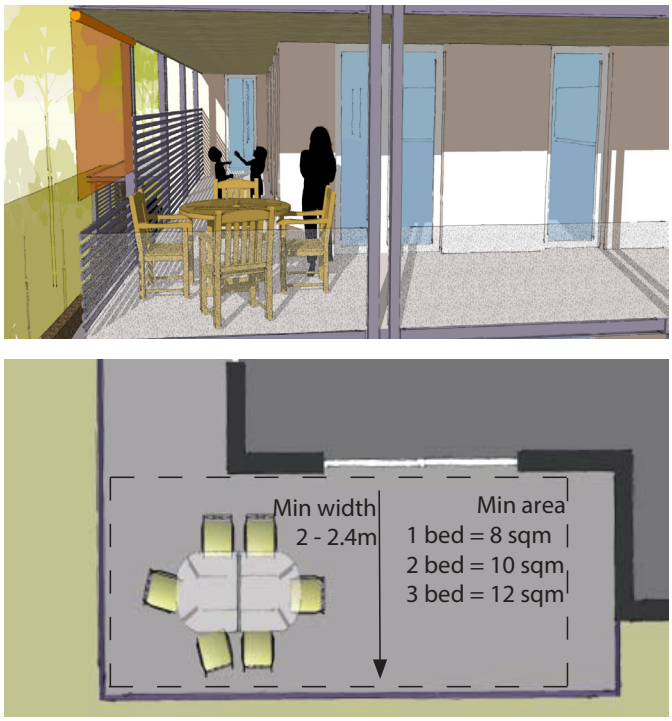


Figure 3.3(e): Articulation of facades. (E)

3.3.9 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent properties and high levels of residential security.

Prescriptive Measures

Privacy

a. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

b. Balconies, terraces or bedroom windows near ground level should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

c. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

d. Open space areas should not be provided on the roof.

Security

e. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

f. Private open spaces, living room windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

g. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

Note:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5m high, measured from the floor level, and has no individual opening more than 30mm wide, and has a total of all openings less than 30% of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.



Figure 3.3(f): Residential flats oriented to the front and rear boundary to promote privacy between development sites and security of communal areas and the public domain.(I)

3.3.10 Materials, Finishes and Services

Desired Outcome

a. Development that enhances the visual quality of the public domain.

Prescriptive Measures

a. Development Applications should be accompanied by a Schedule of External Finishes, Colours and Materials Board which includes samples and large wall sections indicating how the details and colour schedules are to be applied.

b. Colour palletes should reference the natural habitat and environmental influences of the area and avoid use of primary colours.

c. Facade elements should use a range of materials and finishes, with a minimum of 30% exposed brick or natural material cladding (such as sandstone or timber).

d. Facade elements should not be fully rendered.

Services

e. Heating, Ventilation and Air Conditioning (HVAC) equipment should be grouped within designated screened areas either on typical floors or on roof-tops.

f. Wall-mounted equipment and associated pipework should be concealed into wall cabinets and ducts.

g. If service equipment is located on private balconies, additional area above those required by the DCP should be provided.

h. Rainwater drainage goods and balcony drainage should be thoughtfully designed and integrated into the building fabric.

i. All services should be positioned or screened so that they are not visible from common areas or the public domain adjacent to the development.

j. Balustrade designs should address visual screening or large items typically stored on balconies (eg. barbeques, clothes drying devices and bicycles).

k. Letter boxes should be located perpendicular to the road.

l. Developments should facilitate the placement of powerlines underground on the road reserve at the front of the site as well as within the site boundaries.

3.3.11 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide reasonable solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

Sunlight Access

a. On 22 June, at least 70 percent of dwellings should receive 2 hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

b. Principal communal open space should receive a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).

c. Every habitable room should have a window and external wall with a total minimum glass area of not less than 10% of the floor area of the room.

d. A window should be visible from any point in a habitable room.

Natural Cross Ventilation

e. At least 60% of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP -BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

3.3.12 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be a adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

3.3.13 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

General

a. Direct access to main roads should be avoided.

b. Driveways should be located at least 2 metres from any side boundary and flanked by continuous landscaped verges.

c. Resident and visitor parking should be provided within basements.

d. Any undercroft carparking should be screened and not be located in a dwelling facade that faces a primary or secondary street frontage.

e. Driveways and garage entrances should not visually dominate any street or facade that facades a communal area upon the site.

f. Parking for service and delivery vehicles should be integrated with the design of driveways and landscaped verges and not visually dominate any street frontage.

Ancillary Fixtures and Facilities

g. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

Note:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

3.3.14 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Public Domain

a. Development of the public domain should make the locality an attractive place that encourages development and provides amenity for residents.

b. Embellishment of the public domain should include street furniture, new street plantings and footpath improvements and other work in accordance with the Epping Town Centre Public Domain Guideline.

c. Pedestrian linkages shown on the Key Development Principles Diagrams and Town Centre Linkage Diagrams (Annexure B) should be provided and reinforced as safe, accessible and vibrant pedestrian areas.

Traffic Management Works

d. Traffic management works should be undertaken in accordance with the traffic improvements identified in the Key Development Principles Diagrams.

e. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

f. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Note:

This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

For development within Epping Town Centre, refer to the Epping Town Centre Public Domain Guideline available at hornsby.nsw.gov.au

3.3.15 Development adjacent to Rosebank Avenue Heritage Conservation Area

These controls relate to any 3 storey residential flat building development on 6-8 and 5-7 Rosebank Avenue which are adjacent to the Rosebank Avenue Heritage Conservation Area and heritage items at 9 and 10 Rosebank Avenue.

Desired Outcome

a. Setbacks designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area.

b. Setbacks that allow for trees to be retained and planted within the side setback boundaries to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.

Prescriptive Measures

a. The minimum side setback of residential flat buildings to the boundary of the site which sits adjacent to the Rosebank Avenue Heritage Conservation Area and heritage items sites should comply with the following:

- A minimum 6 metres to the boundary for the ground floor in accordance with Figures 3.3(g) and 3.3(h);
- A minimum of 9 metres to the boundary for the second and third storeys with Figures 3.3(g) and 3.3(h);

b. Minimise the removal of existing trees on the side boundary inorder to retain the existing landscape setting of the heritage items and the heritage conservation area.

c. The side setback is to be retained as deep soil and basement car parking shall not intrude into the side setback to the boundary with the heritage item and heritage conservation area.

d. Landscaping on the site should be incorporated to include additional tree planting on the side boundary.

e. Balconies cannot protrude in the front, rear and side setbacks.

f. New development located at 5 and 7 Rosebank Avenue, shall minimise the number of balconies facing northward. Those balconies on the first and second floors facing west and north shall provide appropriate screening to minimise overlooking.

g. New development must demonstrate the protection of existing street trees along Rosebank Avenue.

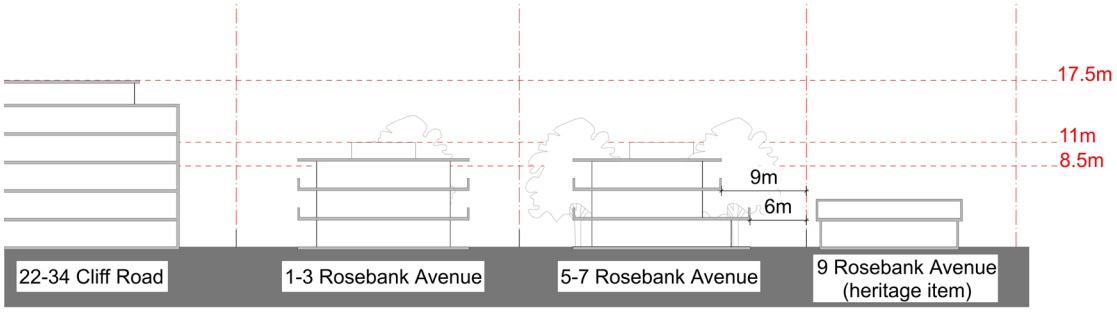


Figure 3.3(g)

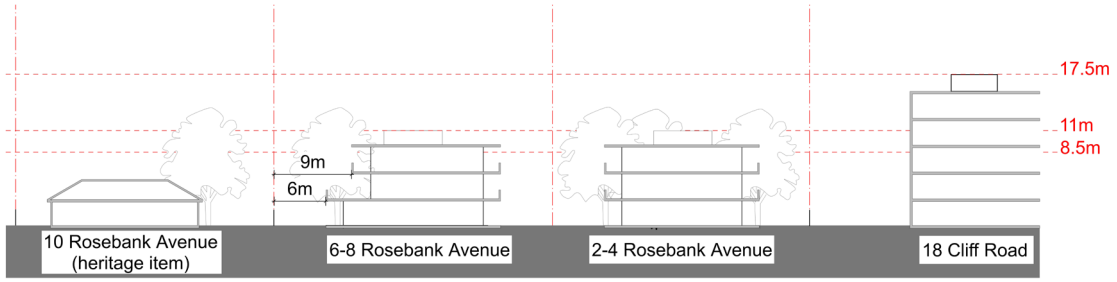


Figure 3.3(h): Setback controls for properties 2-4 and 6-8 Rosebank Avenue

3.3.16 Key Development Principles

The following provides more detailed controls for particular Epping Town Centre Precincts in the R3 Medium Density Residential Zone, within the area designated M(12m - 3 storeys) on the HLEP Height of Building Map.

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles Diagrams.

Prescriptive Measures

a. Key Development Principles Diagrams apply to the following localities:

- Derby Street, Epping Precinct;
- Essex Street, Epping Precinct; and
- Epping Road/Forest Grove, Epping Precinct.

b. Development should be designed to embody the principles of the relevant Key Development Principles Diagram.

c. Pedestrian thoroughfares should be provided in accordance with the Key Development Principles Diagram and Town Centre Linkage diagrams (see Annexure B).

d. Development in the vicinity of heritage items and Heritage Conservation Areas shown in the Key Development Principles Diagram should have regard to the Heritage provisions in Part 9 of this DCP.

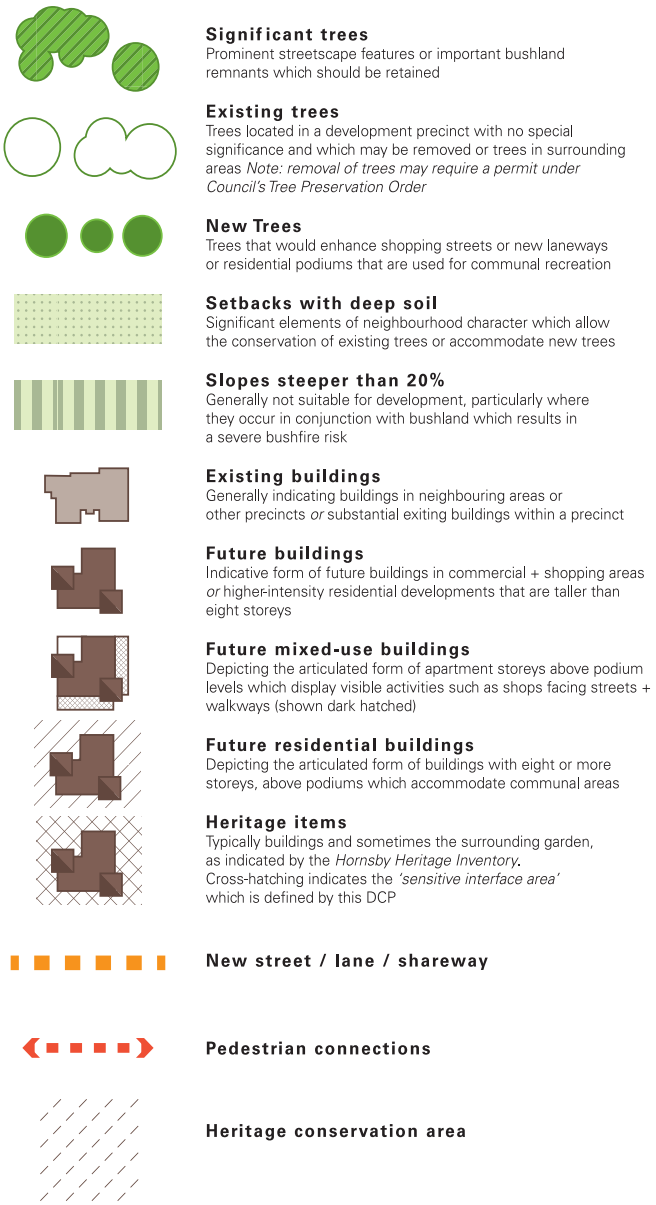
e. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

Note:

The Key Development Principles Diagrams are indicative only and are not to scale. The diagrams indicate unconstrained land that is available for redevelopment. Relevant setback, building form and landscaping controls are provided in Sections 3.3.5, 3.3.6 and 3.3.7 of the DCP.

Legend

The following symbols appear in the Key Development Principles Diagrams



Derby Street, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly three storey residential flat buidlings and multi-dwelling housing .

Servicing

Promote access from Derby street.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account bushfire, flooding and overland flow path provisions.

Built form

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.



Essex Street, Epping Precinct

Key Development Principles Diagram



Strategy

Redevelopment should be predominantly residential flat buidlings and multi-dwelling housing.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account potential stormwater inundation and overland flow path provisions.

Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Epping Road/Forest Grove, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly residential flat buidlings of varying heights. Redevelopment along the southern side of Maida Road should be predominately three storey townhouses.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

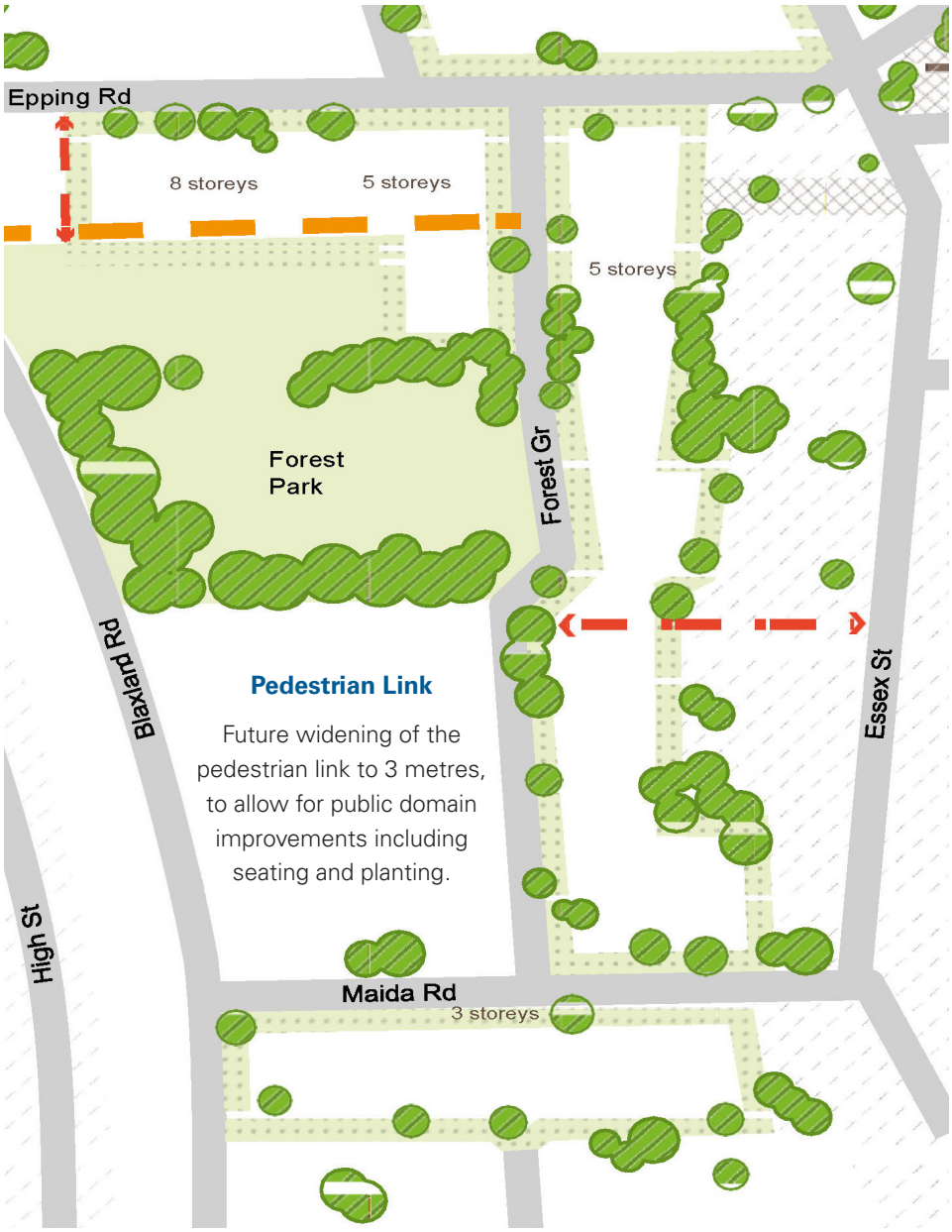
Development should take into account potential stormwater inundation and overland flow path provisions.

Servicing

Promote access from local streets.

If access is not available from the local streets, consolidate existing vehicle entrances on Epping Road.

Setback from Epping Road to be from new boundary in consideration of RMS road widening. Rear laneway to be located in set-back between rear boundary and common open space



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Traffic Management Improvement Plan, Epping Precincts

Key Development Principles Diagram

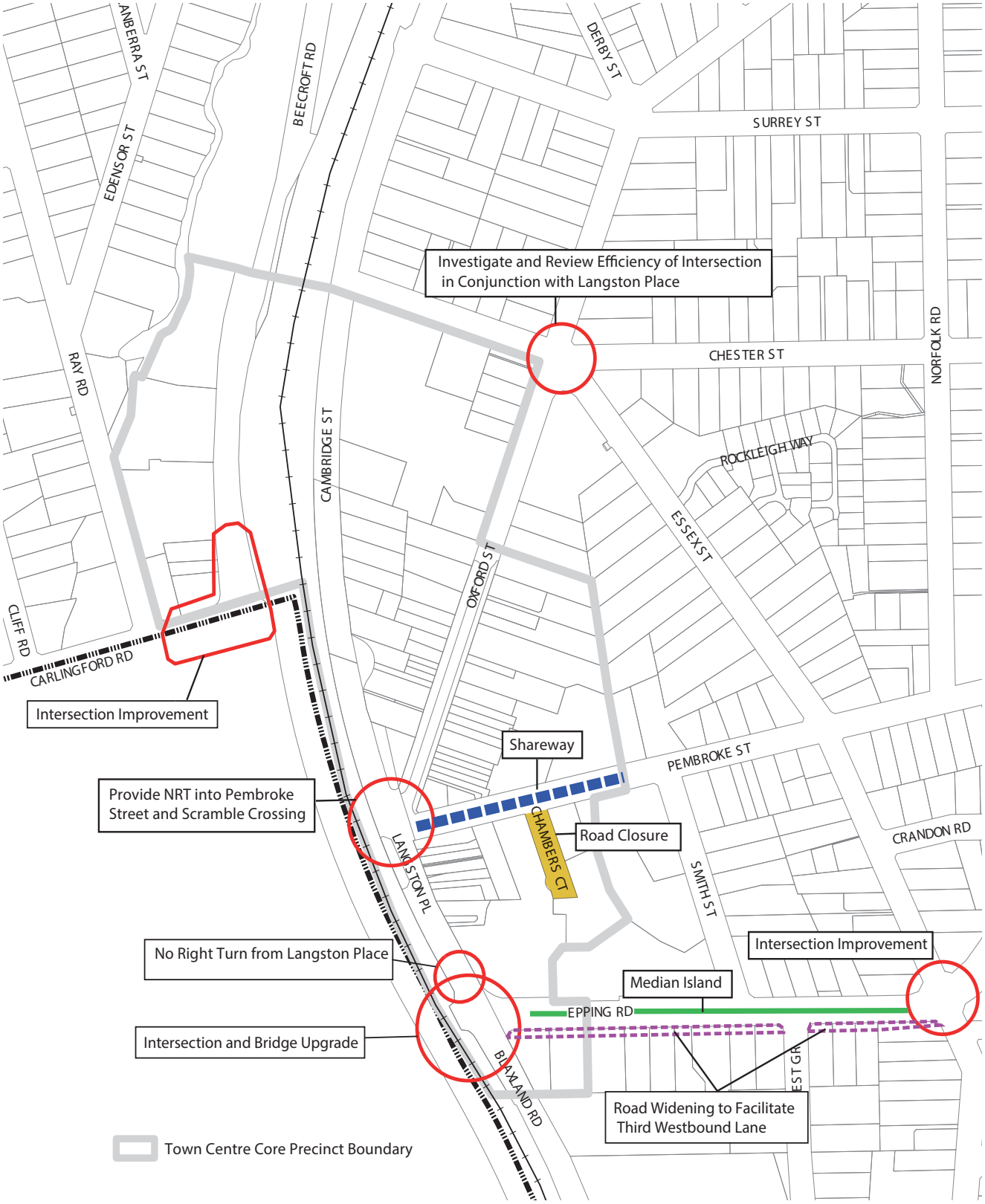


Figure 3.3 (g) : Traffic Management Improvement Plan - Epping (C)

3.4 Residential Flat Buildings (5 Storeys)

This section provides controls for erecting, and undertaking alterations and additions to, residential flat buildings in the R4 High Density Residential Zone, within the area designated O2 (16.5m - 5 storeys) within the Hornsby LGA and as P (17.5m - 5 storeys) within the City of Parramatta LGA on the HLEP Height of Building map, with the exception of land in Beecroft that is addressed in Part 9 of this DCP.

3.4.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

b. Development applications should demonstrate compatibility with the following statement of desired character:

Desired Future Character Statement

The locality is characterised by 5 storey residential flat buildings in landscaped settings with underground car parking.

Developments complement and enhance the adjacent public domain environment and building footprints maintain landscape corridors around and through development sites.

The established tree canopy is complemented by new trees and shrubs throughout all gardens. Facade widths are limited or divided into well-articulated pavilion forms, avoiding the appearance of a continuous wall of development.

Facades are not fully rendered and masonry walls are confined to low level facades. Mid level and upper storey building facades incorporate a range of materials and finishes including face brick, walls of windows, steel framed balconies with balustrades of steel or glass and operable louvres for privacy, shade and glare control.

Roofs are flat pitched without parapets to minimise the height of exterior walls, incorporating eaves which cast shadows across the top storey walls.

Balconies provide outdoor living areas which wrap around the corners of the buildings, providing usable open space as well as articulation in built form.

Developments embody active living principles including bicycle parking and storage, prioritised pedestrian and cyclist entrances to buildings, and connectivity to the public domain.

Note:

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist* and the National Heart Foundation's *Blueprint for an Active Australia*.



Figure 3.4(a): Example of Desired Character - 5 storey residential flat building.(I)



Figure 3.4(b): Desirable features - buildings in a landscaped setting with canopy trees.(E)



Figure 3.4(c): Desirable features- top storey set back with wide eaves (no parapets).(E)

3.4.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

b. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development,* are achieved, and
- the design is consistent with the objectives of the *Apartment Design Guide*.

Note:

Development applications should be accompanied by a statement of environmental effects which includes the following:

- an explanation of how the design addresses the design quality principles set out in Schedule 1 of *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development*, namely:

  context and neighbourhood character; built form and scale; density; sustainability; landscape; amenity; safety; housing diversity and social interaction and aesthetics.
- an explanation of how the design addresses the design criteria in Part 3 and Part 4 of the *Apartment Design Guide*;
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development;
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

3.4.3 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that provide soft landscaping surrounding the building and limit the number of driveway crossings.

Prescriptive Measures

a. The minimum site width should be 30 metres measured at the primary street frontage.

b. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than 30 metres, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value

d. Basement driveways and access stairs should be planned and coordinated to minimise the loss of landsape open space and deep soil zones.

- Where practicable locate driveway entries beneath building envelope.
- Driveways should run perpendicular to the street for sites with a regular geometry.
- Driveways should be consolidated on large sites and adjacent development lots where topographically possible to avoid large expanses of driveway to street frontages.

Notes: Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.



Proposed development site resulting in an adjoining isolated site

Isolated site with frontage less than 30m wide

Developed Site

Figure 3.4(d): Lot amalgamation should avoid isolating small sites.(I)

3.4.4 Height within Hornsby LGA

Desired Outcome

a. A built form not exceeding 5 storeys in height and comprising residential flat buildings.

Prescriptive Measures

Storeys

a. Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 3.4.4(a).

Table 3.4.4(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
02	16.5m	5 storeys

b. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

c. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

d. For development involving parking in an undercroft, the floor level of the lowest residential storey should be a maximum of 1.5 metres above natural ground level.

e. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

f. Ceiling heights should be consistent with the SEPP 65 Apartment Design Guide for habitable and non-habitable rooms.

Roof Design

g. Roofs should be flat-pitched without parapets to minimise the height of exterior walls, incorporating eaves which cast shadows across the top-storey walls.

h. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.

i. Mezzanines on any level are discouraged to minimise the visual bulk and scale of the building.

j. Mezzanines will only be considered where the proposal demonstrates design excellence and incorporates sleaving to minimise the visual impacts of the stepping transition and provide potential for shading, permiter planting and photovoltaic solar panels.

k. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof, to minimise visual intrusiveness and support an integrated building design.

l. Roof design is to respond to solar access and prevailing weather with use of eaves, skillion roof, awnings and the like with a minimum overhang of 0.6m.



Figure 3.4(e): Building Height. (l) Height controls are based on a typical residential floor to floor height of 3 metres, with a 0.5 metre allowance for roof articulation and a 1 metre basement projection.

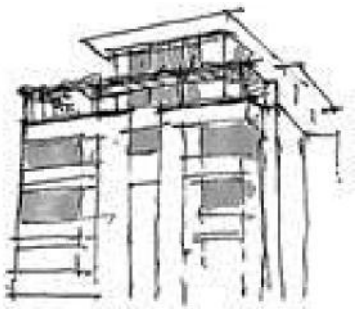


Figure 3.4(f) Example of permiter sleaving with pergola and permiter planters for greenery at upper levels.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the Key Development Principles Diagrams.

3.4.4 Height within City of Parramatta LGA

Desired Outcome

a. A built form not exceeding 5 storeys in height and comprising residential flat buildings.

Prescriptive Measures

Storeys

a. Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 3.4.4(a).

Table 3.4.4(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
P	17.5m	5 storeys

b. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

c. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

d. For development involving parking in an undercroft, the floor level of the lowest residential storey should be a maximum of 1.5 metres above natural ground level.

e. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

f. Ceiling heights should be consistent with the SEPP 65 Apartment Design Guide for habitable and non-habitable rooms.

Roof Design

g. Roofs should be flat-pitched without parapets to minimise the height of exterior walls, incorporating eaves which cast shadows across the top-storey walls.

h. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.

i. Mezzanines on any level are discouraged to minimise the visual bulk and scale of the building.

j. Mezzanines will only be considered where the proposal demonstrates design excellence and incorporates sleaving to minimise the visual impacts of the stepping transition and provide potential for shading, permiter planting and photovoltaic solar panels.

k. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof, to minimise visual intrusiveness and support an integrated building design.

l. Roof design is to respond to solar access and prevailing weather with use of eaves, skillion roof, awnings and the like with a minimum overhang of 0.6m.



Figure 3.4(e): Building Height. (l) Height controls are based on a typical residential floor to floor height of 3 metres, with a 1.5 metre allowance for roof articulation and a 1 metre basement projection.

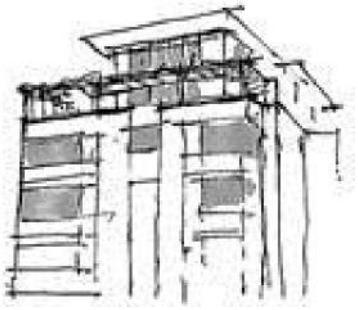


Figure 3.4(f) Example of permiter sleaving with pergola and permiter planters for greenery at upper levels.

Notes:

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Storey means a space within a building that is situated between one floor and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the Key Development Principles Diagrams.

3.4.5 Setbacks

Desired Outcome

a. Well articulated building forms that are set back to incorporate landscaping, open space and separation between buildings.

b. Developments which have coordinated basement and services located to minimise loss of landscaped open space and reduction of deep soil zones.

c. Setbacks that preserve and protect existing trees around the permiter of sites and provide effective deep soil areas that are able to create a garden setting, including substantial tree canopy to all sides of the building.

Prescriptive Measures

a. The minimum setbacks of all buildings and structures should comply with Table 3.4.5(a).

Table 3.4.5(a): Minimum Setbacks

Setback	Minimum Setback
Front boundary (includes balconies)	10m, which can be reduced to 8m for a maximum of 1/3 of the building width
Side boundary (includes balconies)	6m, which can be reduced to 4.5m for non-habitable rooms only, to a maximum of 1/3 of the building width.
Rear boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width
Fifth Storey Setback	3m additional setback for exterior walls of the fifth storey, measured from the walls of the lowest storey
Fifth storey setback where mezzanine proposed	6m additional setback for exterior walls of the fifth storey, measured from the walls of the lowest storey unless there is a sleaving proposal incorporating pergolas and planters to the building permiter.
Basement Parking Setback	8m from the front boundary, 7m from the rear boundary and 4m from side boundaries to allow for deep soil landscaping

Corner Sites

b. For buildings with a corner frontage:

- front boundary setbacks apply to all street frontages, and
- side boundary setbacks to apply to all other boundaries.

Setback Encroachments

c. Private courtyards to ground floor units may enroach to 7 metres from the front boundary.

d. Balconies are able to encroach to within 7 metres of the rear boundaries provided there is no impact on the achievement of daylight access, visual privacy, and acoustic privacy and growth of mature canopy trees.

e. Where a secondary frontage adjoins an existing laneway (with no verge), all buildings and structures should be setback a minimum of 6 metres from the boundary.

f. Structures such as paths, letter boxes, electricity kiosks, fire hydrants, garbage stroage and the like are permitted in the front setback where:

- The structures are thoughfully sited and designed to minimise the impact on the streetscape and integrate into the landscape setting,
- The structures are screened wherever possible, and
- Sufficent areas for deep soil landscaping remain.

g. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary.

Setbacks to Heritage Items

h. A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items.

i. Variations to the setback controls may be considered where the variation assists the protection of heritage qualities.

Notes:

Building width is measured between the principal external enclosing walls, excluding any permissible encroachments.

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP.

3.4.6 Building Form and Separation

Desired Outcome

a. Buildings that are limited in width and depth, incorporating articulated facades and separated by garden areas.

b. Quality architecture that evolves from the guidelines of the Apartment Design Guide.

Prescriptive Measures

Floorplates

a. Floorplates should have a maximum dimension of 35 metres measured in a perpendicular direction between opposing exterior walls at any point. Balconies, terraces and ground floor lobbies may project beyond this maximum.

b. Floorplates exceeding 25 metres should incorporate a distinct indentation which measures at least 4 metres by 4 metres recess, and creates the appearance of two separate "building pavilions" rather than a single building mass. The appearance of separate pavilions should be accentuated by individual roofs above each pavilion element.

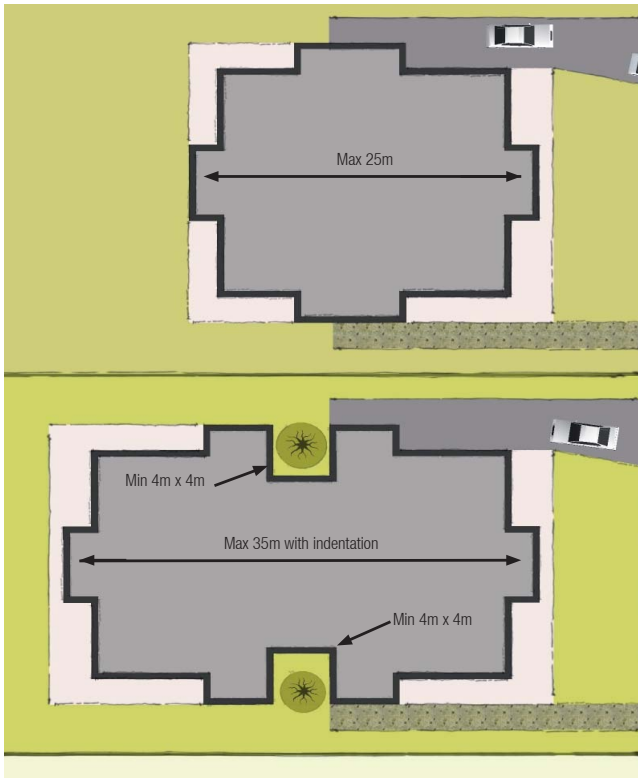


Figure 3.4(g): Building floorplates should be limited in width and depth.(E)

c. Development form and scale should comlpy with SEPP 65 Design Quality of Apartment Development, Apartment Desgin Guide in regard to design principles and recommended guidelines for managing development scale, relationship to context and elements that contribute to relevant character influences for a specific area.

Separation

d. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

e. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

f. On large sites where the floorplate control requires more than one building, adjoining buildings should be separated by a minimum of 9 metres.



Figure 3.5(h): Separation of buildings on the same site.(E)

Articulation

g. Balconies should appear as open structures with lightweight balustrades. Solid masonry walls should be minimised.

h. Facades should incorporate corner treatments such as wrap-around balconies, flat roof forms with eaves and other elements to cast shadows and visually break up the built form.

i. Facade elements should not be repetitive and should:

- use a range of materials and finishes, with a minimum of 30% exposed brick or natural material cladding (such as sandstone or timber); and
- not be fully rendered.

j. Top storeys should be visually-recessive: exterior walls should employ light weight cladding and extensive glazing.

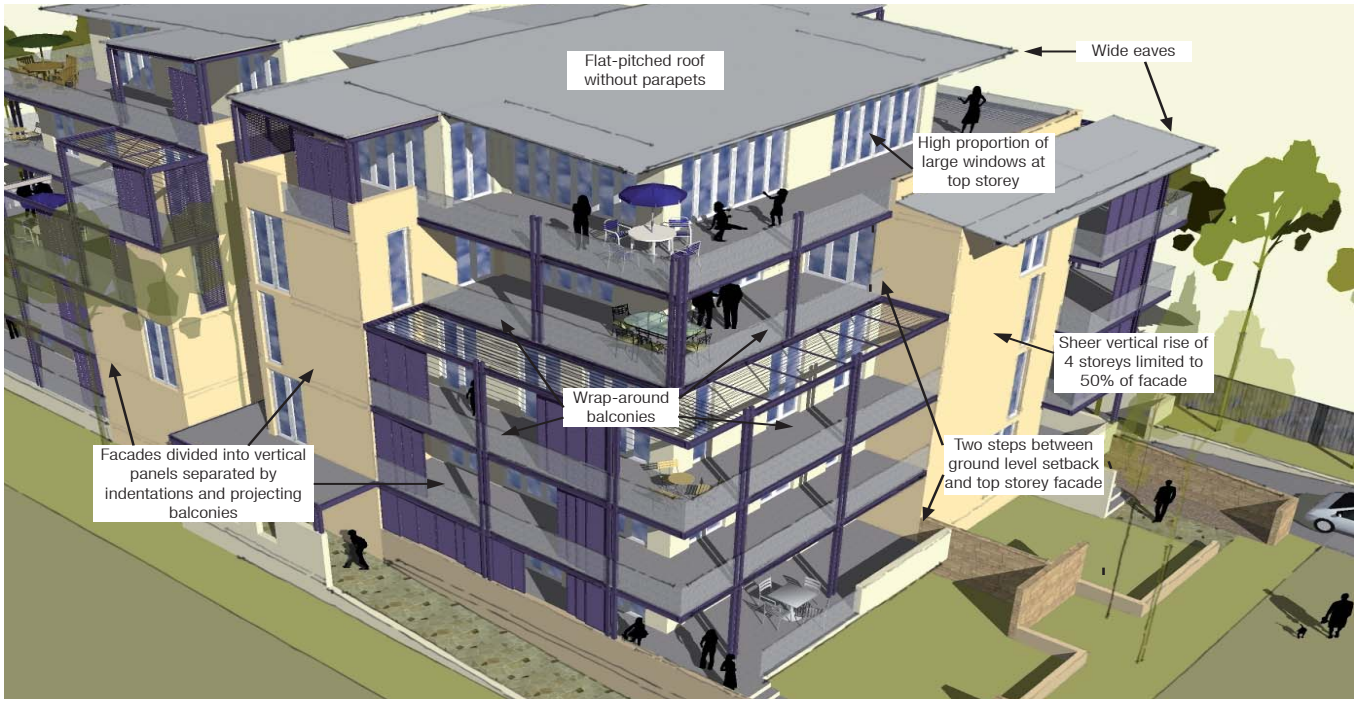


Figure 3.5(i): Articulation of facades.(I)

3.4.7 Landscaping

Desired Outcome

a. Landscaping that integrates the built form with the locality and enhances the tree canopy.

b. Development that retains existing landscape features such as trees, flora and fauna habitats and urban streams.

c. Development that incorporates green roofs and walls to improve air quality, amenity, ambient air temperature, building insulation, bird habitat and aesthetic quality of the urban environment.

Prescriptive Measures

General

a. Vertical gardens, green roofs and walls should be incorporated into the design of the development where practicable.

b. Communal landscaping should be provided adjacent to the property boundaries to provide a landscape setting for the development.

c. Street trees should be planted for every 7 metres of road frontage.

d. Landscaped areas should adjoin property boundaries, in accordance with Table 3.5.7(a), and be designed to accommodate:'

- Deep soil areas for a minimum of 50% of the front setback,
- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
- Trees that will reach a mature height of at least 6 to 7 metres in the side setbacks.

Table 3.4.7(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	8m wide
Secondary Boundary (on corner lots)	4m wide
Rear Boundary	7m wide
Side Boundary	4m wide

e. Paving within deep soil areas should be minimal. Any paving should be permeable.

f. Notwithstanding the above, where a secondary property boundary adjoins an existing laneway without a landscaped verge, the landscaped area (deep soil) setback is to increase to at least 6 metres wide to provide a landscaped setting that accommodates trees and maintains the integrity of the laneway.

g. Landscaped areas should be provided between 2 or more buildings located on a development site, designed to:

- have a minimum total width of 8 metres,
- accommodate trees that will reach a mature height of at least 6 to 7 metres,
- provide a minimum soil depth of 1 metre,
- be located in a deep soil area or above a basement car park, and
- include a component of deep soil area (ie: no basement intrusions) that measures at least 7 metres by 7 metres (sufficient for at least one canopy tree).

h. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.

i. Structures such as paths, letter boxes, electricity kiosks, fire hydrants, garbage storage and the like proposed in the front setback are to be:

- Sited and designed to minimise the impact on the streetscape and integrate into the landscape setting,
- Screened where possible,
- Designed to retain sufficent areas for deep soil landscaping, and
- Indicated on the landscape plan.

j. Where new substations are required to service new developments, proponents should demonstrate that attempts have been made to co-ordinate / share the use of substations.

Retention of Landscape Features

k. Existing healthy trees should be retained and protected wherever possible. Any trees removed as part of the development should be replaced elsewhere on site wherever possible.

l. Connectivity of large street trees with adjoining or nearby remnant groups should be protected where practicable.

m. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

n. Within street setbacks, front fences should be avoided. Planting at grade, or low walls screened by planting and/or planter boxes may be permitted at the interface between the private and public domain land, subject to privacy, security and environmental impacts.

o. Enclosure of private courtyards within the front setbacks must achieve at least 50 percent transparancy and be a maximum height of 1.5m above the adjacent communal space.

p. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.



Figure 3.4(i): Example of the preferred style of screening for fire hydrants. Note: Screening must be designed to comply with AS 2419.

Notes:

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Landscaped area between 2 buildings on a development site is able to be erected above a basement, notwithstanding the definition of landscaped area above, except where deep soil is specifically required.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au.

Rear Boundary deep soil landscape areas are not required where a Key Development Principles Diagram includes a rear laneway or shareway located in the rear set-back. The laneway or shareway should have a continuous landscaped verge of at least 2 metres wide between the rear boundary and the laneway or shareway.

Deep soil zones are areas of soil not covered by buildings or structures within a development. They exclude basement car parks, services, impervious surfaces including driveways, paths and roof areas.

Deep soil zones have important environmental benefits, such as allowing infiltration of rainwater to the water table and reducing stormwater runoff, promoting healthy growth of large trees with large canopies and protecting existing mature trees which assist with temperature reduction in urban environments.

3.4.8 Open Spaces

Desired Outcomes

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Communal open space comprising landscaped setbacks, landscaping between dwellings, and a principal communal open space area.

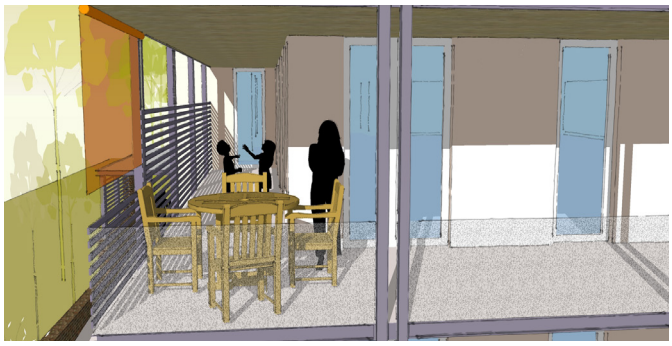
Prescriptive Measures

Private Open Space

a. Every dwelling should be provided with a principal private open space area in accordance with Table 3.4.8(a):

Table 3.4.8(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m2	1m
1 bed unit	8 m2	2m
2 bed unit	10 m2	2m
3+ bed unit	12 m2	2.4m
Ground and podium level	15m2	3m



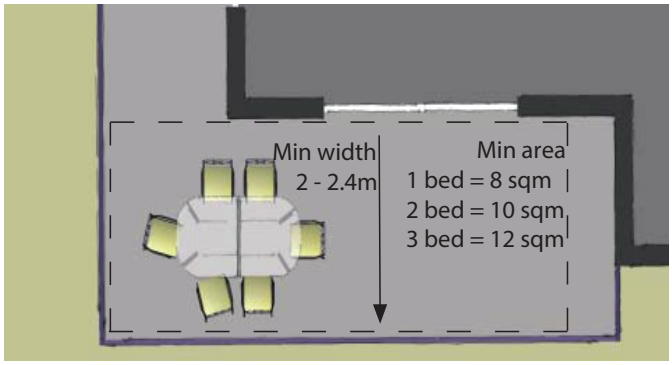


Figure 3.4(j): Separation of buildings on the same site.(E)

b. Private open spaces should be designed as "outdoor rooms" that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

c. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

Clothes Drying Area

d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

Communal Open Space

e. Communal open space should be provided at ground level, equivalent to a minimum of 25 percent of the site area.

f. A principal communal open space area should be provided for each residential flat building of 10 or more dwellings as follows:

- be located at ground level,
- have a minimum area of 50m2,
- have a minimum dimension of 4 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

g. Communal open space may be located on the roof top and is to be in addition to the minimum principal open space required at ground level.

h. Roof terraces should include a minimum 25% planted area, with the majority of the planting around the edge to reduce opportunities for overlooking and improve the visual amenity of the building when viewed from the public domain.

3.4.9 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

b. Balconies, terraces or bedroom windows near ground level should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

c. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

Security

d. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

e. Private open spaces, living room windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

f. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

Note:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5m high, measured from the floor level, and has no individual opening more than 30mm wide, and has a total of all openings less than 30% of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

3.4.10 Materials, Finishes and Services

Desired Outcome

a. Development that enhances the visual quality of the public domain.

Prescriptive Measures

a. Development Applications should be accompanied by a Schedule of External Finishes, Colours and Materials Board which includes samples and large wall sections indicating how the details and colour schedules are to be applied.

b. Colour palletes should reference the natural habitat and environmental influences of the area and avoid use of primary colours.

c. Facade elements should use a range of materials and finishes, with a minimum of 30% exposed brick or natural material cladding (such as sandstone or timber).

d. Facade elements should not be fully rendered.

Services

e. Heating, Ventilation and Air Conditioning (HVAC) equipment should be grouped within designated screened areas either on typical floors or on roof-tops.

f. Wall-mounted equipment and associated pipework should be concealed into wall cabinets and ducts.

g. If service equipment is located on private balconies, additional area above those required by the DCP should be provided.

h. Rainwater drainage goods and balcony drainage should be thoughtfully designed and integrated into the building fabric.

i. All services should be positioned or screened so that they are not visible from common areas or the public domain adjacent to the development.

j. Balustrade designs should address visual screening or large items typically stored on balconies (eg. barbeques, clothes drying devices and bicycles).

k. Letter boxes should be located perpendicular to the road.

l. Developments should facilitate the placement of powerlines underground on the road reserve at the front of the site as well as within the site boundaries.

3.4.11 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide reasonable solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

a. On 22 June, at least 70 percent of dwellings should receive 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

b. Principal communal open space should receive a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).

c. Every habitable room should have a window in an external wall with a total minimum flass area of not less than 10% of the floor area of the room.

d. A window should be visible from any point in a habitable room.

e. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP -BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

As the 5 storey buildings are being constructed within a redevelopment precinct, the level of sunlight access required needs to take into account the overshadowing that will occur in this precinct from approved developments on adjacent sites and if no adjacent application is approved, a compliant development envelope on a neighbouring site. So, for example, this may require the proposed residential flat building envelope to comprise larger units on the lower levels that will be subject to overshadowing, with smaller units on upper levels that enjoy improved sunlight access.

3.4.12 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

3.4.13 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

General

a. Direct access to main roads should be avoided.

b. Driveways should be located at least 2 metres from any side boundary and flanked by continuous landscaped verges.

c. Resident and visitor parking should be provided within basements.

d. Any undercroft carparking should be screened and should not be located in a dwelling facade that faces a primary or secondary street frontage.

e. All ramps are to be designed as two way ramps in accordance with AS 2890.1 and AS 2890.2

f. All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2

g. Driveways and garage entrances should not visually dominate any street or facade that facades a communal area upon the site.

h. Parking for service and delivery vehicles should be integrated with the design of driveways and landscaped verges and should not visually dominate any street frontage.

Ancillary Fixtures and Facilities

i. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

Note:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

3.4.14 Public Domain and Traffic Management Works

Desired Outcomes

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Public Domain

a. Development of the public domain should make each precinct an attractive place that encourages development and provides amenity for residents.

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. Pedestrian linkages shown on the Key Development Principles Diagrams and Town Centre Linkage Diagrams (Annexure B) should be provided and reinforced as safe, accessible and vibrant pedestrian areas.

Traffic Management Works

d. Traffic management works should be undertaken in accordance with the traffic improvements identified in the Key Development Principles Diagrams, and Traffic Management Improvement Plans Figures 3.4(j), 3.4(k) and 3.4(l).

e. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

f. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Note:

This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

For development within Epping Town Centre, refer to the Epping Town Centre Public Domain Guidelines available at hornsby.nsw.gov.au

3.4.15 Key Development Principles

The following provides more detailed controls for some particular precincts zoned for 5 storey Residential Flat Buildings as a result of the Hornsby Shire Housing Strategy (2010) and the Epping UAP Amendment.

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles Diagrams.

Prescriptive Measures

a. Key Development Principles diagrams apply to the following localities:

- Pacific Highway, Mount Colah Precinct,
- Lords Avenue, Asquith Precinct,
- Jersey Street Nth, Asquith Precinct,
- Bouvardia Street, Asquith Precinct,
- Hyacinth Street, Asquith Precinct,
- Pacific Highway, Asquith Precinct,
- Belair Close, Hornsby Precinct,
- Balmoral Street, Waitara Precinct,
- Station Street, Thornleigh Precinct,
- Fisher Avenue, Pennant Hills Precinct,
- Carlingford Road, Carlingford Precinct,
- Cliff Avenue, Epping Precinct,
- Essex/Pembroke Street, Epping Precinct,
- Essex Street, Epping Precinct and
- Epping Road/Forest Grove, Epping Precinct.

b. Development should be designed to embody the principles of the relevant precinct Key Development Principles Diagram.

c. Pedestrian thoroughfares should be provided in accordance with the principles diagrams and/or Town Centre Linkage diagrams (see Annexure B).

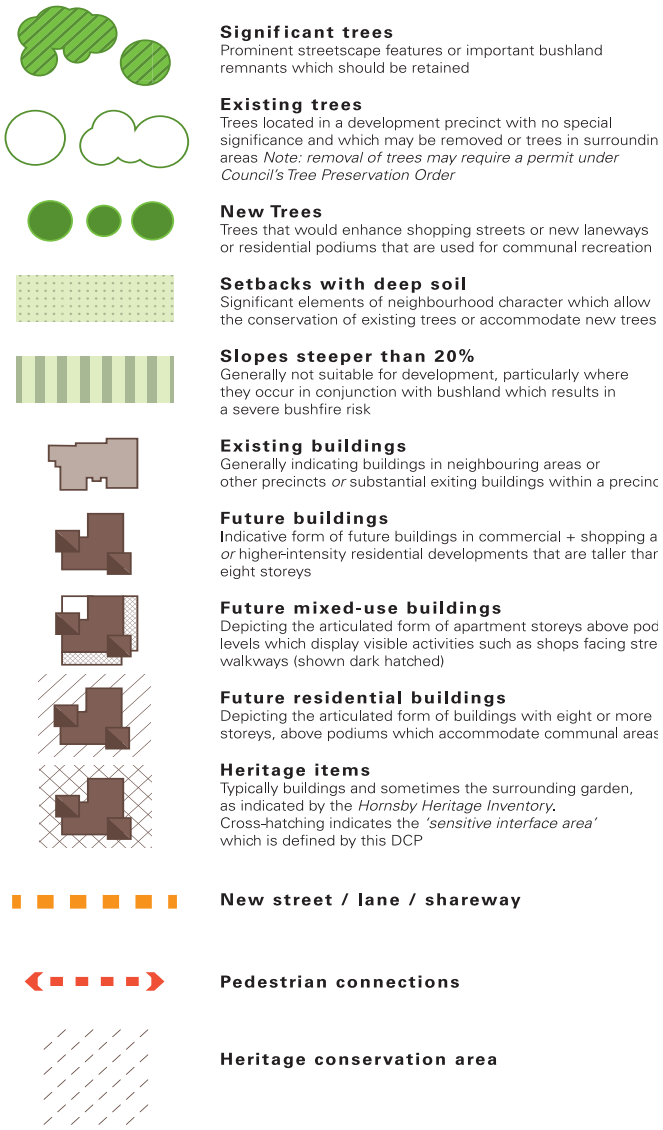
d. Development in the vicinity of heritage items and Heritage Conservation Areas shown in the Key Development Principles Diagrams should have regard to the relevant provisions in Part 9 of this DCP.

e. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

Note: The Key Development Principles Diagrams are indicative only and are not to scale. The diagrams indicate unconstrained land that is available for redevelopment. Relevant setback, building form and landscaping controls are provided in Sections 3.4.5, 3.4.6 and 3.4.7 of the DCP.

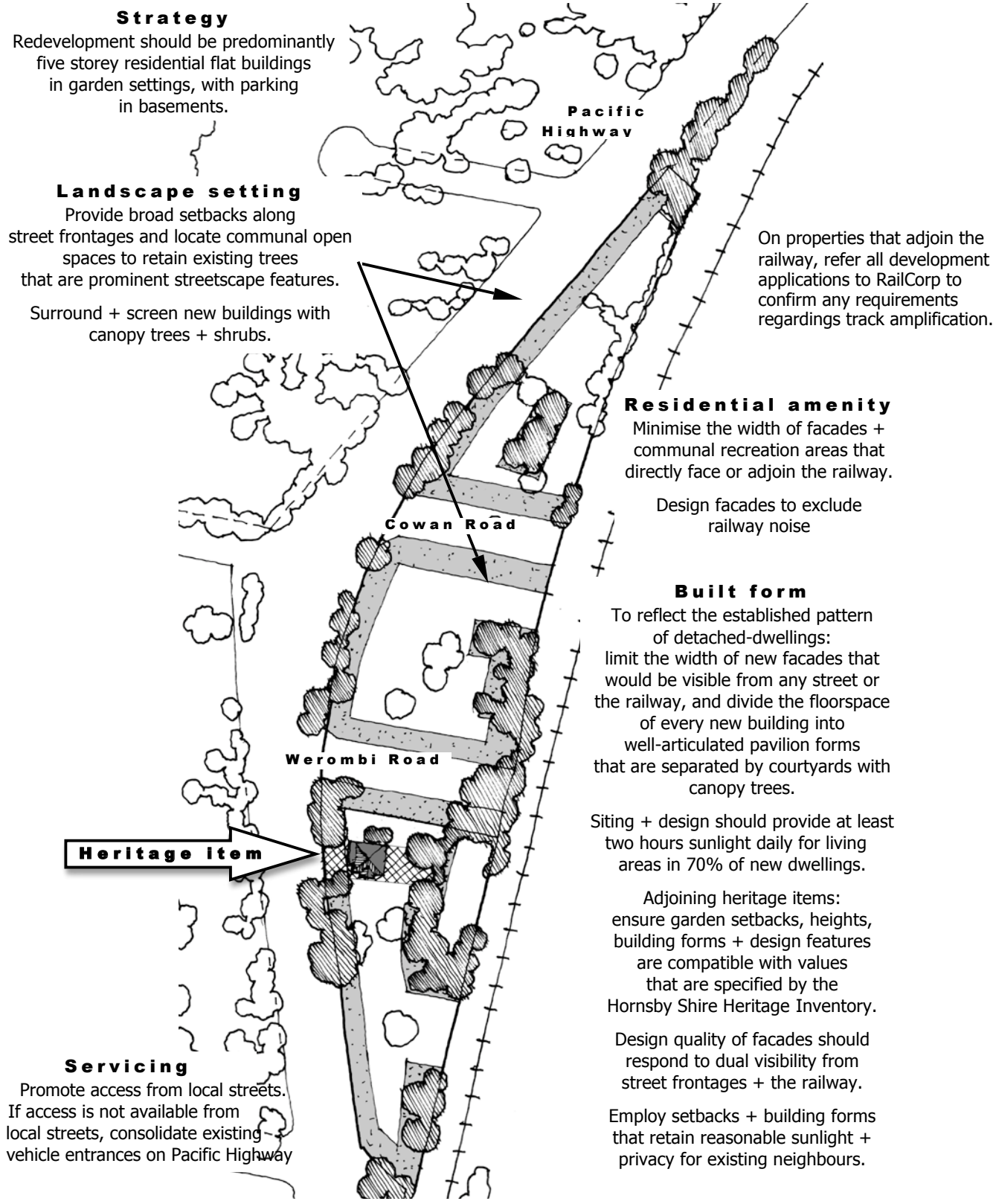
Legend

The following symbols appear in the Key Development Principles Diagrams



Pacific Highway, Mount Colah precinct

Key Development Principles Diagram



Traffic Management Improvement Plan, Asquith Precincts

Key Development Principles Diagram

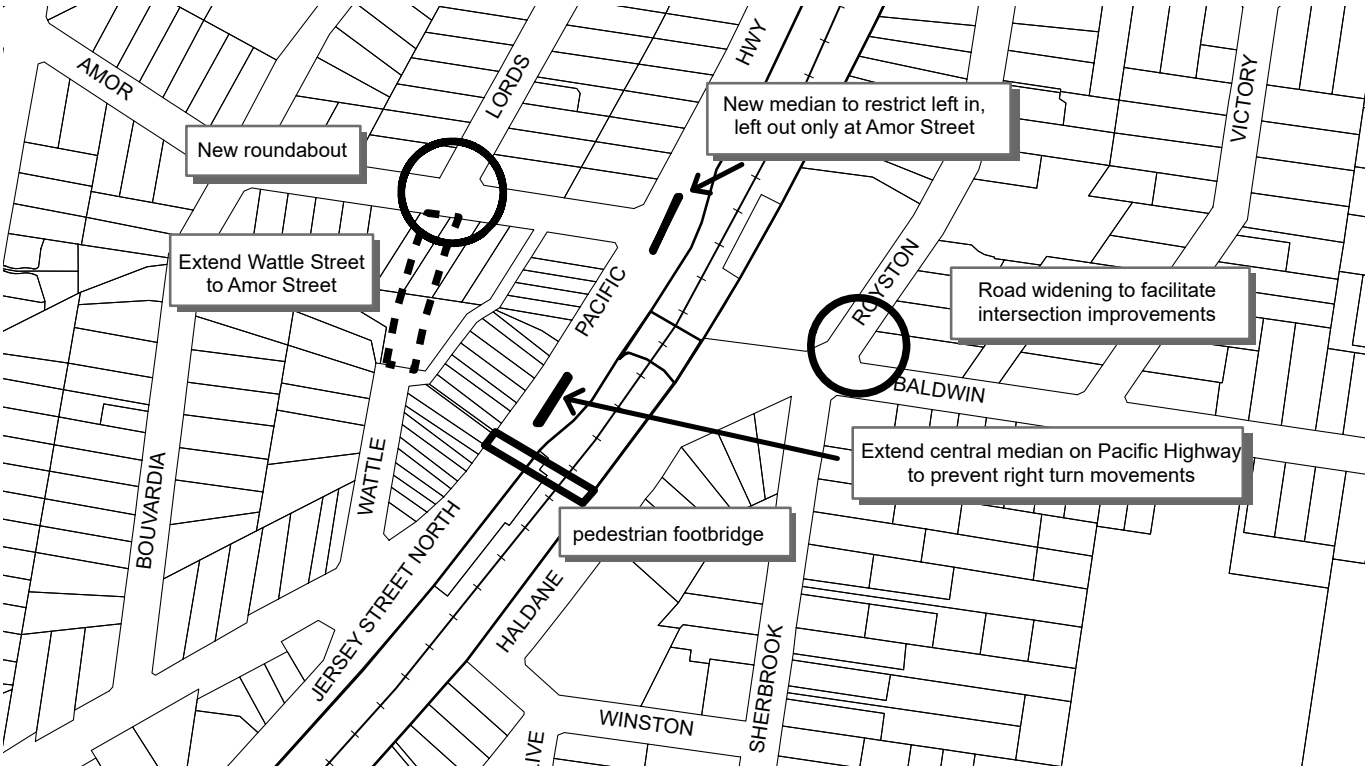


Figure 3.4(k): Traffic Management Improvement Plan - Asquith (C).

Lords Avenue, Asquith precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries, and locate communal open spaces in order to retain remnants of *Turpentine Ironbark Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Maintain the informal soft landscaped character of existing street frontages + road verges.

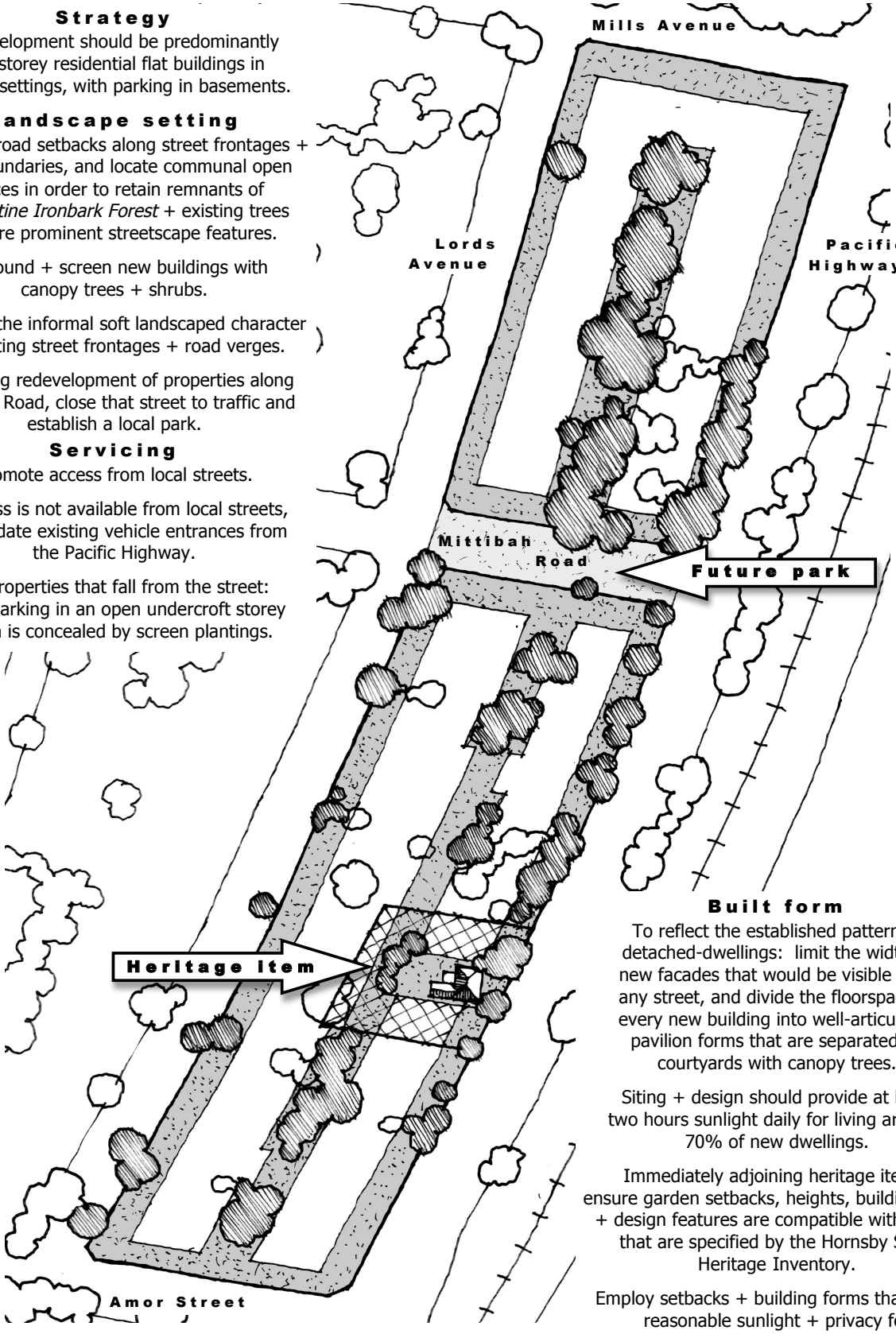
Following redevelopment of properties along Mittibah Road, close that street to traffic and establish a local park.

Servicing

Promote access from local streets.

If access is not available from local streets, consolidate existing vehicle entrances from the Pacific Highway.

On properties that fall from the street: allow parking in an open undercroft storey which is concealed by screen plantings.



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Immediately adjoining heritage items: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Jersey Street Nth, Asquith precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Landscape setting

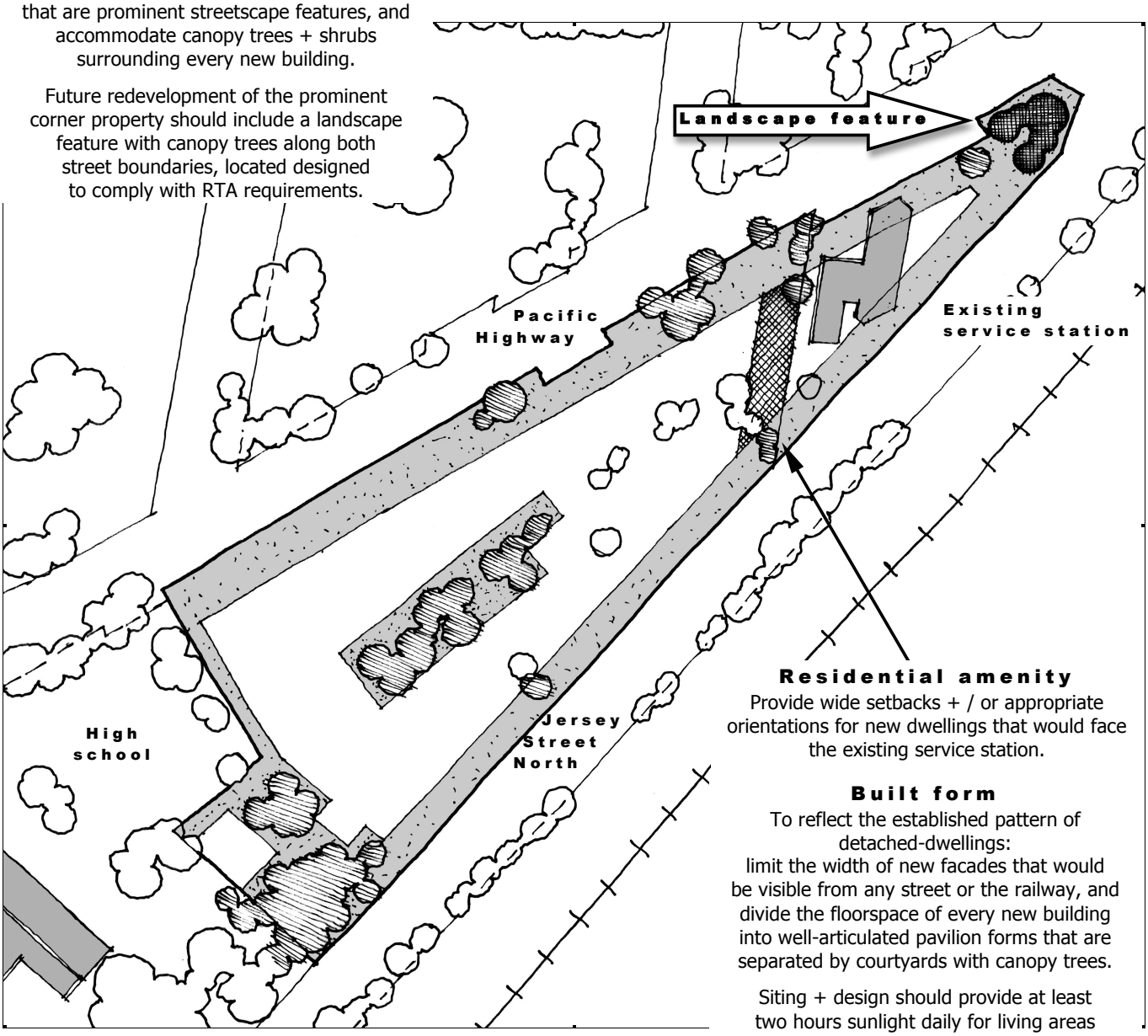
Provide broad setbacks along street frontages + some rear boundaries to retain existing trees that are prominent streetscape features, and accommodate canopy trees + shrubs surrounding every new building.

Future redevelopment of the prominent corner property should include a landscape feature with canopy trees along both street boundaries, located designed to comply with RTA requirements.

Servicing

Promote access from Jersey Street North.

If access is not available from that street, consolidate existing vehicle entrances from the Pacific Highway.



Residential amenity

Provide wide setbacks + / or appropriate orientations for new dwellings that would face the existing service station.

Built form

To reflect the established pattern of detached-dwellings:
limit the width of new facades that would be visible from any street or the railway, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

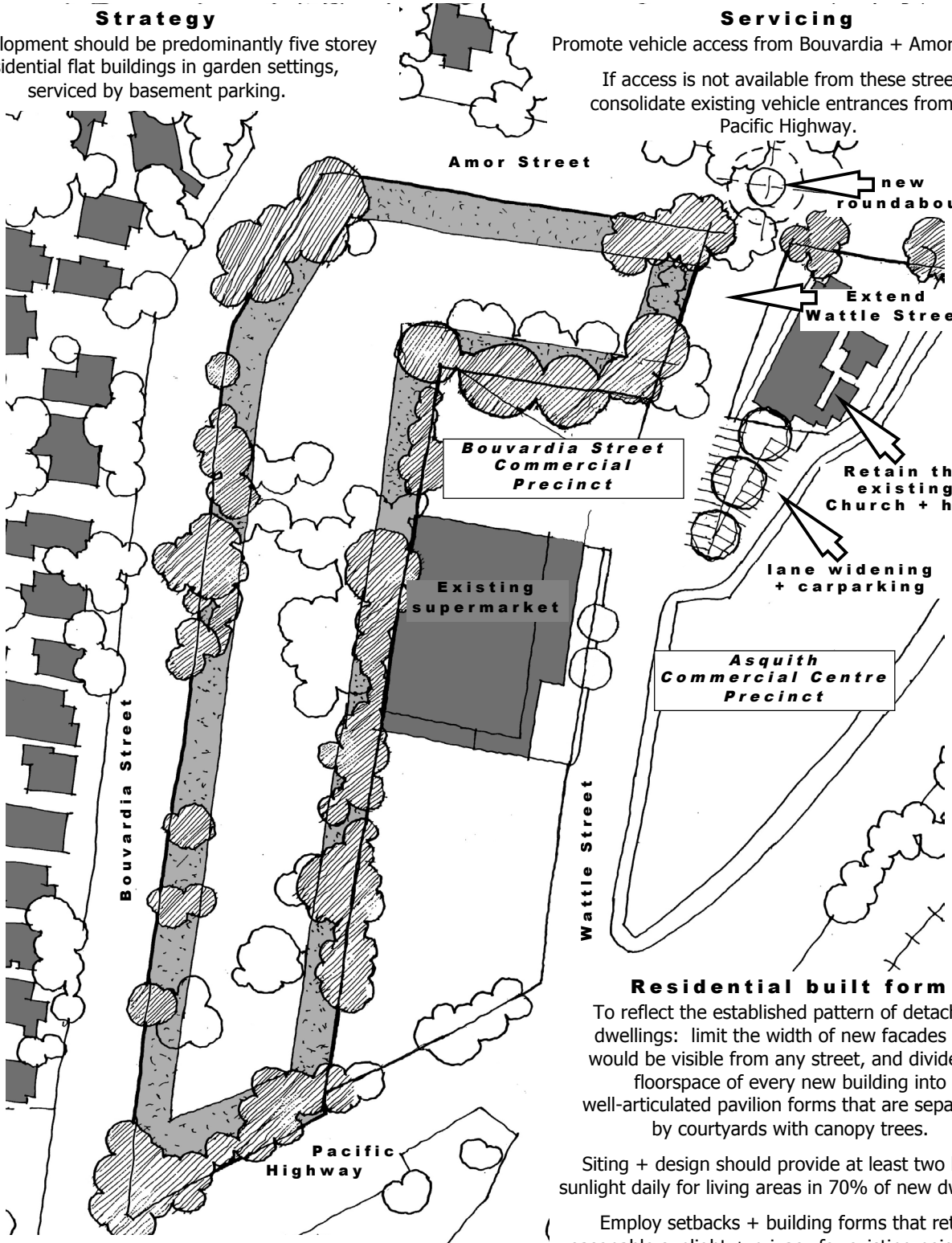
Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of all facades should respond to visibility from street frontages, the railway + school-yards.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Bouvardia Street, Asquith precinct

Key Development Principles Diagram



Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, serviced by basement parking.

Servicing

Promote vehicle access from Bouvardia + Amor Streets.

If access is not available from these streets, consolidate existing vehicle entrances from the Pacific Highway.

Residential built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries, and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Hyacinth Street, Asquith precinct

Key Development Principles Diagram

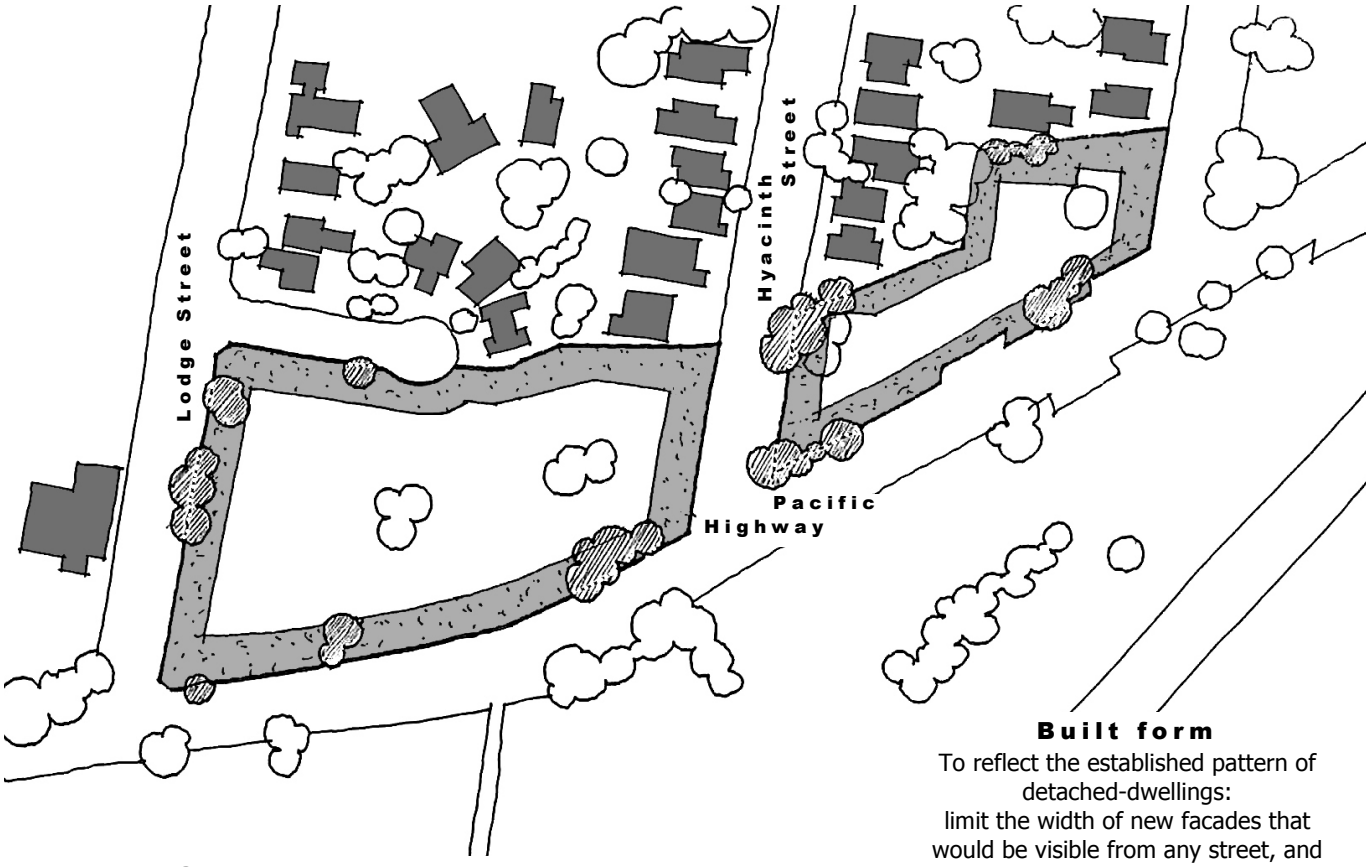
Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, serviced by basement parking.

Landscape setting

Provide broad setbacks along street frontages rear boundaries, and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.



Servicing

Promote access from Hyacinth or Lodge Streets.

If access is not available from these streets, consolidate existing vehicle entrances from the Pacific Highway.

Built form

To reflect the established pattern of detached-dwellings:
limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Pacific Highway, Asquith precinct

Key Development Principles Diagram

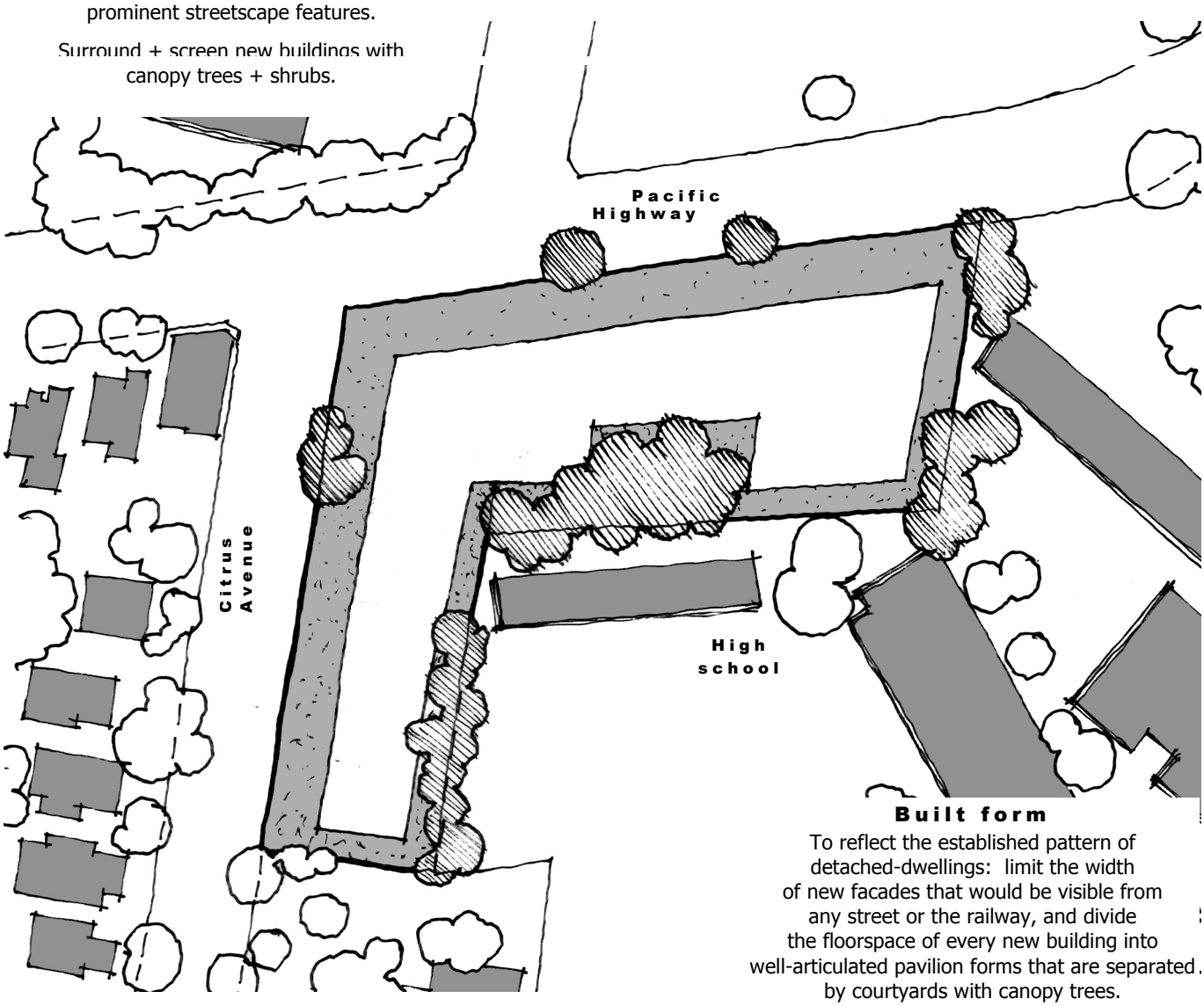
Strategy
Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Landscape setting
Provide broad setbacks along street frontages + rear boundaries, and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Servicing
Promote access from Citrus Avenue.

If access is not available from that street, consolidate existing vehicle entrances from the Pacific Highway.



Built form
To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street or the railway, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of all facades should respond to visibility from street frontages + school-yards.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Belair Close, Hornsby precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Servicing

Promote access from Belair Close.

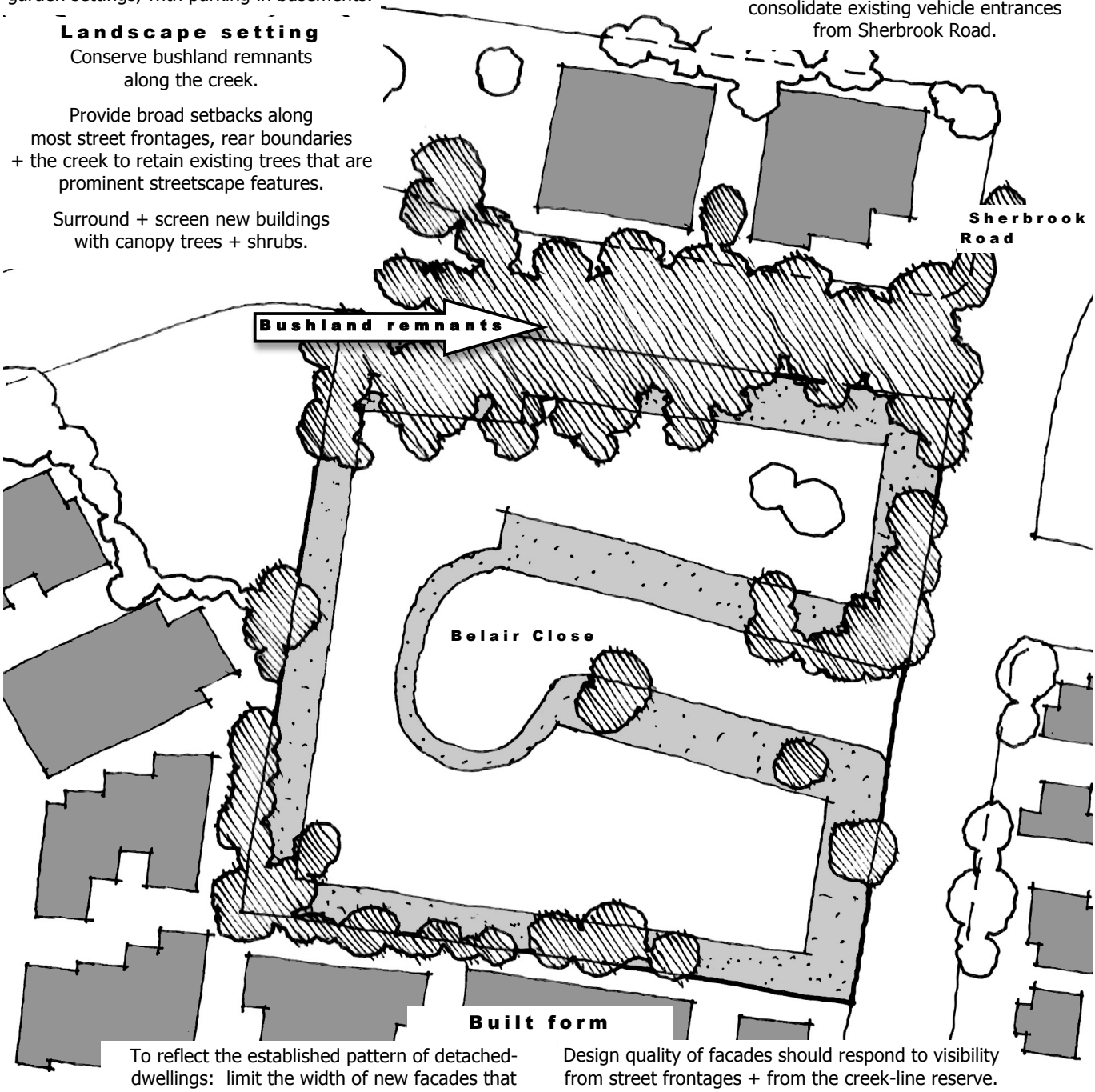
If access is not available from that street, consolidate existing vehicle entrances from Sherbrook Road.

Landscape setting

Conserve bushland remnants along the creek.

Provide broad setbacks along most street frontages, rear boundaries + the creek to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street or reserve, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from street frontages + from the creek-line reserve.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Balmoral Street, Waitara precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries and locate communal open spaces in order to retain remnants of *Blue Gum High Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Servicing

Promote access from streets other than Edgeworth David Avenue.

Where this cannot be achieved, consolidate existing vehicle entrances from Edgeworth David Avenue.

Install a median strip in Edgeworth David Avenue at Balmoral Street to prevent right turns.

Built form

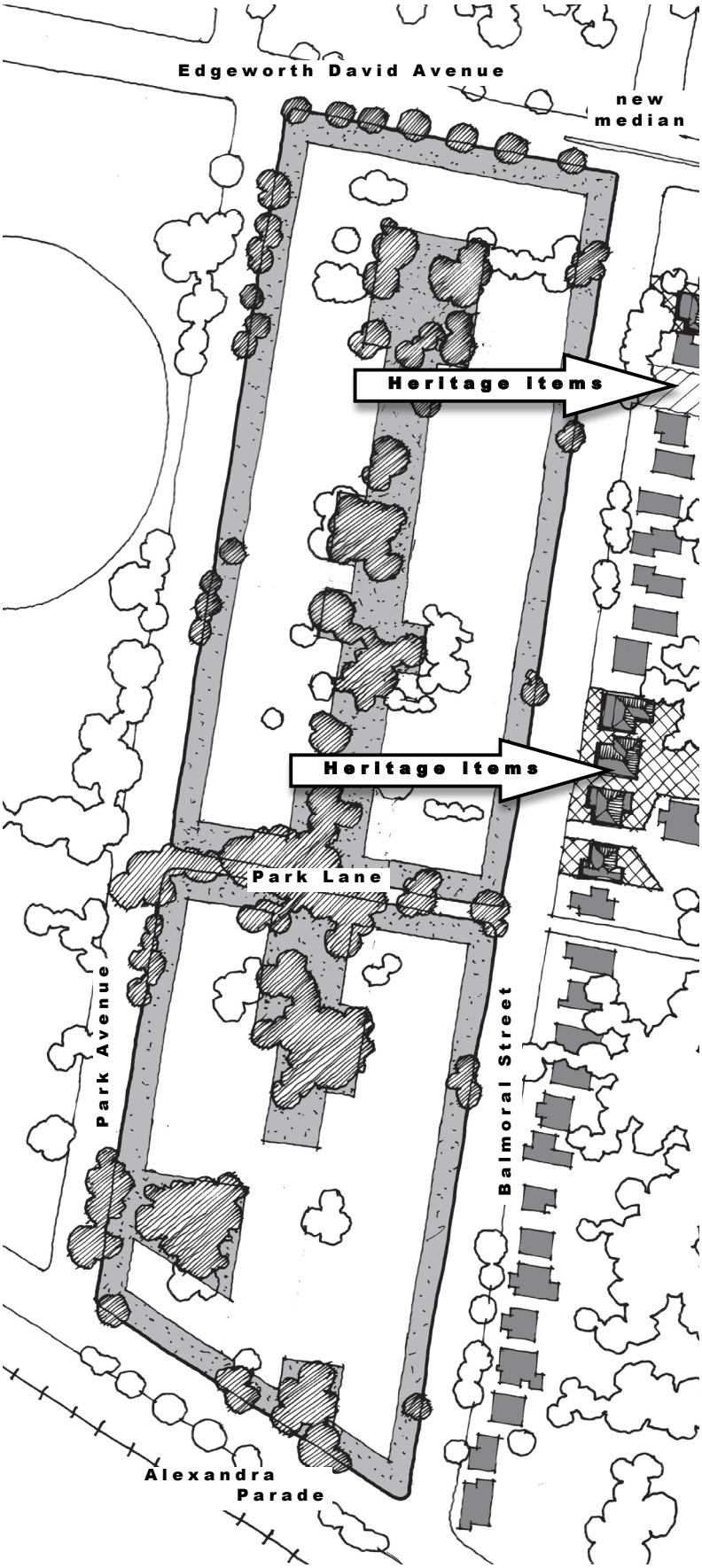
To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street + laneway frontages.

Immediately adjoining heritage items: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.



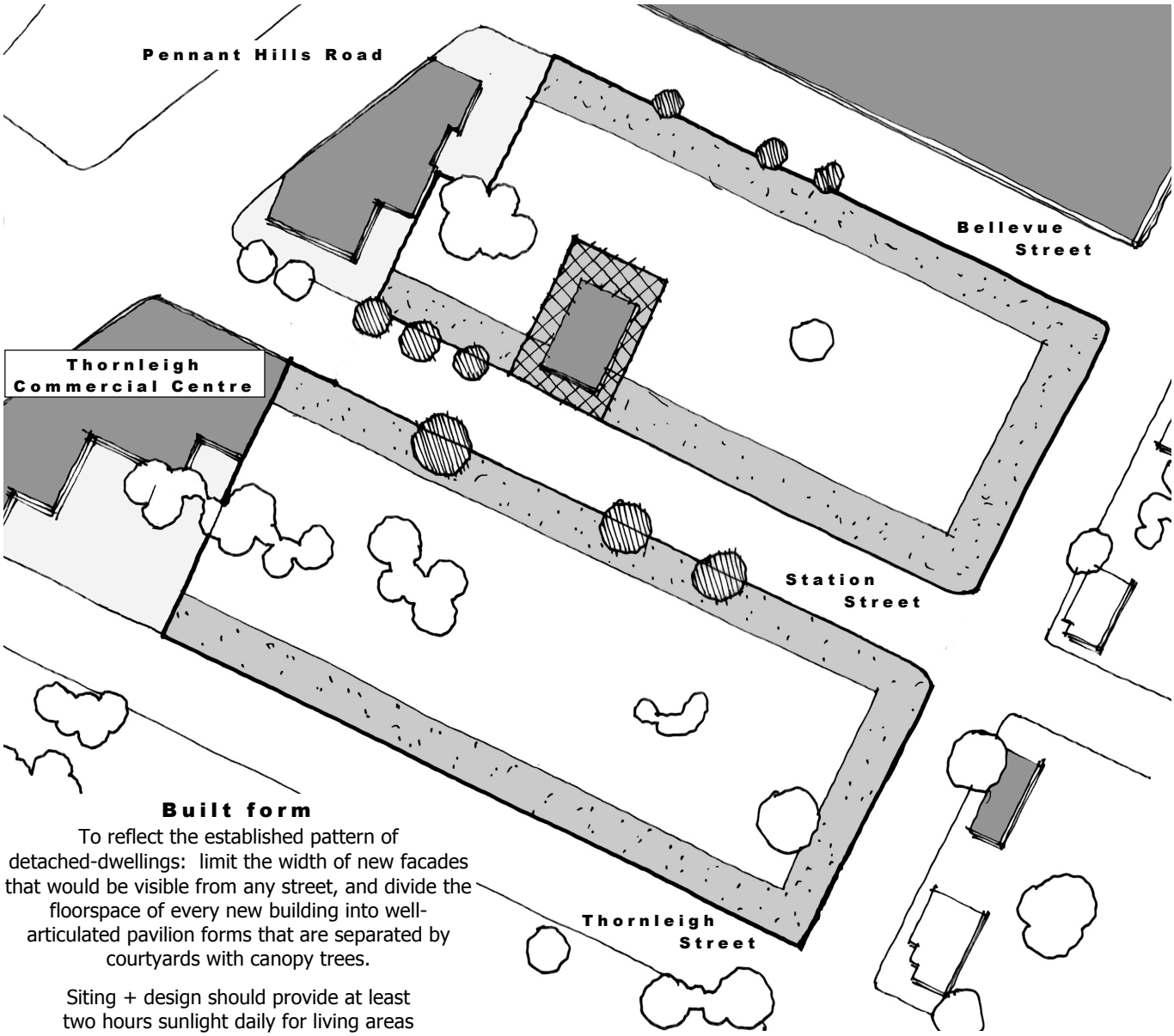
Station Street, Thornleigh precinct

Key Development Principles Diagram

Strategy
Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Landscape setting
Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.



Built form
To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Immediately adjoining heritage items: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Fisher Avenue, Pennant Hills precinct

Key Development Principles Diagram

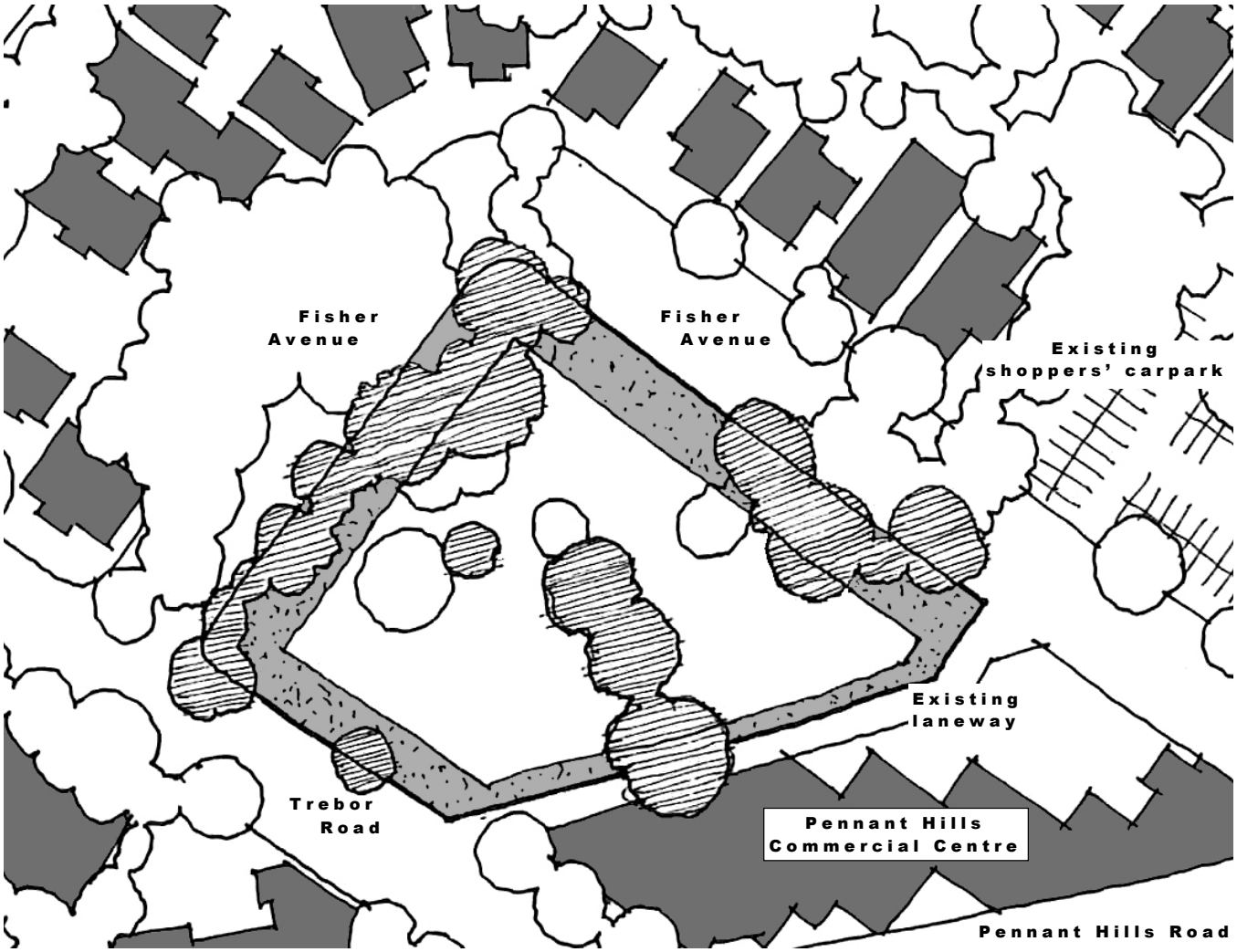
Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, serviced by basement parking.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries, and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Traffic Management Improvement Plan, Pennant Hills precinct

Key Development Principles Diagram

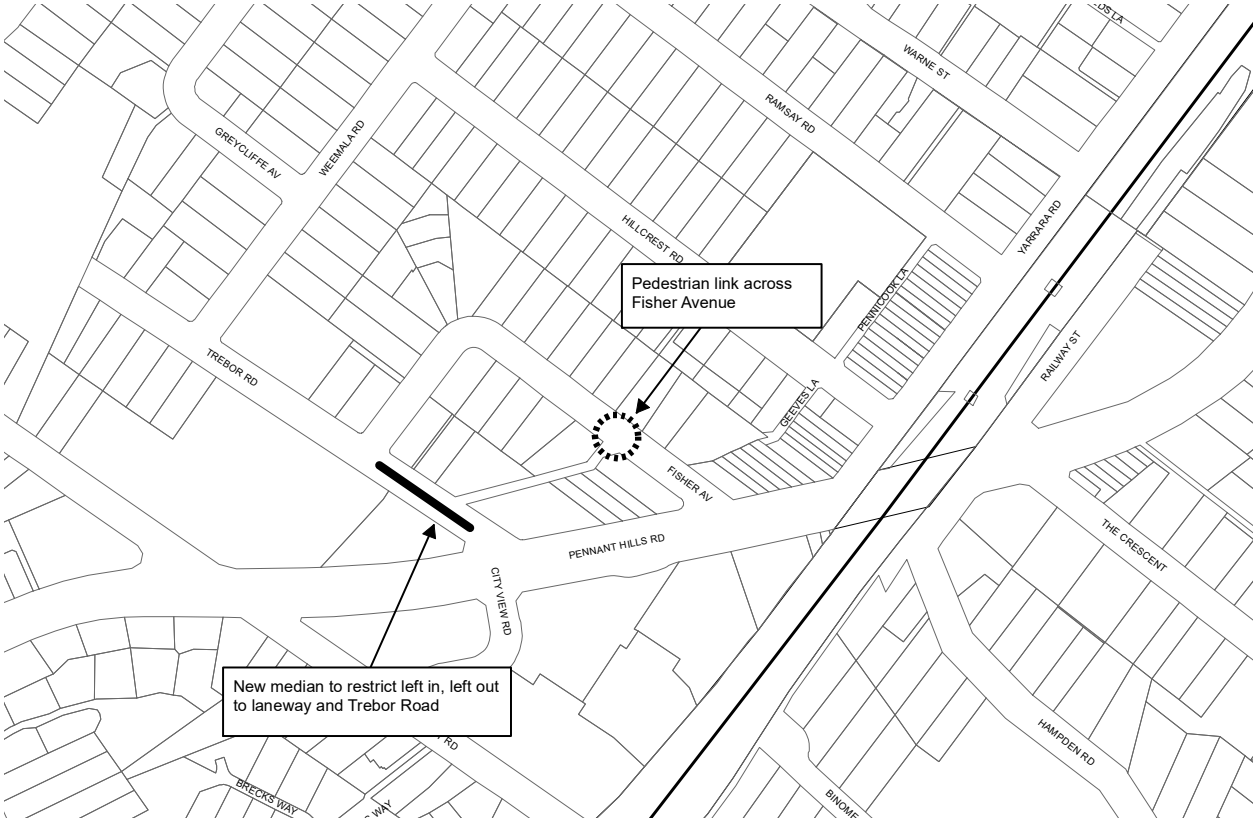


Figure 3.4(l): Traffic Management Improvement Plan - Pennant Hills (C)

Carlingford Road, Carlingford precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, with parking in basements.

Refer all development applications to RailCorp to confirm any requirements in relation to the Parramatta – Epping railway.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries and locate communal open spaces in order to retain remnants of *Blue Gum High Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Servicing

Promote access from local streets.

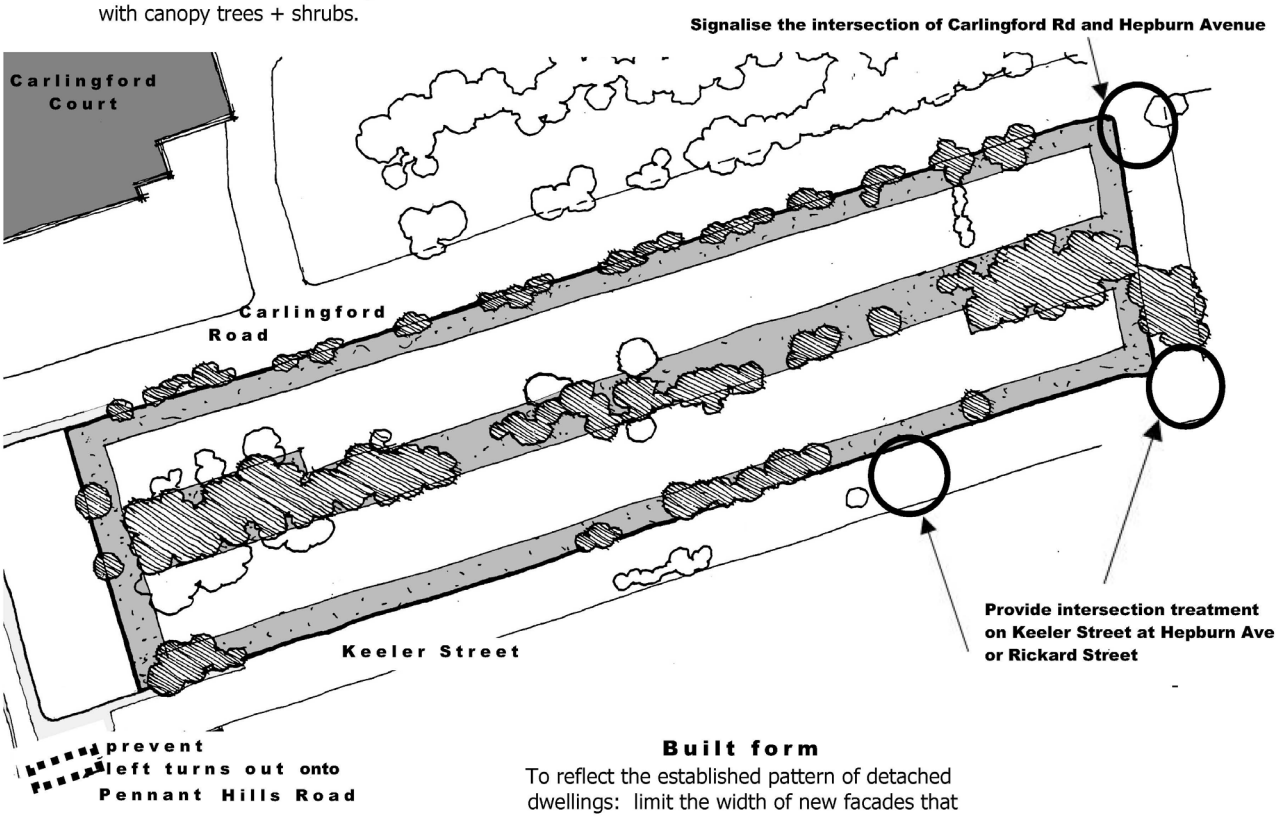
If access is not available from local streets, consolidate existing vehicle entrances from Carlingford Road.

Prevent left turns from Keeler Street to Pennant Hills Road.

Signalise the intersection of Carlingford Road and Hepburn Avenue.

Install traffic calming devices in Keeler Street.

Provde intersection treatment/roundabout on Keeler Street at Hepburn Avenue or Rickard Street.



Built form

To reflect the established pattern of detached dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Essex/Pembroke Street, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buidlings in garden settings, with parking in basements.

Servicing

Promote access from local streets. Limit access along Essex Street.

If access along Epping Road is required, consolidate existing vehicle entrances.

Accommodate potential intersection upgrade at Essex Street / Epping Road intersection.



Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account potential stormwater inundation and overland flow path provisions.

Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Cliff Road, Epping Precinct

Key Development Principles Diagram

Strategy

Residential flat buidlings of varying heights in garden settings, with parking in basements.

Servicing

Promote access from local streets.

If access is not available from the local streets, consolidate existing vehicle entrances on Carlingford Road.

Subject to amalgamation, close the end of Hazlewood Place + combine within a development site. Mainatin pedestrian access from Hazlewood Place to Kent Street Reserve.



Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Maintain the significant vegetation adjoining Kent Street Reserve to the north of the precinct.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account flooding and overland flow path provisions.

Built form

Limit the width of new facades that would be visible from any street, and divide the floorspace of new buildings into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Essex Street, Epping Precinct

Key Development Principles Diagram



Strategy

Redevelopment should be predominantly residential flat buidlings and multi unit housing.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account potential stormwater inundation and overland flow path provisions.

Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Epping Road/Forest Grove, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly residential flat buidlings of varying heights. Redevelopment along the southern side of Maida Road should be predominately three storey townhouses.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

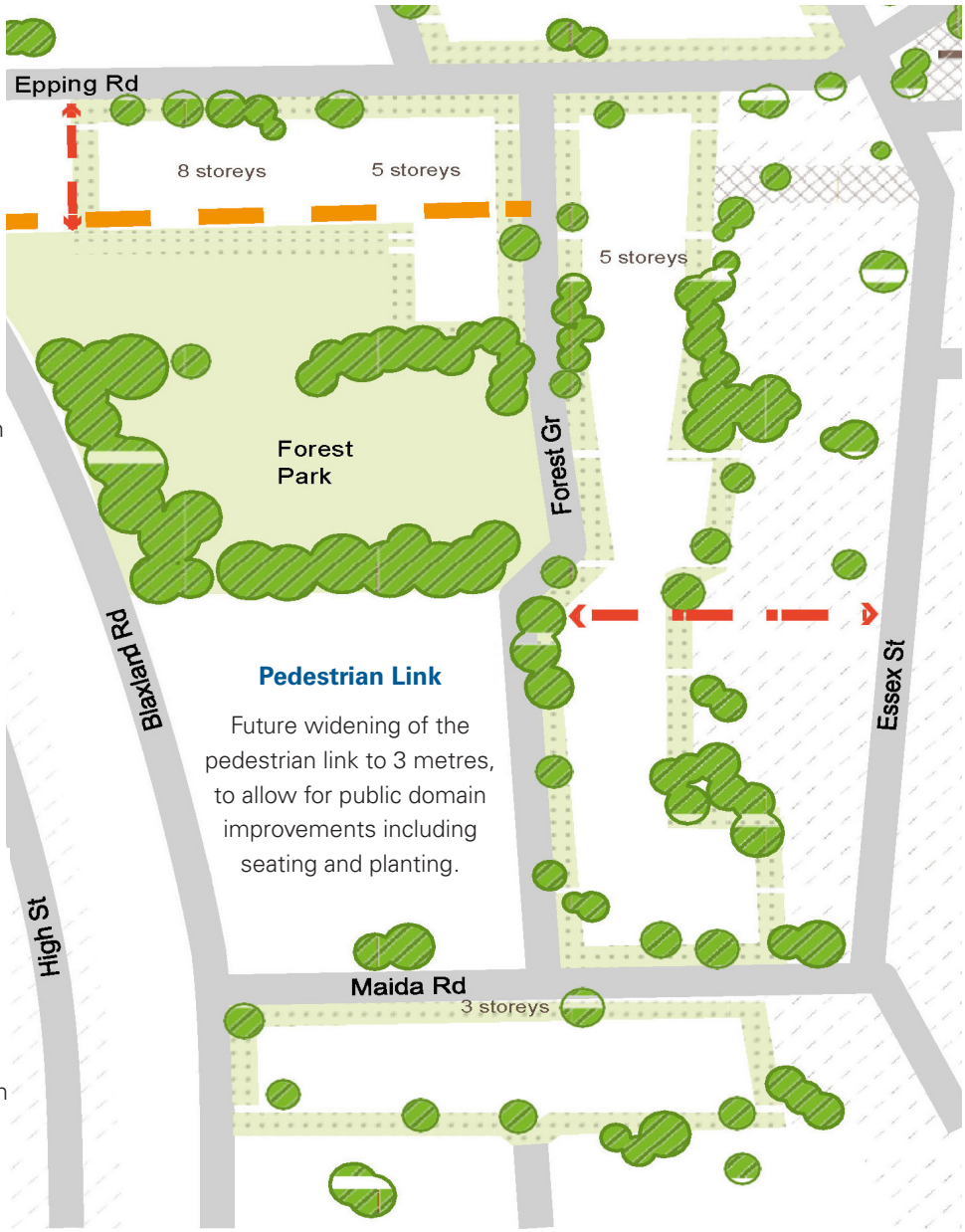
Development should take into account potential stormwater inundation and overland flow path provisions.

Servicing

Promote access from local streets.

If access is not available from the local streets, consolidate existing vehicle entrances on Epping Road.

Setback from Epping Road to be from new boundary in consideration of RMS road widening. Rear laneways to be lcoated in set-back between common open space and boundary



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Traffic Management Improvement Plan, Epping Precincts

Key Development Principles Diagram

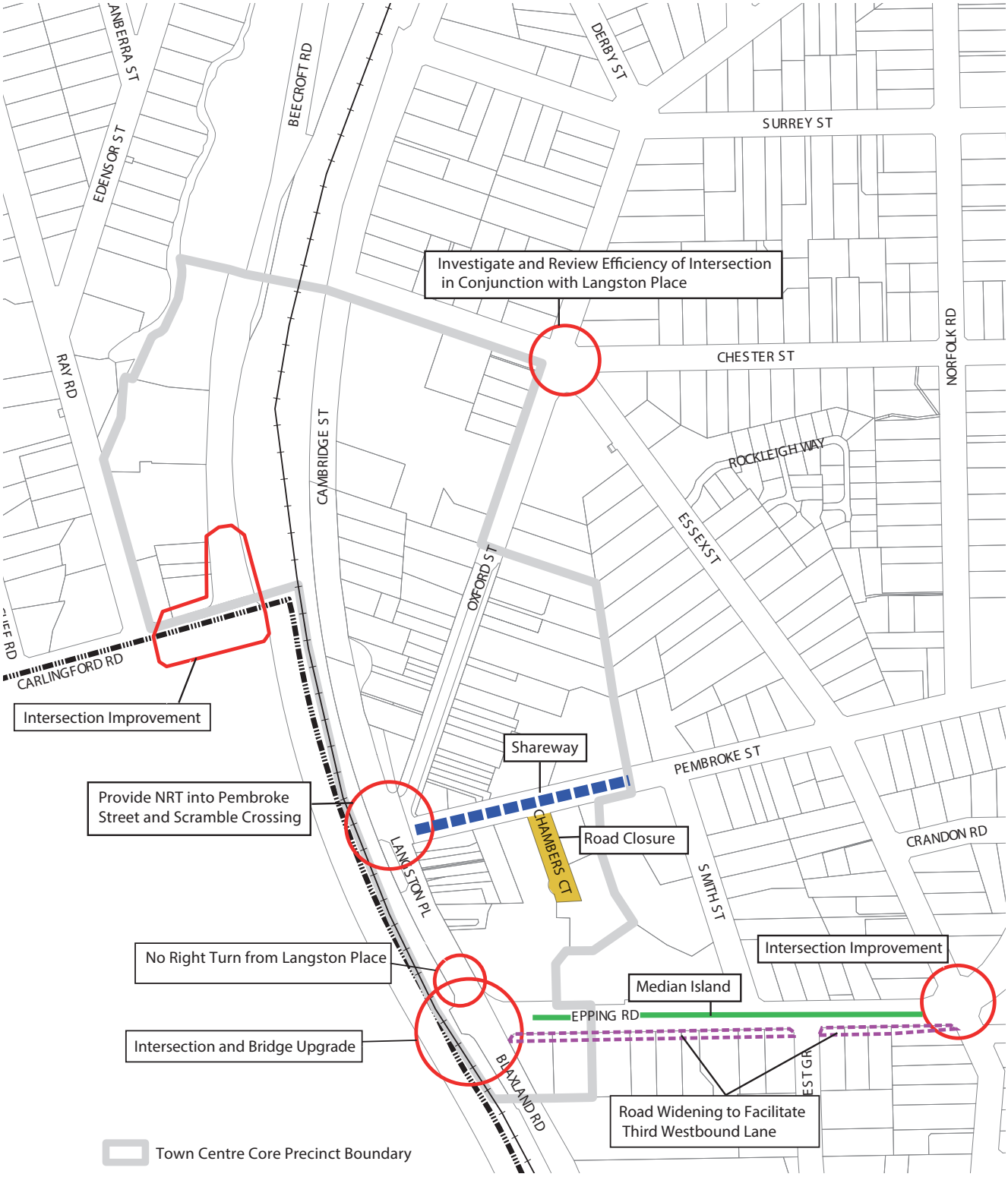


Figure 3.4 (m) : Traffic Management Improvement Plan - Epping (C)

3.5 Residential Flat Buildings (6 or more Storeys)

This section provides controls for erecting, and undertaking alterations and additions to, a residential flat building in the R4 High Density Residential Zone, within the area designated as S to AA (except W1) (6 storeys to 22 storeys) on the HLEP Height of Building map.

The controls also apply to Seniors Housing only on land identified as Area 1 on the HLEP Height of Building Map.

3.5.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area. Prescriptive Measures a. Development applications should demonstrate compatibility with the following statements of desired character

Prescriptive Measures

a. Development applications should demonstrate compatibility with the following statements of desired character:

Desired Future Character Statement
(excluding Pound Road, Hornsby Precinct)

The locality is characterised by residential flat buildings of 6 or more storeys in height in landscaped settings with underground car parking.

Development footprints maintain landscape corridors around and through development sites. The established tree canopy is complemented by new trees and shrubs throughout all gardens. Facade widths are limited, avoiding the appearance of a continuous wall of development. Buildings are integrated into a campus like setting with large areas of consolidated public and communal open space.

Balconies provide outdoor living areas which wrap around the corners of the buildings, providing usable open space as well as articulation in built form.

Developments embody active living principles including bicycle parking and storage, prioritised pedestrian and cyclist entrances to buildings, and connectivity to the public domain.



Figure 3.5(a): Example of Desired Character - 8 storey residential flat building (excluding Pound Road, Hornsby precinct).(I)

Desired Future Character Statement (Pound Road, Hornsby Precinct)

The locality is characterised by residential flat buildings of up to 9 storeys in height, with commercial floorspace on the ground floor that provides an active frontage to the public domain.

Development footprints incorporate a podium of 3 storeys that is consistent with the existing built form in the precinct. Ground floors incorporate a pedestrian colonnade along the Pacific Highway. The levels above the podium are setback providing a human scale to the precinct, preserving key vistas and managing residential amenity. Vehicular access is provided via the accessway at the rear western boundary of the precinct.

Buildings are integrated into a campus like setting with large areas of consolidated public and communal open space. Communal open space is predominantly located between the 2 residential towers. Development is setback from the Pacific Highway and other public areas to ensure continuity of the building alignment and to allow for landscape corridors with trees that will mature to a height above the podium.

Balconies provide outdoor living areas, providing usable open space as well as articulation in built form.

Developments embody active living principles including bicycle parking and storage, prioritised pedestrian and cyclist entrances to buildings, and connectivity to the public domain.

Note:

To achieve active living principles development should have regard to NSW Health's Healthy Urban Development Checklist and the National Heart Foundation's Blueprint for an Active Australia.



Figure 3.5(b): Example of Desired Character - 9 storey residential flat building (Pound Road, Hornsby precinct).(I)

3.5.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* are achieved, and
- the design is consistent with the objectives of the *Apartment Design Guide.*

Note:

Development applications should be accompanied by a statement of environmental effects which includes the following:

- an explanation of how the design addresses the design quality principles set out in Schedule 1 of *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development*, namely:

  context and neighbourhood character; built form and scale; density; sustainability; landscape; amenity; safety; housing diversity and social interaction and aesthetics.
- an explanation of how the design addresses the design criteria in Part 3 and Part 4 of the *Apartment Design Guide*.
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development;
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

3.5.3 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that provide soft landscaping surrounding the building and limit the number of driveway crossings.

Prescriptive Measures

a. The minimum site width measured at the primary street frontage should comply with Table 3.6.3(a).

Table 3.5.3(a): Minimum Site Width

Area	Minimum Site Frontage
All Areas (Excluding Pound Road, Hornsby)	40m
Pound Road, Hornsby	25m

b. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than that required in the Table 3.6.3(a), proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value

d. Basement and services provision should be planned and coordinated to minimise the loss of landscaped open space deep soil zones. Where necessary services (such as OSD) are required in the side setbacks, an area with minimum dimensions 2m x 2m should be retained as deep soil to allow for planting of large trees.

Notes: Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.



Proposed development site resulting in an adjoining isolated site

Isolated site with frontage less than 40m wide

Developed Site

Figure 3.5(c): Lot amalgamation should avoid isolating small sites (excluding Pound Road Hornsby) (I)

3.5.4 Height

Desired Outcome

a. A built form in accordance with the Height of Building Map in the *HLEP* and comprising residential flat buildings.

Prescriptive Measures

Storeys

a. Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 3.5.4(a).

Table 3.5.4(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
Area 1	20.5m Seniors Housing only	6 storeys Seniors Housing only
S	23.5m	7 storeys
T1	26.5m	8 storeys
T2	29.5m	9 storeys
U	32.5m	10 storeys
V1	35.5m	11 storeys
V2	38.5m	12 storeys
W2	41.5m	13 storeys
X	48m	15 storeys
AA	72m	22 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items, conservation areas, adjacent residential areas, areas outside the precinct and sites adjacent to Area 1 on the Height of Building Map.

d. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

e. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.

Podiums

f. Within the Pound Road Precinct, a broad podium should be provided adjacent to the public domain with a height of 3 storeys and consistent with the existing built form in the precinct.

g. Within the Oxford Street, Epping Precinct, a broad podium should be provided with a height of 2-3 storeys and consistent with the existing built form in the precinct.

Roof Design

h. Flat or very gentle pitched roofs without parapets to minimise the height of exterior walls, incorporating eaves immediately above and beneath the penthouse storeys to cast shadows across the top-storey walls.

i. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

A transition in building height should be provided at sensitive interface areas adjacent to heritage items and Heritage Conservation Areas. Refer to Part 9 Heritage of this DCP for additional heritage controls.

Height controls (ex Pound Road and Oxford Street, Epping Precinct) are based on a typical residential floor to floor height of 3 metres, with a 1.5 metre allowance for roof articulation and a 1 metre basement projection.

Height controls (Pound Road and Oxford Street, Epping Precinct) are based on a ground floor height of 4 metres, a typical residential floor to floor height of 3 metres, with a 1.5 metre allowance for roof articulation and no basement projection.

3.5.5 Setbacks

Desired Outcome

a. Well articulated building forms that are setback to incorporate landscaping, open space and separation between buildings.

b. Well articulated building forms with a "pedestrian-friendly" scale and provides for landscaping, open space and separation between buildings.

c. Setbacks that preserve and protect existing trees around the permiter of sites and provide effective deep soil areas that are able to create a garden setting, including substantial tree canopy to all sides of the building.

Prescriptive Measures

All Sites
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

a. The minimum setbacks of all buildings and structures (excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct) should comply with Table 3.5.5(a).

Table 3.5.5(a): Minimum Setbacks

Setback	Minimum Building Setback
Front Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width
Side Boundary	9m, which can be reduced to 7m for a maximum of 1/3 of the building width.
Rear Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width
Top-Storey Setback	3m additional setback for exterior walls of the top-most two storeys, measured from the walls of the lowest storey.
Top storey where mezzanine proposed	6m addition setback for exterior walls of the top storey, measured from the walls of the lowest storey.
Basement Parking Setback	7m from front and rear boundaries and 6m from side boundaries to allow for deep soil landscaping

Corner Sites
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

b. For buildings with a corner frontage:

- Front boundary setbacks apply to all street frontages, and
- Side boundary setbacks to apply to all other boundaries.

Setback Encroachments
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

c. Structures such as paths, letter boxes, electricity kiosks, fire hydrants, garbage storage and the like are permitted in the front setback where:

- The structures are thoughtfully sited and designed to minimise the impact on the streetscape and integrate into the landscape setting,
- The structures are screended where possible, and
- Sufficient areas for deep soil landscaping remain.

d. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary.

Notes:

Building width is measured between the principal external enclosing walls, excluding any permissible encroachments.

Greater setbacks may apply to the upper storeys in accordance with the separation controls in Part 2F Building Separation in the *Apartment Design Guide*.

A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items. Variations to the setback controls may be considered where the variation assists the protection of heritage qualities. Refer to Part 9 Heritage of this DCP for additional heritage controls.

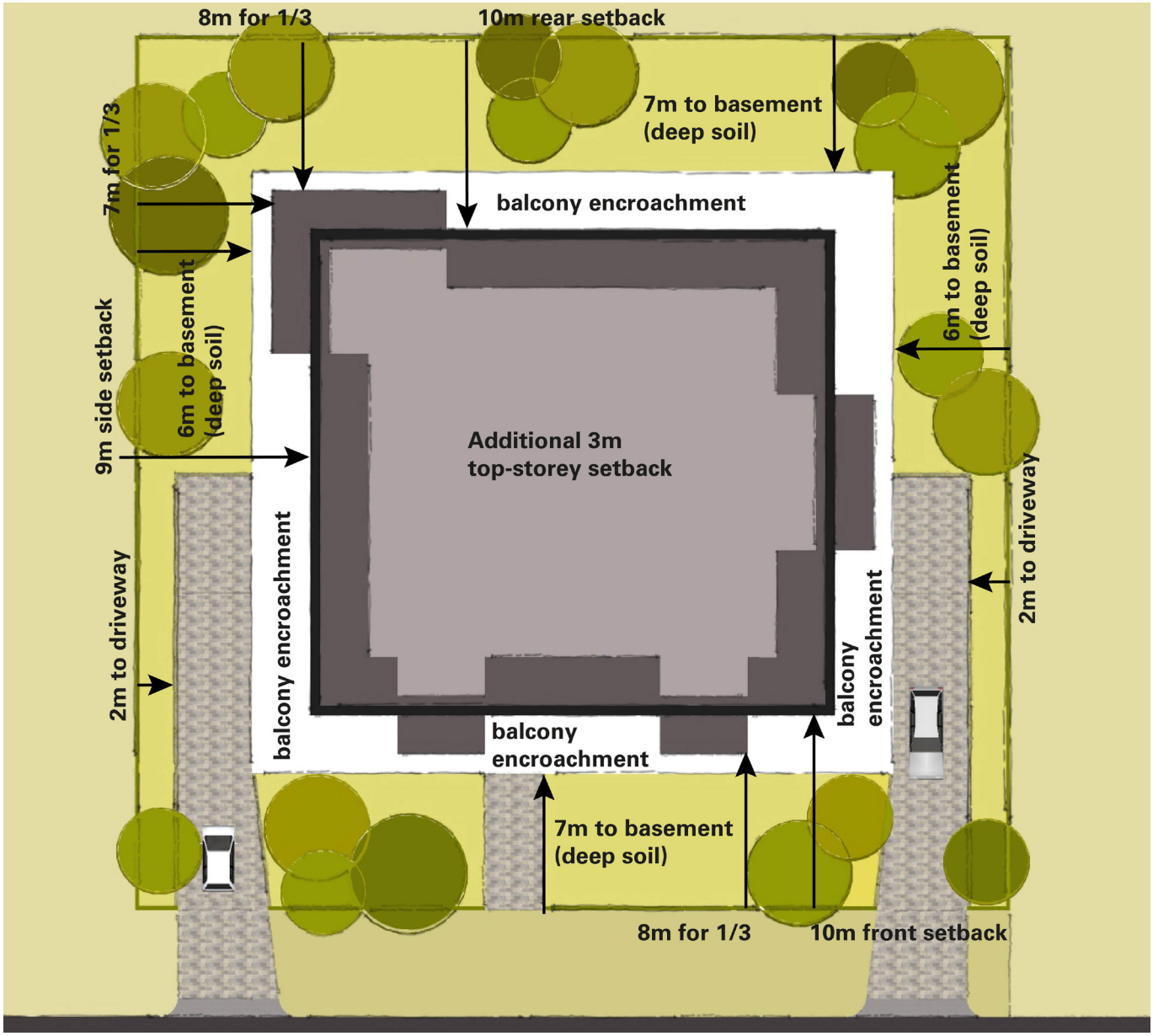


Figure 3.5(d): Minimum setbacks *(excluding the Pound Road Hornsby Precinct and Oxford Street, Epping Precinct).*(E)

Pound Road, Hornsby Precinct

e. The minimum setbacks of all buildings and structures to the boundaries of the site in the Pound Road, Hornsby precinct are prescribed in the Table 3.5.5(b):

Table 3.5.5(b): Minimum Boundary Setbacks (Pound Road)

3 STOREY PODIUM

Setback	Minimum Building Setback
Primary and Secondary road boundary	4m, plus any ground floor commercial premises should be setback behind a colonnade that has a minimum depth of 3.5m (i.e. min setback of 7.5m to the road boundary)
Side or Rear boundary adjoining an existing building	0m, up to the height of any adjoining development that is built to the boundary, or half of the required separation prescribed in Section 3.6.6
Western boundary (railway corridor)	12m to the railway corridor boundary (to accommodate Wanderers Way)
Basement Parking Setback	4m from any primary and secondary road boundary, and 12m from the railway corridor boundary to allow for deep soil landscaping and Wanderers Way

4th STOREY AND ABOVE (TOWER ELEMENT)

Setback	Minimum Building Setback
Primary and Secondary Road Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width
Side or Rear boundary adjoining an existing building	Half of the required building separation prescribed in Section 3.6.6
Western boundary (railway corridor)	15m to the railway corridor boundary, which can be reduced to 13m for a maximum of 1/3 of the building width
Top-Storey Setback	3m additional setback for exterior walls of the top-most two storeys, measured from the walls of the 4th storey

Setback Encroachments (Pound Road, Hornsby Precinct)

f. Balconies are able to encroach within the prescribed boundary setbacks areas as follows:

- 4 metre setback to the primary and secondary road boundary for the podium element (3 storeys),
- 8 metre setback to the primary and secondary road boundary for the tower element (4th storey and above), and
- 12 metre setback to the railway corridor boundary

provided there is no impact on the achievement of daylight access, visual privacy, and acoustic privacy.

g. Despite the above, the balcony encroachments for the top-most 2 storeys should not extend beyond the setback of the external walls below.

h. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Ground level terraces above basement ramps,
- Stairs to private terraces on the ground floor,
- Pedestrian ramps to building lobbies at the ground level with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Fences, and
- Letter boxes, meter enclosures, electricity kiosks and fire hydrants, with a minimum landscaped setback of 2 metres from any boundary.

Oxford Street, Epping Precinct

a. The minimum setbacks of all buildings and structures to the boundaries of the site in the Oxford Street, Epping precinct are prescribed in the Table 3.5.5(c):

Table 3.5.5(c): Minimum Boundary Setbacks (Oxford Street)

PODIUM

Setback	Minimum Building Setback
Primary and Secondary road boundary	3m
Side or Rear boundary adjoining an existing building	6m
Basement Parking Setback	3m from any primary and secondary road boundary, and 6m from side and rear boundaries to allow for deep soil landscaping

TOWER ELEMENT

Setback	Minimum Building Setback
Primary and Secondary Road Boundary	6m, which can be reduced to 4m for a maximum of 1/3 of the building width
Side or Rear boundary adjoining an existing building	Half of the required building separation prescribed in Section 3.6.6
Top-Storey Setback	3m additional setback for exterior walls of the top-most two storeys, measured from the walls of the 4th storey

Setback Encroachments (Oxford Street, Epping Precinct)

b. Balconies are able to encroach within the prescribed boundary setbacks areas as follows:

- 4 metre setback to the primary and secondary road boundary for the tower element provided there is no impact on the achievement of daylight access, visual privacy, and acoustic privacy.

c. Despite the above, the balcony encroachments for the top-most 2 storeys should not extend beyond the setback of the external walls below.

d. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Ground level terraces above basement ramps,
- Stairs to private terraces on the ground floor,
- Pedestrian ramps to building lobbies at the ground level with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Fences, and
- Letter boxes, meter enclosures, electricity kiosks and fire hydrants, with a minimum landscaped setback of 2 metres from any boundary.

Notes:

Building width is measured between the principal external enclosing walls, excluding any permissible encroachments.

Greater setbacks may apply to the upper storeys in accordance with the separation controls in Part 2F Building Separation of the *Apartment Design Guide*.

3.5.6 Building Form and Separation

Desired Outcome

a. Buildings that are limited in width and depth, incorporating articulated facades and separated by garden areas.

b. Buildings in the Pound Road Hornsby Precinct that incorporate a podium that achieves a pedestrian friendly environment and enhances the streetscape character.

c. Quality architecture that evolves from the guidelines of the Apartment Design Guide.

Prescriptive Measures

Floorplates
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

a. Floorplates should have a maximum dimension of 35 metres measured in a perpendicular direction between opposing exterior walls at any point. Balconies, terraces and ground floor lobbies may project beyond this maximum.

Separation
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

b. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

c. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

d. On large sites where the floorplate control requires more than one building, adjoining buildings should be separated by a minimum of 12 metres.

Articulation
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

e. Facades should be expressed as 3 distinct levels, a base, middle and top.

f. Asymmetric floor plans are preferred as they contribute to effective articulation.

g. Avoid exterior walls that are long and straight by stepping wall alignments and attaching balconies that project.

h. Balconies should provide effective articulation for tall buildings by:

- being varied in form and design across each facade in a variety of shapes and dimensions repeated in semi-regular patterns,
- disguising the sheer vertical walls by providing some balconies at the- building's corners,
- not extending continuously across the full width of any facade, and
- Balconies should appear as open structures with lightweight balustrades. Solid masonry walls should be minimised.

Materials and Finishes

i. Every facade should incorporate a variety of materials and finishes as follows:

- materials and finishes should accentuate the articulation of building forms, in particular the vertical layering of structures,
- varied arrangements and proportions for windows should contribute to the animated patterning of each facade,
- penthouse storeys should incorporate a high proportion of large windows / glazing and light weight balconies to minimise scale and bulk, and
- Exterior sunshades and screens should be used as design elements, as well as contributing to residential amenity.

Floorplates (Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

j. The Podium level adjacent to the public domain should provide for continuity in the building alignment, with minimal lengths of gaps in the street wall.

Separation (Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

k. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

l. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

m. On large sites where the floorplate control requires more than one building, adjoining buildings should be separated by a minimum of 12 metres.

Notes:

For the purposes of the Pound Road Hornsby Precinct, the first residential storey above the podium is counted as the first storey for the purposes of the separation controls within the table.

Articulation (Pound Road Hornsby Precinct and Oxford Street, Epping Precinct)

n. Facades should be expressed as 3 distinct levels, a base, middle and top.

o. A podium should be provided adjacent to the public domain with a height of 3 storeys.

p. Asymmetric floor plans are preferred as they contribute to effective articulation.

q. The ground floor adjacent to the Pacific Highway should incorporate active commercial ground floor uses at the same general level as the public footpath, with a colonnade or undercroft with a minimum depth of 3.5 metres.

r. Facades that face the street or railway may accommodate car parking and building services if the facades are designed architecturally to screen those facilities.

s. Building lobbies and entrances to residential courtyards should be visually prominent elements of the streetscape.

t. Avoid exterior walls that are long and straight by stepping wall alignments and attaching balconies that project *(with the exception of side walls with a zero setback that adjoins a side wall of an existing building).*



Figure 3.5(e): Articulation of facades (Pound Road Hornsby Precinct and Oxford Street, Epping Precinct).(E)

u. Balconies should provide effective articulation for tall buildings by:

- being varied in form and design across each facade in a variety of shapes and dimensions repeated in semi-regular patterns,
- not extending continuously across the full width of any facade, and
- varying the form and design of balcony balustrades and limiting the use of masonry upstands to avoid a bulky character.

3.5.7 Landscaping

Desired Outcome

a. Landscaping that integrates the built form with the locality and enhances the tree canopy.

b. Landscaping that retains existing features such as prominent or significant trees, flora and fauna habitats and urban streams.

c. Development that incorporates green roofs and walls to improve air quality, amenity, ambient air temperature, building insulation, bird habitat and aesthetic quality of the urban environment.

Prescriptive Measures

General
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

a. Vertical gardens, green roofs and walls should be incorporated into the design of the development where practicable.

b. Communal landscaping should be provided adjacent to the property boundaries to provide a landscape setting for the development.

c. Landscaped areas should adjoin property boundaries, in accordance with Table 3.6.7(a), and be designed to accommodate:

- Deep soil landscaping for a minimum 50% of the front setback.
- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
- Trees that will reach a mature height of at least 6 to 7 metres in the side setbacks.

Table 3.5.7(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary Epping Town Centre	7m wide 4-8m wide
Secondary Boundary (on corner lots)	6m wide
Rear Boundary	7m wide*
Side Boundary	6m wide

d. Paving within deep soil areas should be minimal. Any such paving should be permeable.

e. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.

f. Landscaped areas should be provided between 2 or more buildings located on a development site, designed to:

- have a minimum total width of 12 metres,
- accommodate trees that will reach a mature height of at least 10 to 12 metres,
- provide a minimum soil depth of 1 metre,
- be located in a deep soil area or above a basement car park, and
- include a component of deep soil area (ie: no basement intrusions) that measures at least 7 metres by 7 metres (sufficient for at least one canopy tree).

Fencing
(excluding Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

g. Within front setbacks, fences should not be higher than 1.2 metres.

h. Fencing enclosing private courtyards behind the front building line may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

i. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.

Retention of Landscape Features (All areas)

j. Existing healthy trees should be retained and protected wherever possible. Any trees removed as part of the development should be replaced elsewhere on site wherever possible.

k. Connectivity of large street trees wth adjoining or nearby remnant groups should be protected where practicable.

l. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and

- in accordance with the requirements of AS 4970 for significant trees to be retained.

Deep soil zones (Epping Town Centre, excluding Oxford Street, Epping Precinct)

m. Locate basement car parking predominately under the building footprint to provide opportunities for deep soil areas.

Podium planting (Epping Town Centre)

n. Where podium planting is proposed, planting is to be provided as illustrated at Figure 3.6(f): Deep soil planting, with the appropriate soil depth and width as illustrated at Figure 3.6(g): Soil depth.

* Rear boundary deep soil landscpe areas are not required where a Key Development Principles Diagram includes a rear laneway or shareway located in the rear set-back. The laneway/shareway should have a continuous landcaped verge at least 2m wide between the rear boundary and the laneway/shareway.

General (Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

o. Landscaped areas should adjoin all primary and secondary property boundaries as follows:

- Achieve a minimum width of 4 metres for the length of the boundary, and
- Accommodate canopy trees that will reach mature heights of at least 10 to 12 metres.

p. Landscaped areas should be provided between 2 or more buildings located on a development site, designed to:

- have a minimum total width of 12 metres,
- accommodate shrubs or small trees that will reach mature heights of at least 3 to 5 metres,
- provide a minimum soil depth of 1 metre, and
- be located on a podium above a basement car park.

Fencing (Pound Road, Hornsby Precinct and Oxford Street, Epping Precinct)

q. Fencing is discouraged in the primary and secondary boundary setbacks.

r. Fencing enclosing private courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

s. Side and rear boundary fences should be a maximum of 1.8 metres high.

Notes:

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Landscaped area between 2 buildings on a development site is able to be erected above a basement, notwithstanding the definition of landscaped area above, except where deep soil is specifically required.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au.

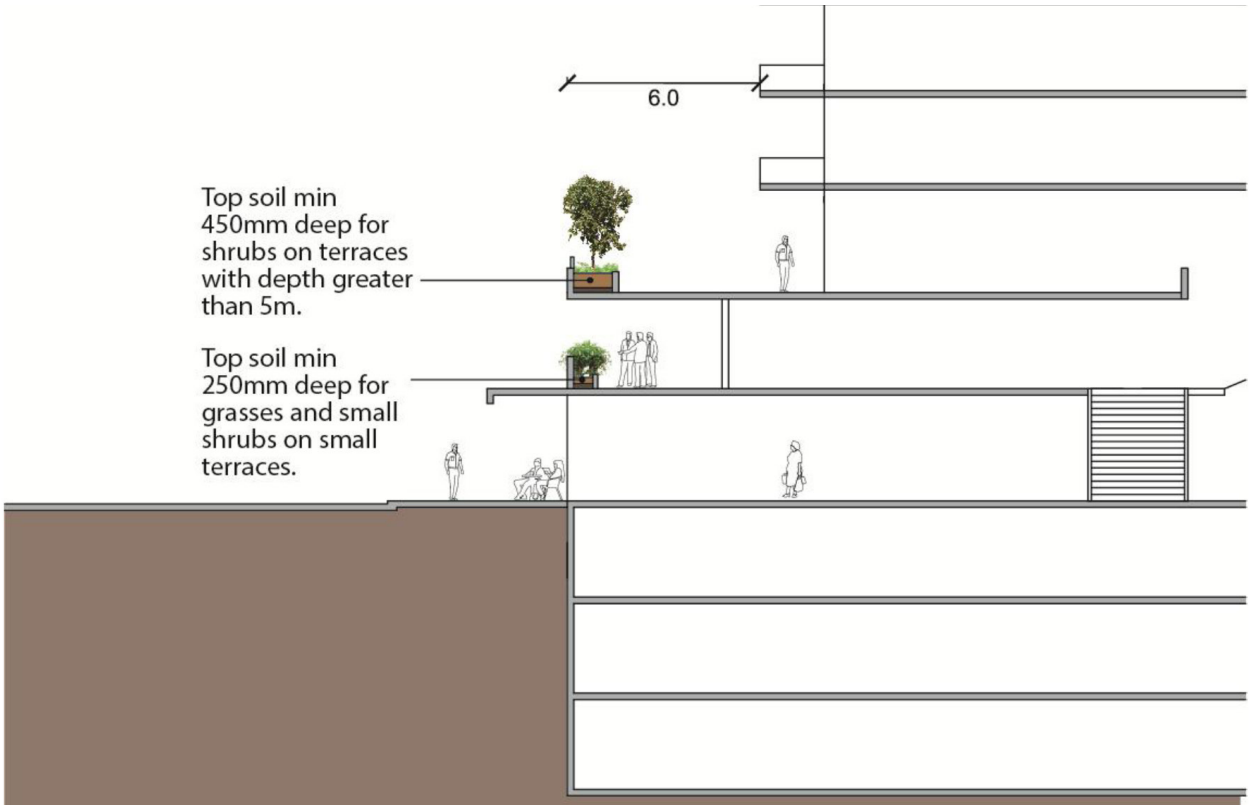


Figure 3.6(f): Deep soil planting.(E)



Figure 3.6(g): Soil depth.(E)

3.5.8 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Communal open space comprising landscaped setbacks, landscaping between dwellings, and a principal communal open space area.

Prescriptive Measures

Private Open Space

a. Every dwelling should be provided with a principal private open space in accordance with Table 3.5.8(a).

Table 3.5.8(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m2	2m
1 bed unit	8m2	2m
2 bed unit	10m2	2m
3+ bed unit	12m2	2.4m
Ground and podium level	15m2	3m

b. Private open spaces should be designed as "outdoor rooms" that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

c. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

Clothes Drying Area

d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

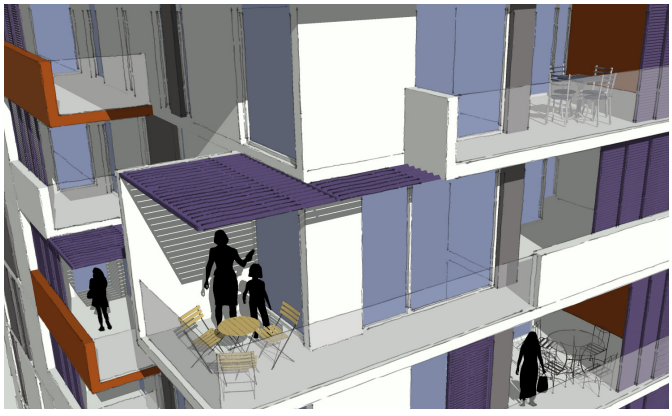
Communal Open Space

e. A principal communal open space area should be provided per building as follows:

- be located at ground level (or located on a podium in the Pound Road, Hornsby precinct),
- have a minimum area of 50m2,
- have a minimum dimension of 6 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

f. Roof terraces should include a minimum 25% planted area, with the majority of the planting around the edge to reduce opportunities for overlooking and improve the visual amenity of the building when viewed from the public domain.

Figure 3.6(h): L-shaped balconies and terraces accommodate a number of activities, and adjustable screens provide shade, privacy and enclosure for outdoor rooms.(E)



3.5.9 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent properties and high levels of residential security.

Prescriptive Measures

Privacy

a. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

b. Balconies, terraces or bedroom windows near ground level should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

c. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

d. The commercial and residential component of development should be distinguished in terms of building entries and private, communal and public open space.

Security

e. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

f. Private open spaces, living room windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

g. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

h. Where a mix of land uses are proposed, separate, secure access should be provided to lift lobbies, basements and communal storage areas.

3.3.10 Materials, Finishes and Services

Desired Outcome

a. Development that enhances the visual quality of the public domain.

Prescriptive Measures

a. Development Applications should be accompanied by a Schedule of External Finishes, Colours and Materials Board which includes samples and large wall sections indicating how the details and colour schedules are to be applied.

b. Colour palletes should reference the natural habitat and environmental influences of the area and avoid use of primary colours.

c. Facade elements should use a range of materials and finishes, with a minimum of 30% exposed brick or natural material cladding (such as sandstone or timber).

d. Facade elements should not be fully rendered.

Services

e. Heating, Ventilation and Air Conditioning (HVAC) equipment should be grouped within designated screened areas either on typical floors or on roof-tops.

f. Wall-mounted equipment and associated pipework should be concealed into wall cabinets and ducts.

g. If service equipment is located on private balconies, additional area above those required by the DCP should be provided.

h. Rainwater drainage goods and balcony drainage should be thoughtfully designed and integrated into the building fabric.

i. All services should be positioned or screened so that they are not visible from common areas or the public domain adjacent to the development.

j. Balustrade designs should address visual screening or large items typically stored on balconies (eg. barbeques, clothes drying devices and bicycles).

k. Letter boxes should be located perpendicular to the road.

l. Developments should facilitate the placement of powerlines underground on the road reserve at the front of the site as well as within the site boundaries.

3.5.11 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide reasonable solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

a. On 22 June, at least 70 percent of dwellings should receive 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

b. Every habitable room should have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.

c. A window should be visible from any point in a habitable room.

d. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

3.5.12 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5 metres high, measured from the floor level, and has no individual opening more than 30 millimetres wide, and has a total of all openings less than 30 percent of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed

3.5.13 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

General

a. Direct access to main roads should be avoided.

b. Driveways should be located at least 2 metres from any side boundary and flanked by continuous landscaped verges. *(excluding Pound Road, Hornsby Precinct).*

c. In the Pound Road, Hornsby precinct, vehicular access should be provided via the accessway (Wanderers Way) at the rear of the precinct.

d. Resident and visitor parking should be provided within basements.

e. All ramps are to be designed as two way ramps in accordance with AS 2890.1 and AS 2890.2

f. All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2

g. Any undercroft car parking should be screened and should not be located in a dwelling facade that faces a primary or secondary street frontage.

h. Driveways and garage entrances should not visually dominate any street or facade that faces a communal area upon the site.

i. Parking for service and delivery vehicles should be integrated with the design of driveways and surrounding landscaped verges, and should not visually dominate any street frontage.

Ancillary Fixtures and Facilities

j. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

Note:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

3.5.13 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Public Domain

a. Development of the public domain should make each precinct an attractive place that encourages development and provides amenity for residents.

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. Pedestrian linkages shown on the Key Development Principles Diagrams and Town Centre Linkage diagrams (see Annexure B) should be provided and reinforced as safe, accessible and vibrant pedestrian areas.

Traffic Management Works

d. Traffic management works should be undertaken in accordance with the traffic improvements identified in the Key Development Principles Diagrams and Figure 3.6(i) Traffic Management Plan.

e. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

f. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Notes:

This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

For development within Epping Town Centre, refer to the Epping Town Centre Public Domain Guidelines available at hornsby.nsw.gov.au

3.5.14 Key Development Principles

The following provides more detailed controls for some particular precincts zoned for 6+ storey Residential Flat Buildings as a result of the Hornsby Shire Housing Strategy (2010) and the Pound Road Hornsby Precinct.

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles Diagrams.

Prescriptive Measures

a. Key Development Principles Diagrams apply to the following localities:

- Park Avenue, Waitara Precinct;
- Pound Road, Hornsby Precinct;
- Epping Road/Forest Grove, Epping Precinct;
- Oxford Street, Epping Precinct;
- Ray/Beecroft Roads, Epping Precinct;
- Cliff Road, Epping Precinct.

b. Development should be designed to embody the principles of the relevant precinct Key Development Principles Diagram.

c. Pedestrian thoroughfares should be provided in accordance with the principles diagrams and/or Town Centre Linkage diagrams (see Annexure B).

d. Development in the vicinity of heritage items and Heritage Conservation Areas shown in the precinct diagrams should have regard to the provisions in Part 9 of this DCP.

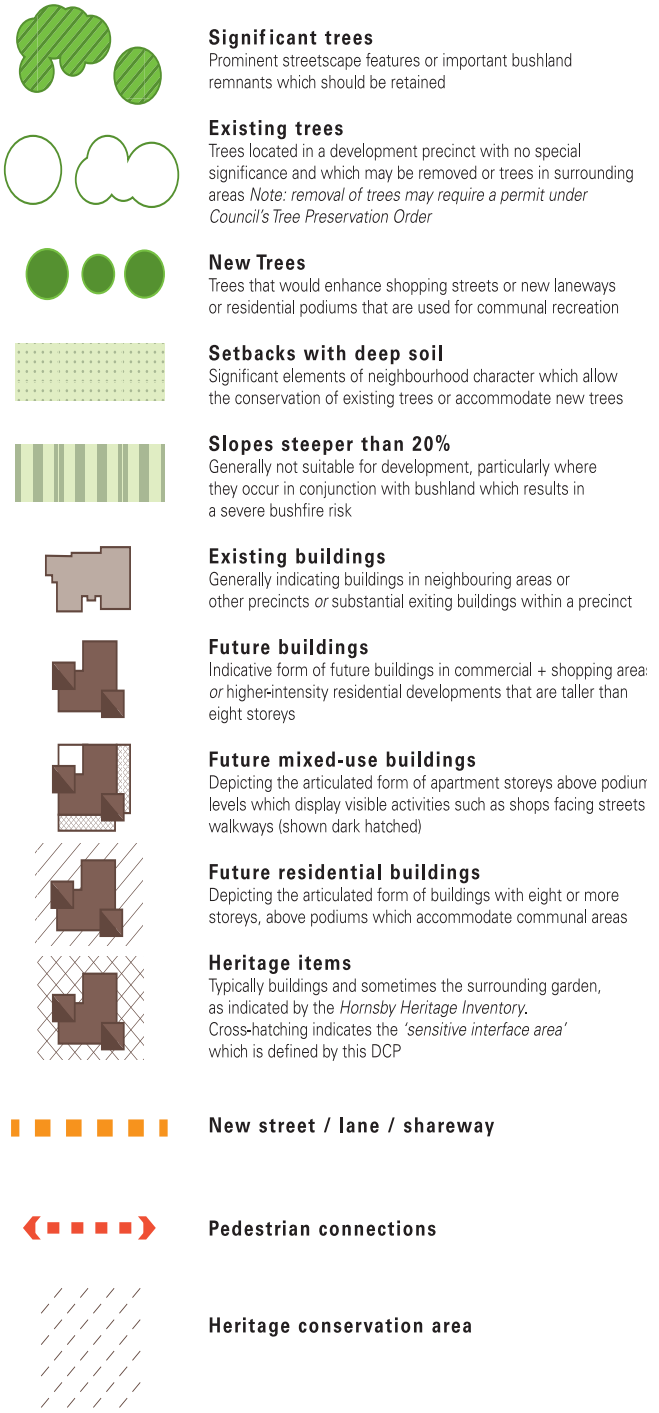
e. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

Note:

The Key Development Principles Diagrams are indicative only and are not to scale. Relevant setback, building form and landscaping controls are provided in Sections 3.6.5, 3.6.6 and 3.6.7 of this DCP.

Legend

The following symbols appear in the Key Development Principles diagramsn for Park Avenue, Waitara precinct, and Pound Road, Hornsby precinct,:



Park Avenue, Waitara precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly ten storey residential flat buildings in garden settings, serviced by basement parking.

Servicing

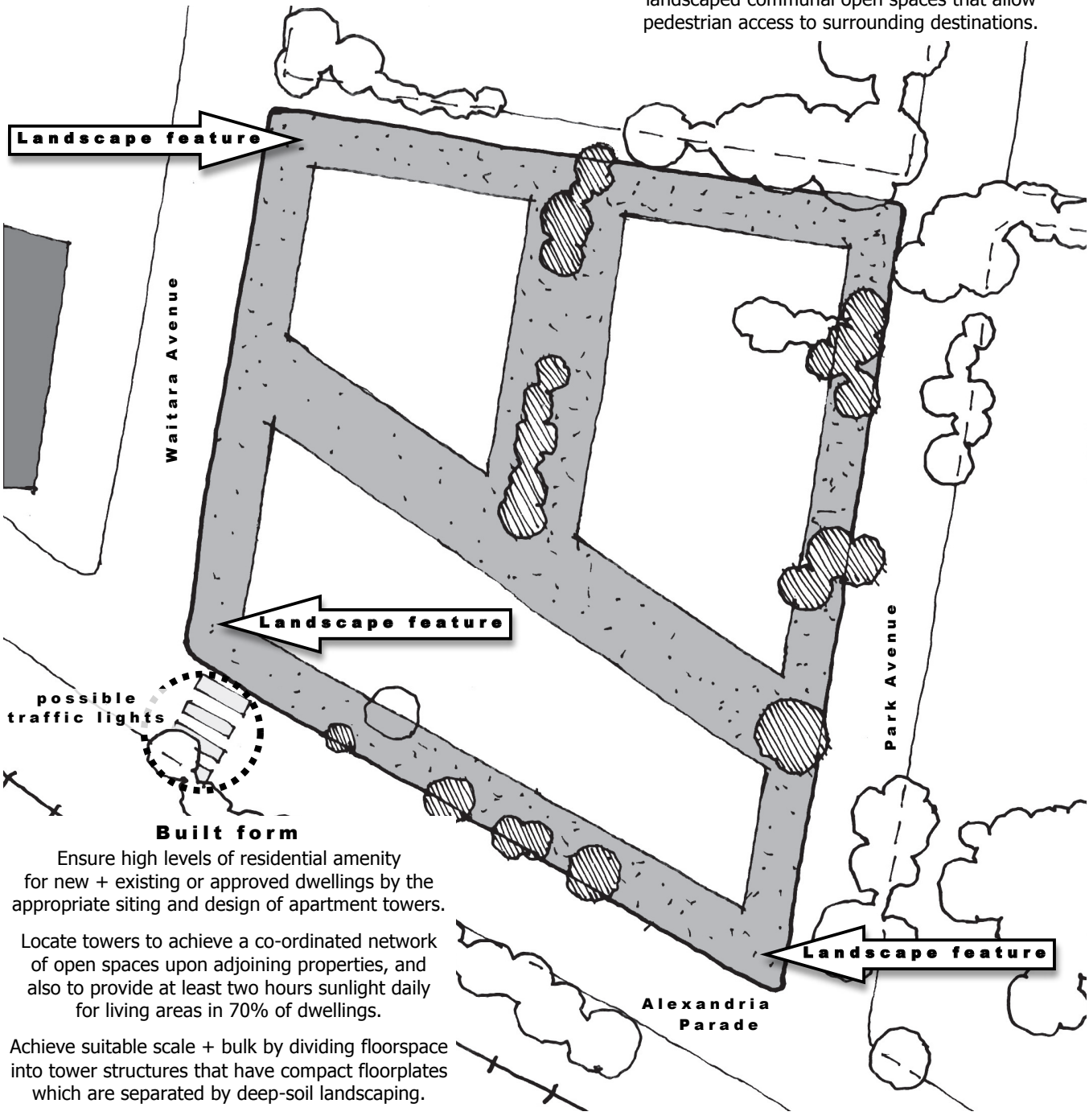
Subject to future pedestrian traffic, install a signallised crossing at the intersection of Alexandria Parade + Waitara Avenue.

Landscape setting

Provide broad setbacks along street frontages + rear boundaries to separate buildings and accommodate new avenues of street-trees.

Facing each street corner: provide landscape features which include clusters of canopy trees.

Establish an interconnected network of landscaped communal open spaces that allow pedestrian access to surrounding destinations.



Built form

Ensure high levels of residential amenity for new + existing or approved dwellings by the appropriate siting and design of apartment towers.

Locate towers to achieve a co-ordinated network of open spaces upon adjoining properties, and also to provide at least two hours sunlight daily for living areas in 70% of dwellings.

Achieve suitable scale + bulk by dividing floorspace into tower structures that have compact floorplates which are separated by deep-soil landscaping.

Design quality of facades should respond to visibility from all quarters, and adjoining towers should display distinct variations in terms of height + profile.

Epping Road/Forest Grove, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly residential flat buidlings of varying heights. Redevelopment along the southern side of Maida Road should be predominately three storey townhouses.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account potential stormwater inundation and overland flow path provisions.

Servicing

Promote access from local streets. If access is not available from the local streets, consolidate existing vehicle entrances on Epping Road.

etback from Epping Road to be from new boundary in consideration of RMS road widening. Rear laneways to be lcoated in rear set-back between rear boundary and common open space



Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Oxford Street, Epping Precinct

Key Development Principles Diagram

Strategy

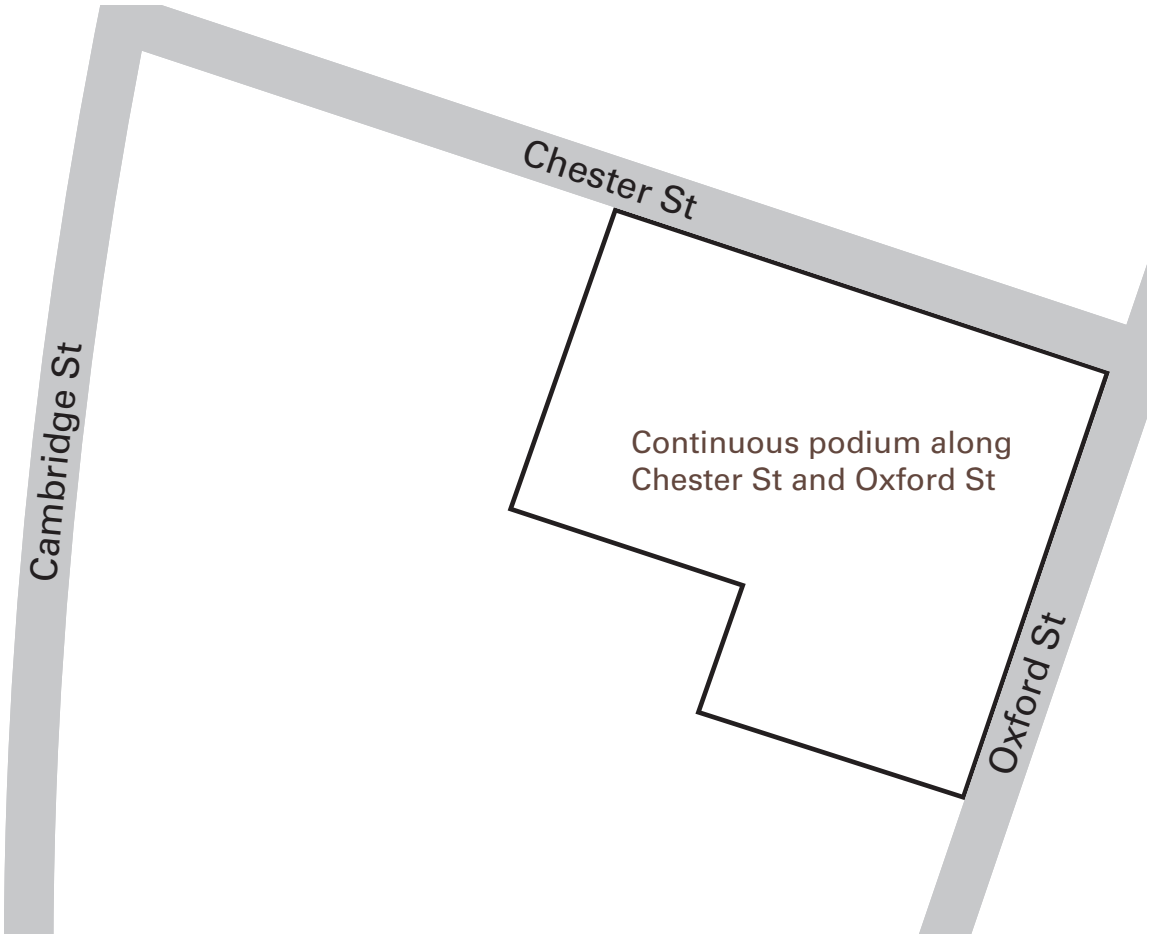
Redevelopment along the corner of Chester Street + Oxford Street should be predominantly fifteen storey residential flat buildings serviced by basement parking.

Landscaping

Retain significant trees.

Surround + screen new buildings with canopy trees + shrubs.

Establish landscaped setbacks along street frontages.



Built form

Provide a continuous podium of three storeys facing Chester Street + Oxford Street, plus an additional setback to tower elements above the podium.

Ensure high levels of residential amenity for new + existing or approved dwellings by the appropriate siting and design of apartment towers.

Locate towers to achieve a co-ordinated network of open spaces upon adjoining properties, and also to provide at least two hours sunlight daily for living areas in 70% of dwellings.

Achieve suitable scale + bulk by dividing floorspace into tower structures that have compact floorplates which area separated by deep-soil landscaping.

Design quality of facades should respond to visibility from all quarters, and adjacent towers should display distinct variations in terms of height + profile.

Ray/Beecroft Roads, Epping precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly fifteen storey residential flat buildings in garden settings, with parking in basements.

Servicing

Promote access from Ray Road or Beecroft Road. Access points should be consolidated.

Landscape setting

Locate communal open spaces to retain significant trees on the site.

Surround + screen new buildings with canopy trees + shrubs.

The watercourse along the north-western boundary should be revegetated and naturalised where possible + a landscaped setback provided to the watercourse.

Public frontages

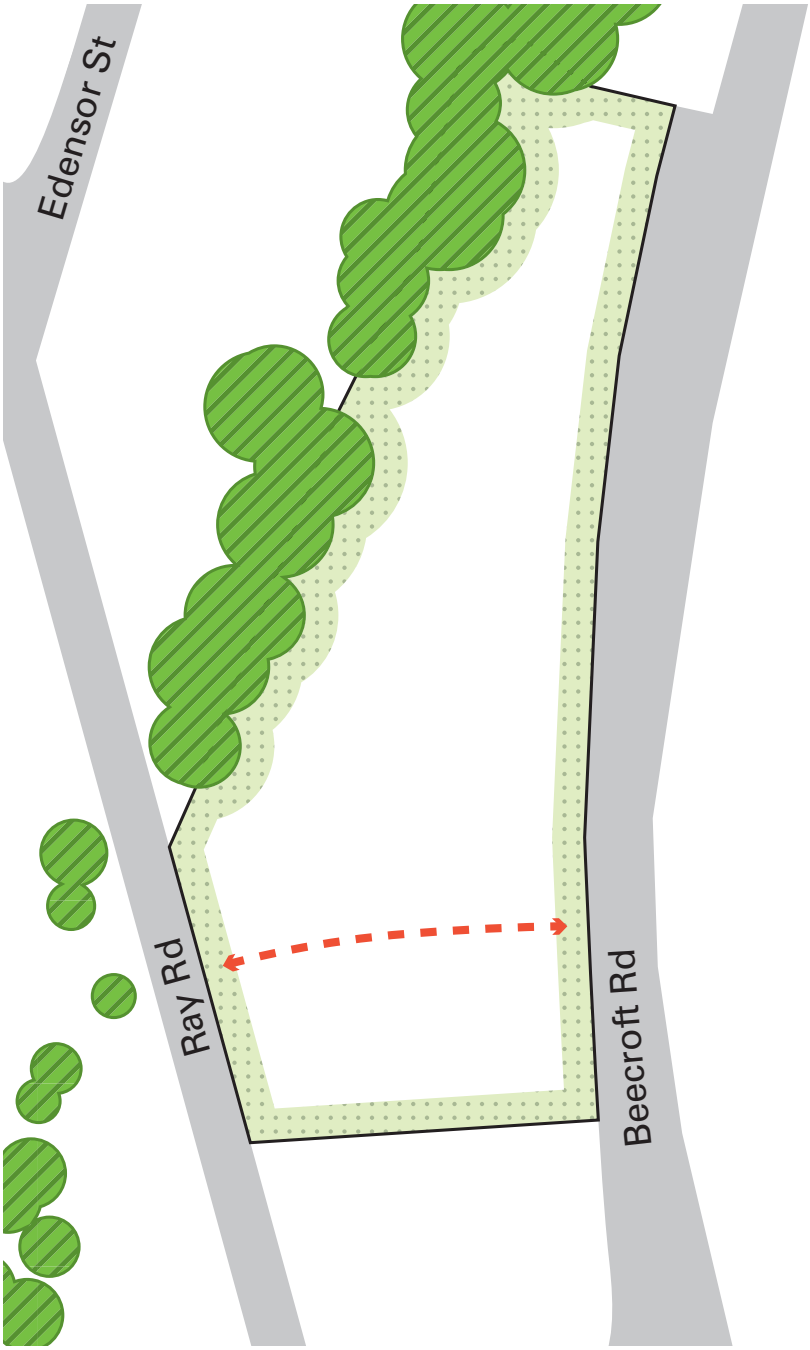
Provide a pedestrian connection between Ray Road and Beecroft Road.

Built form

Locate towers to achieve a co-ordinated network of open spaces upon adjoining properties, and also to provide at least two hours sunlight daily for living areas in 70% of dwellings.

Achieve suitable scale + bulk by dividing floorspace into tower strcutures that have compact floorplates which are separated by deep-soil landscaping.

Design quality of facades should repsond to visibility from all quarters, and adjoining towers should display distinct variations in terms of height + profile.



Pound Road, Hornsby precinct

Key Development Principles Diagram

Strategy

For properties with buildings that are smaller than permitted by the current controls, encourage mixed use redevelopment of up to nine storeys, with residential flats above business + / or retail premises at street level, serviced by basement parking.

Enhance the existing public domain in order to encourage high levels of pedestrian activity plus a variety of new businesses + local employment.

Servicing

Prevent vehicle access from the Highway, and consolidate access to basements + service areas via the existing rear laneway.

Extend the existing rear service laneway to provide continuous two-way access between Pretoria Parade + Pound Road.

Accommodate emergency vehicle access along the laneway, and ensure that future buildings do not extend above the laneway or turning area.

Public frontages

Close the southern end of Pound Road and establish a public park.

Provide consistent landscaped setbacks along all street frontages to accommodate new avenues of street trees.

Extend existing colonnades along the Highway to provide a continuous pedestrian-friendly setting that encourages new business activities.

Maximise activity facing the Highway by providing a nearly-continuous mix of shopfronts, offices, building entrances + balconies.

Built form

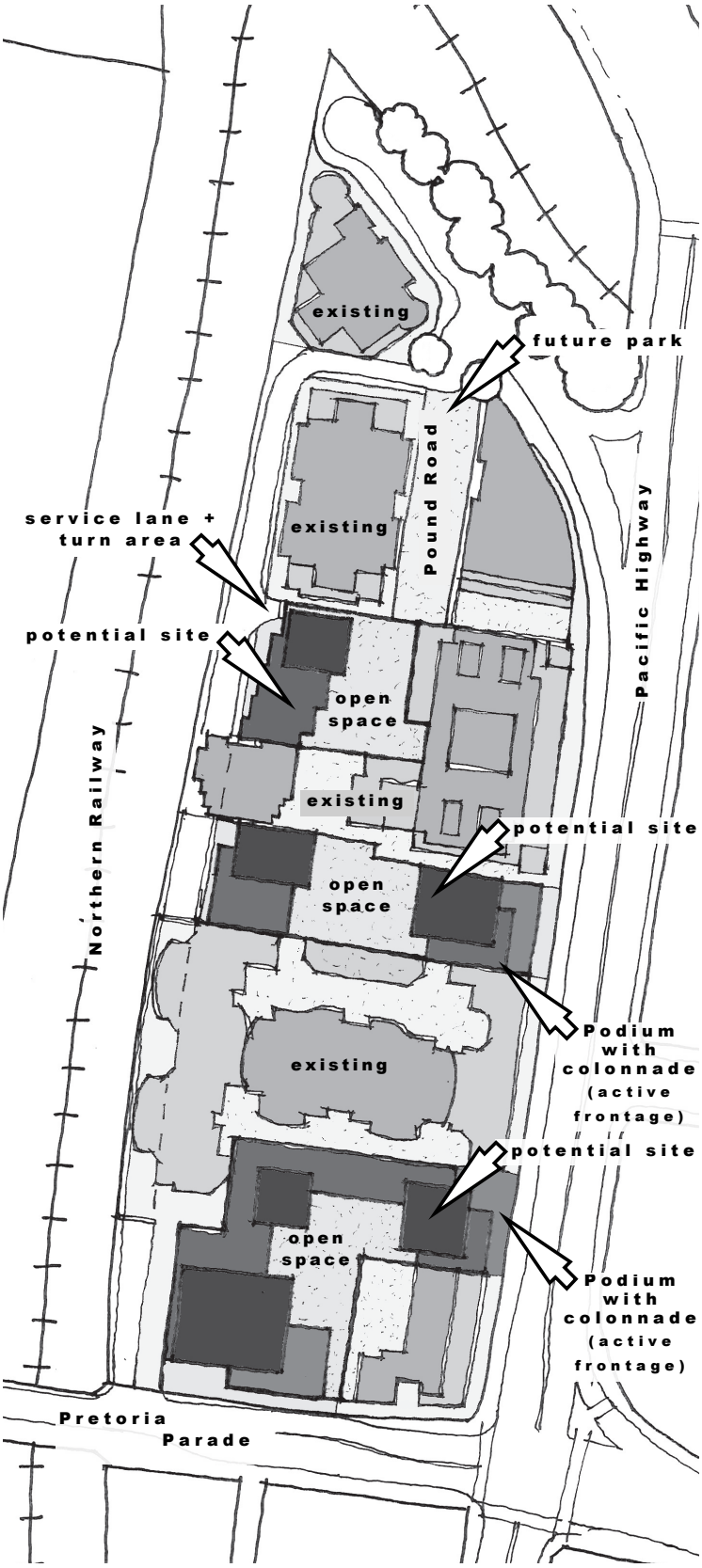
Provide a continuous podium of three storeys facing the Highway + Pretoria Parade, plus an additional setback to tower elements above the podium.

Ensure high levels of residential amenity for new + existing or approved dwellings by the appropriate siting and design of apartment towers.

Locate towers to achieve a co-ordinated network of open spaces upon adjoining properties, and also to provide at least two hours sunlight daily for living areas in 70% of dwellings.

Achieve suitable scale + bulk by dividing floorspace into tower structures that have compact floorplates which are separated by deep-soil landscaping.

Design quality of facades should respond to visibility from all quarters, and adjacent towers should display distinct variations in terms of height + profile.



Cliff Road, Epping Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly townhouses and residential flat buidlings of varying heights in garden settings, with parking in basements.

Servicing

Promote access from local streets.

If access is not available from the local streets, consolidate existing vehicle entrances on Carlingford Road.

Subject to amalgamation, close the end of Hazlewood Place + combine within a development site. Mainatin pedestrian access from Hazlewood Place to Kent Street Reserve.



Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Maintain the significant vegetation adjoining Kent Street Reserve to the north of the precinct.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account flooding and overland flow path provisions.

Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining heritage items and conservation areas: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbours.

Traffic Management Improvement Plan, Epping Precincts

Key Development Principles Diagram

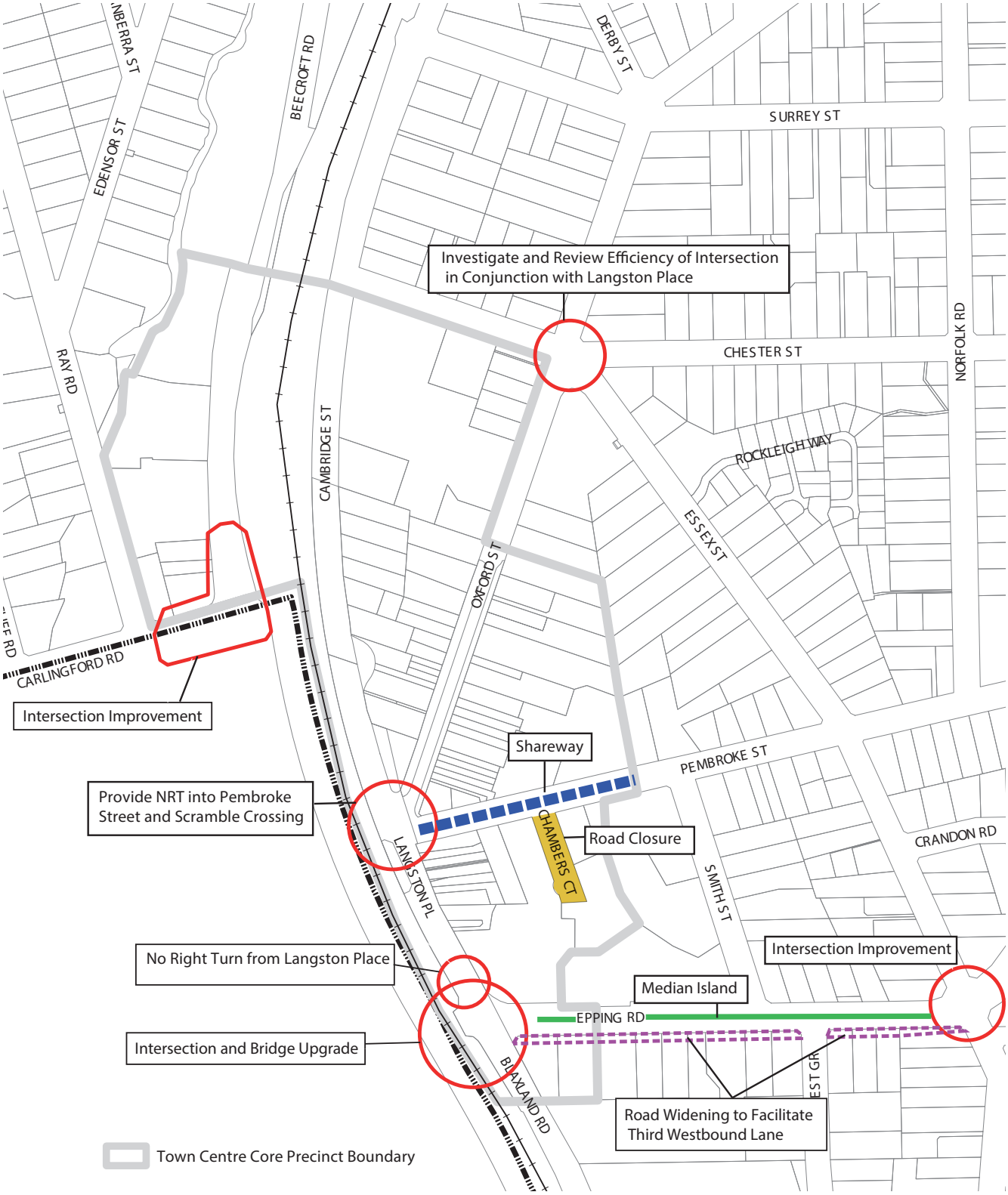


Figure 3.6 (i) : Traffic Management Improvement Plan - Epping (C)

HORNSBY
SHIRE COUNCIL



Business

Part 4

Part 4 Business

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Introduction

This Part of the DCP applies to land within the business areas of Hornsby Shire. The business areas include land within the following zones: B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core, B4 Mixed Use, B5 Business Development and B6 Enterprise Corridor.

The planning controls for the business areas are informed by the Ku-ring-gai and Hornsby Subregional Employment Study (2008) and the Dural Service Centre Retail and Commercial Study (2009). In addition, the planning controls for the Mixed Use Precincts in Section 4.4 of this chapter are informed by the Hornsby Shire Housing Strategy (2010). The commercial centres in Section 4.4 were identified by the Housing Strategy as being suitable for additional housing, in a mixed use built form, to assist meet Council's housing obligations into the future.

The planning controls for Epping Town Centre in Section 4.6 were informed by the State Government's identification of the Epping Town Centre Urban Activation Precinct and the Epping Town Centre Structure and Public Domain Plans prepared by the Department of Planning & Environment for the Precinct.

Hornsby Shire's business lands are competitively placed to attract business activity. Development in business areas will incorporate a range of employment generating land uses such as shops, offices, community facilities and services. Development should reinforce the role and function of the centre under the commercial centres hierarchy. In particular, Hornsby Town Centre, being a major centre, should be a major shopping and business centre serving the immediate and Subregional residential population with a shopping mall, Council offices, taller office and residential buildings, central community facilities and a minimum of 8,000 jobs.

Development is to be sited and designed to be environmentally sustainable, minimise land use conflicts and operate under appropriate environmental management measures to manage waste and minimise air, water and noise pollution. Development will be compatible with the existing or desired future character of the commercial area. Development will provide attractive, active and vibrant streetscapes and public domains. In mixed use developments this will involve an active commercial ground floor providing a broad podium for dwellings

Where sites contain a heritage item, are in the vicinity of a heritage item or within a conservation area, the provisions of Part 9 Heritage of the DCP apply. Changes to facades, setbacks, awnings and the like may not be feasible where heritage significance would be impacted upon.

4.1 Commercial Centres Hierarchy

4.1.1 Commercial Centres Hierarchy - within Hornsby LGA

Desired Outcome

a. Development that reinforces the role and function of the centre in the commercial centres hierarchy.

Prescriptive Measures

a. Development should reinforce the commercial centre hierarchy identified at Figure 4.1(a) and described in the following:

Strategic Centres

b. Hornsby Town Centre is a Strategic Centre serving the North District. This centre should contribute to the civic, cultural, retail and economic requirements for the District. The centre should accommodate a diversity of employment opportunities and be the primary location for offices and services.

Local Centres

c. Local Centres should provide a wide range of goods and services, including a supermarket, for the community. Trips to larger centres such as Hornsby Town Centre should only be required for higher order commodities. They typically contain a supermarket over 1,000m^2.

Neighbourhood Centres

d. Neighbourhood Centres provide a range of smallscale retail and other services that serve the convenience needs of people that live and work in the surrounding neighbourhood. Higher order retail and commercial uses that serve the wider community are not located in neighbourhood centres.

Rural Village

e. Rural villages provide retail, commercial and employment opportunities for their local community. They typically provide under 2,000m^2 of retail space, may contain a small neighbourhood supermarket (under 1,000m^2) and are zoned RU5 - Village.

Enterprise Corridors and Business Development Nodes

f. Enterprise Corridors and Business Development Nodes provide accommodation for local and district services that benefit from high levels of passing traffic such as start-up offices, light industry, motor showrooms, building supplies and bulky good retail. They provide essential population support services that meet the day to day needs of their surrounding community. They support the function of local centres.

Strategic Centre

- Hornsby TownCentre

Local Centres

- Thornleigh Village
- Cherrybrook Village
- Pennant Hills Village
- Berowra Heights Village
- Beecroft Village
- Asquith Village
- West Pennant Hills Village
- Berowra Village
- Dural Service Centre
- Galston Road Village
- Westleigh Village
- Pacific Highway Mount Kuring-Gai
- Waitara Village

Neighbourhood Centre

- Appletree Drive, Cherrybrook
- Dangar Island
- David Road, Castle Hill
- Denman Parade, Normanhurst
- Balmoral Street, Waitara
- Brooklyn Village
- Galston Road, Hornsby Heights
- Malton Road, North Epping
- Myrtle Street, Normanhurst
- Mount Colah Village
- Pacific Highway, Cowan
- Parklands Road, Mount Colah
- Wisemans Ferry
- Sefton Road, Thornleigh
- Yallambee Road, Berowra

Rural Village

- Dural Rural Village

Enterprise Corridor and Business Development Nodes

- Pennant Hills Road, Pennant Hills
- Pennant Hills Road, Thornleigh
- Pacific Highway,Waitara

Figure 4.1(a): Commercial Centres Hierarchy.(C)

4.1 Commercial Centres Hierarchy

4.1.1 Commercial Centres Hierarchy - within City of Parramatta LGA

Desired Outcome

a. Development that reinforces the role and function of the centre in the commercial centres hierarchy.

Prescriptive Measures

a. Development should reinforce the commercial centre hierarchy identified at Figure 4.1(a) and described in the following:

Major Centres

b. Hornsby Town Centre is a Major Centre serving the North Subregion. This area should provide much of the civic, cultural, retail and economic requirements for the Subregion. The centre should develop additional employment generating activities including offices and services.

Town Centres

c. Town Centres should provide a wide range of goods and services to the community. Trips to larger centres such as Hornsby Town Centre should only be required for higher order commodities.

d. While Epping has aTown Centre status within the Metropolitan Strategy, the component of the centre within Hornsby Shire operates predominately as a Village and this role should be maintained.

Stand Alone Shopping Centres

e. Carlingford is a Stand Alone Shopping Centre that is internalised and located away from other commercial areas. It contains many of the attributes of aTown Centre and may have the potential to become a traditional Town Centre in the long-term.

Villages and Small Villages

f. The smaller local centres known as Villages and Small Villages are identified in the commercial centres hierarchy.These centres should be the preferred location for small and medium scale commercial/retail uses that serve the local community and only have limited office and bulky good retail functions.

Neighbourhood Centres

g. Neighbourhood Centres provide retail and other services to the immediately surrounding residential area. The role of Neighbourhood Centres to serve the needs of local residents should be reinforced.To ensure that Neighbourhood Centres do not undermine the strength of the commercial environment of surrounding larger centres, commercial/retail uses that serve the wider community should not be located within Neighbourhood Centres.

Enterprise Corridors

h. Parts of Pennant Hills Road and the Pacific Highway function as Enterprise Corridors providing accommodation for local and regional services that benefit from high levels of passing traffic such as startup offices, light industry, motor showrooms, building supplies and bulky good retail.

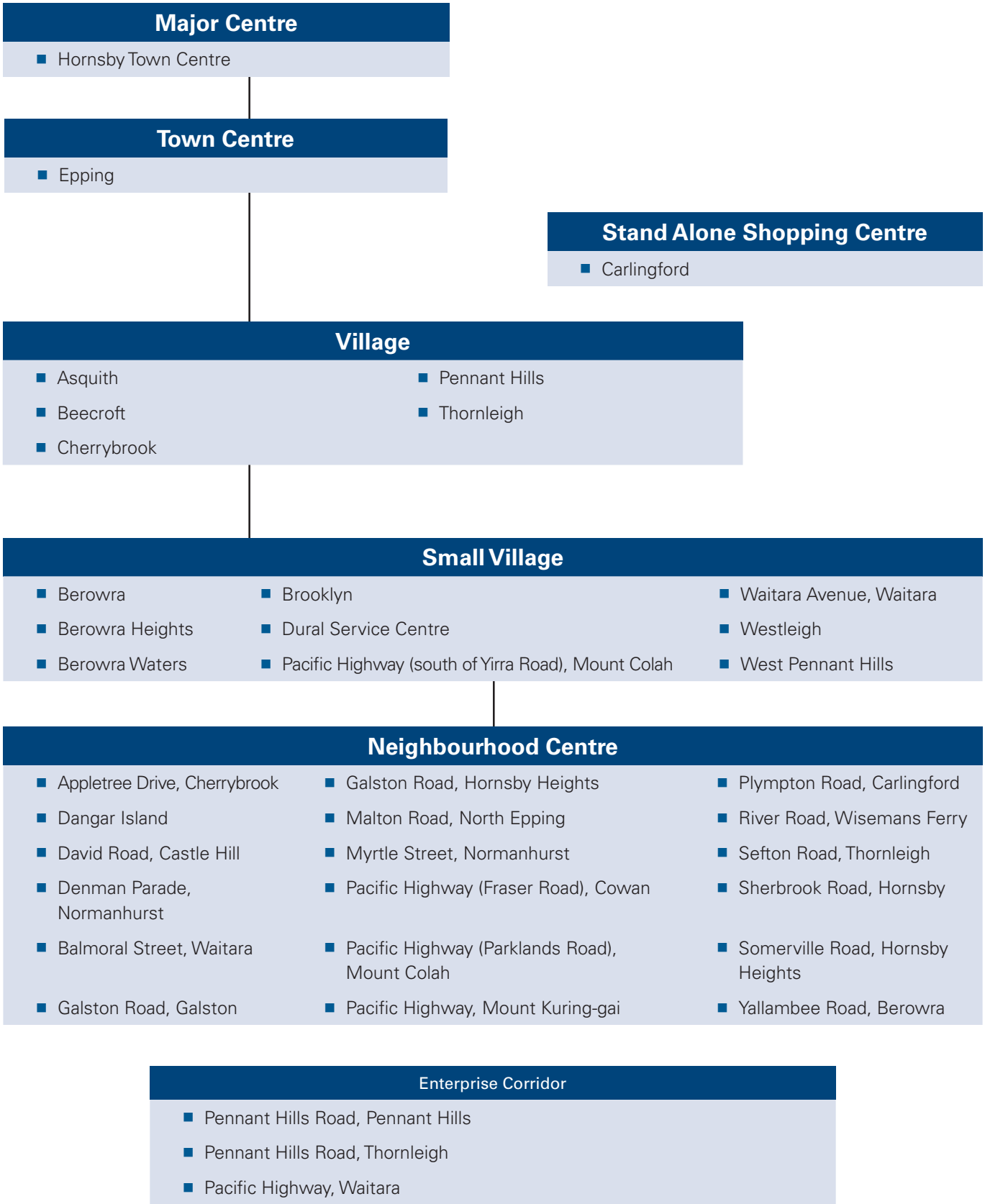

Figure 4.1(a): Commercial Centres Hierarchy.(C)

4.2 Business Lands

The following provides controls for the development of land zoned B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use, B5 Business Development and B6 Enterprise Corridor.

Some business zoned properties are not subject to the controls in this section as detailed in Table 4.2(a):

Table 4.2(a): Business Zones Subject to Other DCP Provisions

Business Zone Precincts	DCP Reference
Mixed Use Housing Strategy Precincts	
Asquith Commercial Centre precinct	4.4
Bouvardia Street, Asquith precinct	4.4
Palmerston Road, Waitara precinct	4.4
Normanhurst Road, Normanhurst precinct	4.4
Pennant Hills Road, Thornleigh precinct	4.4
Thompsons Corner, West Pennant Hills precinct	4.4
Carlingford Road, Carlingford precinct	4.4
Hornsby Town Centre	4.5
Epping Town Centre	4.6

4.2.1 Scale within Hornsby LGA

Desired Outcome

a. Development with a height, scale and intensity compatible with the role and function of the centre under the commercial centres hierarchy.

Prescriptive Measures

Height

a. Sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.2.1(a).

Table 4.2.1(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Mixed Use Building Maximum Storeys (excluding basement carparking)	Commercial Building Maximum Storeys (excluding basement carparking)
I	8.5m	2	2
K	10.5m	2	2
M	12m	3	3
N	14.5m	4	3
O1	16m	4	4
O2	16.5m	5	4
Q	20.5m	6	5
S	23.5	7	6
U	32.5m	10	8
X	48m	15	12
AA	72m	22	18

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. A podium should be provided in accordance with the applicable Masterplan in Section 4.3. Where podium controls are not specified on a Masterplan, buildings should incorporate a podium that:

- presents a human scale at the street frontage,
- incorporates commercial floor space,
- has a maximum height of 8.5 metres (2 storeys),
- incorporates a minimum setback of 3 metres from podium facades for upper levels facing a primary or secondary street, and

4.2 Business Lands

The following provides controls for the development of land zoned B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use, B5 Business Development and B6 Enterprise Corridor.

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Thompsons Corner, West Pennant Hills precinct	4.4
Carlingford Road, Carlingford precinct	4.4
Hornsby Town Centre	4.5
Epping Town Centre	4.6

4.2.1 Scale within City of Parramatta LGA

Desired Outcome

a. Development with a height, scale and intensity compatible with the role and function of the centre under the commercial centres hierarchy.

Prescriptive Measures

Height

a. Sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.2.1(a).

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P	17.5m	5	4
Q	20.5m	6	5
S	23.5	7	6
U	32.5m	10	8
X	48m	15	12
AA	72m	22	18

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. A podium should be provided in accordance with the applicable Masterplan in Section 4.3. Where podium controls are not specified on a Masterplan, buildings should incorporate a podium that:

- presents a human scale at the street frontage,
- incorporates commercial floor space,
- has a maximum height of 8.5 metres (2 storeys),
- incorporates a minimum setback of 3 metres from podium facades for upper levels facing a primary or secondary street, and

- has an active frontage to the public domain.

d. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

Floor Space Ratio

e. The maximum floor space ratio for business lands shall be in accordance with the HLEP *Floor Space Ratio Map* as follows:

Table 4.2.1(b): Summary of HLEP FSR Provisions

HLEP Area	Maximum Floor Space Ratio
D	0.5:1 (+ FSR variations for Area 5)
F	0.6:1 (+ FSR variations for Area 7)
H	0.7:1
I	0.75:1
L	0.9:1
N	1:1 (+ FSR variations for Areas 4, 5 & 6)
S	1.5:1
T	2:1
Y	4.5
AA	6

f. On identified sites, Council may consent to development that results in a variation to the floor space ratio shown on the Floor Space Ratio Map. The requirements regarding the floor space ratio variation are provided in Clause 4.4 of the HLEP.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

A mixed use building described above comprises a building with a commercial podium and residential floors above.

Shop top housing means one or more dwellings located above ground floor retail premises or business premises.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Refer to Part 9 Heritage of this DCP for additional heritage controls.

As detailed in Clause 4.5 of the HLEP, the floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of gross floor area.

Storey controls are based on a typical industrial floor to floor height of 5 metres, commercial floor to floor height of 4 metres, residential floor to floor height of 3 metres and some roof projections. The storey controls provided in the DCP are a best fit for the height controls (metres) provided in the HLEP.

4.2.2 Setbacks

Desired Outcome

a. Setbacks that complement the streetscape and establish a "pedestrian-friendly" scale for primary and secondary retail frontages.

b. Setbacks that maintain the amenity of adjoining land uses.

Prescriptive Measures

General

a. Buildings should comply with the locality setback diagrams in this element, Figures 4.2(b) to 4.2(i).

b. Where controls are not specified on the setback diagrams, all buildings and structures should comply with the setbacks prescribed in Table 4.2.2(a):

Table 4.2.2(a): Minimum Boundary Setbacks

Setback	Minimum Building Setback
Front Boundary (to all roads)	0m
Side Boundary (including balconies)	0m unless adjoining a residential or open space zone
Rear Boundary	0m unless adjoining a residential or open space zone
Side and Rear Boundaries (where the site adjoins a residential or open space zone)	A minimum of: 1m for buildings up to 8.5m high, and 3m for buildings above 8.5m high

c. Where a property adjoins a boundary with a residential landuse, greater setbacks may apply to the upper storeys in accordance with the separation controls in Section 4.2.5 Privacy and Security.

d. A podium should be provided in accordance with the applicable Masterplan in Section 4.3. Where podium controls are not specified in the DCP, buildings should incorporate a 8.5 metre (2 storey) podium with floorspace above that is setback at least 3 metres from the external enclosing walls of the commercial podium facade below.

e. A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items.

Setbacks to Landscape Features

f. The setback of buildings and ancillary facilities from the property boundary may need to be increased to maintain landscape features, as detailed in Section 4.2.4 of this DCP.

Setback Encroachments

g. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Roof eaves and awnings,
- Pergolas for private or communal open spaces which are situated upon a podium,
- Sunshades and screens, and
- Blade columns which support roofs or sunshades.

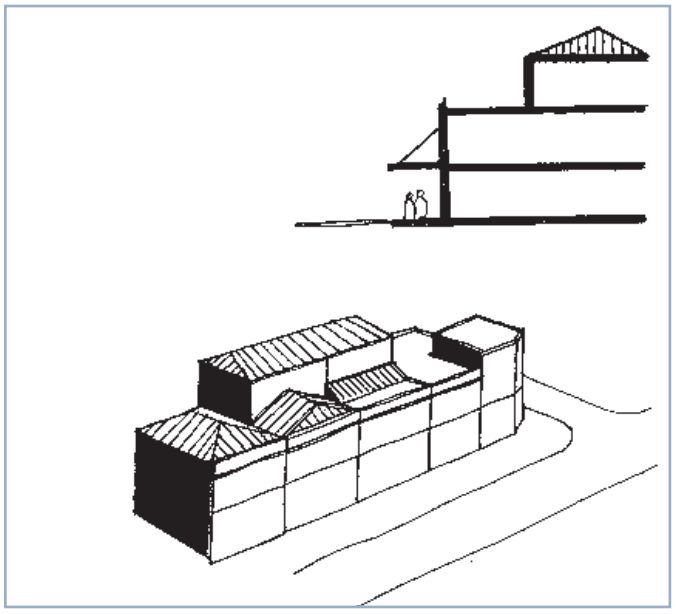


Figure 4.2(a): Setback principles, including a podium.(I)

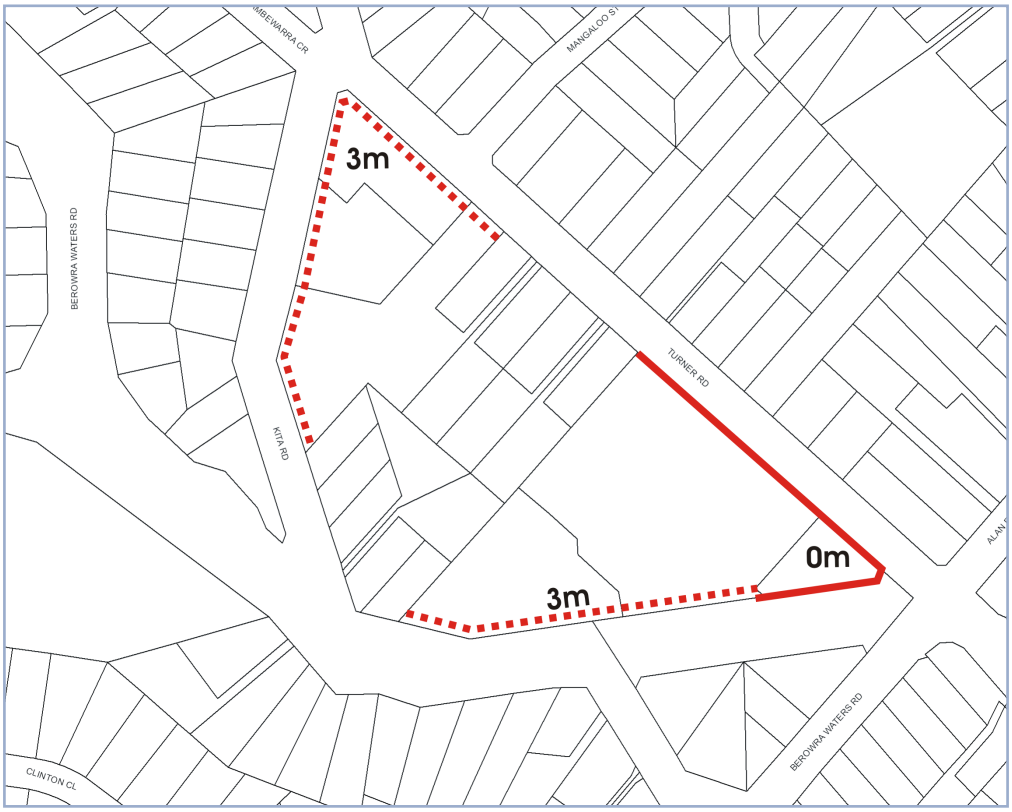


Figure 4.2(b): Berowra Heights Setbacks. (C)

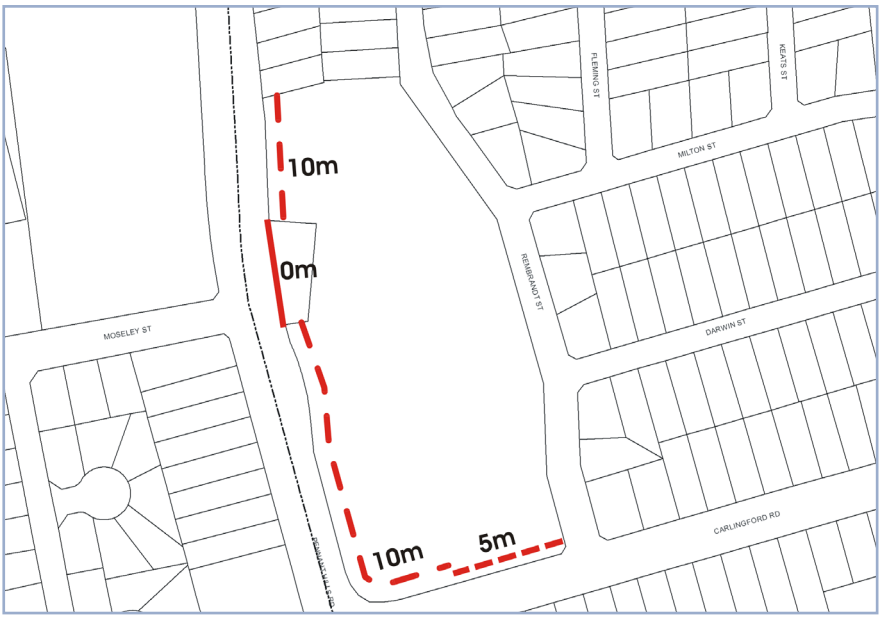


Figure 4.2(c): Carlingford Setbacks.(C)

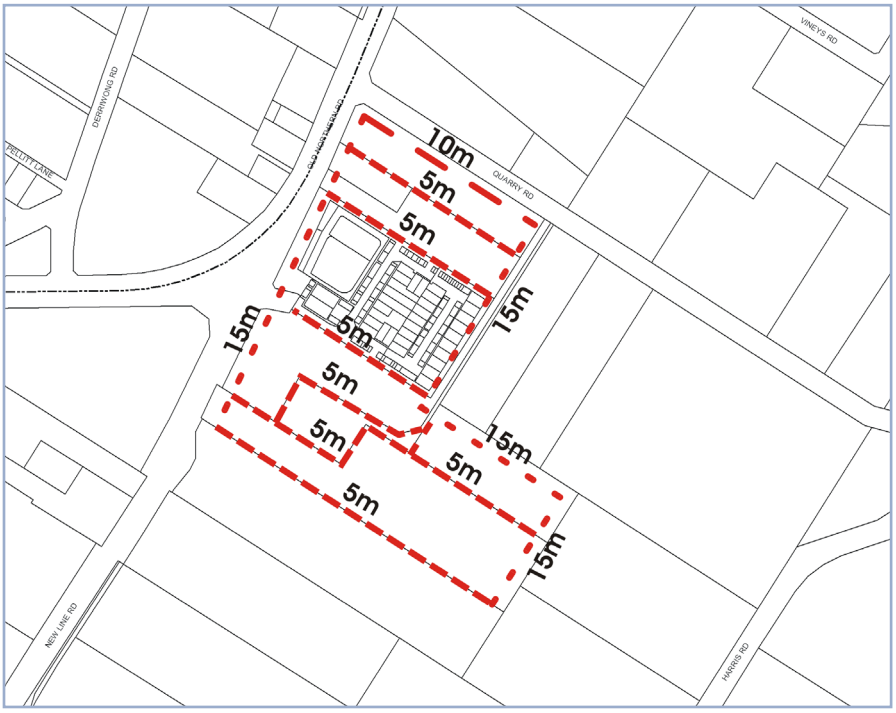


Figure 4.2(d): Dural Service Centre Setbacks.(C)



Figure 4.2(e): Hornsby (Bridge Road) Setbacks. (C)

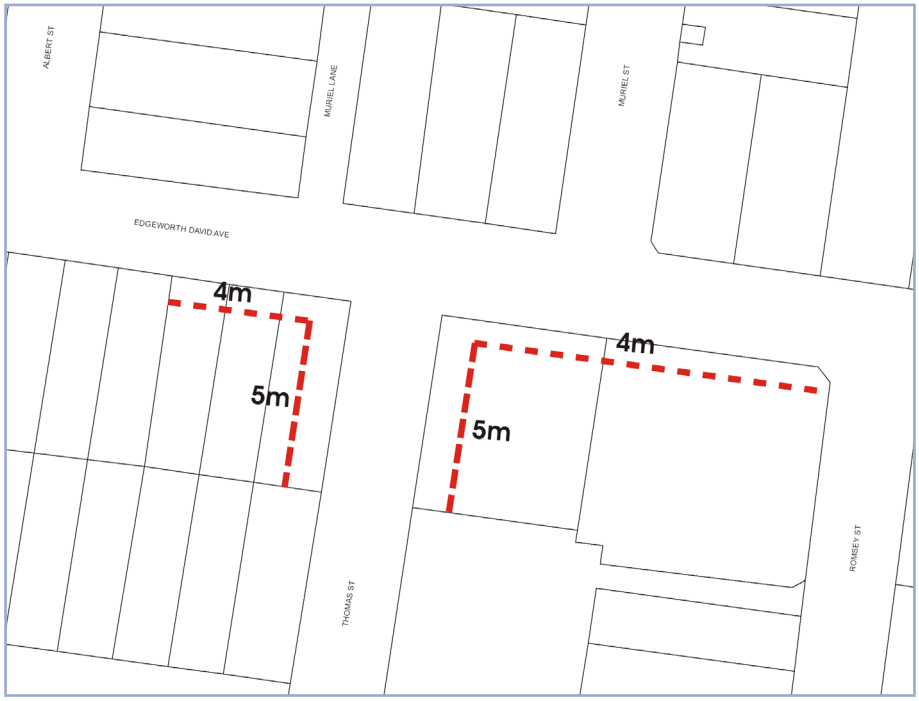


Figure 4.2(f): Hornsby (Romsey Street) Setbacks.(C)

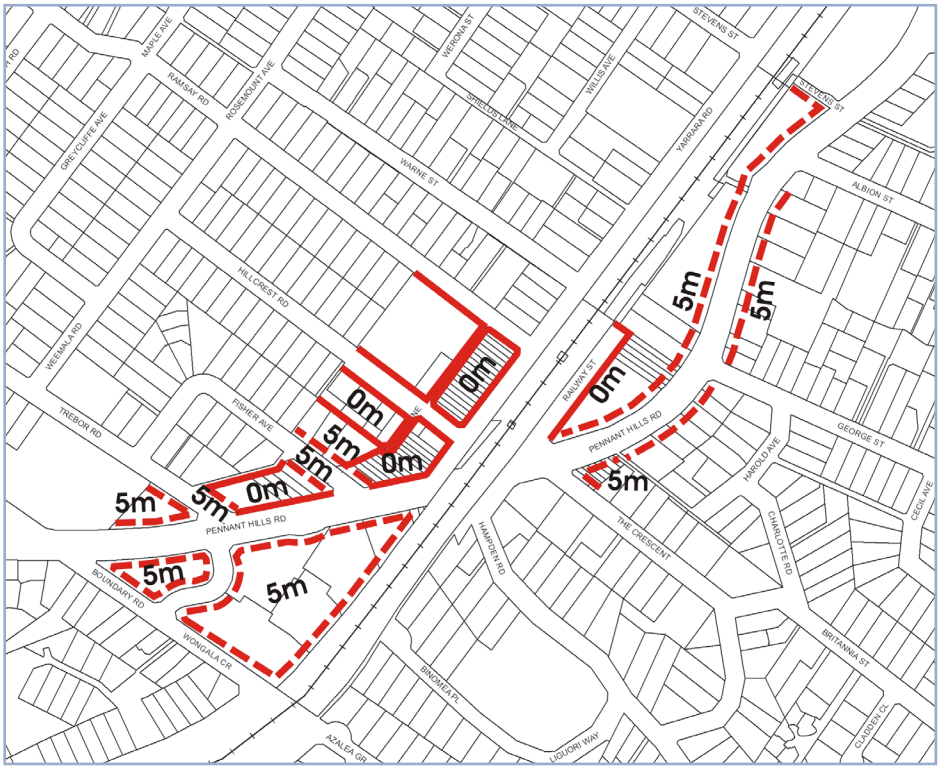


Figure 4.2(g): Pennant Hills Setbacks.(C)

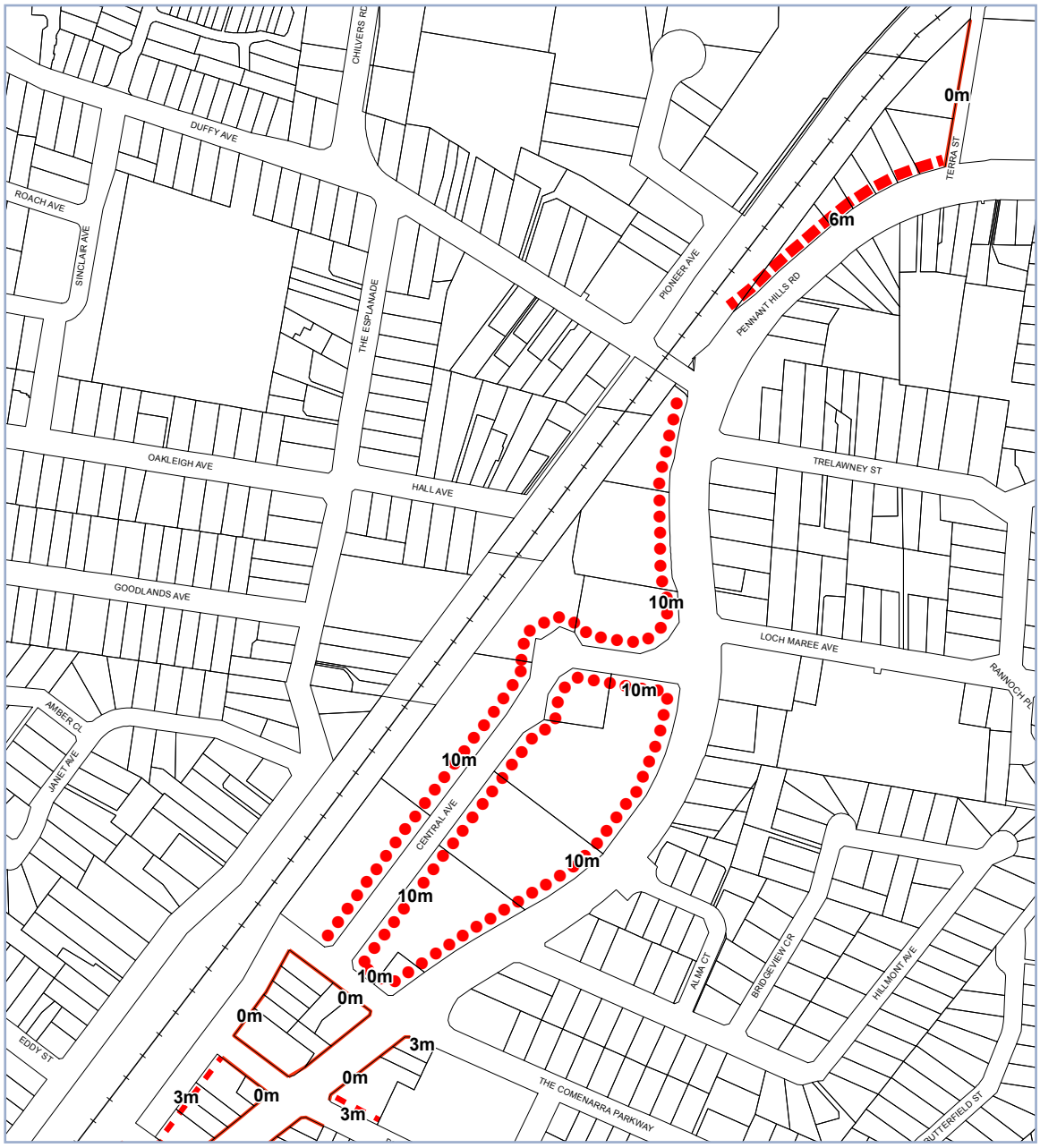


Figure 4.2(h): Thornleigh Setbacks. The setback controls in Section 4.4 of the DCP superseed the above setback diagram in the event of any inconsistency.(C)

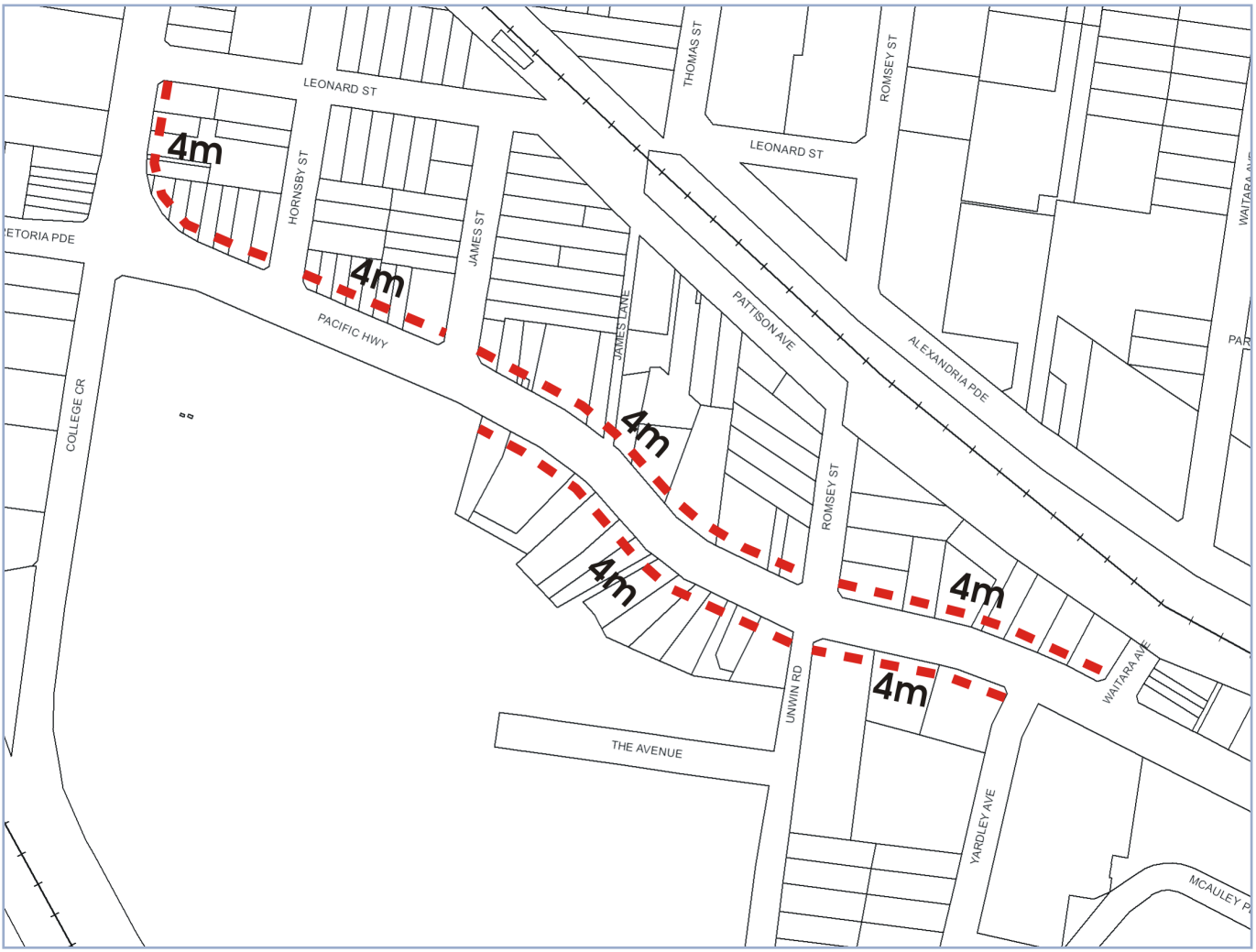


Figure 4.2(i): Waitara Setbacks.(C)

4.2.3 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

Prescriptive Measures

General

a. Public places including parks and squares should be provided in accordance with the adopted Masterplans.

Private Open Space

b. Every dwelling should be provided with a principal private open space in accordance with Table 4.2.3(a).

Table 4.2.3(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m^2	1m
1 Bed Unit	8m^2	2m
2 Bed Unit	10m^2	2m
3+ Bed Unit	12m^2	2.4m
Ground or podium level	15m^2	3m

c. Private open spaces should be designed as "outdoor rooms" that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

d. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

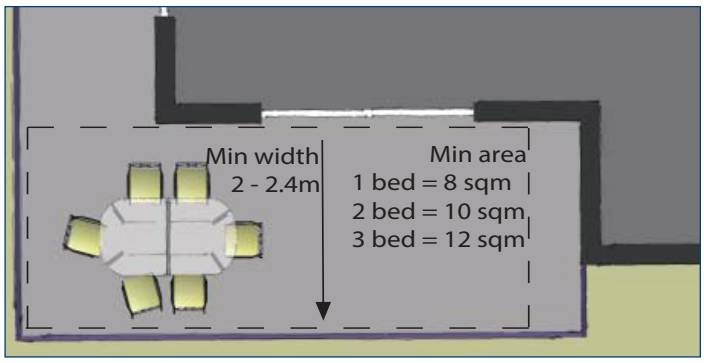


Figure 4.2(j): Private open space in a residential flat.(l)

Clothes Drying Area

e. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal area.

Communal Open Space

f. A principal communal open space area should be provided for 8-10 storey developments with more than 10 dwellings as follows:

- be located on a podium,
- have a minimum area of 50m2,
- have a minimum dimension of 6 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby,
- be sited and designed to protect the amenity of adjacent dwellings, and
- provide for some shade protection during summer.

4.2.4 Landscaping

Desired Outcome

a. Development that contributes to attractive streetscapes by providing shade along pedestrian frontages and screen planting along boundaries.

b. Development that preserves significant trees that add to the environmental character of the commercial centre.

Prescriptive Measures

General

a. Landscaping should be included in building setback areas to complement the appearance of the building.

b. Setbacks from sensitive areas should be fully landscaped.

c. Primary and secondary retail frontages should be landscaped with tree-plantings combined with paving in accordance with the following:

- Street tree planting should be provided where appropriate having regard to site lines, footpath widths, underground services and awnings. Consideration should be given to the use of trees to provide shade in summer and allow sunlight in winter when selecting and positioning trees.
- Pavements within each precinct should be of a consistent design, constructed of durable and non-slip modular units that are resistant to fading, discolouration and chipping, and that may readily be removed and replaced following future installation of in-ground services.

d. Landscaping along Old Northern Road and New Line Roads should incorporate grass swales and dense vegetation planting.

Shop Top Housing

e. Residential levels should be landscaped with native or exotic species in planter boxes watered by recycled grey water or stormwater to provide screening.

f. Where communal open space is required, these spaces should include lawn areas surrounded by hedges of shrubs.

Retention of Landscape Features

g. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

h. Fencing is discouraged in the primary and secondary boundary setbacks.

i. Allotments adjoining residential lands should be fenced with appropriate residential style fencing.

j. Fencing enclosing private residential courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

k. Fencing associated with development in the Dural Service Centre should not be provided within the setback areas of main or local roads.

Notes:

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at hornsby.nsw.gov.au as part of the development.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

4.2.5 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. For development at the interface of a commercial area and a residential zone, development should encourage views from the commercial area to the horizon rather than downward onto residential areas.

b. The commercial and residential component of development should be distinguished in terms of building entries and private, communal and public open space.

c. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

d. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

e. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

f. Where communal open space is required, balconies, terraces or bedroom windows near communal areas should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

g. Common residential lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

Security

h. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

i. Private open spaces, living room windows, commercial unit windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

j. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows so that hallways may overlook the street or communal areas.

k. Where a mix of land uses are proposed, separate, secure access should be provided to lift lobbies, basements and communal storage areas.

Notes:

A privacy screen means a screen that is at least 1.5 metres high, measured from the floor level, and has no individual opening more than 30 millimetres wide, and has a total of all openings less than 30 percent of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

4.2.6 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide reasonable solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

General

a. On 22 June, public open space areas, plaza areas and footpaths should receive 2 hours of sunlight between 9am and 3pm to at least 50% of the area.

b. On 22 June, at least 70 percent of dwellings should receive 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

c. Principal communal open space should receive a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).

d. Every habitable room should have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.

e. A window should be visible from any point in a habitable room.

f. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

4.2.7 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable and Universal Design housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Housing and Adaptable Housing.

4.2.8 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

Vehicular Access

a. Access to garages and storage areas should be confined to side and rear facades, with access from main roads avoided.

b. For development in the Dural Service Centre, vehicular access to New Line Road should be via service lanes and vehicular access to Old Northern Road should be via service roads, in accordance with the Traffic Management Strategy as discussed at Section 4.2.9.

Note:

Refer to Part 1 'General' of the DCP for car parking, service vehicle, bicycle parking provisions and ancillary general design requirements.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

Parking

c. On-site car parking should:

- be provided behind buildings or beneath buildings in a basement,
- not be sited within a front setback area,
- be accessed via rear laneways or side streets where available,
- be screened from the street and other public areas by landscaping,
- design the basement car park entrance to incorporate other facade elements such as overhanging balconies or side planter boxes in the composition of the facade,
- All ramps are to be designed as two way ramps accordance with AS 2890.1 and AS 2890.2, and
- All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2.

Ancillary Fixtures and Facilities

d. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

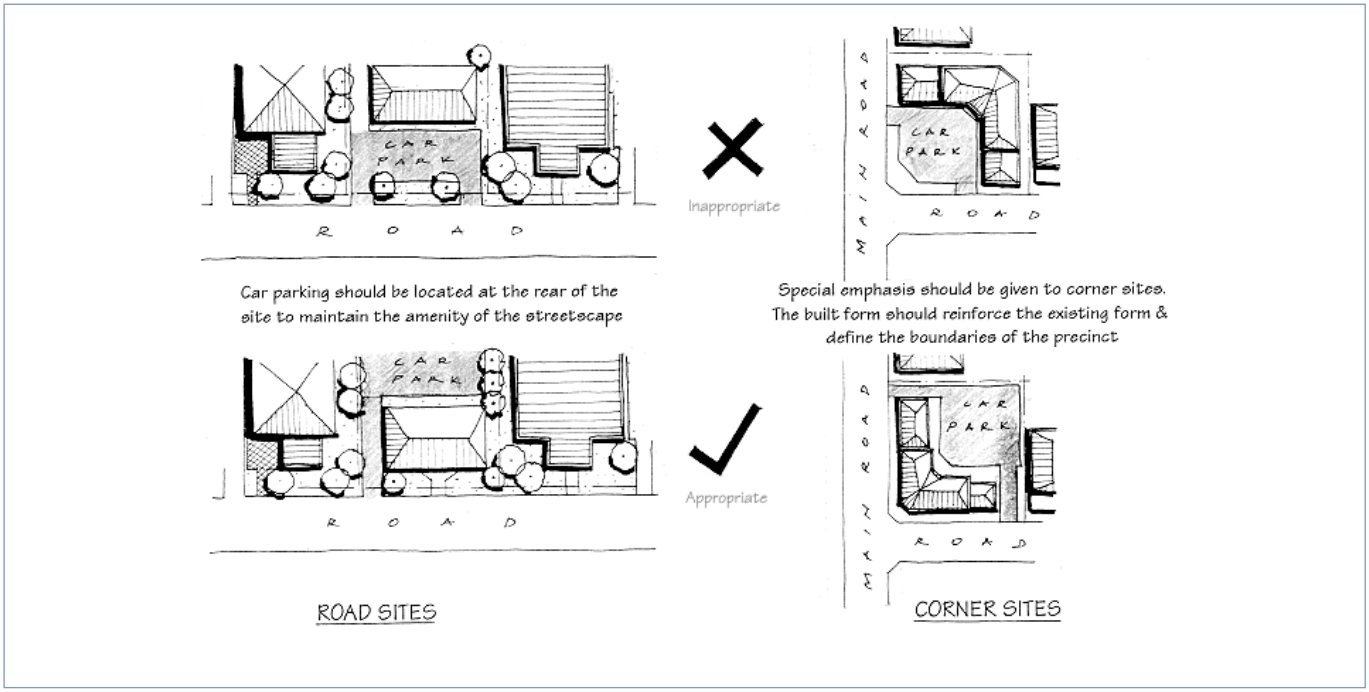


Figure 4.2(k): Car park siting principles.(l)

4.2.9 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Public Domain

a. Development of the public domain should make each precinct an attractive place that encourages development and provides amenity for workers, residents and visitors.

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. Dedicated pedestrian paths should be provided in front of businesses and continuous awnings should be provided along principal active street frontages.

d. Pedestrian linkages shown on the Town Centre Masterplans (see Section 4.3) and Town Centre Linkage diagrams (see Annexure B) should be provided and reinforced as safe, accessible and vibrant pedestrian areas.

e. Mixed use development within centres should enhance the role of the public domain as a meeting and gathering place and should encourage active use of the public domain through active street frontages.

f. Balconies should not be located on, or overhang the road reservation.

g. For development incorporating shopfront awnings, the awnings should be continuous and setback from the edge of the kerb in accordance with Council or the Roads and Maritime Services requirements.

Outdoor Dining

h. Outdoor dining areas should be located in areas with good amenity, landscape, outlook, solar access in winter, shading in summer and a compatible local traffic environment.

Note:

Outdoor dining proposed on Council land should comply with *Council's Outdoor Dining Code*.

Traffic Management Works

i. Traffic management works should be undertaken in accordance with the traffic improvements identified in the Town Centre Masterplans (see Section 4.3) and Figure 4.2(m) Traffic Improvement Plan.

j. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

k. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Note:

This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

Dural Service Centre - Traffic Management

l. Applicants should liaise with the Roads and Maritime Services and Council to determine the extent of any road works required along New Line Road, in accordance with the Traffic Management Strategy (see Figures 4.2(m) and 4.2(n).

m. Service lanes should be provided in accordance with the Traffic Management Strategy (see Figures 4.2(m) and 4.2(n).

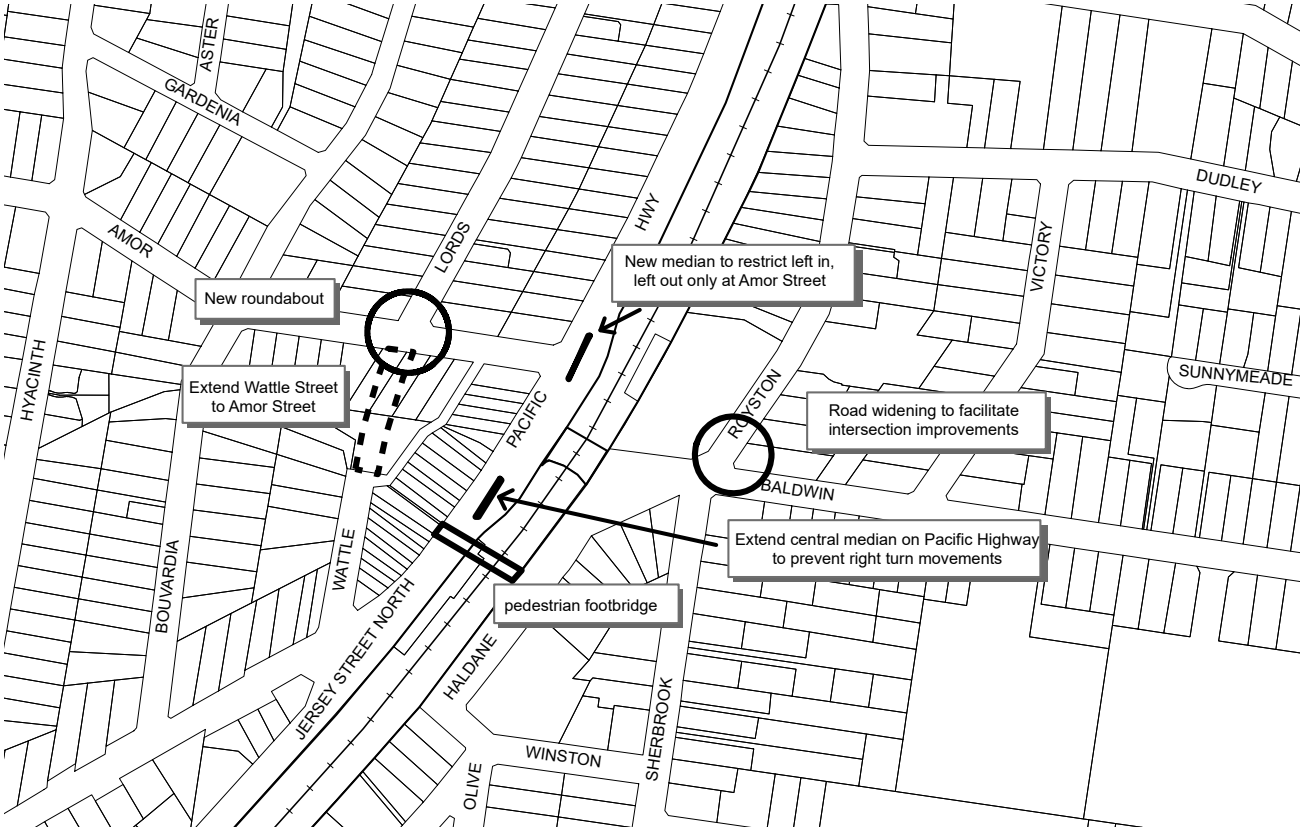


Figure 4.2(I): Traffic Management Improvement Plan - Asquith.(C)

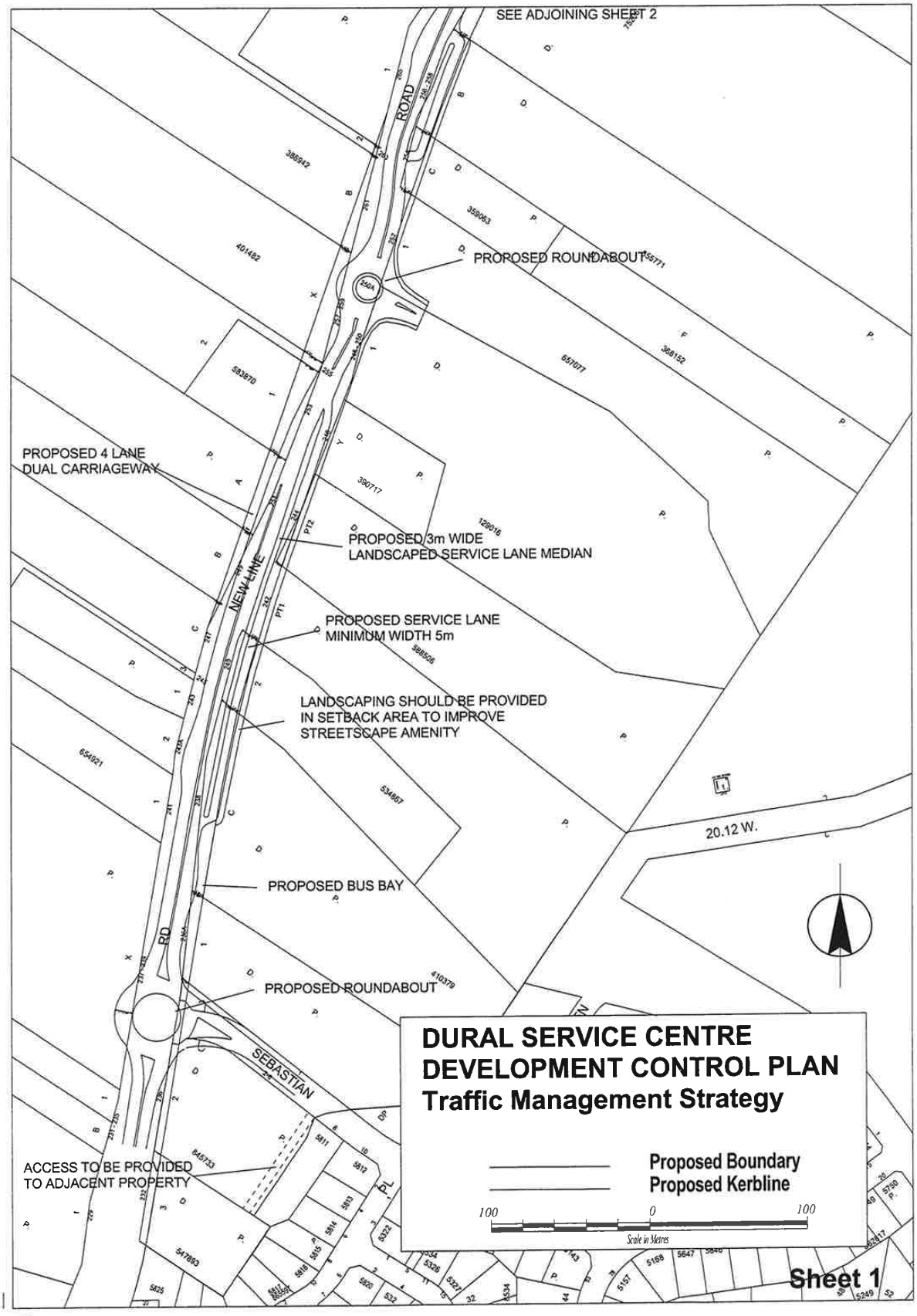


Figure 4.2(m): Dural Service Centre Traffic Management Strategy - Sheet 1.(C)

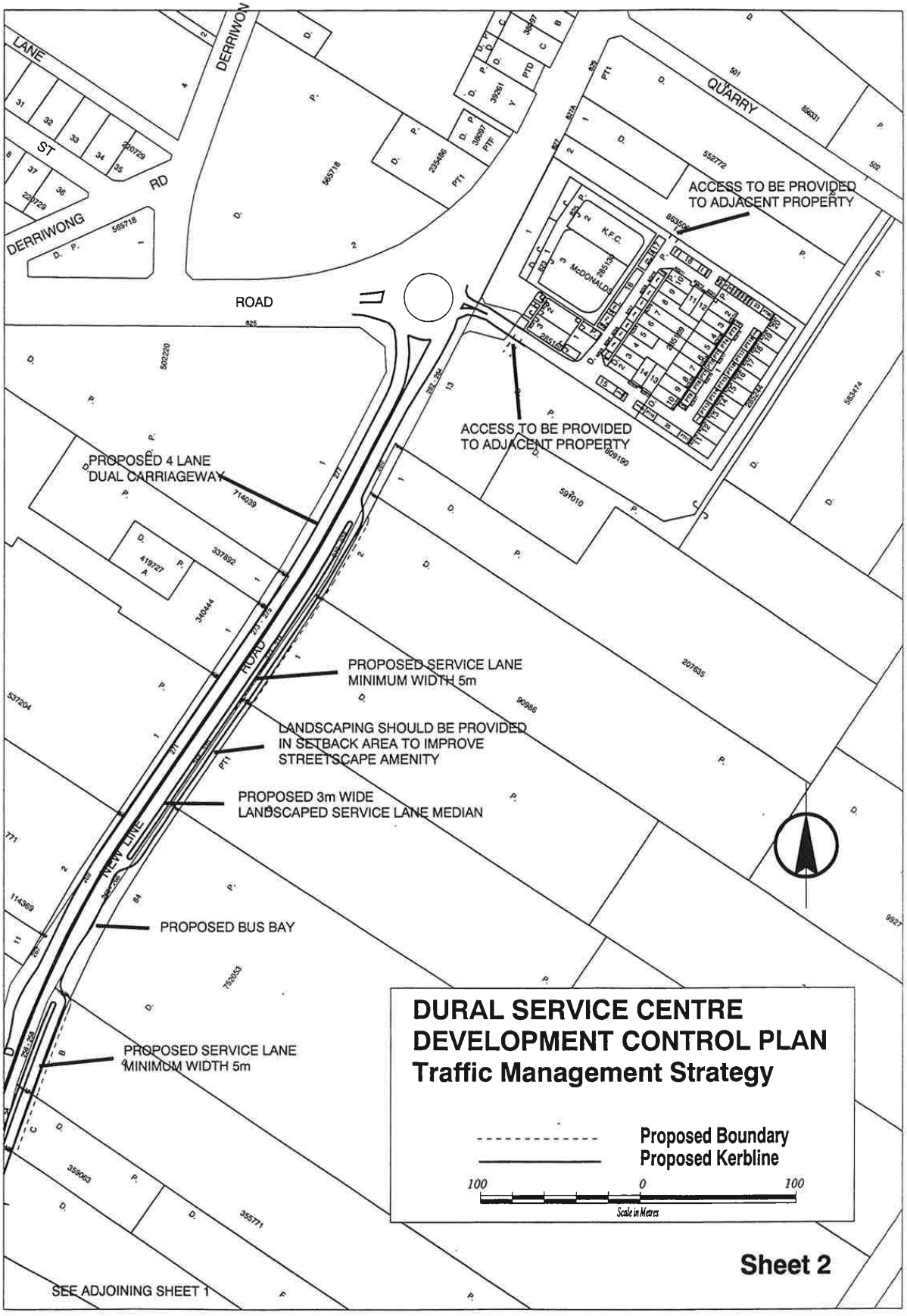


Figure 4.2(n): Dural Service Centre Traffic Management Strategy - Sheet 2.(C)

4.2.10 Design Details

Desired Outcome

a. Development that contributes positively to the streetscape and the creation of a vibrant active precinct.

Prescriptive Measures

General

a. Building design should:

- have an external appearance that provides for a distinctive base, middle and top,
- provide active commercial ground floor uses that are at the same general level as the public footpath and are accessible directly from the public domain,
- provide frontages on upper levels that facilitate passive surveillance of the street,
- incorporate awnings that relate to the architecture of the facade and provide for continuous shelter for pedestrians, and
- embody active living principles.

b. Corner buildings should be designed to:

- address both streets,
- incorporate distinctive features to enhance the streetscape, and
- incorporate a splayed or square recess treatment to give form to the intersection and provide more circulation space for pedestrians at the corner.

c. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

Note:

These controls apply to all developments unless contrary to the Masterplans that prevail in the event of any inconsistency.

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist* and the National Heart Foundation's *Blueprint for an Active Australia.*



Figure 4.2(p): A two - three storey development with an active commercial ground floor.(I)

Facades

d. Continuous active frontages are to incorporate windows and doors and avoid long expanses of blank walls along street frontages or other public areas.

e. Infill buildings should be designed to reinforce continuity, symmetry and unity in the streetscape (see Figure 4.2(q)).

f. Materials should relate to the context of buildings within the area to achieve continuity and harmony.

g. Large areas of glass may be included, however, mirror glass with a reflectivity in excess of 15 percent should be avoided.

h. Where adjacent to bushland areas, buildings should have recessive colours and external finishes consistent with the nearby bushland areas (i.e. grey greens, grey blues, browns etc).

i. A balance between horizontal and vertical elements should be provided through careful placement of windows, colour patterns and signage.

j. Security screens, grilles and bars should provide minimum 60 percent transparency.

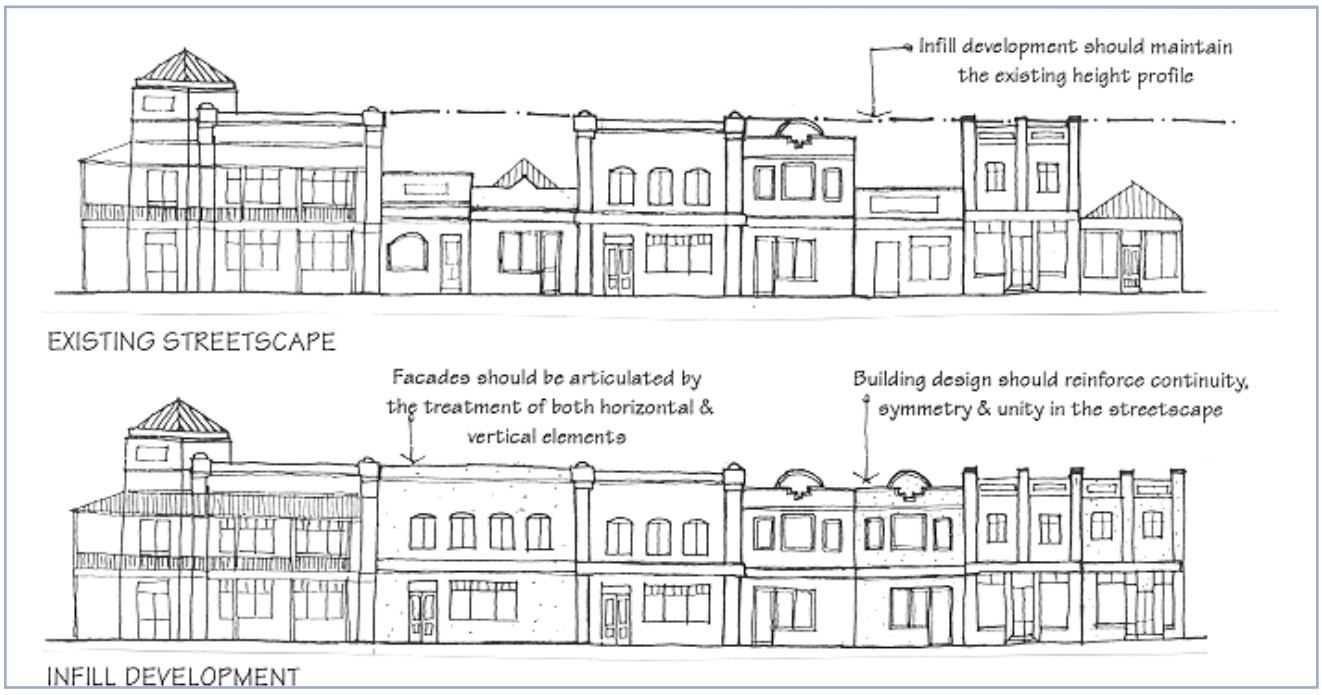


Figure 4.2(o): Infill development design principles.(C)

4.3 Town Centre Masterplans

4.3.1 Town Centre Masterplans - General

Desired Outcome

a. Orderly development that is consistent with the principles in the Town Centre Masterplans.

Prescriptive Measures

a. Town Centre Masterplans apply to the following localities:

- Berowra,
- Galston,
- Mount Colah, and
- Pennant Hills.

b. Development should be designed to embody the principles of the relevant Town Centre Masterplans.

c. Vehicular access should be rationalised in accordance with the relevant Masterplan.

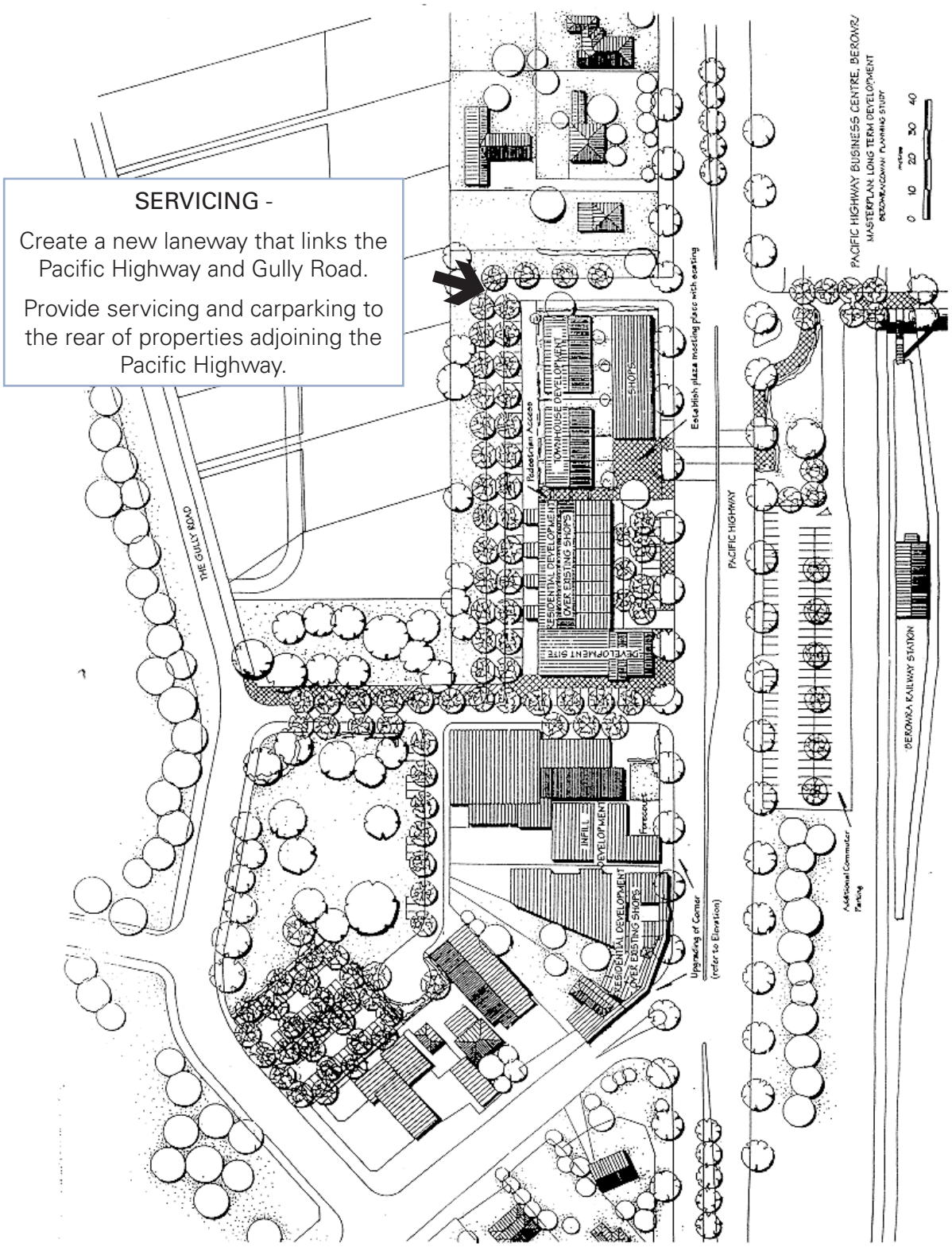
d. Pedestrian thoroughfares should be provided in accordance with the relevant Masterplan.

Note:

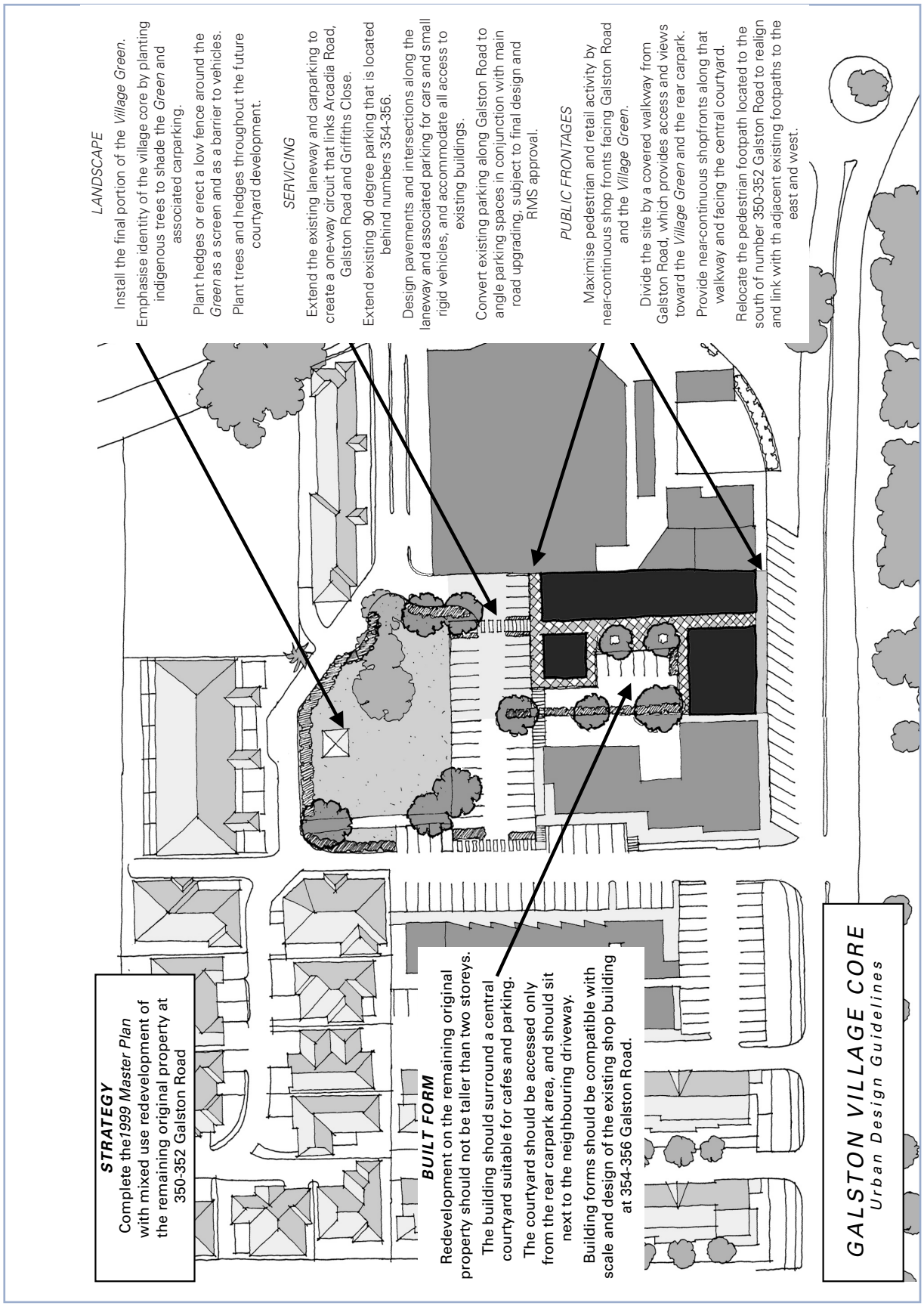
The Masterplan diagrams are indicative only and are not to scale.

The Masterplan may comprise one or more diagrams for a locality. All of the diagrams comprise prescriptive measures.

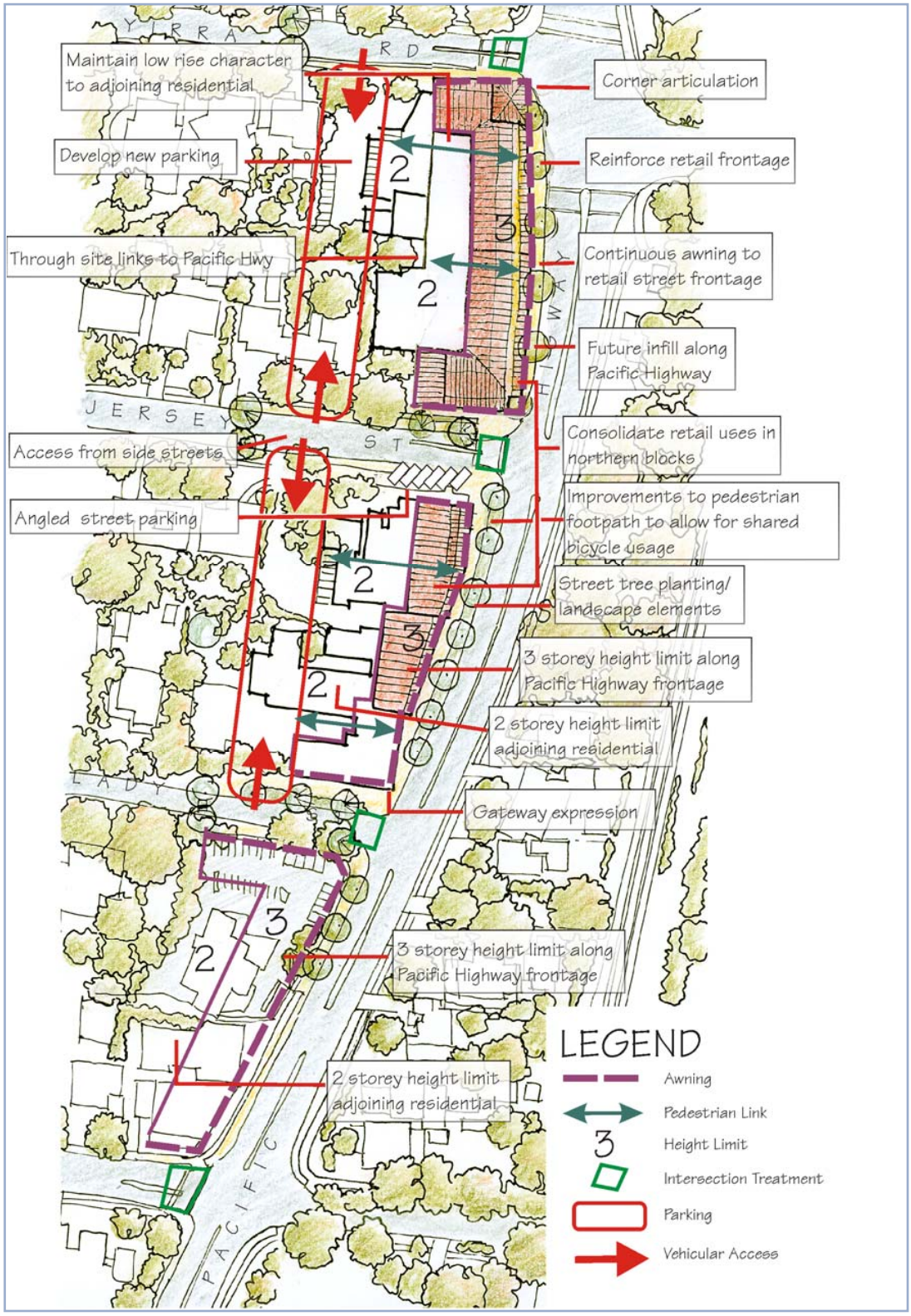
Berowra Town Centre Masterplan



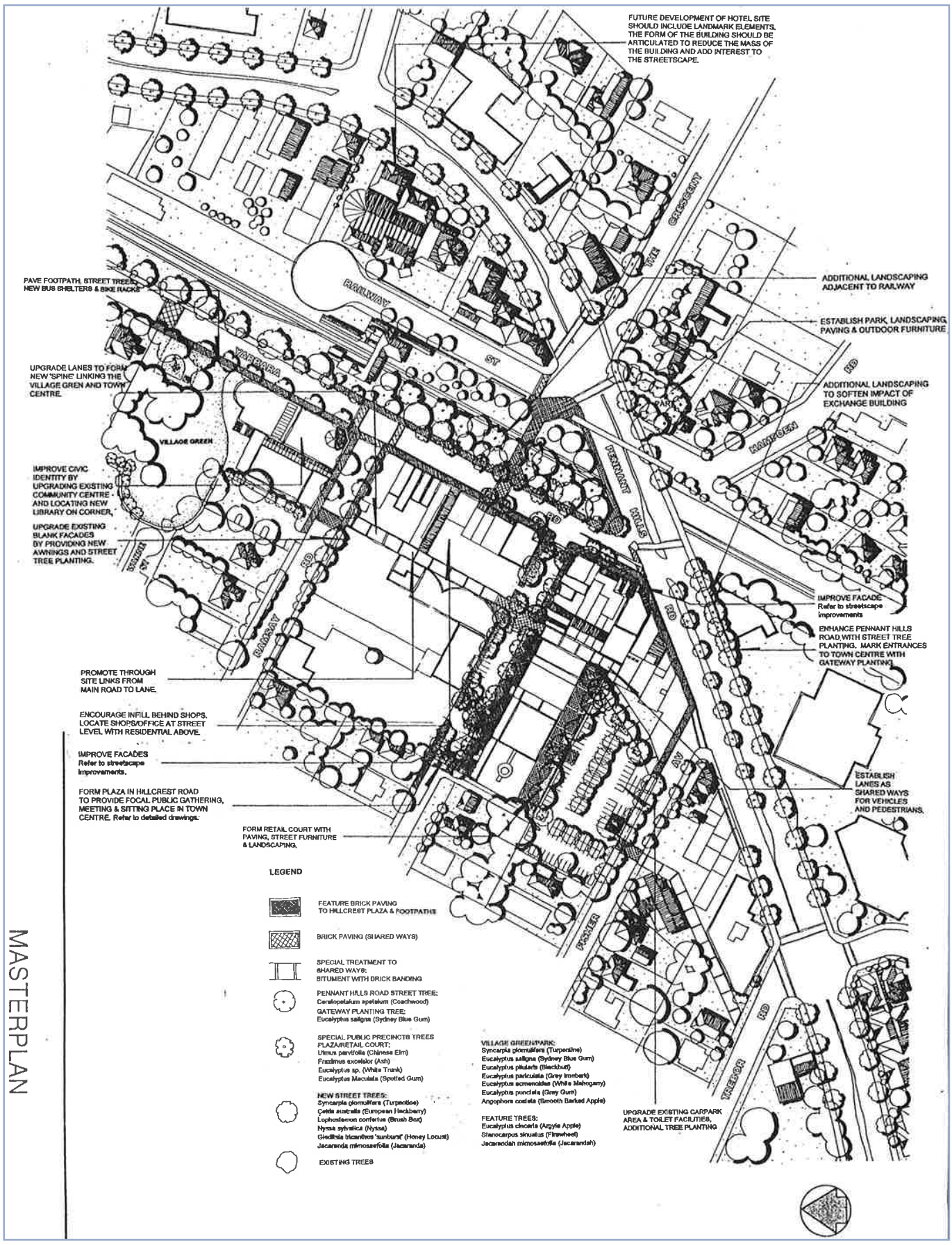
Galston Town Centre Masterplan



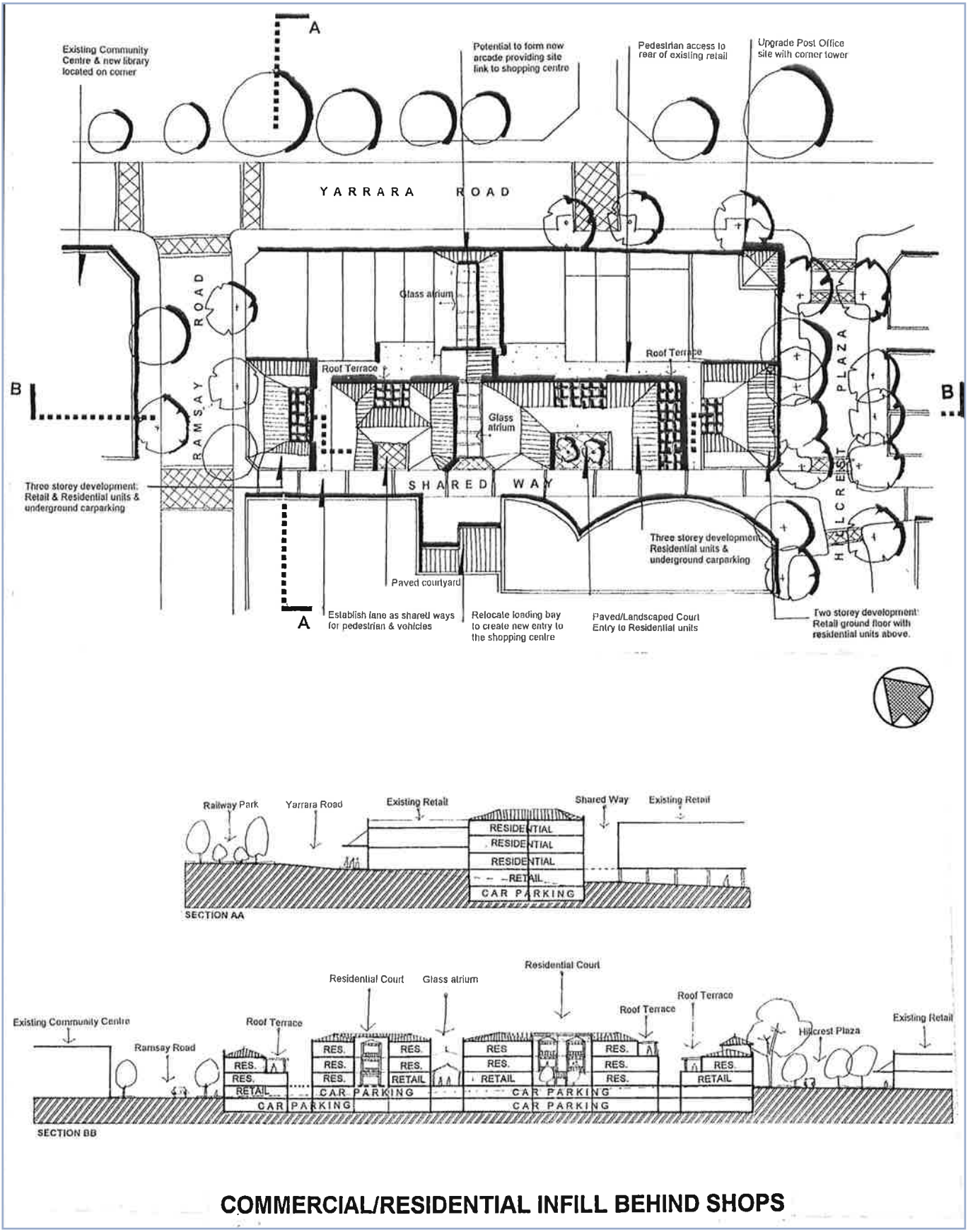
Mount Colah Town Centre Masterplan



Pennant Hills Town Centre Masterplan

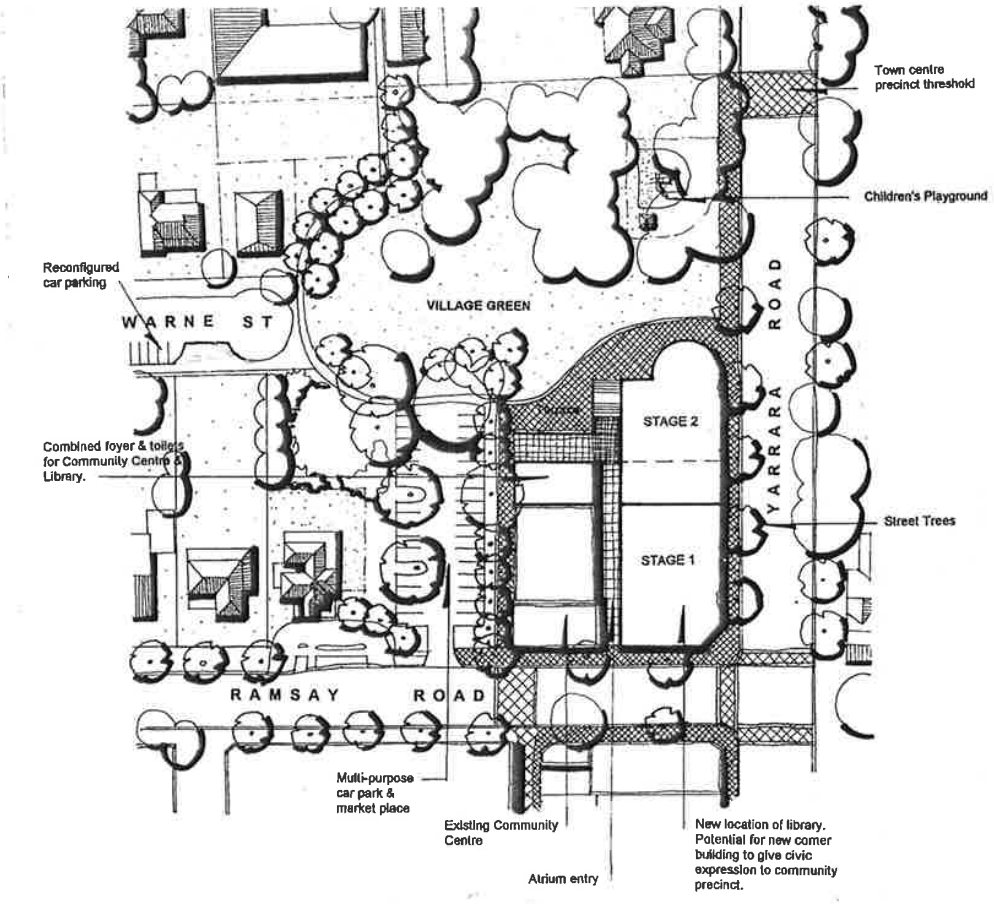


Pennant Hills Town Centre Masterplan - Urban Design Guidelines

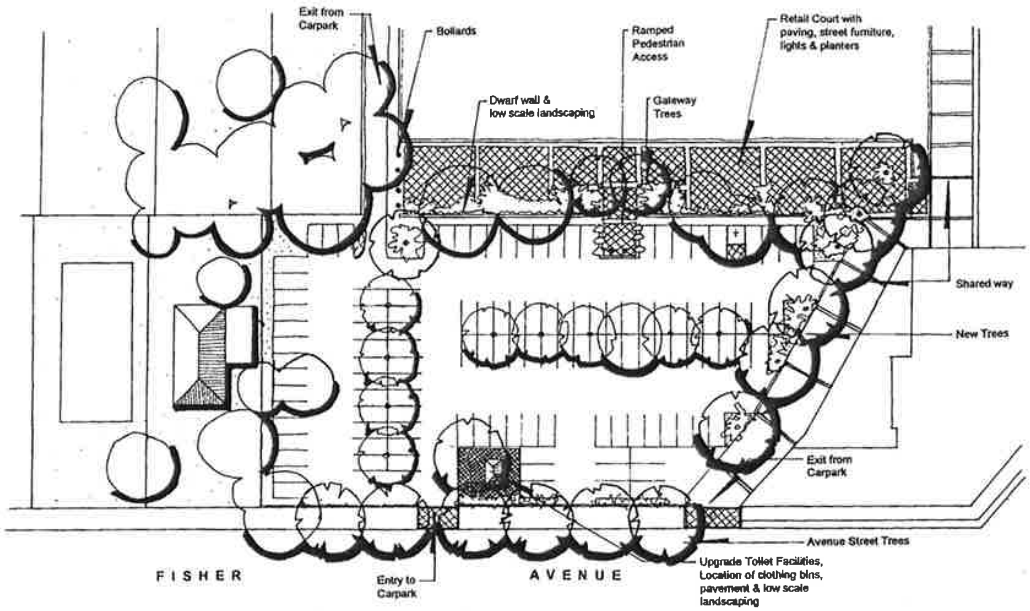


COMMERCIAL/RESIDENTIAL INFILL BEHIND SHOPS

Pennant Hills Town Centre Masterplan - Urban Design Guidelines

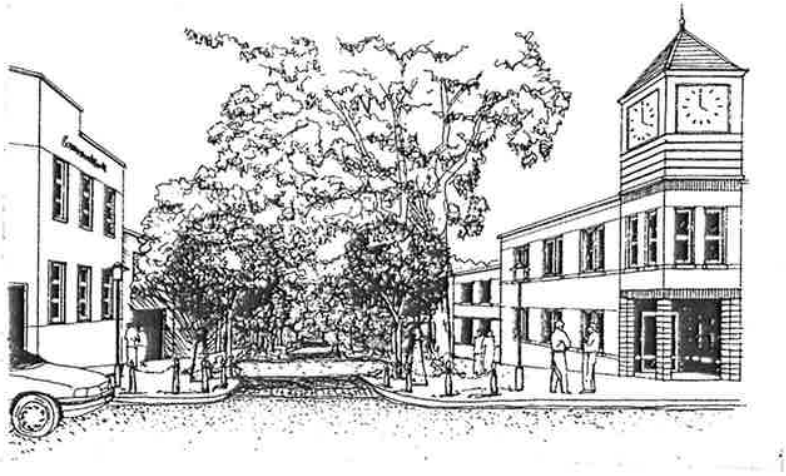


The Village Green/Library

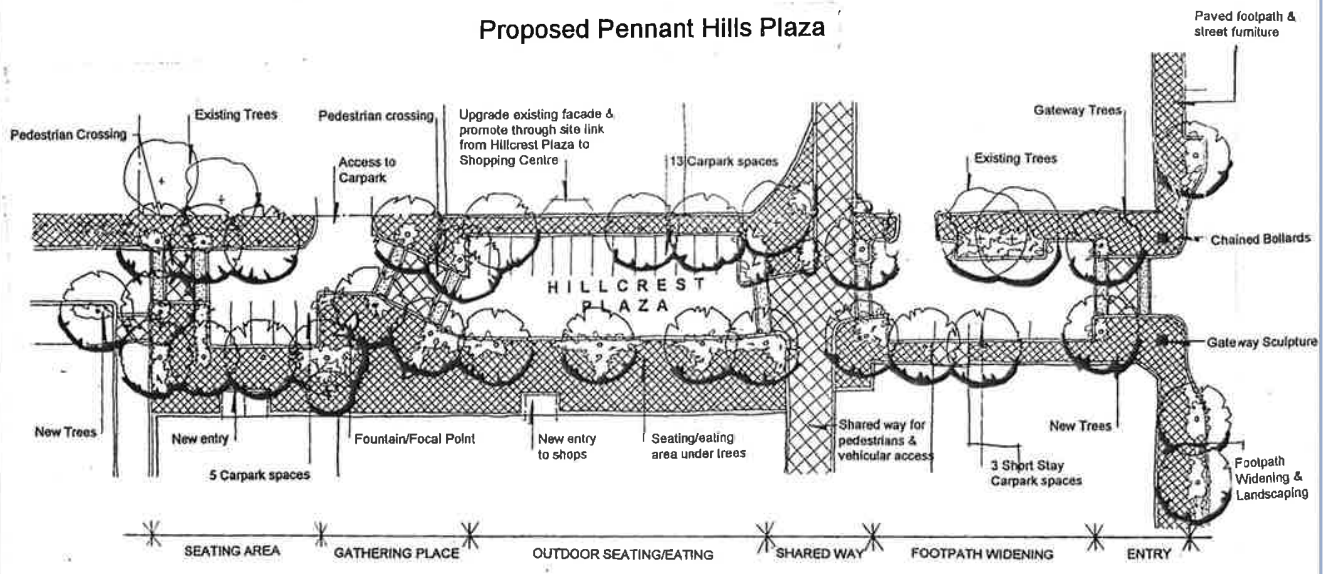


Upgrade of Fisher Avenue carpark & Retail Court

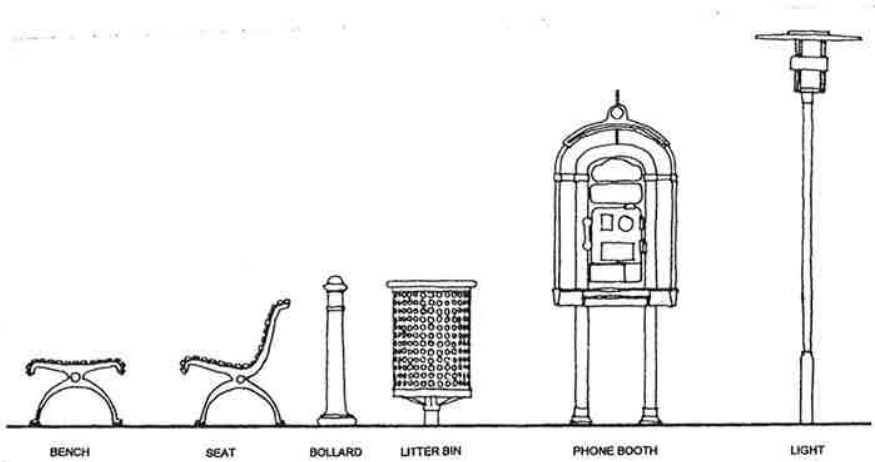
Pennant Hills Town Centre Masterplan - Urban Design Guidelines



Proposed Pennant Hills Plaza

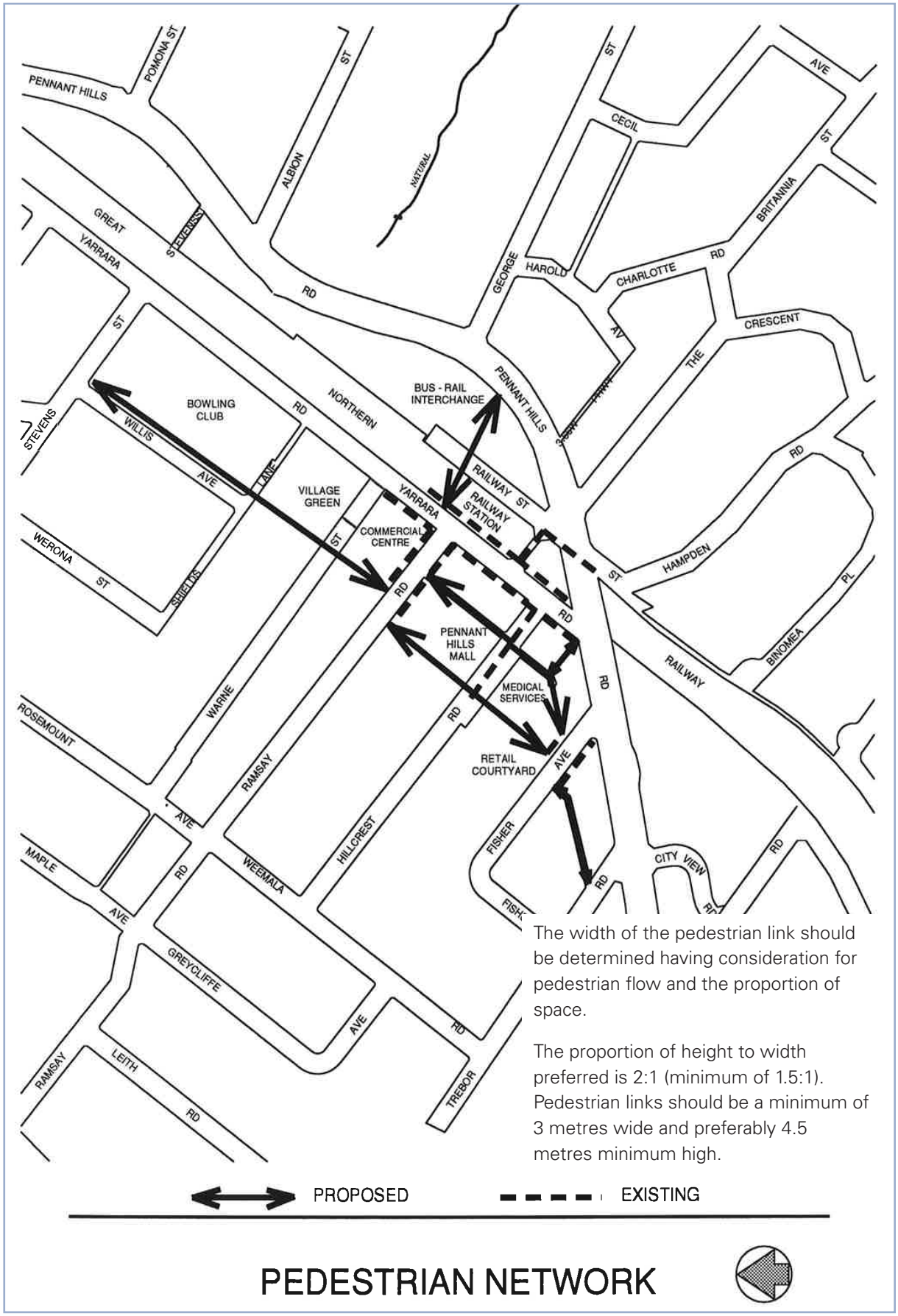


Detail of Pennant Hills Plaza



Street Furniture

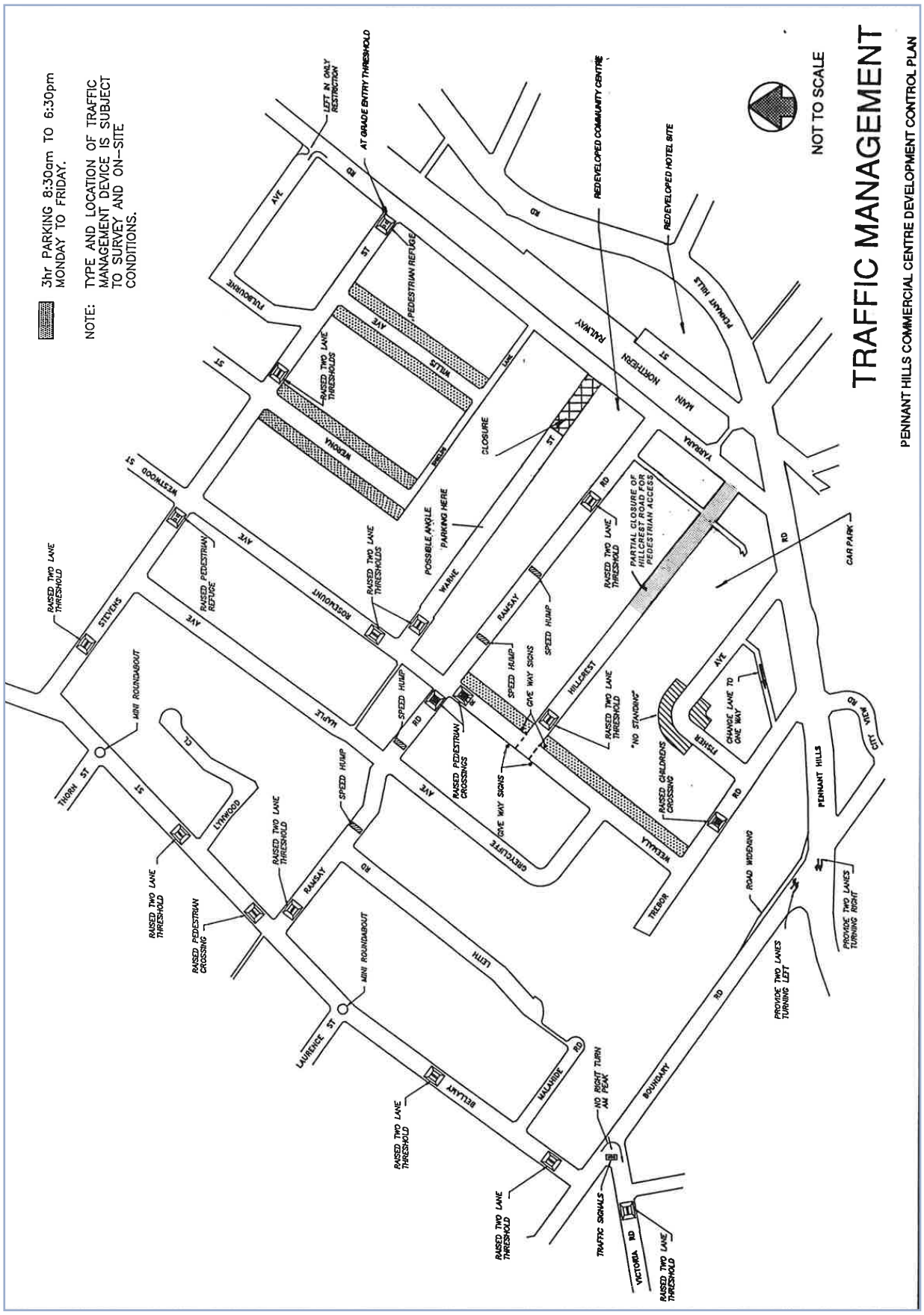
Pennant Hills Town Centre Masterplan - Pedestrian Network



The width of the pedestrian link should be determined having consideration for pedestrian flow and the proportion of space.

The proportion of height to width preferred is 2:1 (minimum of 1.5:1). Pedestrian links should be a minimum of 3 metres wide and preferably 4.5 metres minimum high.

Pennant Hills Town Centre Masterplan - Traffic Management



4.4 Mixed Use Precincts

The following provides controls for the redevelopment of the following precincts, as depicted in the Key Development Principles Diagrams in Section 4.4.14, and illustrated in Figure 4.4(a):



Asquith Commercial Centre Precinct

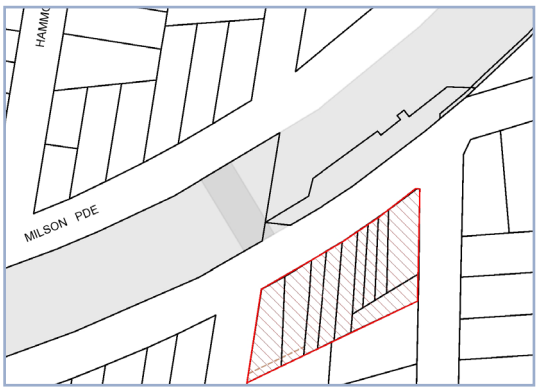


Bouvardia Street, Asquith Precinct
(mixed use portion)



Palmerston Road, Waitara Precinct

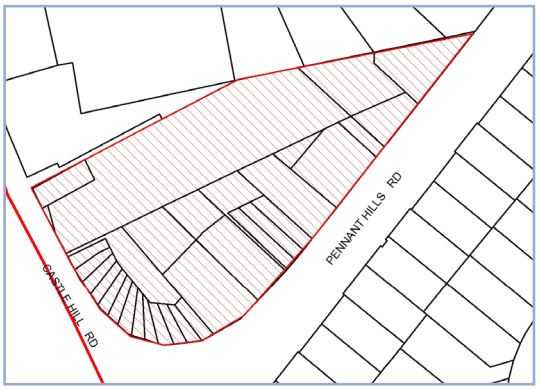
Figure 4.4(a): Mixed Use Precinct Boundaries. (C)



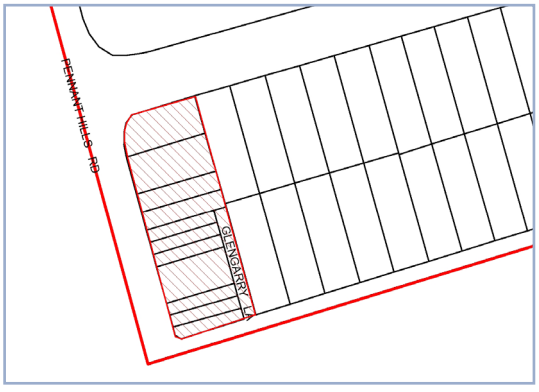
Normanhurst Road, Normanhurst Precinct



Pennant Hills Road, Thornleigh Precinct



Thompsons Corner, West Pennant Hills Precinct



Carlingford Road, Carlingford Precinct
(mixed use portion)

4.4.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

a. Development applications should demonstrate compatibility with the following desired future character statement (5 storeys) for the:

- Bouvardia Street, Asquith Precinct (mixed use portion),
- Palmerston Road, Waitara Precinct,
- Normanhurst Road, Normanhurst Precinct,
- Thompsons Corner, West Pennant Hills Precinct, and
- Carlingford Road, Carlingford Precinct (mixed use portion)

Desired Future Character Statement (5 Storeys)

The locality is characterised by 5 storey mixed use buildings with at grade car parking for retail customers and underground car parking for employees and residents.

Business uses are located on the lower 2 storeys providing a broad podium for dwellings above to be setback from, creating a pedestrian friendly scale. Visible and active shops and street frontages with continuous awnings enhance streetscape character.

Low level business facades incorporate ribbons of shopfront windows and contrasting panels of light cladding, face brick or painted masonry. Mid-level and upper-storey residential facades incorporate indentations or projections in the alignment of exterior walls, balconies that are indented behind and/or project forward of exterior walls and steel framed balconies and balustrades of steel or glass that contrast the weight of masonry walls, with operable louvres for privacy, shade and glare control.



F
Figure 4.4(b): Example of Desired Character - 5 storey mixed use development.(E)

b. Development applications should demonstrate compatibility with the following desired future character statement (8-10 storeys) for the:

- Asquith Commercial Centre Precinct, and
- Pennant Hills Road, Thornleigh Precinct.

Desired Future Character Statement (8-10 Storeys)

The locality is characterised by 8-10 storey mixed use buildings with at grade car parking for retail customers and underground car parking for employees and residents.

Business uses are located with zero setbacks on the lower 2 storeys providing a broad podium for dwellings above to be setback from. Visible and active shops and street frontages with continuous awnings enhance streetscape character.

Development incorporating more than 10 dwellings provide communal open space on top of business podiums. Low level business facades incorporate ribbons of shopfront windows and contrasting panels of light cladding, face brick or painted masonry. Mid-level and upper-storey residential facades incorporate indentations or projections in the alignment of exterior walls, balconies that are indented behind and/or project forward of exterior walls and steel framed balconies and balustrades of steel or glass that contrast the weight of masonry walls, with operable louvres for privacy, shade and glare control.

4.4.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in *State Environmental Planning Policy No 65* - Design Quality of Apartment Development are achieved, and
- the design is consistent with the objectives of the Apartment Design Guide.

Note:

Development applications should be accompanied by a statement of environmental effects which includes the following:

- an explanation of how the design addresses the design quality principles set out in Schedule 1 of *State Environmental Planning Policy No 65 - Design Quality of Apartment Development*, namely:
  - context and neighbourhood character; built form and scale; density; sustainability; landscape; amenity; safety; housing diversity and social interaction; and aesthetics.
- an explanation of how the design addresses the design criteria of Part 3 and Part 4 of the Apartment Design Guide.
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development;
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

4.4.3 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that achieve desired urban design outcomes and efficient use of land to avoid the creation of isolated sites.

Prescriptive Measures

a. The minimum site width should be 30 metres measured at the street frontage.

b. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than 30 metres, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.



Figure 4.4(c): Lot amalgamation should avoid isolating small sites.(I)

4.4.4 Scale within Hornsby LGA

Desired Outcome

a. Development with a scale compatible with the role and function of the centre under the commercial centres hierarchy.

b. Mixed use commercial and residential multi-unit housing development not exceeding 5 or 10 storeys in height.

Prescriptive Measures

Height

a. Sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.4.4(a).

Table 4.4.4(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Mixed Use Building Maximum Storeys (excluding basement carparking)
O2	16.5m	5 storeys
U	32.5m	10 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. Commercial uses, including shops and offices, should be confined to the lower 2 storeys, providing a broad "podium" for dwellings from level 3.

d. Dwellings may be located on level 2 within the podium and may incorporate a component at ground level facing a side street or lane provided that they would not interrupt the desired continuity of commercial activity.

e. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

Floor Space Ratio

f. The maximum floor space ratio for business lands shall be in accordance with the HLEP *Floor Space Ratio Map* as follows:

Table 4.4.4(b): Summary of HLEP FSR Provisions

HLEP Area	Maximum Floor Space Ratio
D	0.5:1 (+ FSR variations for Area 5)
N	1:1 (+ FSR variations for Area 5)

g. On identified sites, Council may consent to development that results in a variation to the floor space ratio shown on the Floor Space Ratio Map. The requirements regarding the floor space ratio variation are provided in Clause 4.4 of the HLEP.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

A mixed use building described above comprises a building with a commercial podium and residential floors above.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

As detailed in Clause 4.5 of the HLEP, the floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of gross floor area.

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the Key Development Principles diagrams.

Storey controls are based on a typical commercial floor to floor height of 4 metres, a typical residential floor to floor height of 3 metres and some roof projections.

4.4.4 Scale within City of Parramatta LGA

Desired Outcome

a. Development with a scale compatible with the role and function of the centre under the commercial centres hierarchy.

b. Mixed use commercial and residential multi-unit housing development not exceeding 5 or 10 storeys in height.

Prescriptive Measures

Height

a. Sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.4.4(a).

Table 4.4.4(a): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Mixed Use Building Maximum Storeys (excluding basement carparking)
P	17.5m	5 storeys
U	32.5m	10 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. Commercial uses, including shops and offices, should be confined to the lower 2 storeys, providing a broad "podium" for dwellings from level 3.

d. Dwellings may be located on level 2 within the podium and may incorporate a component at ground level facing a side street or lane provided that they would not interrupt the desired continuity of commercial activity.

e. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

Floor Space Ratio

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Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

A mixed use building described above comprises a building with a commercial podium and residential floors above.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

As detailed in Clause 4.5 of the HLEP, the floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of gross floor area.

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the Key Development Principles diagrams.

Storey controls are based on a typical commercial floor to floor height of 4 metres, a typical residential floor to floor height of 3 metres and some roof projections.

4.4.5 Setbacks

Desired Outcome

a. Well articulated building forms with a pedestrian-friendly scale that encourages commercial activity and provides for landscaping, open space and separation between buildings.

Prescriptive Measures

a. The minimum setbacks of all buildings and structures are prescribed in Table 4.4.5(a) for the:

- Bouvardia Street, Asquith Precinct,
- Carlingford Road, Carlingford Precinct, and
- Normanhurst Road, Normanhurst Precinct.

Table 4.4.5(a): Minimum Setbacks - Bouvardia Street, Carlingford Road, and Normanhurst Road Precincts

2 STOREY PODIUM

Setback	Minimum Building Setback
Primary and Secondary Front Boundary	0m
Rear Boundary (Bouvardia St, Asquith only)	Retain existing ground level car parking
Rear Boundary (except Bouvardia St, Asquith)	16m - 22m to provide a rear laneway accommodating 90^0 parking, 1 or 2 way traffic movements, the turning circle for a medium rigid delivery vehicle, a 2m wide footpath and a 2m wide deep soil verge

3rd STOREY AND ABOVE *(TOWER ELEMENT)*

Setback	Minimum Building Setback
Primary and Secondary Front Boundary	3m from commercial podium facade
Rear Boundary	0m from commercial podium facade
Top-Storey Setback	3m additional setback for exterior walls of the top-most two storeys, measured from the walls of the lowest storey above the podium

b. The minimum setbacks of all buildings and structures are prescribed in Table 4.4.5(b) for the:

- Palmerston Road, Waitara Precinct, and
- Thompsons Corner, West Pennant Hills Precinct.

Table 4.4.5(b): Minimum Setbacks - Palmerston Road and Thompsons Corner Precincts

2 STOREY PODIUM

Setback	Minimum Building Setback
Primary and Secondary Front Boundary	0m
Rear Boundary (Thompsons Corner only)	0m
'New street' as indicated on Key Development Principles diagram	18m - 24m to provide for the new street accommodating 900 parking, 1 or 2 way traffic movements, the turning circle for a medium rigid delivery vehicle, a 3.5m wide footpath and a 2m wide deep soil verge

3rd STOREY AND ABOVE *(TOWER ELEMENT)*

Setback	Minimum Building Setback
Primary and Secondary Front Boundary	3m from commercial podium facade
Rear Setback	0m from commercial podium facade
Top-Storey Setback	3m additional setback for exterior walls of the top-most two storeys, measured from the walls of the lowest storey above the podium

c. The minimum setbacks of all buildings and structures are prescribed in Table 4.4.5(c) for the:

- Asquith Commercial Centre Precinct, and
- Pennant Hills Road, Thornleigh Precinct.

Table 4.4.5(c): Minimum Setbacks - Asquith Commercial Centre and Pennant Hills Road Precincts.

2 STOREY PODIUM

Setback	Minimum Building Setback
All streets, laneways and side or rear boundaries	0m

3rd STOREY AND ABOVE (TOWER ELEMENT)

Setback	Minimum Building Setback
All streets or laneways	6m from commercial podium facade
Facing side (including balconies) or rear boundaries shared with another property	Should comply with the Apartment Design Guide under *SEPP 65 - Design Quality of Residential Apartment Development*
Top-Storey Setback	3m additional setback for exterior walls of the top-most two storeys, measured from the walls of the lowest storey above the podium

d. Where a property adjoins a boundary with a residential landuse, greater setbacks may apply to the upper storeys in accordance with the separation controls in Section 4.4.6 Building Form and Separation.

Setback Encroachments

e. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Roof eaves and awnings,
- Pergolas for private or communal open spaces which are situated upon a podium,
- Sunshades and screens, and
- Blade columns which support roofs or sunshades.

Setbacks to Heritage Items

f. A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items.

Notes:

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the Key Development Principles Diagrams.

4.4.6 Building Form and Separation

Desired Outcome

a. Visible and active shops and street frontages with dwellings above that are limited in width and depth.

b. Development of a scale and bulk that achieves a pedestrian friendly environment and enhances the streetscape character.

Prescriptive Measures

Floorplates

a. Commercial floorplates should have a maximum dimension of 35 metres, measured parallel to the primary retail frontage and between opposing exterior walls at any point. Balconies and terraces may project beyond this maximum.

b. Residential floorplates should have a maximum dimension of 25 metres, measured perpendicular to the primary retail frontage and between opposing exterior walls at any point. Balconies and terraces may project beyond this maximum.

Separation

c. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide

d. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

e. Where Key Development Principles Diagrams require

separate buildings on the same site, buildings should be separated by open air pedestrian walkways that are at least 6 metres wide at street level.



Figure 4.4(d):
Pedestrian walkways between buildings at street level.(E)

Articulation

f. At street level, shop and office windows and building entrances should occupy 90 percent of the primary frontage, 30 percent of facades facing side streets or alleyways and 10 percent of rear facades.

g. Continuous awnings should be provided along principal active street frontages.

h. Articulation of podium facades should be achieved by simple contrasts in materials and finishes such as:

- Ribbons of shop-front windows, and
- Contrasting panels of light cladding, face brick or painted masonry.

i. Articulation of residential facades should be achieved by dividing facades into vertical "panels" generally no wider than 8 metres and by visually separating the adjoining panels by steps of at least 1 metre such as:

- Indentations or projections in the alignment of exterior walls, and/or
- Balconies that are indented behind and/or project forward of exterior walls, and/or
- Eaves, pergolas and awnings that project forward of exterior walls.

Note: To achieve the above elements, the following are encouraged:

- Panels of curtain wall windows, bay windows or large sliding doors that contrast with solid walls, and/or
- Steel-framed balconies and balustrades of steel or glass that contrast the 'weight' of masonry walls, and/or
- Fins, blades or sunscreens that project from, or stand forward of, exterior walls.

j. Facades should incorporate corner treatments such as wrap-around balconies, flat roof forms with eaves and other elements to cast shadows and break up the built form.

k. Facade elements should not be repetitive.

l. Facades should be expressed as 2 or 3 distinct levels and be divided by vertical steps as follows:

- Facing primary and secondary streets, at least 2 steps should be provided between the podium facade and upper residential storeys along 50 percent of any facade, and
- Facing rear streets, laneways or pedestrian alleyways, at least 25 percent of any facade should be stepped to avoid a sheer vertical rise that is taller than 3 storeys (ie: up to 75 percent may have a sheer vertical rise of 4 storeys).

Note (1):

To achieve the above elements, the following are encouraged:

- The street level should comprise extensively glazed shopfronts, and
- Roofs and eaves should contribute to a distinctive silhouette for each building, and
- The top-storey should incorporate a high proportion of large windows, and
- The lower storeys should include awnings and balconies that cast shadows across walls.

Note (2):

To achieve the above elements, the following are not encouraged:

- Extensive panels of blank masonry, and continuous rows of identical balconies or windows (other than street level shop-fronts), and
- Parapets that accentuate wall heights, and
- High masonry sills where vertical rows of windows are proposed on levels 2 to 4.

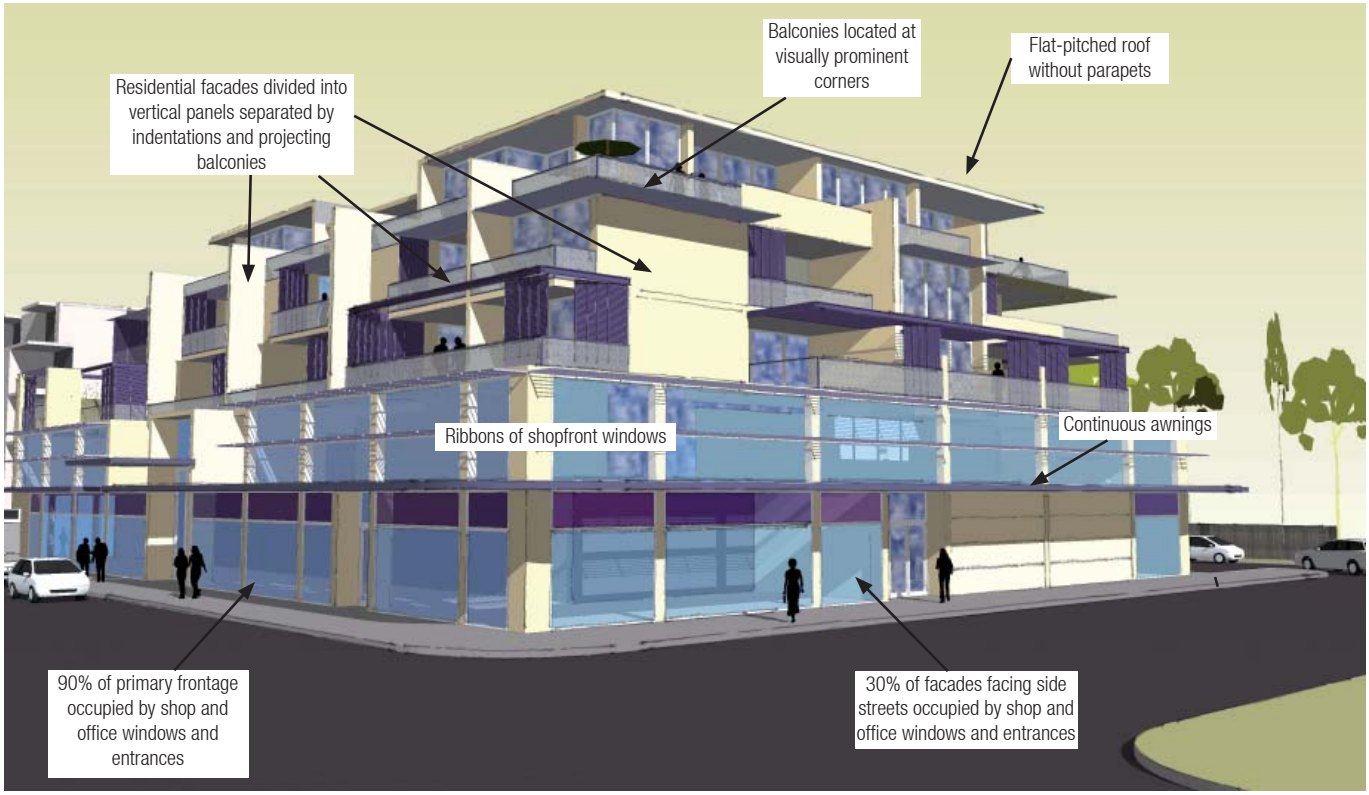


Figure 4.4(e): Articulation of facades.(E)

4.4.7 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

Prescriptive Measures

Private Open Space

a. Every dwelling should be provided with a principal private open space in accordance with Table 4.4.7(a).

Table 4.4.7(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m²	1m
1 Bed Unit	8m²	2m
2 Bed Unit	10m²	2m
3+ Bed Unit	12m²	2.4m
Ground and podium level	15m²	3m

b. Private open spaces should be designed as 'outdoor rooms' that adjoin interior living areas, with L - shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

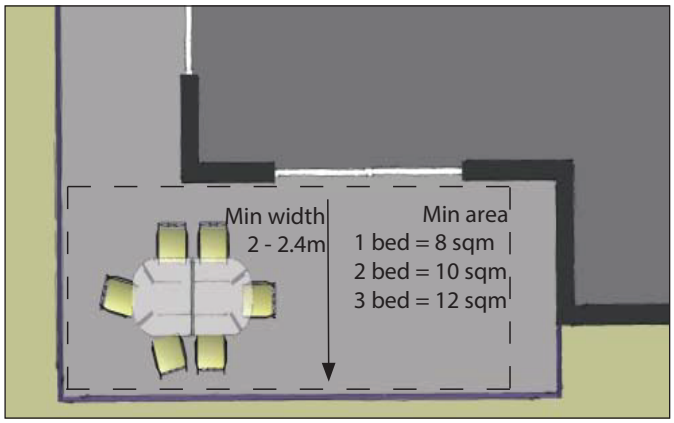


Figure 4.4(f): Private open space in a residential flat.(I)

c. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

Clothes Drying Area

d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

Communal Open Space

e. A principal communal open space area should be provided for 8-10 storey developments with more than 10 dwellings as follows:

- be located on a podium,
- have a minimum area of 50m²,
- have a minimum dimension of 6 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

4.4.8 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. For development at the interface of a commercial area and a residential zone, development should encourage views from the commercial area to the horizon rather than downward onto residential areas.

b. The commercial and residential component of development should be distinguished in terms of building entries and private, communal and public open space.

c. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

d. Where communal open space is required, balconies, terraces or bedroom windows near communal areas should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

e. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

Security

f. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

g. Private open spaces, living room windows, commercial unit windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

h. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

i. Where a mix of landuses are proposed, separate, secure access should be provided to lift lobbies, basements and communal storage areas.

Notes:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5 metres high, measured from the floor level, and has no individual opening more than 30 millimetres wide, and has a total of all openings less than 30 percent of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

4.4.9 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide reasonable solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

a. On 22 June, public open space areas, plaza areas and footpaths should receive 2 hours of sunlight between 9am and 3pm to at least 50 percent of the area.

b. On 22 June, at least 70 percent of dwellings should receive 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

c. Principal communal open space should receive a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).

d. Every habitable room should have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.

e. A window should be visible from any point in a habitable room.

Natural Cross Ventilation

f. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

4.4.10 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Housing and Adaptable Housing.

4.4.11 Landscaping

Desired Outcome

a. Development that contributes to attractive streetscapes by providing shade along pedestrian frontages and screen planting along boundaries and street frontages.

b. Development that preserves significant trees that add to the environmental character of the commercial centre.

Prescriptive Measures

General

a. Landscaping should be included in building setback areas to complement the appearance of the building.

b. Setbacks from sensitive areas should be fully landscaped with a minimum 2 metre wide deep soil verge along the common boundary.

c. Primary and secondary retail frontages should be landscaped with tree-plantings combined with paving in accordance with the following:

- Trees should be planted as widely-spaced avenues along kerbsides, using a consistent range of species for each precinct or centre,
- Species should have elevated canopies and should achieve mature heights of at least 10 metres to 12 metres, and
- Pavements within each precinct should be of a consistent design, constructed of durable and non-slip modular units that are resistant to fading, discolouration and chipping, and that may readily be removed and replaced following future installation of in-ground services.

d. Above ground parking areas should be landscaped in accordance with the following:

- Trees should be planted as dual-avenues along laneways, new streets and forecourts, and
- A consistent range of species should be used for each village, with elevated canopies that would achieve mature heights of 10 metres to 12 metres.

Shop Top Housing

e. Residential levels should be landscaped with native or exotic species in planter boxes watered by recycled grey water or stormwater to provide screening.

f. Where communal open space is required, these spaces should include lawn areas surrounded by hedges of shrubs.

Retention of Landscape Features

g. Buildings, driveways and service trenches should have a minimum setback that complies with *AS4970* from trees that have been assessed as significant or which are visually prominent streetscape elements.

Fencing

h. Fencing is discouraged in the primary and secondary front boundary setbacks.

i. Allotments adjoining residential lands should be fenced with appropriate residential style fencing.

j. Fencing enclosing private residential courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

Notes:

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the development.

4.4.12 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

Vehicular Access

a. Access to garages and storage areas should be confined to side and rear facades, with access from main roads avoided.

b. Vehicle access should be consistent with the servicing strategy depicted in the Key Development Principles diagram.

Parking

c. Resident and visitor parking should be provided within basements.

d. Street level parking for shoppers should be provided in convenient proximity to primary retail frontages.

e. Any undercroft car parking should be screened and should not be located in a facade that faces a primary or secondary street frontage.

f. Parking for service and delivery vehicles should be integrated with the design of driveways and surrounding landscaped verges, and should not visually dominate any street frontage.

g. All ramps are to be designed as two way ramps in accordance with AS 2890.1 and AS 2890.2

h. All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2

Ancillary Fixtures and Facilities

i. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

Note:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C

4.4.13 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Public Domain

a. Development of the public domain should make each precinct an attractive place that encourages development and provides amenity for workers, residents and visitors

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. Pedestrian linkages shown on the Key Development Principles Diagrams and Town Centre Linkage diagrams (see Annexure B) should be provided and reinforced as safe, accessible and vibrant pedestrian areas.

d. Mixed use development within centres should enhance the role of the public domain as a meeting and gathering place and should encourage active use of the public domain through active street frontages.

e. Where required, ground level walkways between mixed use buildings should be open air, attractive pedestrian thoroughfares which encourage activity.

f. Balconies should not be located on, or overhang the road reservation.

g. For mixed use development incorporating shopfront awnings, the awnings should be continuous and should be setback from the edge of the kerb in accordance with Council or the Roads and Maritime Services requirements.

Outdoor Dining

h. Outdoor dining areas should be located in areas with good amenity, landscape, outlook, solar access in winter, shading in summer and a compatible local traffic environment.

Note: Outdoor dining proposed on Council land should comply with Council's Outdoor Dining Code.

Traffic Management Works

i. Traffic management works should be undertaken in accordance with the traffic improvements identified in the Key Development Principles Diagrams and Figure 4.4(g) Traffic Management Improvement Plan.

j. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

k. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Note: This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

4.4.14 Key Development Principles

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles Diagrams.

Prescriptive Measures

a. Key Development Principles Diagrams apply to the following localities:

- Asquith Commercial Centre Precinct,
- Bouvardia Street, Asquith Precinct (mixed use portion),
- Palmerston Road, Waitara Precinct,
- Normanhurst Road, Normanhurst Precinct,
- Pennant Hills Road, Thornleigh Precinct,
- Thompsons Corner, West Pennant Hills Precinct, and
- Carlingford Road, Carlingford Precinct (mixed use portion).

b. Development should be designed to embody the principles of the relevant precinct Key Development Principles Diagram.

c. Pedestrian thoroughfares should be provided in accordance with the principles diagrams and/or Town Centre Linkage diagrams (see Annexure B).

d. All active street frontages in mixed use developments should have fully paved verges.

e. Development in the vicinity of heritage items shown in the precinct diagrams should have regard to the Heritage provisions in Part 9 of this DCP.

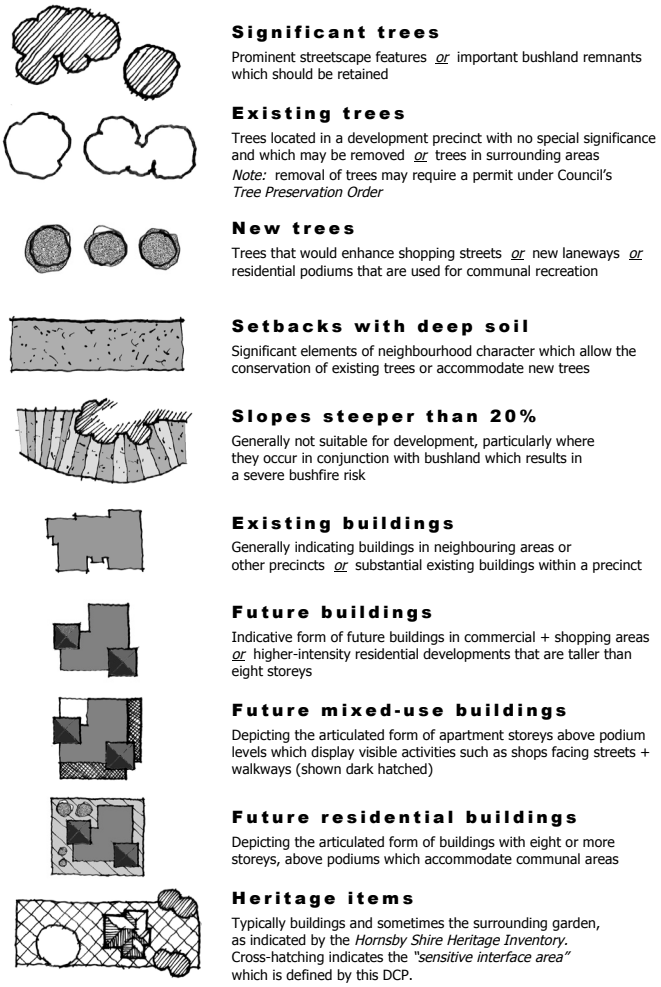
f. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

Note:

The Key Development Principles Diagrams are indicative only and are not to scale. Relevant setback, building form and separation controls are provided in Sections 4.4.5 and 4.4.6 of this DCP.

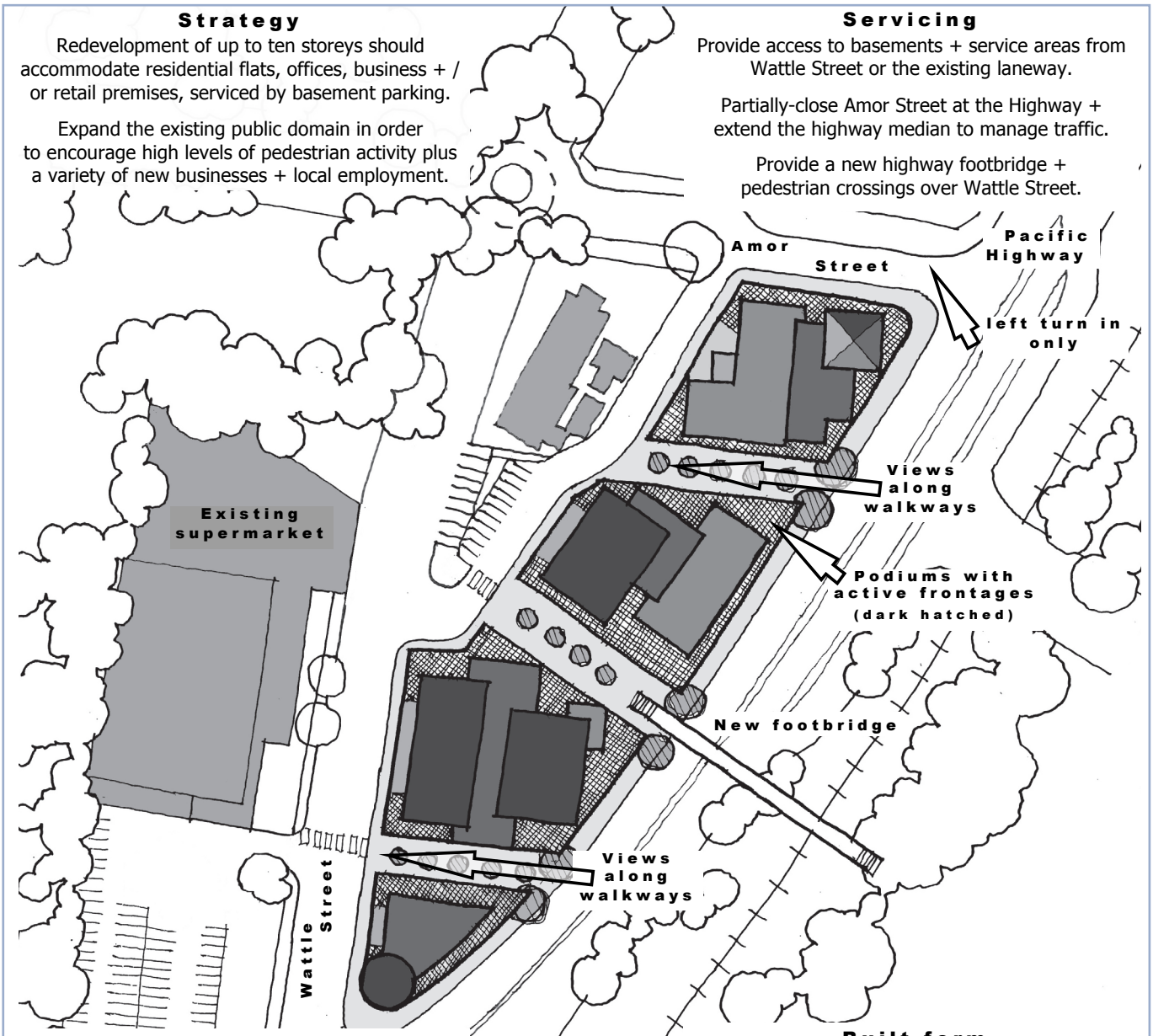
Legend

The following symbols appear in the Key Development Principles Diagrams:



Asquith Commercial Centre Precinct

Key Development Principles Diagram



Strategy

Redevelopment of up to ten storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

Expand the existing public domain in order to encourage high levels of pedestrian activity plus a variety of new businesses + local employment.

Servicing

Provide access to basements + service areas from Wattle Street or the existing laneway.

Partially-close Amor Street at the Highway + extend the highway median to manage traffic.

Provide a new highway footbridge + pedestrian crossings over Wattle Street.

Public frontages

Divide this street block by broad outdoor walkways that follow pedestrian desire lines (either existing or likely) to encourage new pedestrian + business activities in locations which are commercially-visible, sunny + protected from excessive traffic noise.

Maximise activity facing the Highway + walkways by siting lower storeys without any setback from footpaths and accommodating a nearly-continuous mix of shopfronts, building entrances + balconies.

Consolidate entries to basements + service areas facing Wattle Street + the widened traffic lane to protect desired levels of activity along the highway + new walkways.

Built form

Provide a continuous podium of up to two storeys along the Highway, and shape each podium to address major street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from their podium.

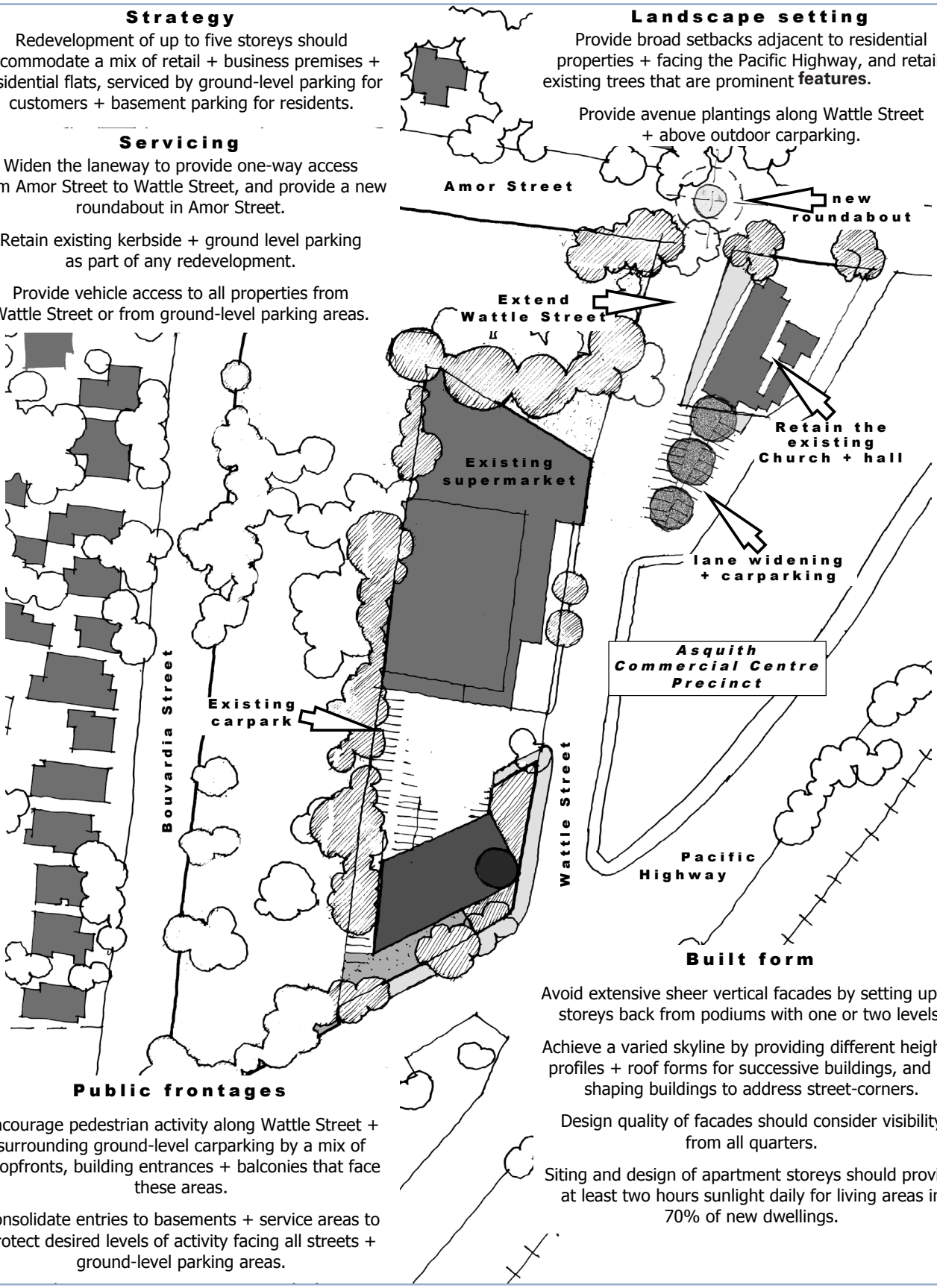
Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings, and by shaping buildings to address street-corners.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Bouvardia Street, Asquith Precinct

Key Development Principles Diagram



Strategy

Redevelopment of up to five storeys should accommodate a mix of retail + business premises + residential flats, serviced by ground-level parking for customers + basement parking for residents.

Servicing

Widen the laneway to provide one-way access from Amor Street to Wattle Street, and provide a new roundabout in Amor Street.

Retain existing kerbside + ground level parking as part of any redevelopment.

Provide vehicle access to all properties from Wattle Street or from ground-level parking areas.

Public frontages

Encourage pedestrian activity along Wattle Street + surrounding ground-level carparking by a mix of shopfronts, building entrances + balconies that face these areas.

Consolidate entries to basements + service areas to protect desired levels of activity facing all streets + ground-level parking areas.

Landscape setting

Provide broad setbacks adjacent to residential properties + facing the Pacific Highway, and retain existing trees that are prominent **features**.

Provide avenue plantings along Wattle Street + above outdoor carparking.

Built form

Avoid extensive sheer vertical facades by setting upper storeys back from podiums with one or two levels.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings, and by shaping buildings to address street-corners.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Traffic Management Plan Improvement Plan, Asquith Precincts

Key Development Principles Diagram

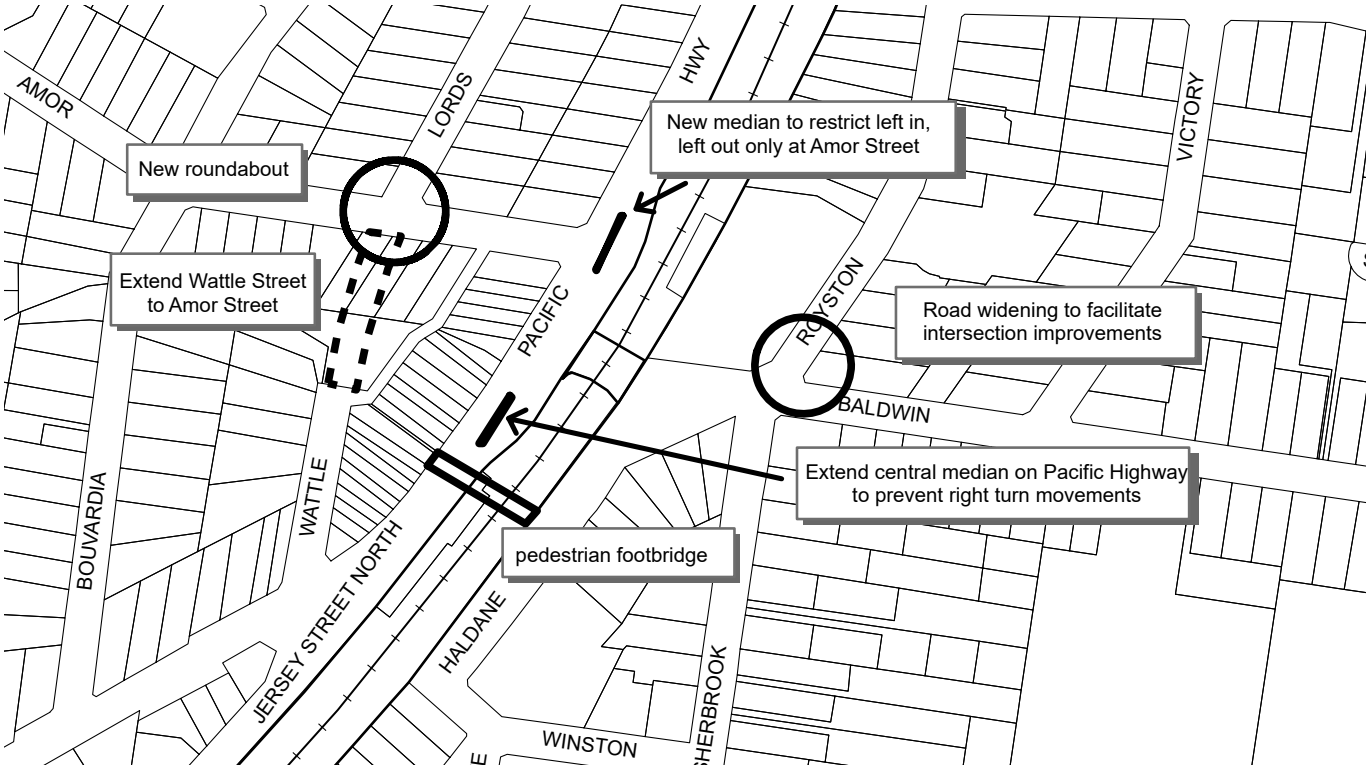


Figure 4.4(f): Traffic Management Improvement Plan - Asquith (C).

Palmerston Road, Waitara Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly a five storey mix of residential flats + retail premises, serviced by kerbside parking for shoppers + basement parking for residents.

Servicing

Establish a landscaped street linking Balmoral Street + Palmerston Road, separating new buildings from existing neighbours providing kerbside parking for customers + deliveries and access to residential basements.

Install a median strip in Edgeworth David Avenue at Balmoral Street to prevent right turns.

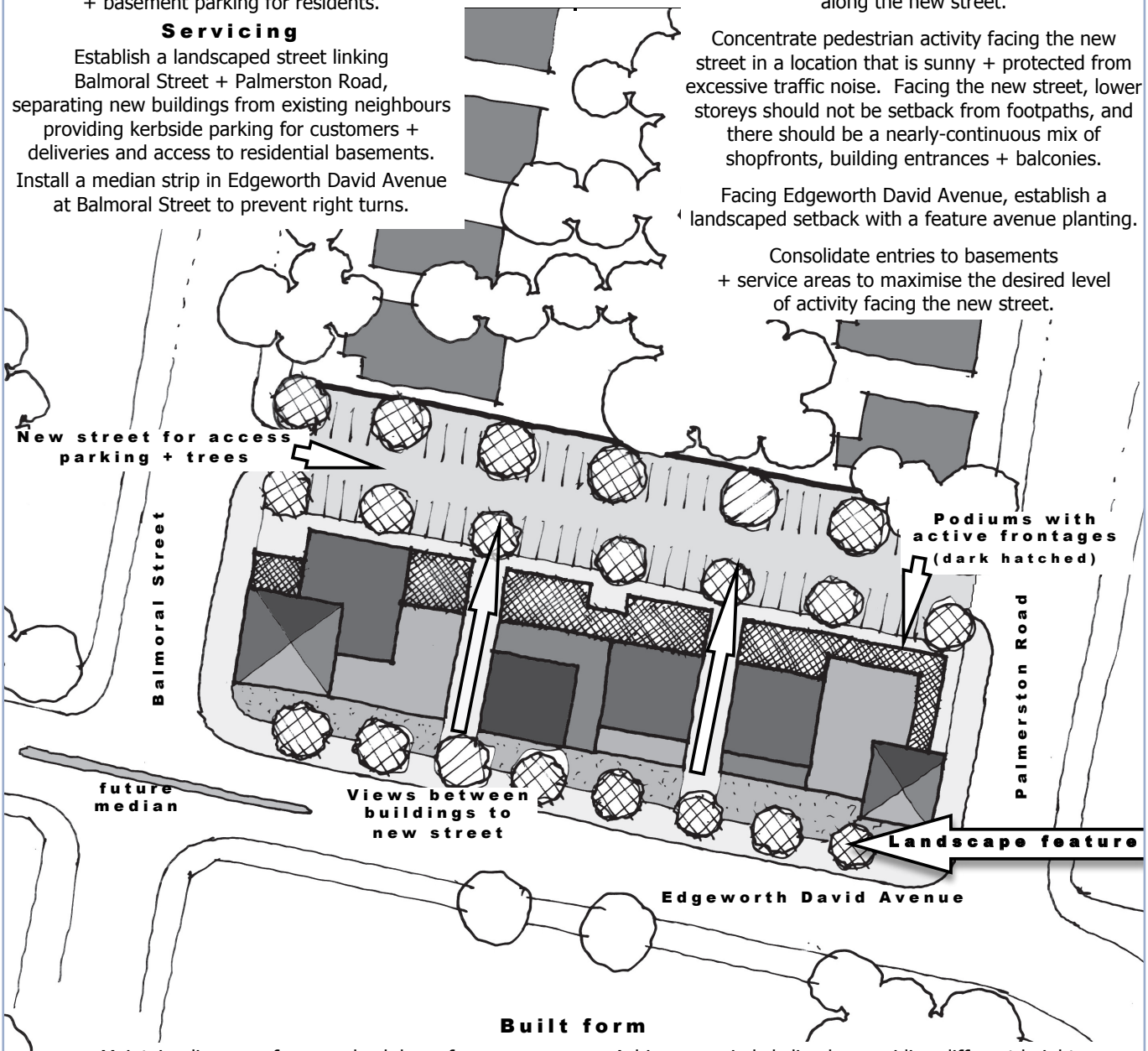
Public frontages

Divide this precinct by at least two landscaped walkways that provide views from Edgeworth David Avenue toward activity along the new street.

Concentrate pedestrian activity facing the new street in a location that is sunny + protected from excessive traffic noise. Facing the new street, lower storeys should not be setback from footpaths, and there should be a nearly-continuous mix of shopfronts, building entrances + balconies.

Facing Edgeworth David Avenue, establish a landscaped setback with a feature avenue planting.

Consolidate entries to basements + service areas to maximise the desired level of activity facing the new street.



Built form

Maintain glimpses of canopy backdrops from Edgeworth David Avenue by limiting the length of buildings and separating adjoining buildings by publicly-accessible walkways or courtyards.

Provide a continuous podium of up to two storeys facing the new street as well as side streets, and shape each podium to address major street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from their podium.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily to living areas in 70% of new dwellings.

Normanhurst Road, Normanhurst Precinct

Key Development Principles Diagram

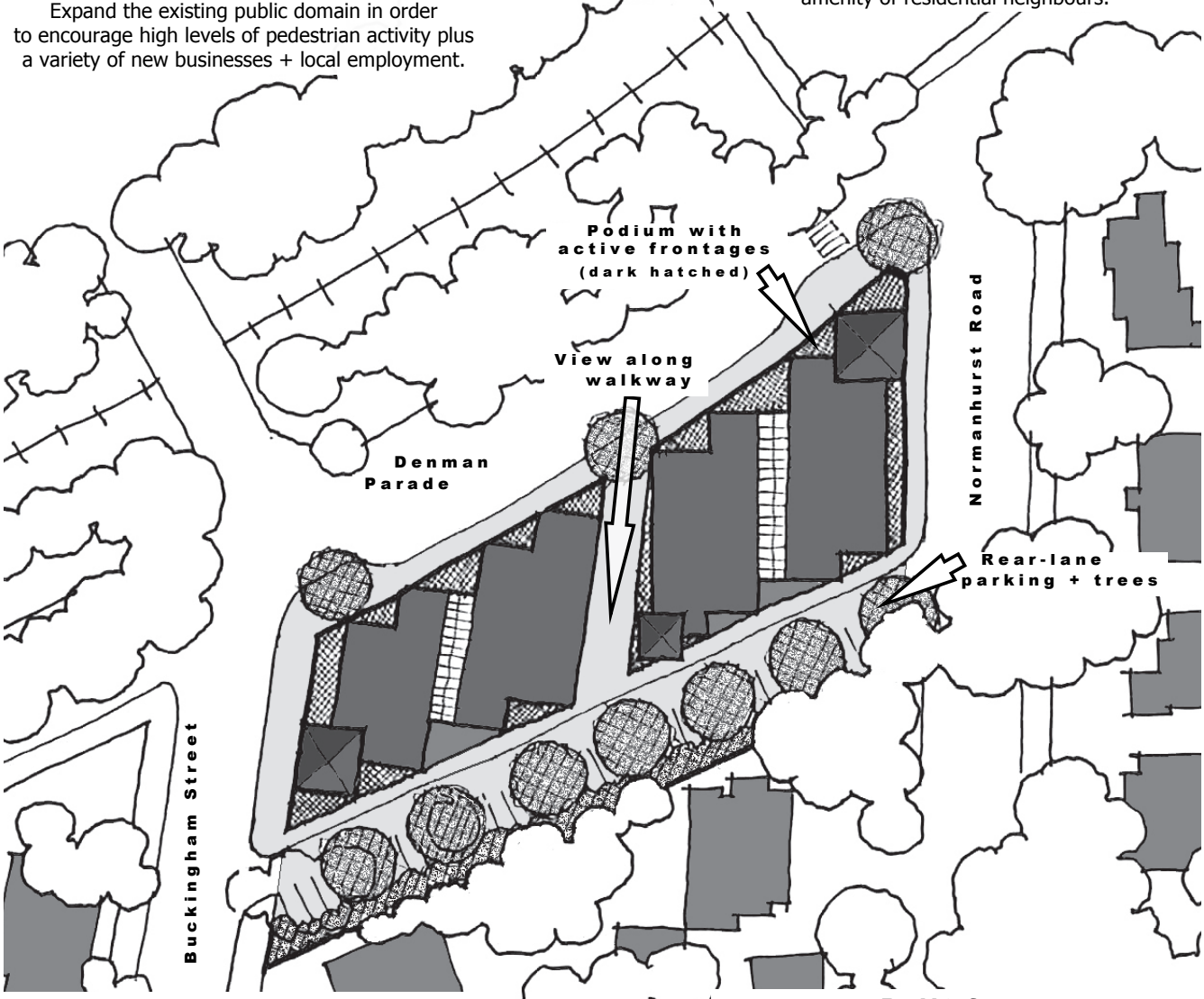
Strategy

Redevelopment of up to five storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

Expand the existing public domain in order to encourage high levels of pedestrian activity plus a variety of new businesses + local employment.

Servicing

Establish a rear laneway to provide kerbside parking for customers + deliveries, access to basement parking, screened by trees + hedges to protect the amenity of residential neighbours.



Public frontages

Divide this street block by at least one broad outdoor walkway to encourage new pedestrian + business activities in locations which are commercially-visible + sunny.

Maximise activity facing all streets + walkways by siting lower storeys without any setback from footpaths and accommodating a nearly-continuous mix of shopfronts, building entrances + balconies.

Consolidate entries to basements + service areas via the new rear laneway to protect desired levels of activity facing all streets + new walkways.

Built form

Provide a continuous podium of up to two storeys facing all streets, and shape each podium to address major street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from their podium.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Pennant Hills Road, Thornleigh Precinct

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly buildings of up to ten storeys serviced by basement parking, accommodating residential flats, offices, business + / or retail premises.

Expand the existing public domain in order to encourage high levels of pedestrian activity plus a variety of new businesses + local employment.

Public frontages

Concentrate pedestrian activity along side streets + public footpaths which lead to the station, in locations that are sunny + are protected from excessive traffic noise.

Widen existing pedestrian paths which lead to the station, and provide a broad walkway from the main road frontage to improve public safety.

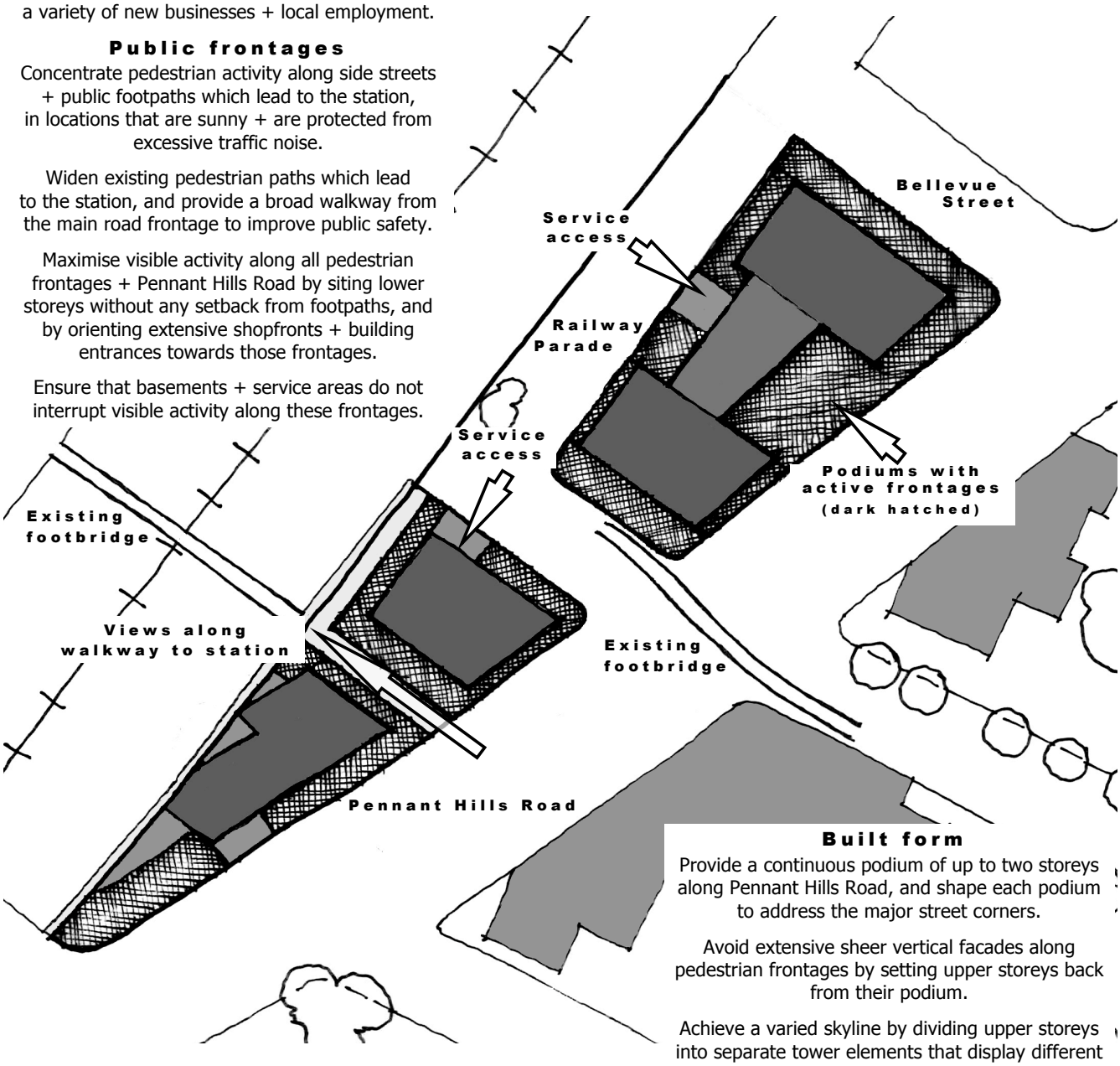
Maximise visible activity along all pedestrian frontages + Pennant Hills Road by siting lower storeys without any setback from footpaths, and by orienting extensive shopfronts + building entrances towards those frontages.

Ensure that basements + service areas do not interrupt visible activity along these frontages.

Servicing

Provide access to basements + service areas from local streets.

If access is not available from local streets, consolidate existing vehicle entrances from Pennant Hills Road.



Built form

Provide a continuous podium of up to two storeys along Pennant Hills Road, and shape each podium to address the major street corners.

Avoid extensive sheer vertical facades along pedestrian frontages by setting upper storeys back from their podium.

Achieve a varied skyline by dividing upper storeys into separate tower elements that display different heights, profiles, orientations + roof forms.

Design quality of facades should respond to visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily to living areas in 70% of new dwellings.

Thompsons Corner, West Pennant Hills Precinct

Key Development Principles Diagram

Strategy

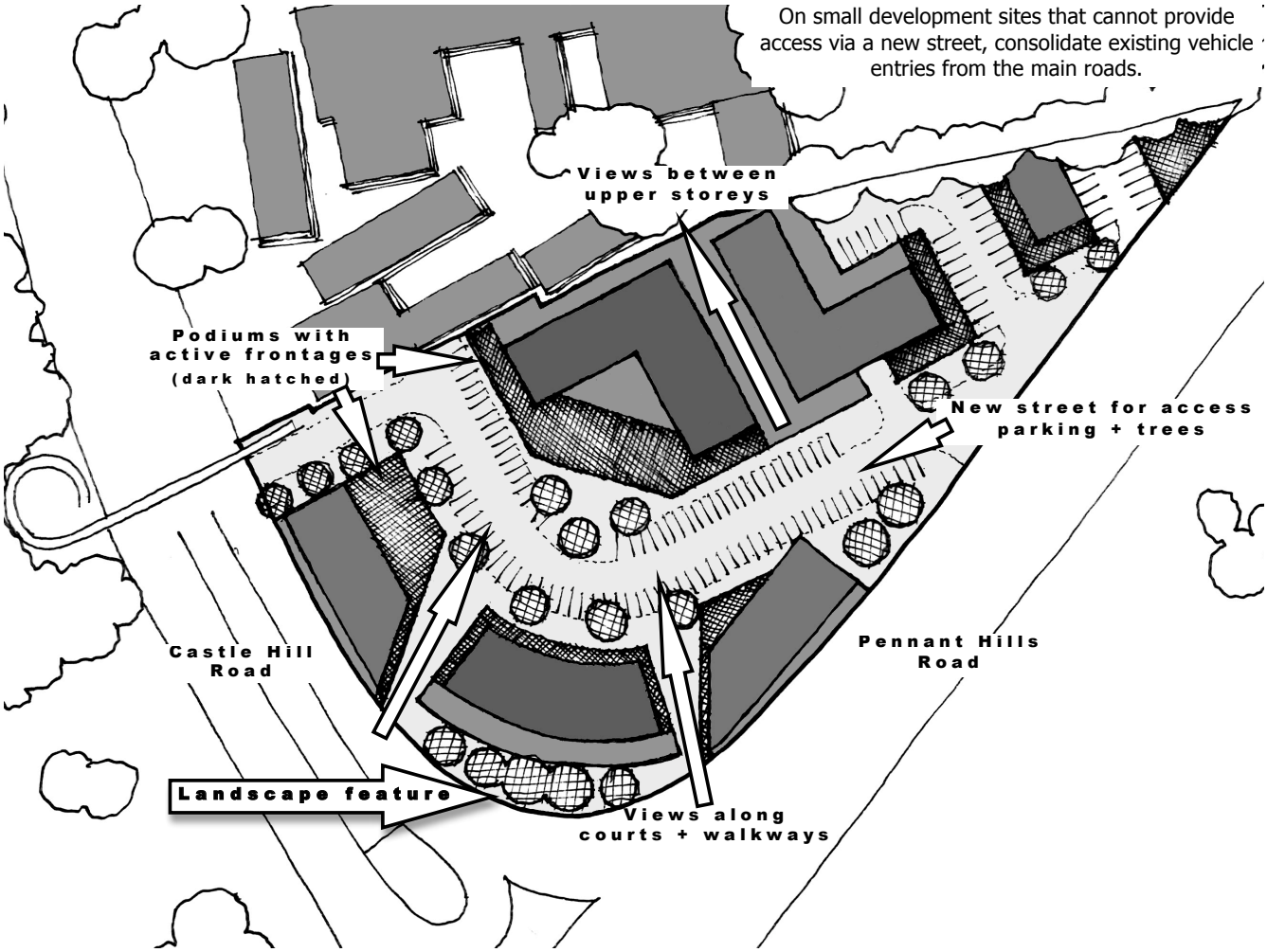
Create a landmark redevelopment that incorporates features of a traditional mainstreet shopping environment + apartments, in buildings up to five storeys which are serviced by a new street + parking structures for shoppers + residents.

Servicing

Establish a landscaped street that provides two way access between Pennant Hills + Castle Hill Roads, with kerbside parking for shoppers + deliveries, and access to parking structures.

Access to the new street should be located as far as possible from the main road intersection.

On small development sites that cannot provide access via a new street, consolidate existing vehicle entries from the main roads.



Public frontages

Divide this Precinct into several "sites" that accommodate commercially-viable floorplates as well as retail exposure.

Separate buildings on each "site" by landscaped courts or outdoor walkway that provide views of mainstreet actvitiy from the main roads.

Maximise activity facing the new street + walkways by siting lower storeys without any setback from footpaths and accommodating a nearly-continuous mix of shopfronts, building entrances + balconies.

Consolidate entries to basements + service areas via the new street to protect desired levels of activity facing all streets + courtyards.

Built form

Provide a continuous podium of up to two storeys facing all streets, and shape each podium to address major street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from their podium.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings

Carlingford Road, Carlingford Precinct

Key Development Principles Diagram

Strategy

Redevelopment of up to five storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

Expand the existing public domain in order to encourage high levels of pedestrian activity plus a variety of new businesses + local employment.

Refer all development applications to RailCorp to confirm any requirements in relation to the Parramatta – Epping railway.

Servicing

Establish a rear laneway to provide kerbside parking for customers + deliveries, access to basement parking, screened by trees + hedges to protect the amenity of residential neighbours.

Prevent left turns from Keeler Street to Pennant Hills Road.

Public frontages

Divide this street block by at least two broad outdoor walkways to encourage new pedestrian + business activities in locations which are commercially-visible + sunny.

Maximise activity facing all streets + walkways by siting lower storeys without any setback from footpaths and accommodating a nearly-continuous mix of shopfronts, building entrances + balconies.

Consolidate entries to basements + service areas via the new rear laneway to protect desired levels of activity facing all streets + new walkways.

Built form

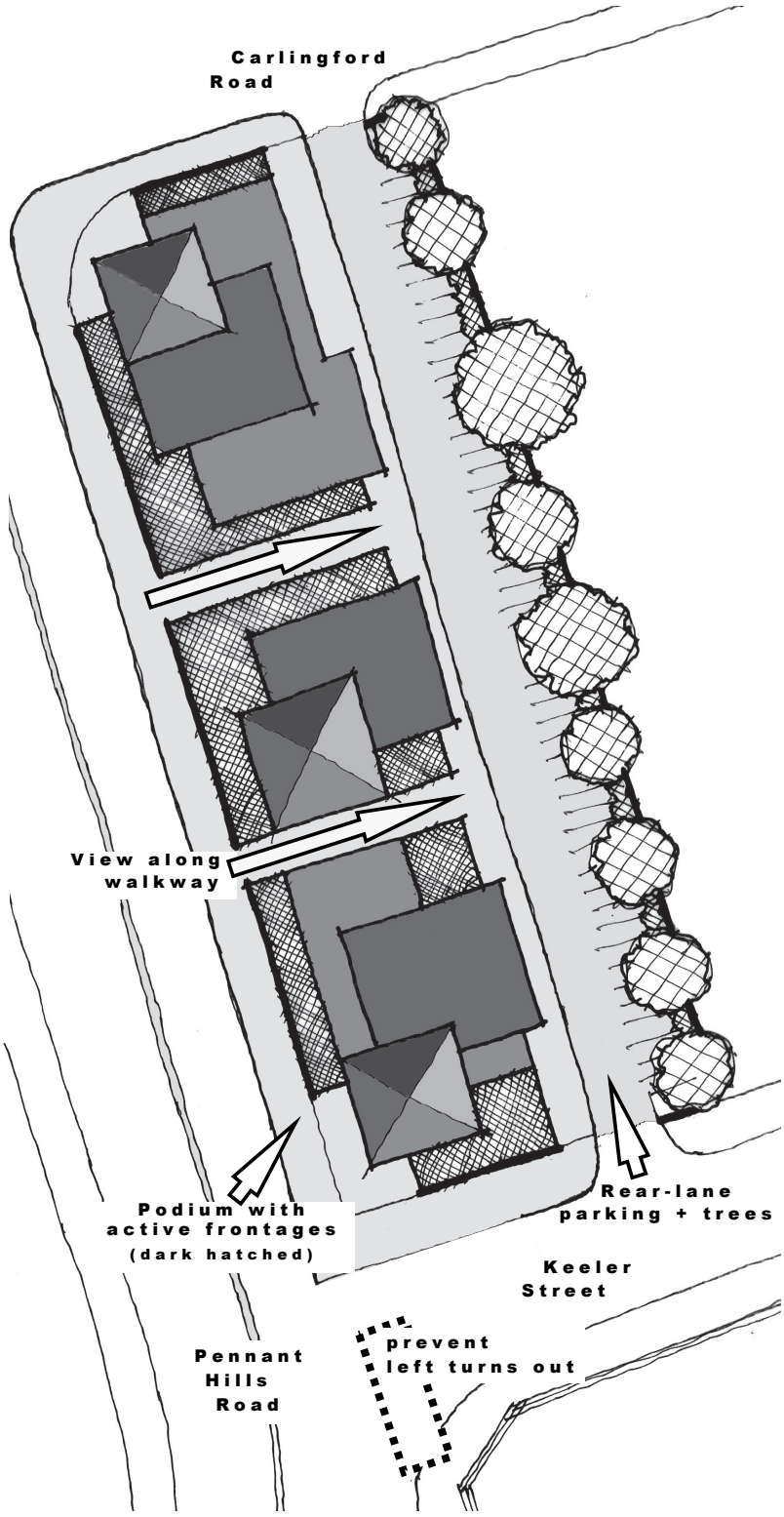
Provide a continuous podium of up to two storeys facing all streets, and shape each podium to address major street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from their podium.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings.



4.5 Hornsby Town Centre

The following provides controls for development in the Hornsby Town Centre. The Hornsby Town Centre is divided into three planning precincts. The location of the Hornsby Town Centre and the planning precincts is depicted in Figure 4.5(a) below.

Note: Some land in the Hornsby Town Centre is zoned R4 High Density Residential and is also subject to the applicable built form controls in Part 3 Residential of the DCP.

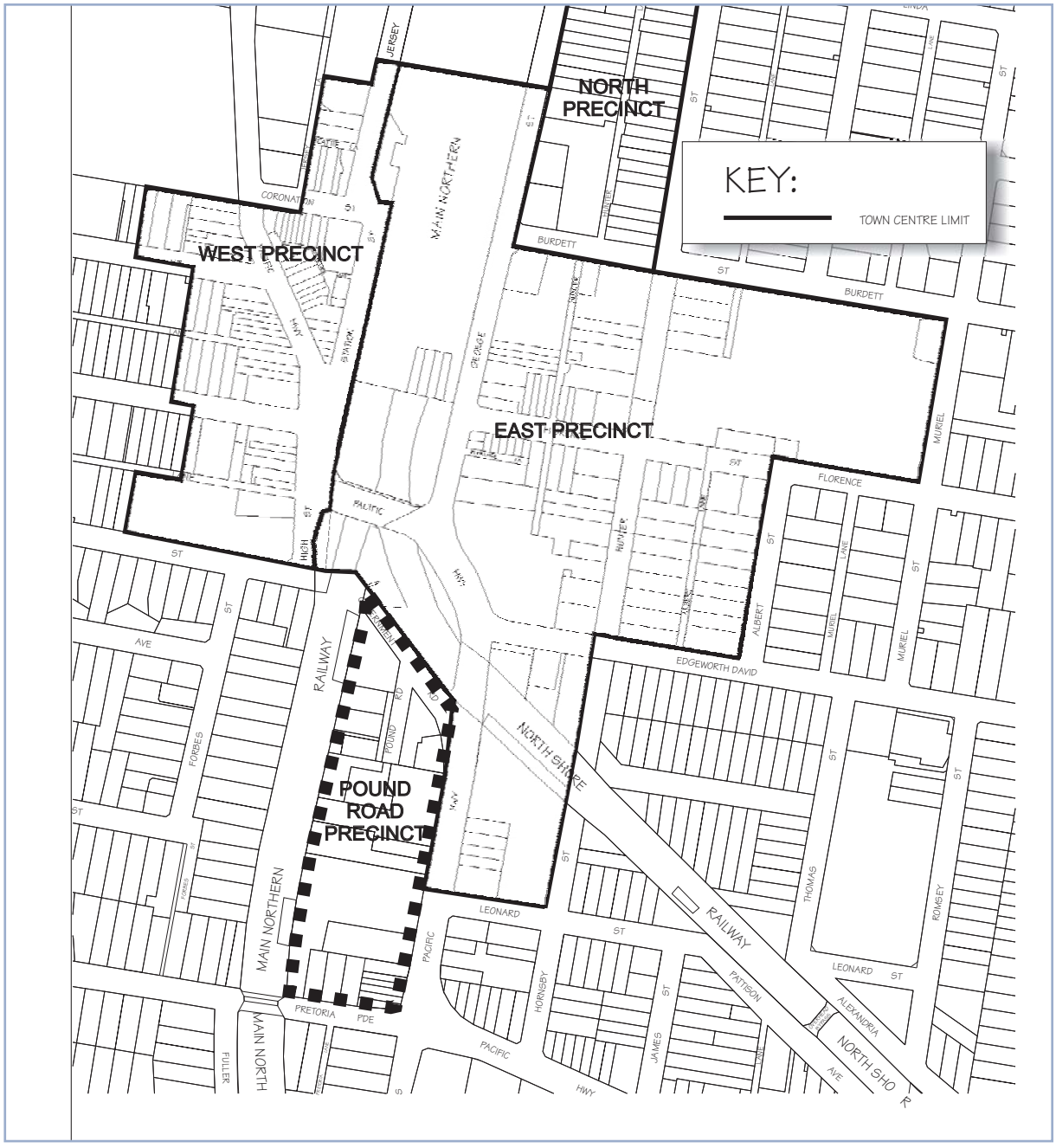


Figure 4.5(a): Hornsby Town Centre and Planning Precinct Boundaries.(C)

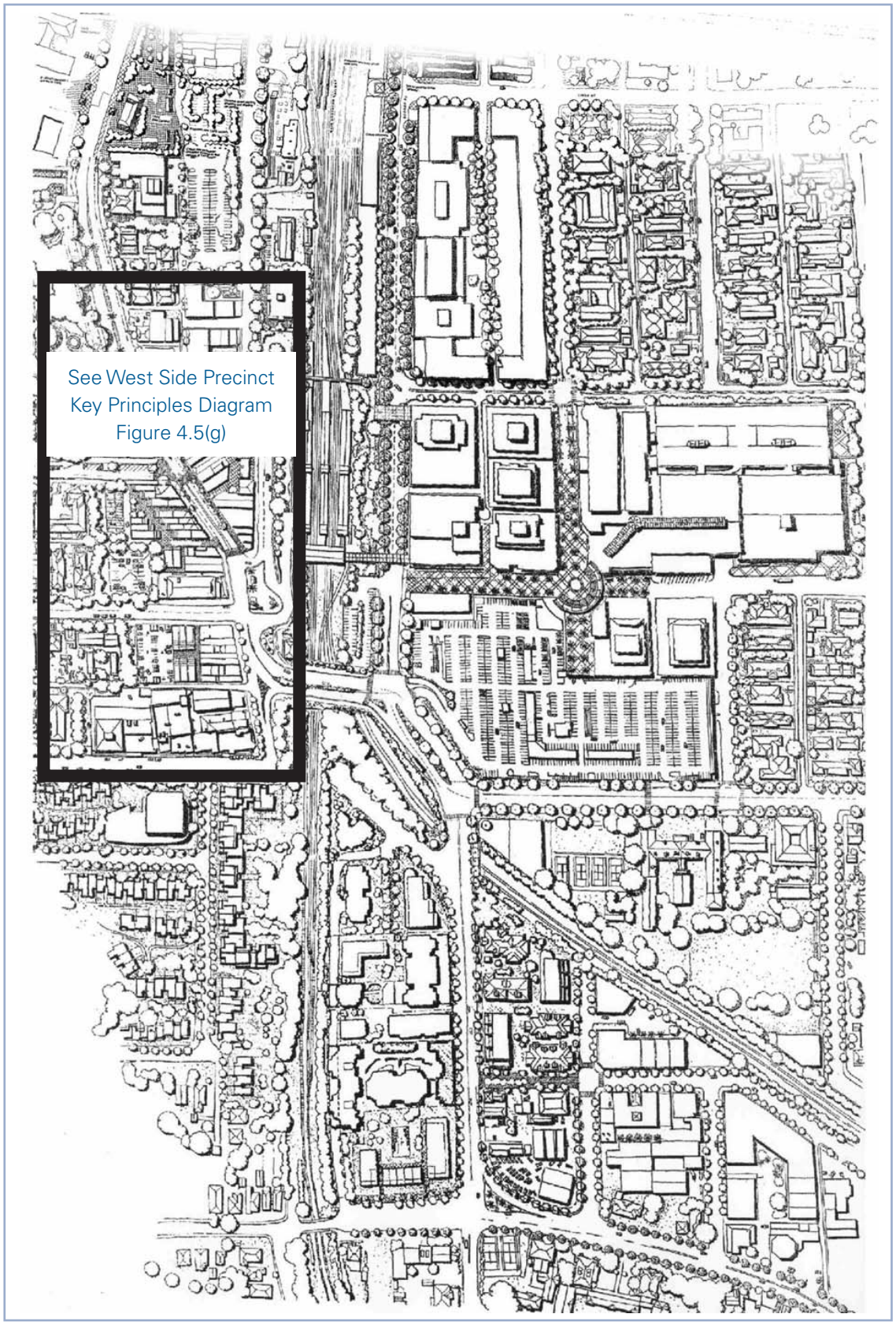


Figure 4.5(b): Hornsby Town Centre Masterplan diagram (aerial view).

4.5.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

a. Development applications should demonstrate compatibility with the following statements of desired character.

The Hornsby Town Centre will be a vibrant and attractive place to live, shop, work and visit and provide a diversity of goods, services and employment opportunities.

The Town Centre encompasses a commercial core surrounded by light industrial, civic/community and residential development of varying density. Development within and adjacent to the core should provide or support the provision of offices and services of sub regional strategic significance.

Development within the Town Centre will be consistent with the urban form and public domain improvements depicted in the Masterplan Diagram in Figure 4.5(b). The design and use of buildings will incorporate active uses adjacent to public streets and places to contribute to the vibrancy of the area. Building design will promote pedestrian comfort and amenity through the inclusion of building features that enhance a pedestrian scale at the base, shade and shelter, safety and security and access for people with a disability. Development will improve physical connections across the railway line, linking the older, western, and newer, eastern parts of the Town Centre.

Buildings at gateways, arrival points or feature points will incorporate elements that signify the focal point of the Town Centre. Avenues of street trees along the main vehicular and pedestrian links will enhance the visual quality of the area.

The Town Centre has developed into three distinctly identifiable precincts, to the east and west of the Hornsby Transport Interchange and north of the main commercial precinct. Development should be consistent with the individual characteristics of the precincts, as described in the following:

East Precinct

Development in the east precinct will be consistent with the role of much of the precinct as the commercial core, being the major focus of retail and commercial activity within Hornsby Shire and the sub regional area.

Building design will provide a pedestrian scale at the base and incorporate a podium. Upper levels will be set back to maximise solar access to the public domain and reduce the impact of the building bulk on the streetscape.

The lower levels of buildings on the southern side of Burdett Street should incorporate active uses such as cafes, outdoor dining and other retail activities to identify the entrance to the retail core.

Buildings located adjacent to the Florence and Hunter Street Mall will integrate with the Mall. The Town Square at the junction of Florence and Hunter Streets provides a focal point for the public domain. Development adjacent to and within the Town Square should facilitate this role by the provision of seats, shade and performance areas such as steps and terraces. Ground floor uses fronting the Town Square include outdoor dining at cafes and restaurants that encourage longer and more active use of the public domain.



Figure 4.5(c): East Precinct Boundary.(C)

North Precinct

The north precinct will provide an extension of the existing commercial centre and accommodate a wide range of living, employment and recreational activities.

Building bulk and scale will step up from the adjacent residential area (to the east of Hunter Street) to the development along George Street. The ground floor of buildings fronting Hunter Street should incorporate non-residential uses that activate the street frontage. The lower levels of buildings fronting George Street should incorporate active uses such as cafes, outdoor dining and other retail activities. Buildings will incorporate awnings to provide a pedestrian scale and to provide shelter. High density residential development located above the commercial podium should contribute to the function of the Centre and maintain after hours vitality.

Development will facilitate the provision of wide tree lined footpaths, a uniform building edge, awnings and local convenience outlets to create a distinct character and vibrant living and working environment.



Figure 4.5(d): North Precinct Boundary.(C)

West Side Precinct

The West Side precinct is the traditional heart of Hornsby. The precinct will be a mixed use, street based centre that provides a range of housing, retail and commercial offices, food outlets, entertainment and employment opportunities to support the larger centre and service the working and residential populations in the area.

New buildings should reinforce the traditional shopping centre character of the precinct though well scaled podium forms, a consistent street wall height, active frontages and continuous awnings to primary streets that together contribute to the pedestrian experience. Lower levels of new buildings should respond to the existing fine grain character of the Conservation Area, using modulation to reduce the overall massing of a development. Tower elements above the street wall height should be elegant with slim and slender proportions and setback from the podium to allow view and light corridors.

Improvements in the public domain including reconnecting Cenotaph Park to the precinct through a new public plaza that will be a gateway to Hornsby by creating a formal entry from the Rail Station through to the Pacific Highway, pedestrianising parts of Dural Lane, development of new lanes for vehicular access, footpath paving and widening, installation of bollards, provision of seating, installation of street furniture and traffic calming measures.

Development along the Peats Ferry Road and Coronation Street should strengthen the 'main street' shopping and dining character of the precinct and should preserve high value heritage buildings, contributory streetscape elements and facades that enhance the streetscape and contribute to the overall sense of place of the precinct.

The Hornsby RSL Club and Hornsby War Memorial Hall sites present an opportunity for high-quality, mixed-use dining, recreation, hotel and residential development. New development should retain the heritage listed War Memorial Hall, include an active destination frontage to High Street and minimise visual, sound and light, and traffic impacts at the interface with surrounding residential areas.

Development and commercial uses should complement and support main street shopping and dining at Peats Ferry Road and be designed to maximise visual and pedestrian connections to commercial areas to the north, and to Cenotaph Park and Hornsby Railway Station.

West Side Precinct Structure Plan and Key Principles Plan

Figure 4.5(f) illustrates the West Side Precinct Structure Plan. This plans sets out the primary guiding principles for the built form controls and public domain upgrades. The Structure Plan is supported by the Hornsby West Side Precinct Urban Structure Plan and West Side Precinct Urban Design Analysis Reports.

The Structure Plan forms the primary overlay for more specific controls that guide other aspects of development.

Figure 4.5(g) illustrates the Key Principles for the West Side Precinct. These principles illustrate the intent and strategy underpinning the Structure Plan, Public Domain Plan and more specific detailed controls in this document.



Figure 4.5(e): West Precinct Boundary.(C)



Figure 4.5(f): West Side Precinct - Structure Plan. (C)

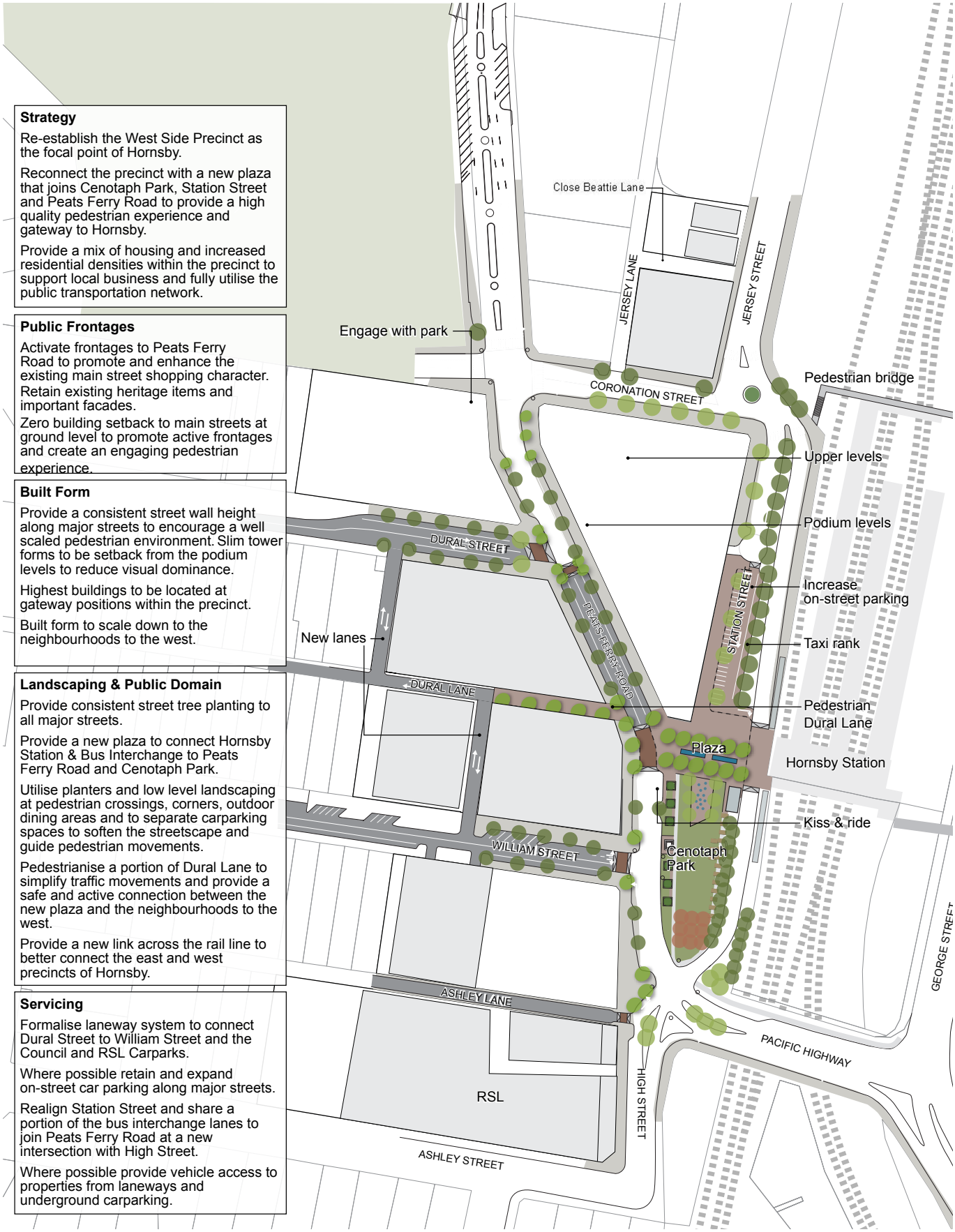


Figure 4.5(g): West Side Precinct - Key Principles Diagram. (C)

4.5.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* are achieved, and
- the design is consistent with the objectives of the Apartment Design Guide.

Note:

Development applications should be accompanied by a statement of environmental effects which includes the following:

- an explanation of how the design addresses the design quality principles set out in Schedule 1 *of State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development*, namely:

  context and neighbourhood character; built form and scale; density; sustainability; landscape; amenity; safety; housing diversity and social interaction; and aesthetics
- an explanation of how the design addresses the design criteria in Part 3 and Part 4 of the Apartment Design Guide.
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development; and
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

4.5.3 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that achieve desired urban design outcomes and efficient use of land to avoid the creation of isolated sites.

Prescriptive Measures

General

a. The development site should be consistent with the site amalgamation provisions for the precinct.

b. Development sites should be of an area and width that can accommodate a building envelope consistent with the floor plate and setback controls in this DCP and the Apartment Design Guide under SEPP 65 Design Quality of Residential Apartment Development.

c. Where a development proposal results in an adjoining site within the precinct with a primary street frontage that is not consistent with the site amalgamation provisions, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

d. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.

North Precinct

e. George Street properties should amalgamate in accordance with the site amalgamation diagram Figure 4.5(h).

f. Hunter Street properties should amalgamate a minimum of 4 lots or 40 metres measured at the primary street frontage to achieve an FSR of over 2:1.

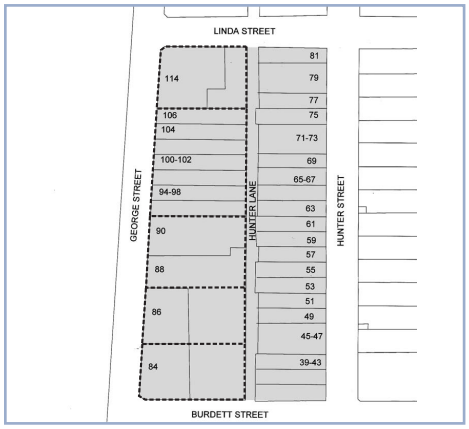


Figure 4.5(h): North Precinct site amalgamations shown dotted.(C)

4.5.4 Scale within Hornsby LGA

Desired Outcome

a. Development with a height, scale and intensity compatible with the role and function of the centre under the commercial centres hierarchy.

Prescriptive Measures

Floor Space Ratio

a. The maximum floor space ratio for business lands shall be in accordance with the HLEP *Floor Space Ratio Map* as follows

Table 4.5.3(a): Summary of HLEP FSR Provisions

HLEP Area	Maximum FSR (total)	Maximum FSR (Residential use)
T	2:1	
V	3:1 (+FSR variations for Area 8)	Area 2 - 2:1
Z	5:1	Area 1 - 2:1 Area 3 - 1:1

b. As detailed in Table 4.5.3(a) above, the proportion of any building in Areas 1, 2, and 3 (as identified on the HLEP Floor Space Ratio Map) able to be used for residential accommodation is limited pursuant to the provisions of Clause 4.4(2A) of the HLEP.

c. Within the West Side Precinct, Council may consent to development that results in a variation to the floor space ratio shown on the Floor Space Ratio Map. The requirements regarding the floor space variation are provided in Clause 4.4 (2D) of the HLEP.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.

As detailed in Clause 4.5 of the HLEP, the Floor Space Ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of Gross Floor Area.

Floorplates - West Precinct

d. Residential floorplates above the podium should have a maximum GFA of 700 sqm. Balconies and terraces may project from this maximum.

e. Commercial floorplates above the podium should have a maximum GFA of 1,200sqm.

Note:

The maximum floorplate requirements for the West Precinct (d. and e.) do not apply to No. 2 and No. 4 High Street, Hornsby

Floorplates - North Precinct

f. Residential floorplates should have a maximum dimension of 18 metres. Balconies and terraces may project beyond this maximum.

g. Commercial floorplates should have a maximum dimension of 35 metres, measured perpendicular to the primary retail frontage and between opposing exterior walls at any point.

Height

h. Sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.5.3(b) (excluding basement carparking).

Table 4.5.3(b): Translation of Height to Storeys

HLEP Area	Maximum building height (m)	Maximum Storeys - Commercial building	Maximum Storeys Mixed Use building
I	8.5m	2 storeys	2 storeys
O1	16m	4 storeys	4 storeys
S	23.5m	6 storeys	7 storeys
T1	26.5m		8 storeys
U	32.5m	8 storeys	10 storeys
V1	35.5m	9 storeys	11 storeys
V2	38.5m		12 storeys
W1	40m	10 storeys	13 storeys
X	48m	12 storeys	15 storeys
AA1	62.5		20 storeys
AA2	77.5		25 storeys

i. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

j. Buildings within the West Precinct are to incorporate a commercial podium with a height of 2 to 5 storeys (8.5-16.5 metres), in accordance with Figure 4.5(i).

k. Mixed use buildings within the North Precinct are to incorporate a commercial podium with a height of 3 storeys (12 metres), in accordance with Figure 4.5(j).

l. Buildings within the East Precinct are to incorporate a commercial podium with a height of 2 to 3 storeys (8-12metres), in accordance with Figure 4.5(l).

m. A transition in building height should be provided at sensitive interface areas adjacent to heritage items and adjacent residential areas outside the precinct boundaries.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

A mixed use building described above comprises a building with a commercial podium and residential floors above.

4.5.4 Scale within City of Parramatta LGA

Desired Outcome

a. Development with a height, scale and intensity compatible with the role and function of the centre under the commercial centres hierarchy.

Prescriptive Measures

Floor Space Ratio

a. The maximum floor space ratio for business lands shall be in accordance with the HLEP *Floor Space Ratio Map* as follows

Table 4.5.3(a): Summary of HLEP FSR Provisions

HLEP Area	Maximum FSR (total)	Maximum FSR (Residential use)
T	2:1	
V	3:1 (+FSR variations for Area 8)	Area 2 - 2:1
Z	5:1	Area 1 - 2:1 Area 3 - 1:1

b. As detailed in Table 4.5.3(a) above, the proportion of any building in Areas 1, 2, and 3 (as identified on the HLEP Floor Space Ratio Map) able to be used for residential accommodation is limited pursuant to the provisions of Clause 4.4(2A) of the HLEP.

c. Within the West Side Precinct, Council may consent to development that results in a variation to the floor space ratio shown on the Floor Space Ratio Map. The requirements regarding the floor space variation are provided in Clause 4.4 (2D) of the HLEP.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.

As detailed in Clause 4.5 of the HLEP, the Floor Space Ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of Gross Floor Area.

Floorplates - West Precinct

d. Residential floorplates above the podium should have a maximum GFA of 700 sqm. Balconies and terraces may project from this maximum.

e. Commercial floorplates above the podium should have a maximum GFA of 1,200sqm.

Floorplates - North Precinct

f. Residential floorplates should have a maximum dimension of 18 metres. Balconies and terraces may project beyond this maximum.

g. Commercial floorplates should have a maximum dimension of 35 metres, measured perpendicular to the primary retail frontage and between opposing exterior walls at any point.

Height

h. Sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.5.3(b) (excluding basement carparking).

Table 4.5.3(b): Translation of Height to Storeys

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S	23.5m	6 storeys	7 storeys
T1	26.5m		8 storeys
U	32.5m	8 storeys	10 storeys
V1	35.5m	9 storeys	11 storeys
V2	38.5m		12 storeys
W1	40m	10 storeys	13 storeys
X	48m	12 storeys	15 storeys
AA1	62.5		20 storeys
AA2	77.5		25 storeys

i. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

j. Buildings within the West Precinct are to incorporate a commercial podium with a height of 2 to 5 storeys (8.5-17.5 metres), in accordance with Figure 4.5(i).

k. Mixed use buildings within the North Precinct are to incorporate a commercial podium with a height of 3 storeys (12 metres), in accordance with Figure 4.5(j).

l. Buildings within the East Precinct are to incorporate a commercial podium with a height of 2 to 3 storeys (8-12metres), in accordance with Figure 4.5(l).

m. A transition in building height should be provided at sensitive interface areas adjacent to heritage items and adjacent residential areas outside the precinct boundaries.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

A mixed use building described above comprises a building with a commercial podium and residential floors above.

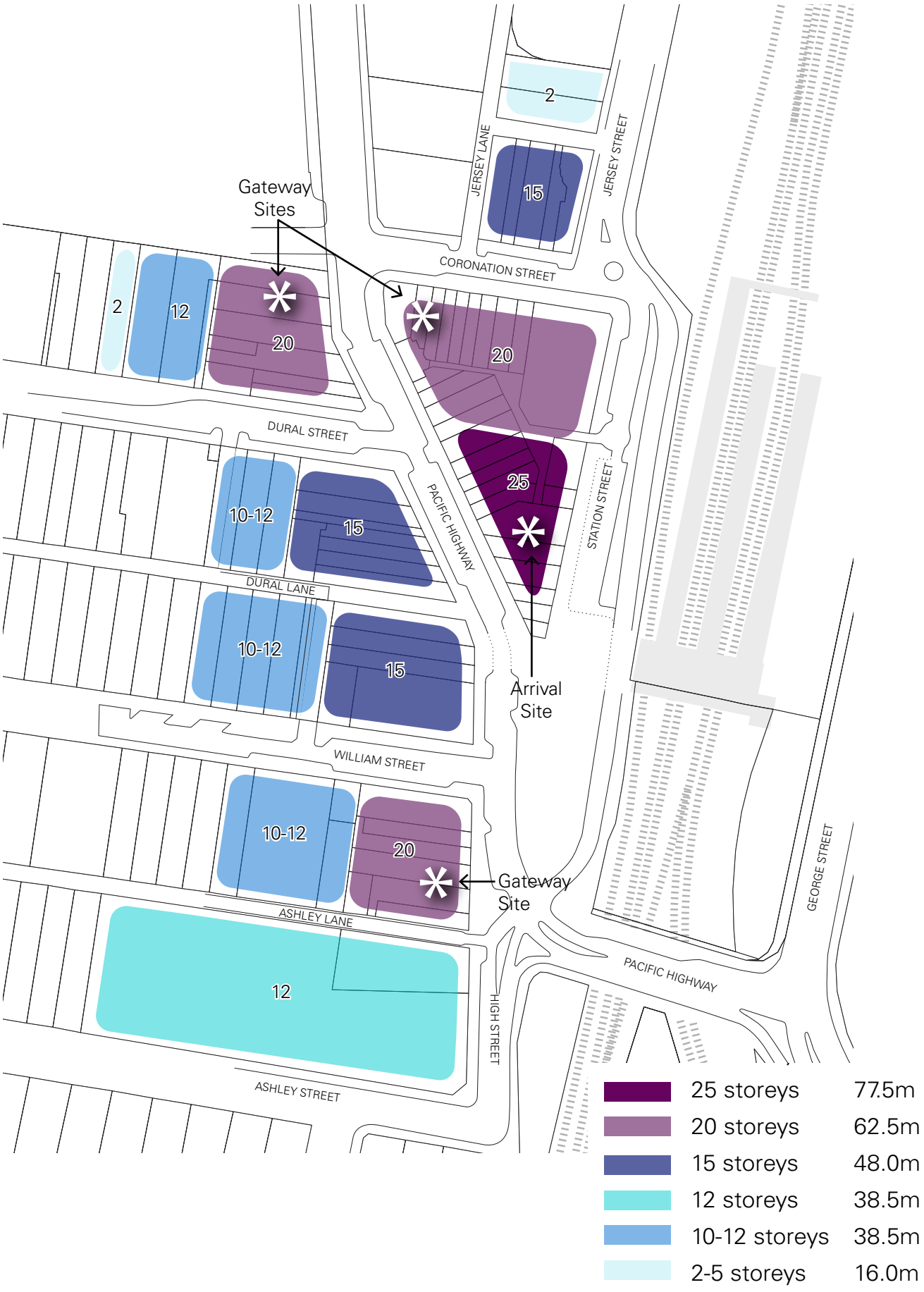


Figure 4.5(i): West Side Precinct - Building Height Plan. (C)

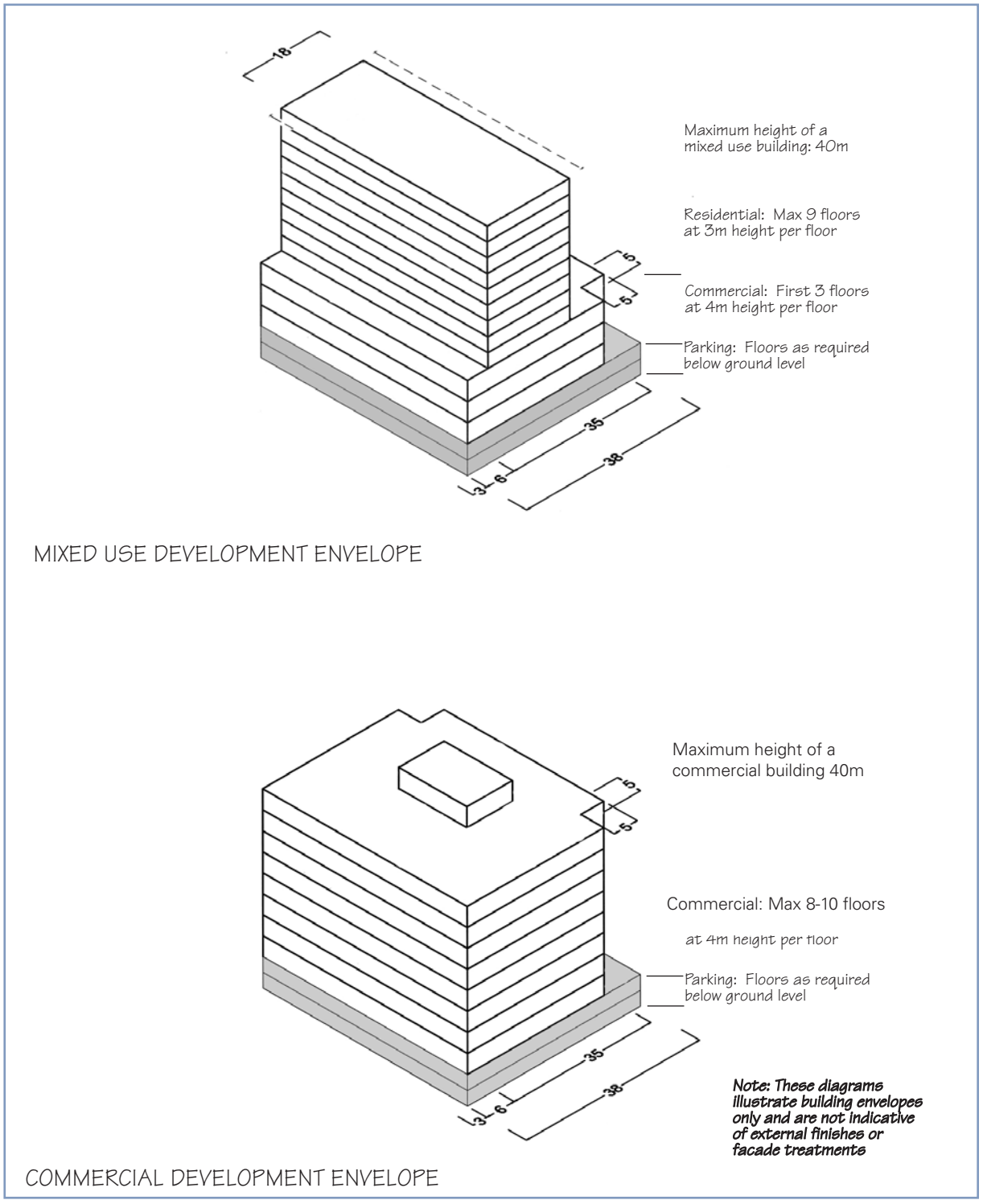


Figure 4.5(j): North Precinct (George Street) building height illustration.(I)

4.5.5 Setbacks

Desired Outcome

a. Well articulated building forms with a pedestrian-friendly scale that encourages commercial activity and provides for landscaping, open space and separation between buildings.

Prescriptive Measures

General

a. Buildings should generally have zero setbacks to property boundaries, except where otherwise indicated in the prescriptive precinct controls.

b. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Roof eaves and awnings,
- Sunshades and screens, and
- Blade columns which support roofs or sunshades.

c. Where a property adjoins a boundary with a residential landuse, greater setbacks may apply to the upper storeys in accordance with the separation controls in Section 4.5.7 Privacy and Security.

d. A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items.

Notes:

Greater setbacks may apply to the upper residential storeys in accordance with the separation controls in the SEPP 65 Apartment Design Guide.

Refer to Part 9 Heritage of this DCP for additional heritage controls.

North Precinct

e. The setbacks of all buildings and structures to the boundaries of the site are prescribed in Table 4.5.4(a) for the North Precinct and illustrated in Figure 4.5(k).

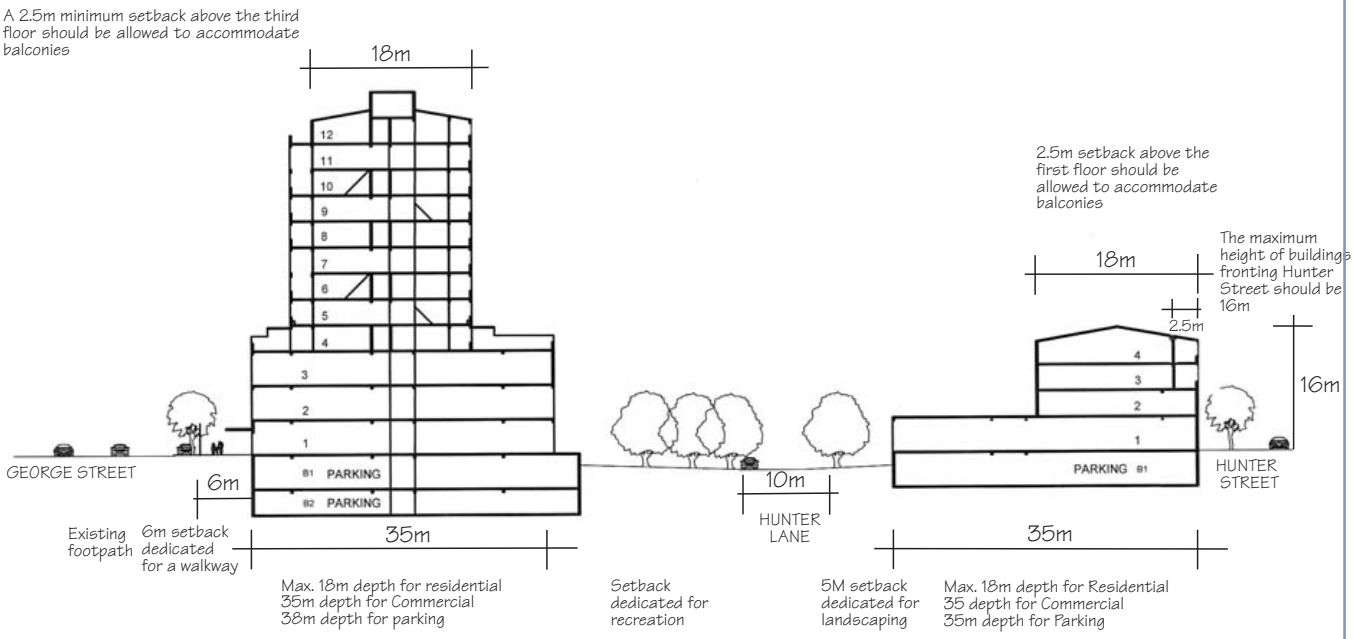
Table 4.5.4(a): Minimum Setbacks - North Precinct

COMMERCIAL FLOORS and BASEMENT PARKING	
Location	Building Setback
George Street	6m
Burdett Street	3m
Linda Street	3m
Hunter Street	0m for buildings up to 8m, thereafter setback a minimum of 2.5m
Hunter Lane (rear)	A maximum rear building line as follows: George St sites - 41m measured from the George Street frontage Hunter St sites - 35m measured from the Hunter Street frontage
Side boundary	0m
Basement parking setback	As per the above, with an encroachment of up to 3m in the rear setback adjacent to Hunter Lane (for George Street properties only)
RESIDENTIAL SETBACKS	
Location	Minimum Building Setback
George Street	8.5m
Burdett Street	5.5m
Linda Street	5.5m
Hunter Street	2.5m
Hunter Lane (rear)	A maximum rear building line as follows: George St sites - 26.5m measured from the George Street frontage Hunter St sites - 18m measured from the Hunter Street frontage
Side boundary	0m

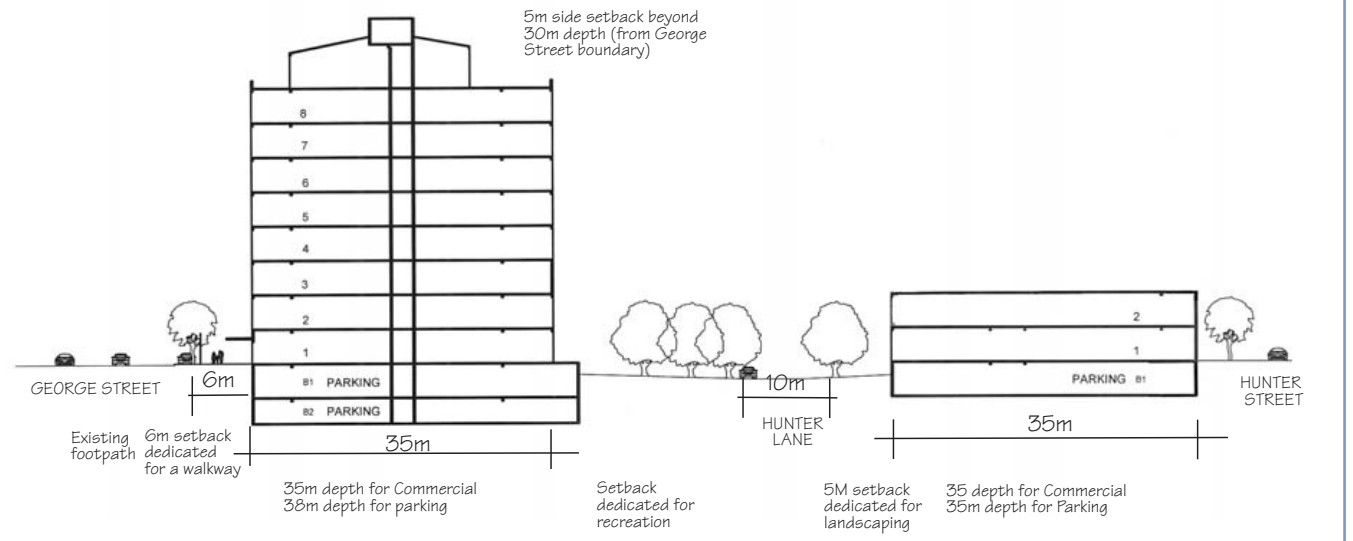
f. Mixed use buildings are to incorporate a commercial podium adjacent to the public domain with upper level residential floors setback in accordance with Figure 4.5(h).

g. Balconies adjacent to the street are able to encroach into the minimum residential building setbacks by 2.5 metres in the following locations:

- On the floor immediately above the 3 storey commercial podium fronting George Street, and
- On residential floors above the ground floor on-sites adjacent to Hunter Street.



MIXED USE DEVELOPMENTS



COMMERCIAL DEVELOPMENTS

Figure 4.5(k): North Precinct setbacks in section.(C)

East Precinct

h. The setbacks of all buildings and structures to the boundaries of the site are prescribed in Table 4.5.4(b) for the East Precinct:

Table 4.5.4(b): Minimum Setbacks - East Precinct

Location	Building Setback
George Street (south Burdett St)	3m
Burdett Street (south)	3m
Hunter Lane (south)	2m
Pacific Highway (south of rail line)	4m
Leonard Street	3m
Side boundary	0m

i. A pedestrian colonnade should be provided in the required building setback area as indicated on Figure 4.5(l).

j. Buildings should incorporate a podium adjacent to the public domain with a height of 2 to 3 storeys (8-12 metres) and in accordance with Figure 4.5(m).

k. The upper levels above the 2 to 3 storey (8-12 metre) podium should be setback in accordance with Figure 4.5(m).

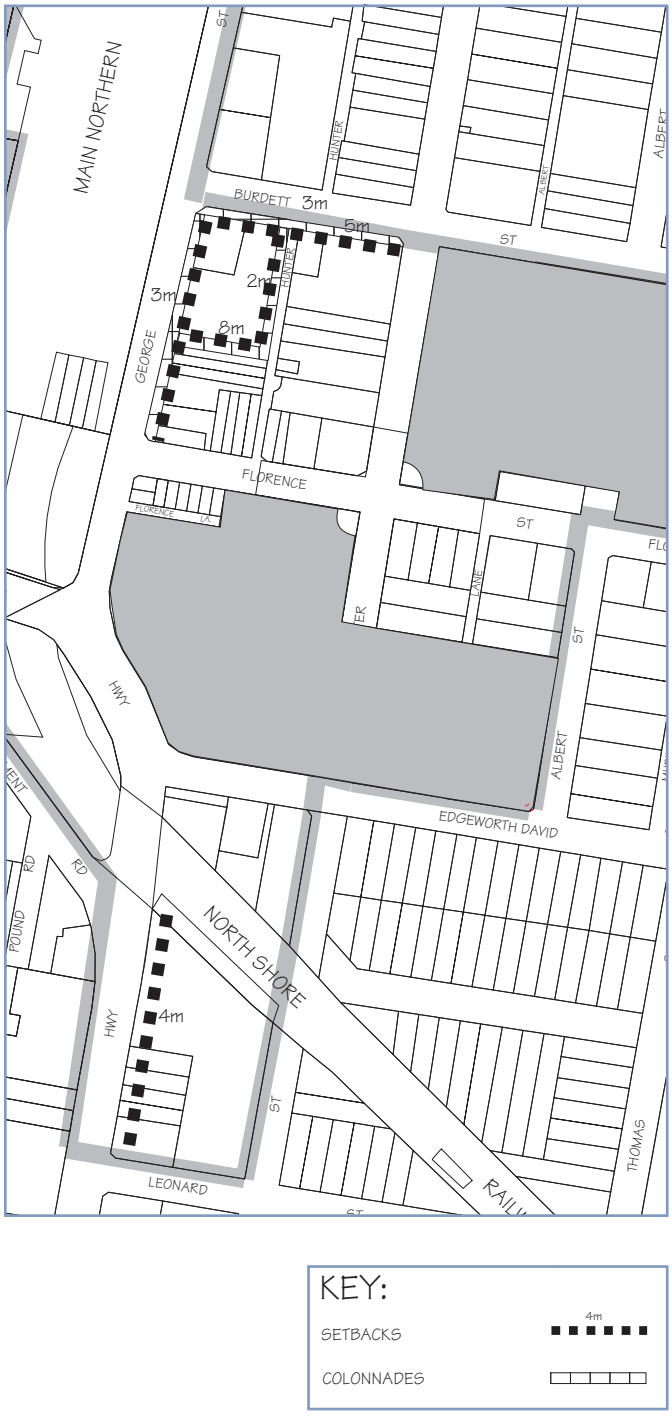


Figure 4.5(l): East Precinct podium setbacks and colonnades.(C)

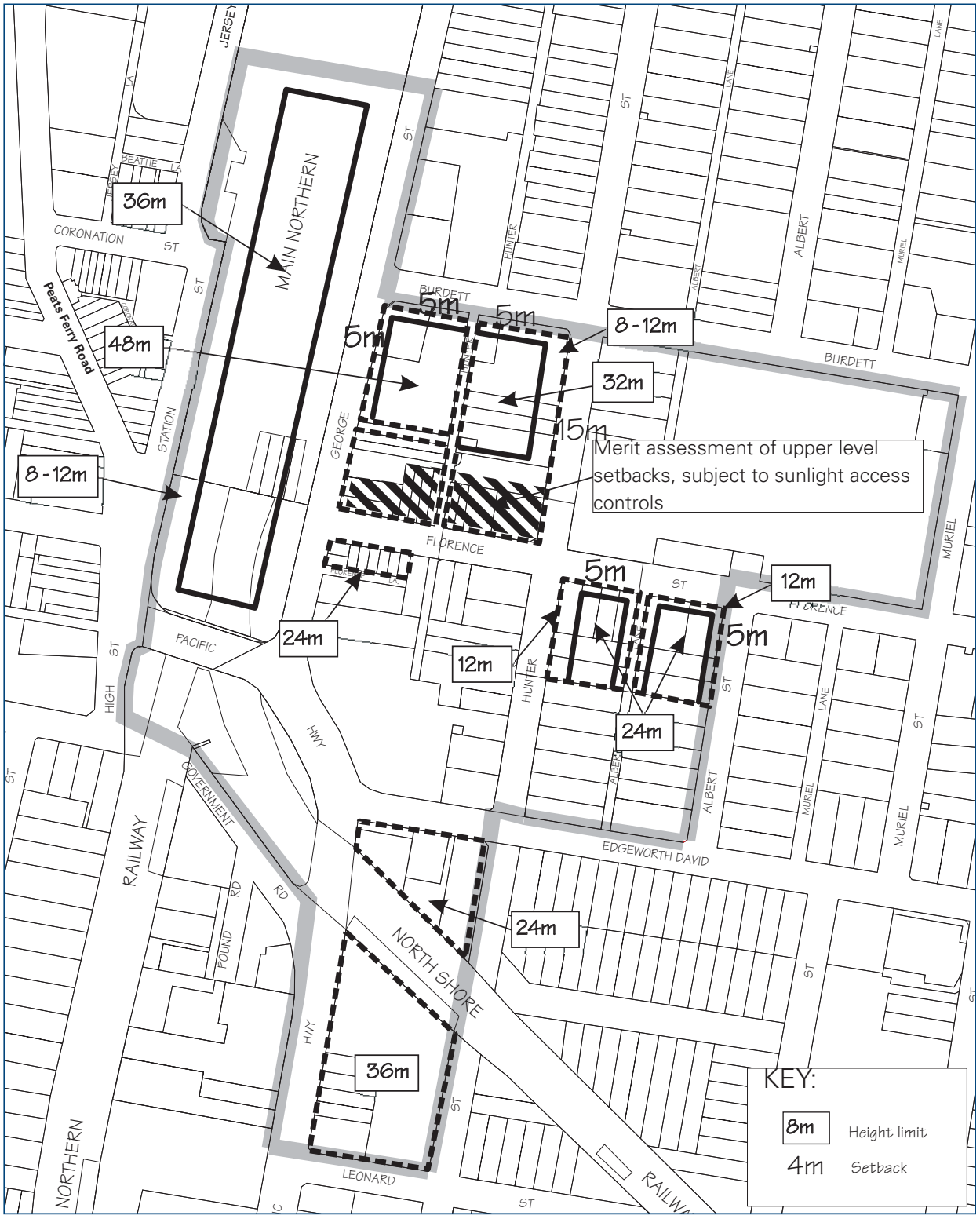


Figure 4.5(m): East Precinct heights and upper level setbacks.(C)

West Precinct

l. The setbacks of all buildings and structures to the boundaries of the site are prescribed in Table 4.5(c) for the West Precinct:

Table 4.5.4(c): Ground Floor Minimum Setbacks - West Precinct

Location	Building Setback
Peats Ferry Road	0m
Coronation Street	0m
Station Street	0m
Jersey Street	0m
Jersey Lane	0m
Beattie Lane	0m
Dural Street (active frontage)	0m
(other frontage)	3m
Dural Lane (active frontage)	0m
(other frontages)	3m
William Street (active frontage)	0m
(other frontages)	3m
High Street	0m
Ashley Lane (active frontage)	0m
(other frontages)	3m
Ashley Street (active frontage)	0m
(semi active frontages to RSL Club and carpark)	0m
(other frontages)	3m
Hornsby Park Edge Interface	
(active frontage)	0m
(other frontages)	3m
Interface with Residential Zoning	6m
Upper Floor Minimum Setbacks (Figure 4.5(m)	
Location	**Upper Floor Setback**
Peats Ferry Road	6m
Coronation Street	6m
Station Street	3m
Jersey Street	3m
Dural Street	3m
Dural Lane	3m
William Street	3m
High Street	6m
Ashley Lane	0m
Ashley Street	3m
Hornsby Park Edge Interface	3m
Western boundary of No. 4 High Street	9m

m. Despite the above table, car parking stations may be built to the front boundary where a facade is provided that presents a built form consistent with the character of commercial/retail buildings within the precinct.

n. Ground Floor Minimum setbacks are illustrated in Figure 4.5(n).

o. The upper levels above the podium should be setback in accordance with Figure 4.5(o).



Figure 4.5(n): West Side Precinct - Ground Floor Minimum Setbacks. (C)

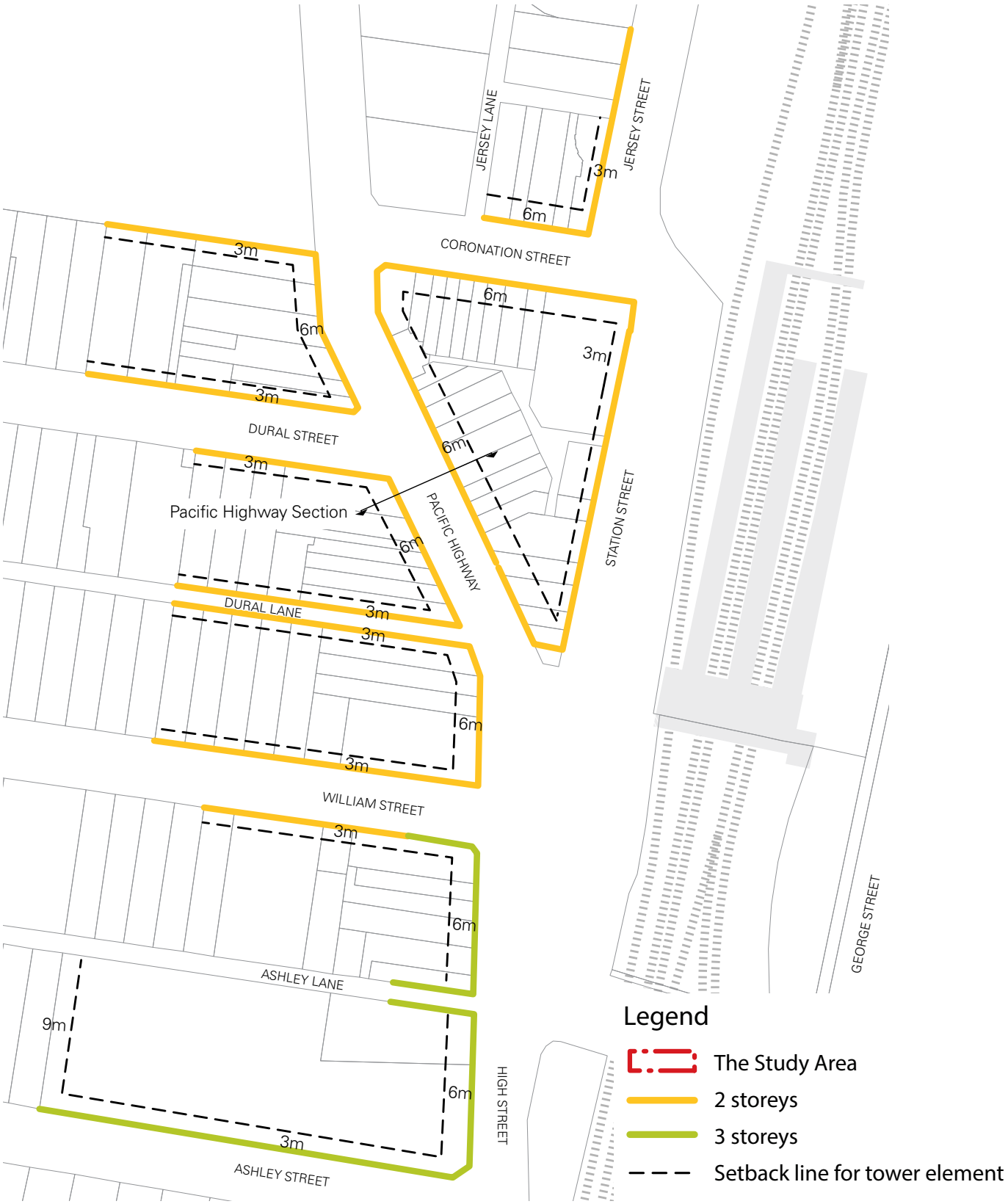


Figure 4.5(o): West Side Precinct - Podium Heights and Upper Floor Setbacks (C)

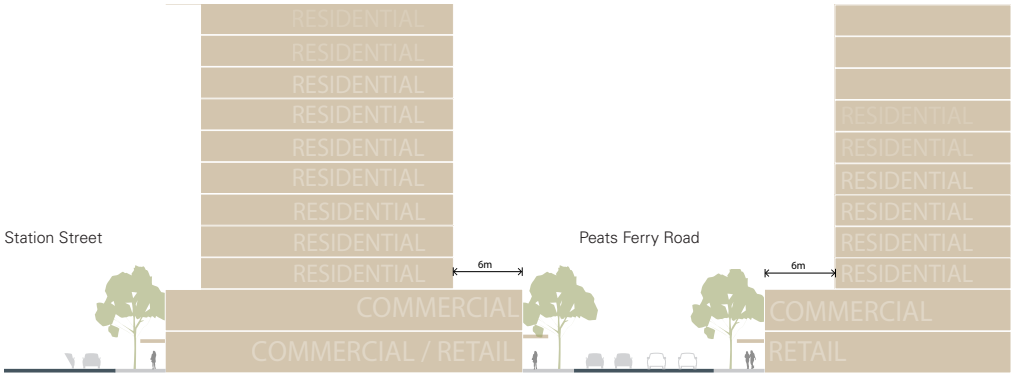


Figure 4.5(p): Upper level setbacks to Peats Ferry Road. (C)

4.5.6 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Development that increases the amount and quality of open space available for use by workers and the residential population.

Prescriptive Measures

General

a. Communal and/or public open space should be provided in accordance with the Open Space Plan at Figure 4.5(q).

Hornsby Park

b. Hornsby Park should provide active and passive recreation areas.

c. Development adjacent to the Park should engage with, and preserve and enhance the Park's heritage value.

Note: Refer to the Hornsby Park Masterplan for details regarding its development.

Hunter Lane

d. A central green space should be created which acts as a gathering and recreational area for the residents and workers of the precinct.

Leonard Street and Pound Road Recreation Areas

e. Street closures and passive recreation areas should be provided in Leonard Street and Pound Road. The recreation area should provide appropriate recreational amenities for residents of adjacent high density residential development.

Note: refer to Section 3.5 of the DCP for the Pound Road Precinct.

Cenotaph Plaza and Park

f. Paving, landscaping, street furniture and water features should link rail station & bus interchange to Peats Ferry Road through a plaza that connects Station Street to Cenotaph Park and contribute to a sense of arrival to Hornsby.

g. Landscaping in the park should reinforce and enhance the Hornsby War Memorial and Palms.

Note: Refer to Figure 4.5(r) West Side Precinct Landscape and Public Domain Plan

Dural Lane

h. Pedestrianise portion of Dural Lane at the Pacific Highway in a similar paving material as Cenotaph Plaza.

i. Provide low level planting, trees and bollards where necessary.

Note: Refer to Figure 4.5(r) West Side Precinct Landscape and Public Domain Plan

Shop Top Housing

j. Every dwelling should be provided with a principal private open space in accordance with Table 4.5.5(a).

Table 4.5.5(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	$4m^2$	1m
1 bed unit	$8m^2$	2m
2 bed unit	$10m^2$	2m
3+ bed unit	$12m^2$	2.4m
Ground and podium level	$15m^2$	3m

k. Private open spaces should be designed as outdoor rooms that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

l. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

m. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevaiton of a building fronts Epping Road or a rail corridor.

Communal Open Space

n. A principal communal open space area should be provided for any development over 8 storeys with more than 10 dwellings as follows: be located on a podium;

- have a minimum area of 50m2
- have a minimum dimension of 6 metres;
- be landscaped for active and/or passive recreation and encourage social interaction between residents;
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter);
- be located to provide direct site lines and convenient access from the building lobby; and
- be sited and designed to protect the amenity of adjacent dwellings.

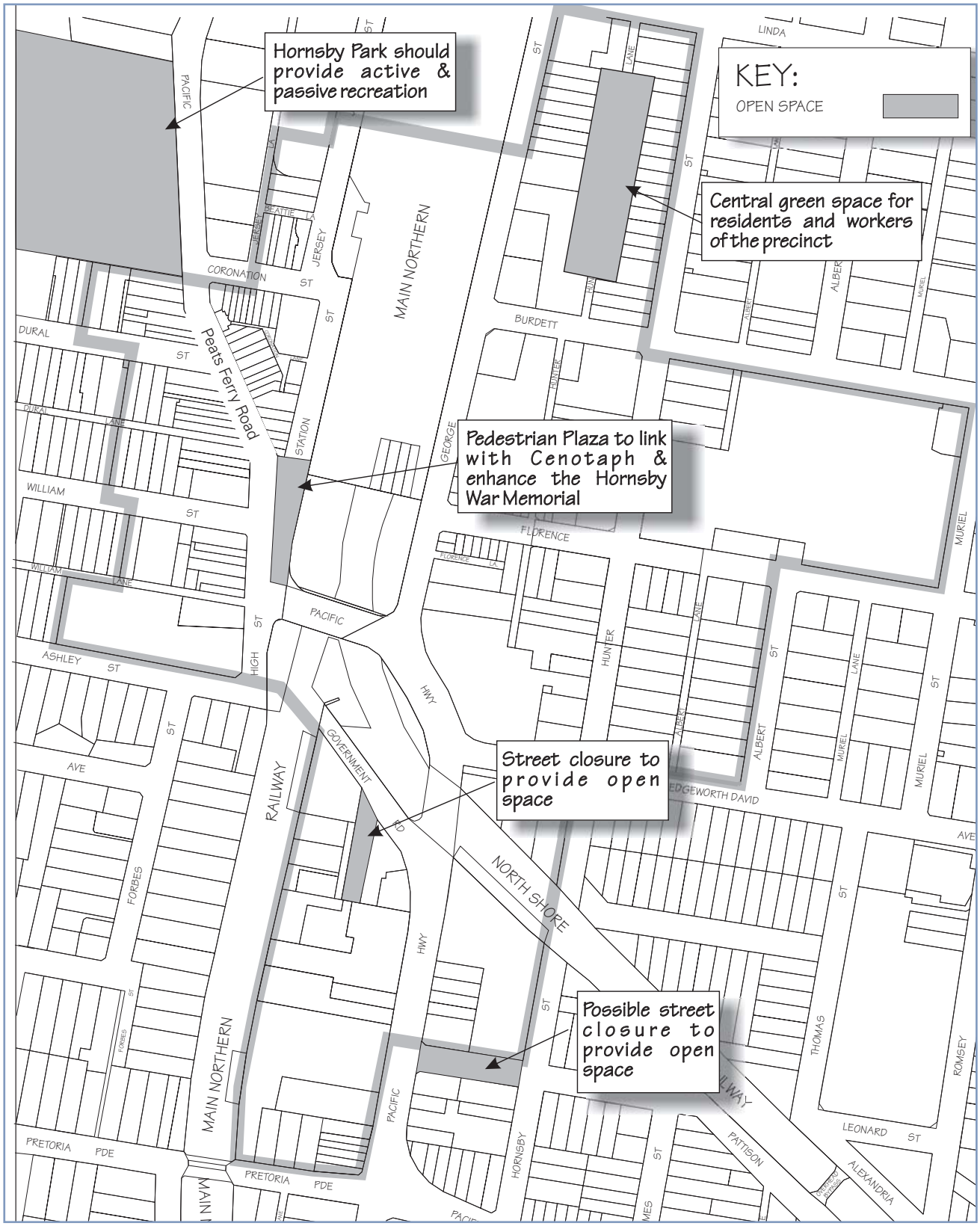


Figure 4.5(q): Open Space Plan.(C)

4.5.7 Landscaping

Desired Outcome

a. Development that contributes to attractive streetscapes by providing shade along pedestrian frontages and screen planting along boundaries.

b. Development that preserves significant trees that add to the environmental character of the commercial centre.

c. Development that incorporates green roofs and walls to improve air quality, amenity, ambient air temperature, building insulation, bird habitat and aesthetic quality of the urban environment.

d. Development that incorporates edible gardens or community vegetable gardens into the design of the proposed open public spaces and/or rooftops.

Prescriptive Measures

General

a. Landscaping should be included in building setback areas to complement the appearance of the building.

b. Setbacks from sensitive areas should be fully landscaped.

c. Green roofs and walls should be incorporated into the design of development where appropriate.

d. Green roofs are to be located in accessible, serviceable and visible parts of the roof, such as the lower parts of a development with varying heights.

e. Habitable green roof areas designed for use as recreation facilities are to have a high standard of finish and design. A detailed desciption and plan of roof top design is to be submitted with the development application as part of the landscape plan.

f. The design of any habitable green roof area is to address:

- visual and acoustic privacy;
- safety;
- security;
- roof maintenance and servicing; and
- wind effects.

g. Primary and secondary retail frontages should be landscaped with tree-plantings combined with paving in accordance with the following:

- Trees should be planted as widely-spaced avenues along kerbsides consistent with the public domain element at Section 4.5.11 of this DCP, and
- Pavements within each precinct should be of a consistent design, constructed of durable and non-slip modular units that are resistant to fading, discolouration and chipping, and that may readily be removed and replaced following future installation of in-ground services.

Shop Top Housing

h. Residential levels should be landscaped with native or exotic species in planter boxes watered by recycled grey water or stormwater to provide screening.

i. Where communal open space is required, these spaces should include lawn areas surrounded by hedges of shrubs.

Retention of Landscape Features

j. Buildings, driveways and service trenches should have a minimum setback that complies with AS4970 from trees that have been assessed as significant or which are visually prominent streetscape elements.

Fencing

k. Fencing is discouraged in the primary and secondary street frontage setbacks.

l. Allotments adjoining residential lands should be fenced with appropriate residential style fencing.

m. Fencing enclosing private residential courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

Notes:

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the development.

Details of street tree planting plans are provided at Section 4.5.11 Public Domain and Traffic Management Works.



Figure 4.5(r): West Side Precinct - Landscape & Public Domain Plan. (C)

4.5.8 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. For development at the interface of a commercial area and a residential zone, development should encourage views from the commercial area to the horizon rather than downward onto residential areas.

b. The commercial and residential component of development should be distinguished in terms of building entries and private, communal and public open space.

c. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

d. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

e. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

f. Where communal open space is required, balconies, terraces or bedroom windows near communal areas should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants

g. Common residential lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

Security

h. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

i. Private open spaces, living room windows, commercial unit windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

j. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

k. Where a mix of land uses are proposed, separate, secure access should be provided to lift lobbies, basements and communal storage areas.

Notes:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5 metres high, measured from the floor level, and has no individual opening more than 30 millimetres wide, and has a total of all openings less than 30 percent of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

4.5.9 Sunlight and Ventilation

Desired Outcome

a. Development that maximises solar access to the public domain, pedestrian areas and public open spaces.

b. Development designed to provide reasonable solar access and natural ventilation to residential living areas and open space areas.

c. Development that encourages the connection of buildings to available or planned district energy, water and waste systems in urban renewal areas in order to achieve additional energy, water and waste efficiency arising from a precinct-wide approach to infrastructure.

Prescriptive Measures

General

a. On 22 June, public open space areas, and plaza areas should receive 2 hours of sunlight between 9am and 3pm to at least 50 percent of the area.

b. On 22 June, at least 70 percent of dwellings should receive 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

c. Principal communal open space should receive a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).

d. Development, including new planting, should try to maintain solar access to existing photovoltaic solar panels having regard to the performance of, efficiency, economic viability and reasonableness of their location.

e. Development should be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including the design, location and thermal properties of glazing, natural ventilation, appropriate use of thermal mass and external shading (including vegetation).

f. Every habitable room should have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.

g. A window should be visible from any point in a habitable room.

h. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

4.5.10 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Mixed-use developments should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

4.5.11 Vehicle Access and Parking

Desired Outcome

a. Development that provides for the safe and efficient movement of vehicles within and through the Town Centre.

b. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

c. Development that delivers sustainable transport options which benefit residents and/or employees.

d. Development that minimises the rates of private vehicle use and encourages the use of transport choices within the region.

Prescriptive Measures

Vehicular Access

a. Traffic access routes to and from the Town Centre should be promoted in accordance with the Access Routes Strategy Plan at Figure 4.5(u).

b. Primary access routes should be the main access routes for vehicles to and from the Town Centre. Direct vehicular site access to and from primary routes should be discouraged where possible in order to maintain capacity for through traffic movements. However, direct site access may be considered acceptable where it can be provided through a controlled intersection.

c. Secondary access routes should provide a feeder role between the Town Centre and primary access routes. Direct vehicular site access may be considered acceptable subject to appropriate design requirements. Where available, access should be provided via a lower ranked road.

d. Traffic circulation routes should be promoted in accordance with the Circulation Routes Strategy Plan at Figure 4.5(v) and should be considered in determining turning restrictions.

e. New lane ways in the West Side Precinct to provide access and tertiary circulation to Council car parking and properties with restricted vehicular access. Refer to figure 4.5(w) West Side Precinct - Vehicular Access Plan.

f. Vehicular access points should be consistent with Figure 4.5(t) and the following:

- North precinct - vehicular access to development sites should be from Hunter Lane.

g. For intensive traffic generating development, a traffic study may be required.

Note:

Development proposals exceeding a floorspace ratio of 4:1 should be accompanied by a comprehensive traffic assessment including modelling of relevant intersections.

Car parking

h. On-site car parking should:

- be provided behind or beneath buildings,
- be accessed via rear laneways or side streets where available,
- share carpark entrances with adjoining properties where possible,
- be screened from the street and other public areas,
- design the carpark entrance to incorporate other facade elements such as overhanging balconies or side planter boxes in the composition of the facade,
- All ramps are to be designed as two way ramps in accordance with AS 2890.1 and AS 2890.2, and
- All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2

i. Public car parking should be provided via the following:

- the provision of decked parking above the existing Council carpark in William Street and the Hornsby RSL Club carpark as indicated on Figure 4.5(s) and/or
- the redevelopment of Site C in the East Precinct as indicated on Figures 4.5(x) and 4.5(y), which is accessed via Hunter Lane.

j. Constrained sites in the east precinct should provide a portion of required car parking in accordance with Council's Section 94 Contribution and Table 4.5.10(a).

Table 4.5.10(a): Parking Required to be Provided via Section 94 Contribution

Sites (see Figure 4.5(s)	On-site Parking	Parking Via S94 Contribution
Sites with limited vehicular access or site constraints	Tenant Parking at 1 space per 80m^2	Balance of required parking via S94
Sites A, B, E		
Site H	A portion of parking may be provided where access and circulation for vehicles can be achieved.	Balance of required parking via S94

k. Where vehicular access and/or site constraints restrict the ability to provide any parking on-site within a commercial development, all parking should be provided in a public car park (via a Section 94 Contribution) to meet the projected demand.

Note:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements

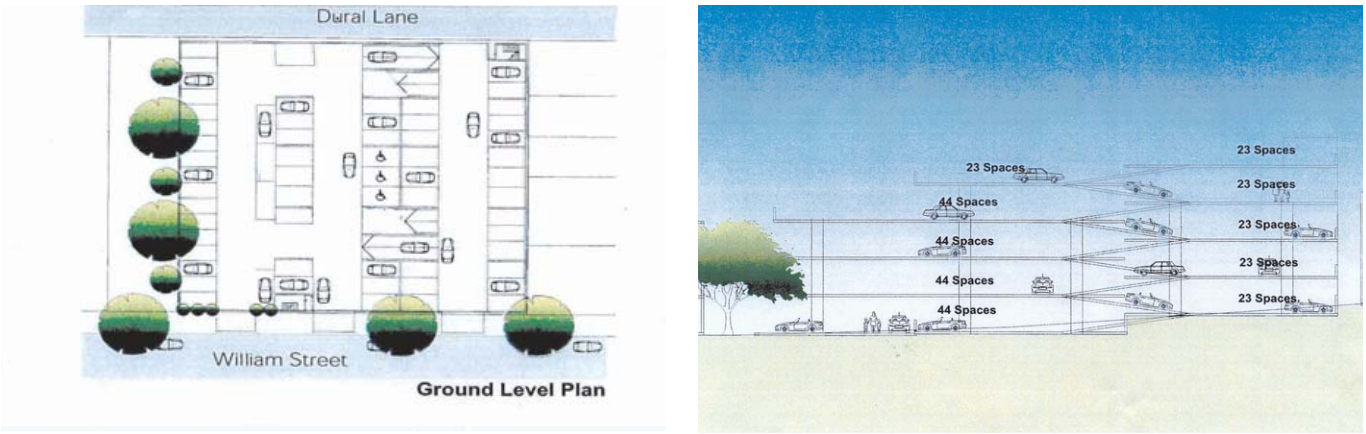


Figure 4.5(s): West Precinct public car parking concept plan.(E)

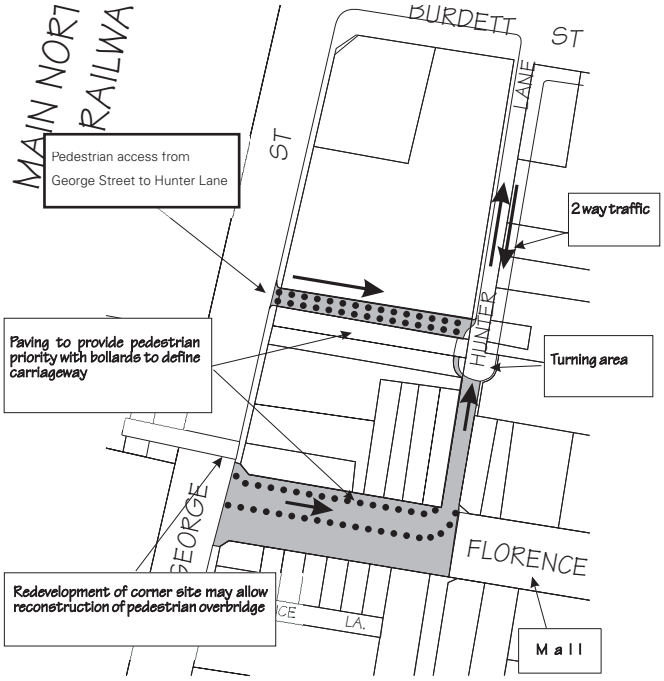


Figure 4.5(t): East Precinct Vehicular Access Plan.(C)

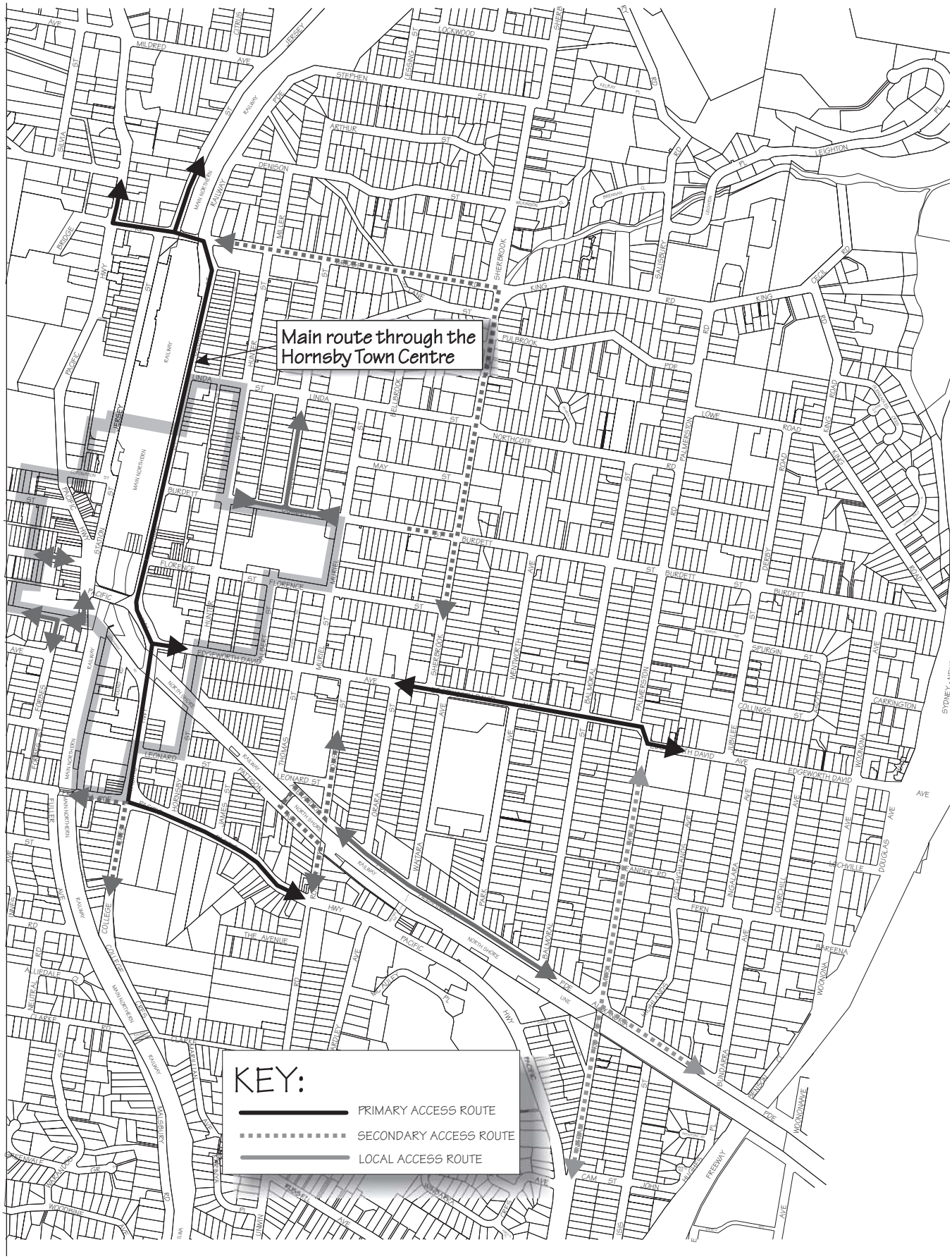


Figure 4.5(u): Traffic Access Routes Strategy Plan.(C)

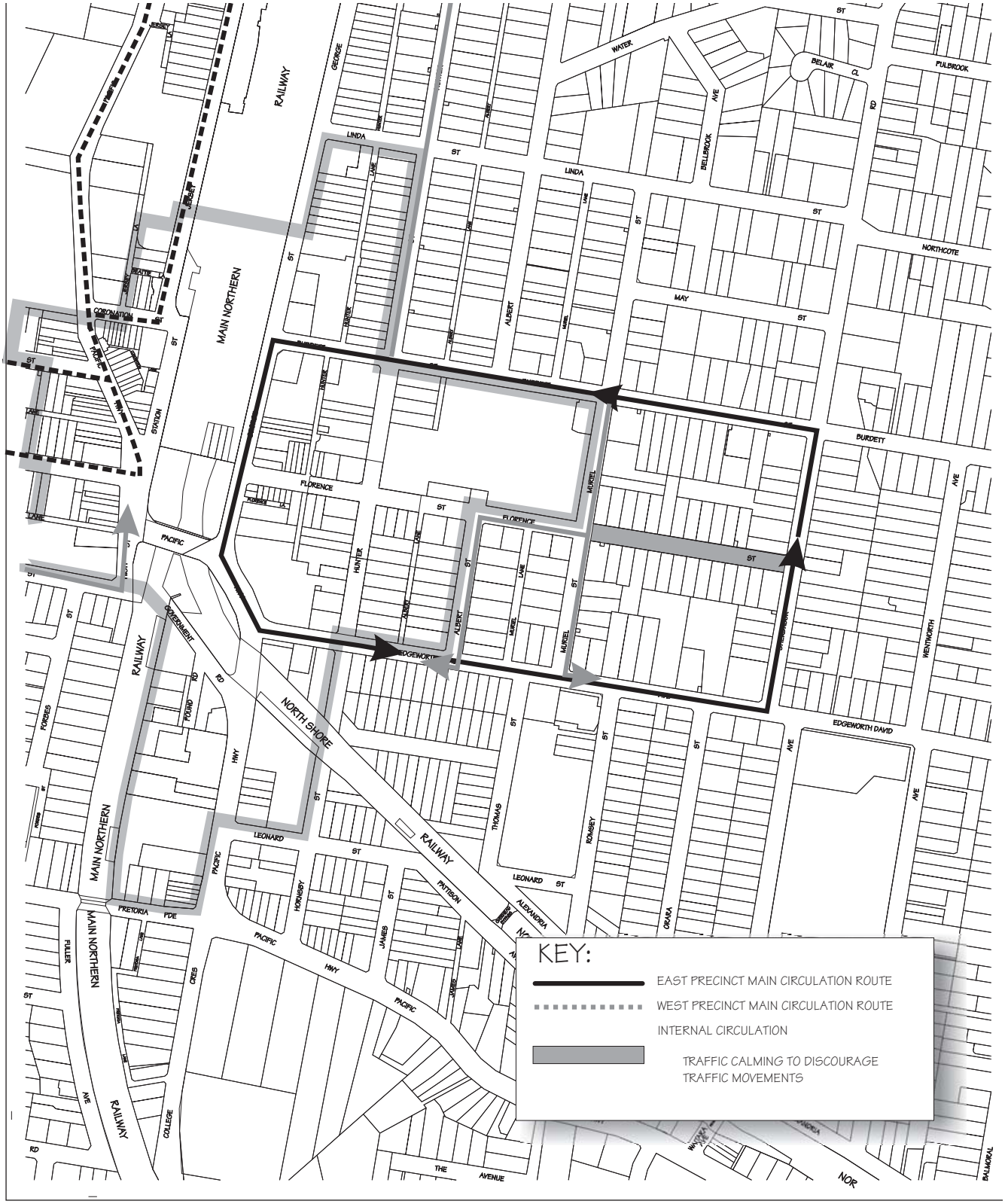


Figure 4.5(v): Traffic Circulation Routes Strategy Plan.(C)



Figure 4.5(w): West Side Precinct - Vehicular Access Plan. (C)

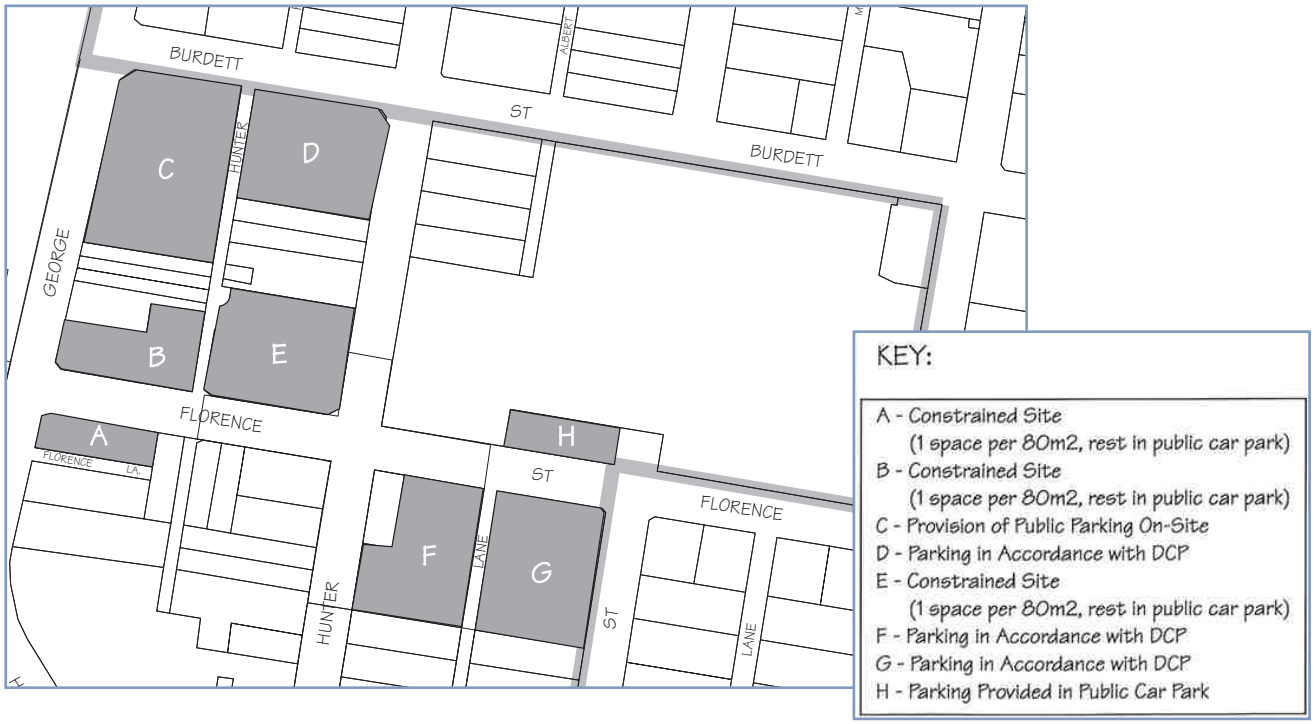


Figure 4.5(x): East Precinct car parking strategy.(C)

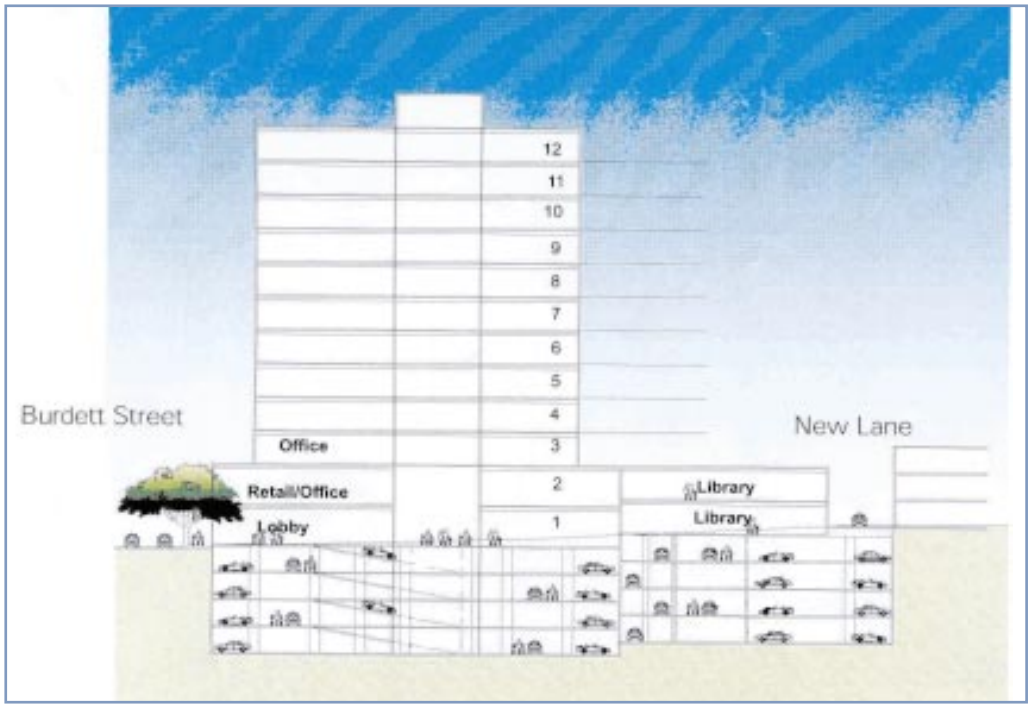


Figure 4.5(y): East Precinct public car parking concept plan - redevelopment of Site C.(E)

4.5.12 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

General

a. Development of the public domain should make each precinct an attractive place that encourages development and provides amenity for workers, residents and visitors.

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient LED lighting.

Street Trees

d. Street tree planting should be provided in accordance with Figure 4.5(z)

e. The road approaches to the Town Centre should be landscaped to provide an extension of Hornsby Shire's bushland quality to present a distinct change in the street treatment within the Central Core.

f. Primary street tree planting should provide formal tree lined avenues of native evergreen species along the main links to the Town Centre, located along George Street, Edgeworth David Avenue and the Pacific Highway.

g. Secondary tree planting should be:

- native evergreen species on streets running north-south, and
- deciduous tree species on streets running east-west.

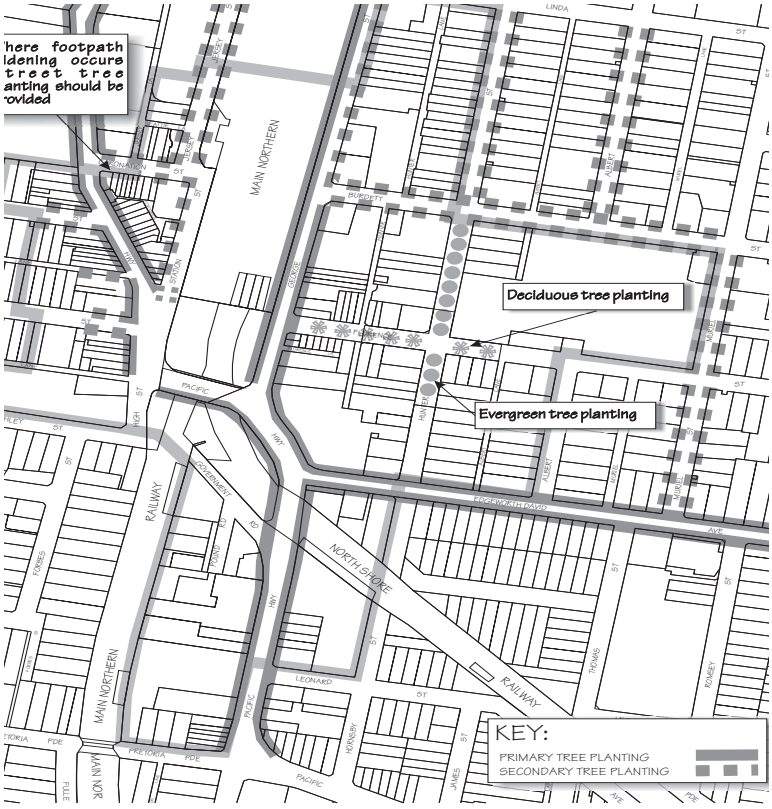


Figure 4.5(z): Street Tree Planting Plan.

Pedestrian Links

h. Pedestrian links should be provided in accordance with the Pedestrian Network Plan at Figure 4.5(aa) and the colonnade plan at Figure 4.5(l).

i. External pedestrian links should provide shelter or shade by trees or covered walkways.

j. For development incorporating shopfront awnings, the awnings should be continuous and setback from the edge of the kerb in accordance with Council or the Roads and Maritime Services requirements.

k. Pedestrian links should have a minimum unobstructed width of 3 metres and 4.5 metres minimum height.

l. Colonnades should have a minimum proportion of height to width of 1.5:1, with a preferred proportion of 2:1.

m. Lights, trees, bollards and paving should be used where appropriate to define pedestrian zones and improve the quality of the environment.

n. Seating areas and drinking fountains should be provided in the public domain where appropriate to ensure activity and facilities for pedestrians.



Figure 4.5(aa): Pedestrian Network Plan

Outdoor Dining

o. Outdoor dining areas should be located in areas with good amenity, landscape, outlook, solar access in winter, shading in summer and a compatible local traffic environment.

Note: Outdoor dining proposed on Council land should comply with Council's Outdoor Dining Code.

East Precinct Additional Controls

p. The redevelopment of the pedestrian overpass into the Florence Street Mall should:

- be incorporated into development on the north-western corner,
- provide for views of the Mall for pedestrians,
- facilitate direct access to the Mall, and
- provide after hour access.

q. A new pedestrian overpass should be provided at the intersection of George and Burdett Streets to link future commercial/retail development on the eastern side of George Street with the railway station on the western side of George Street.

r. Through site pedestrian links should identify the entry to the pedestrian link by:

- the use of architectural features incorporated in the building facade, awning or veranda and/or modulation of the entrance walls,
- provide insets in the paving used to mark the entry and include the name of the path/arcade where appropriate, and
- provide a splayed or widened entry to facilitate pedestrian circulation.

s. Through site pedestrian links should be designed to:

- comply with the minimum dimensions above,
- achieve changes of level by means of ramps suitable for disabled persons (i.e. not greater than a grade of 1:14) or escalators,
- be functional and practical, and
- be well lit, ventilated, cleaned and maintained to standards approved by Council.

West Precinct Additional Controls

t. New Cenotaph Plaza to provide a direct pedestrian connection from the rail station to Peats Ferry Road. Paving, trees, water features and street furniture to unify and connect the space to surrounding areas.

u. Dural Lane closure and pedestrianisation at Peats Ferry Road to provide and active pedestrian route to and from the residential areas to the west.

v. Contrasting paved or raised pedestrian crossing connecting the Cenotaph Plaza to Dural Lane.

w. New pedestrian bridge located along the northern edge of the rail station connecting Coronation Street to George Street.

x. Footpath widening and planting should occur along the Peats Ferry Road and Coronation Street where possible. Where footpath widening occurs, street tree planting should be provided in front of the existing awning line.

y. Footpath widening along Peats Ferry Road and the southern side of Coronation Street should allow for outdoor dining, cafes and restaurants to encourage active use of the public domain.

z. Paved footpaths, paving spaces and pedestrian crossings should be installed to reduce the visual impact of the bitumen road and reinforce the pedestrian scale and character.

aa. The bus and taxi interchange in Station Street should incorporate additional landscaping and screen planting to soften the visual impact of hard paved areas.

Note:

Refer to figure 4.5(r) West Side Precinct - Landscape & Public Domain Plan and Figure 4.5(ad) Street Network Plan

Traffic Management Work

ab. Traffic management works should be undertaken in accordance with the Traffic Management Improvement Plan Figures 4.5(ab) and 4.5(ac).

ac. Buildings adjacent to Hunter Lane (between Burdett Street and Linda Street) should provide for a 4 metre widening of Hunter Lane to provide a minimum road reserve of 10 metres. The widening of Hunter Lane should provide for drainage upgrade works, two-way traffic flow and turning paths for vehicles entering and exiting sites.

ad. Buildings on the eastern side of Hunter Lane (to the south of Burdett Street) should provide for Hunter Lane ==

ae. A shared pedestrian and vehicular zone should be provided in Florence Street (west). The carriageway should provide for vehicle movements, loading/ unloading and be defined with bollards and paving to provide pedestrian priority.

af. Drop-off facilities, turning area and taxi stand should be provided at the northern end of the Hunter Street Mall.

ag. As a future option, Hunter Street Mall should be extended to Burdett Street where drop-off facilities, turning area and a taxi stand are relocated to Florence Street (east).

ah. Provision should be made for disabled parking and loading zones in Florence Street (east).

ai. Closure of Dural Lane at the Pacific Highway.

aj. New formalised lane network connecting Dural Street, Dural Lane to William Street utilising the Council carpark sites.

ak. Closure of the intersection of Station Street and the Pacific Highway

al. New four way intersection at High Street

am. Station Street reconfiguration to provide for turning head, 90 degree parking and to allow traffic to enter from Coronation Street

an. Realign the bus and taxi exit at the southern end of the station to become a four way signalised intersection with High Street and the Pacific Highway

ao. Closure of Beattie Lane

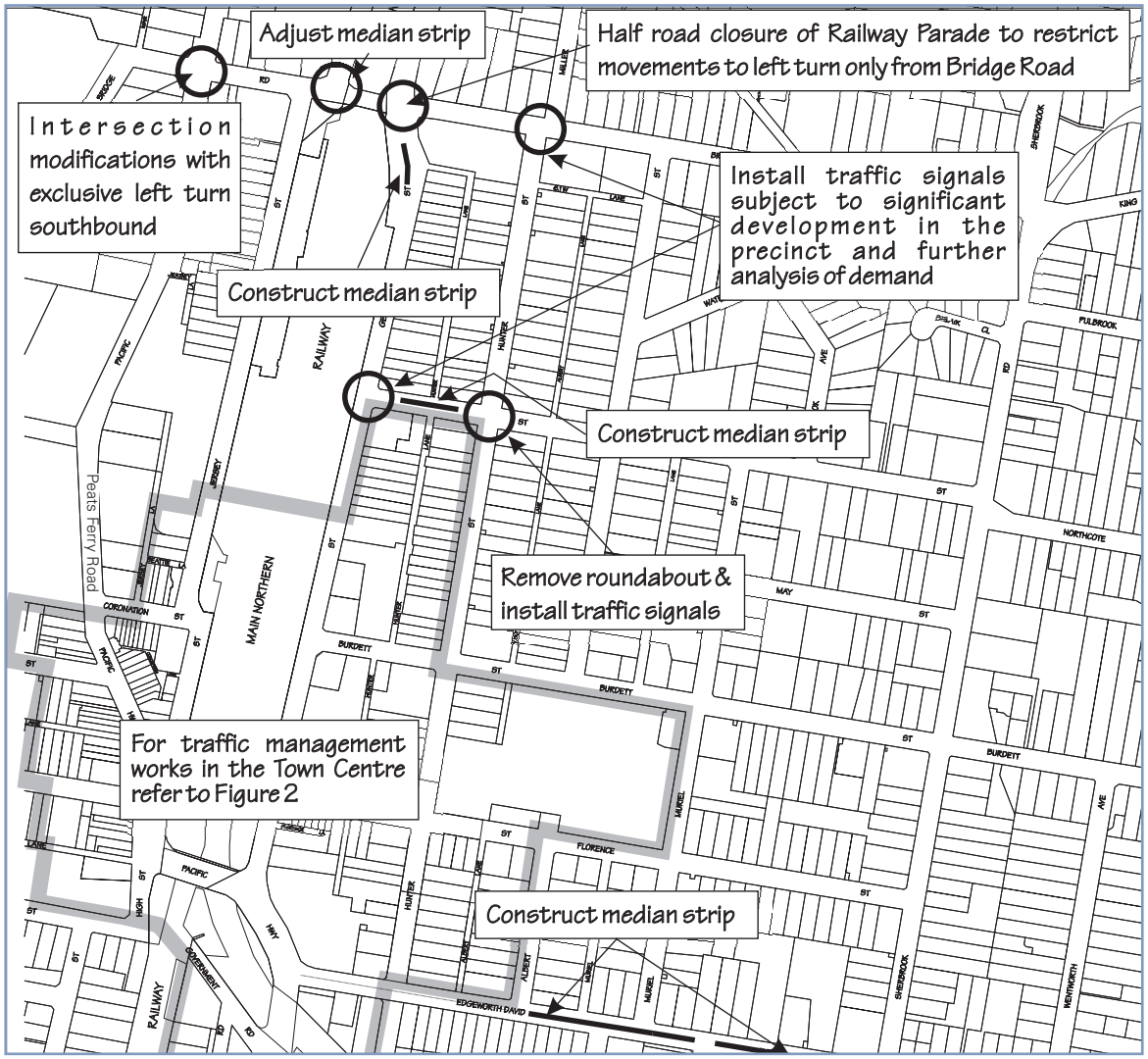


Figure 4.5(ab): Traffic Management Improvement Plan - Figure 1. (C)

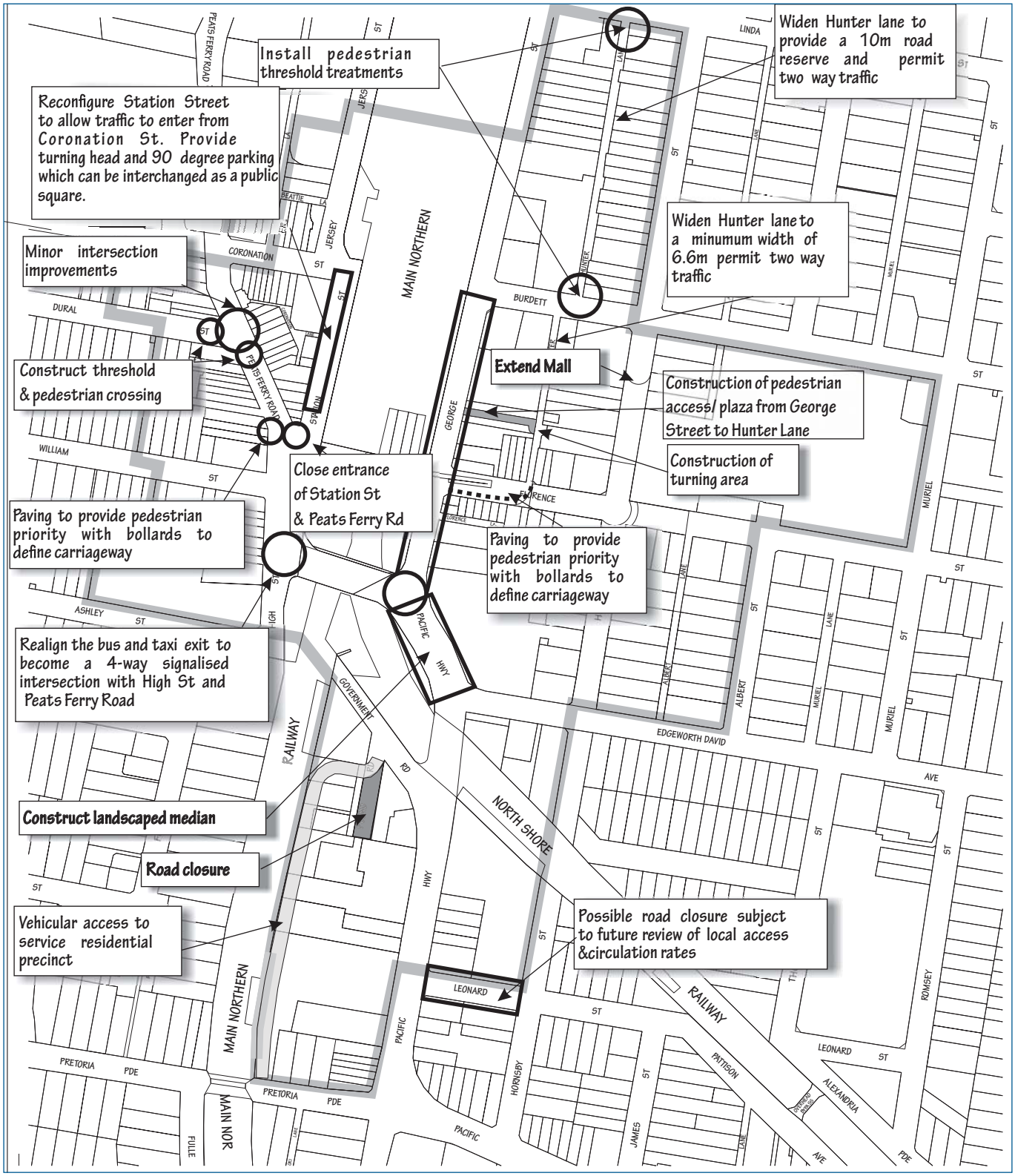


Figure 4.5(ac): Traffic Management Improvement Plan - Figure 2.(C)

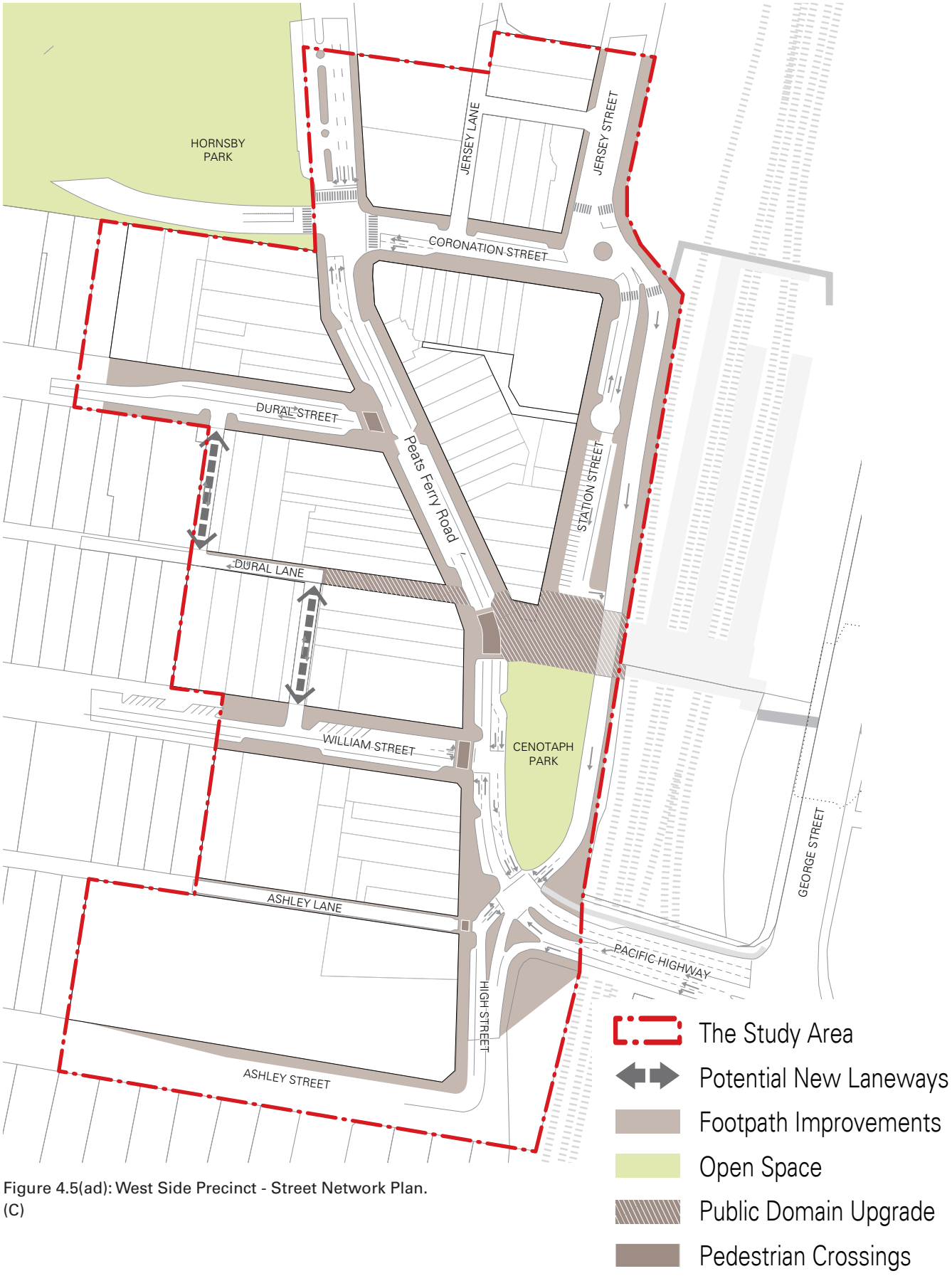


Figure 4.5(ad): West Side Precinct - Street Network Plan.
(C)

4.5.13 Design Details

Desired Outcome

a. Development that contributes positively to the streetscape and the creation of a vibrant active precinct.

Prescriptive Measures

General

a. Buildings should be designed with external appearances that provide for a distinctive base, middle and a top.

b. Tower forms should appear simple yet elegant, with slim and slender proportions, to contribute to the overall skyline composition of the West Side Precinct.

c. If a development site has more than one tower, they should be complementary and employ the same architectural design approach.

d. Tower forms must have a delineated top to visually terminate the building.

e. Towers should taper towards the sky to appear thinnest at the top.

f. Facades above the podium, are to engage with the public domain through the extensive use of large windows and other openings and the avoidance of large expanses of blank walls.

g. When commercial podiums are required, the podiums should have minimal gaps in the street wall and maintain a consistent building line.

h. A balance between horizontal and vertical elements should be provided through careful placement of windows, colour patterns and building materials.

i. Continuous awnings should be provided to provide shelter for pedestrians. Awnings should be consistent with the general alignment of awnings in the street and the desired future character of the area.

j. Buildings should embody active living principles.

k. Corner buildings should be designed to:

- address its neighbouring buildings, dual frontage and its turning of the corner,
- step up at the corner,
- incorporate distinctive features to enhance the streetscape, (such as stepped parapet turrets, towers, clocks etc.), and
- incorporate a splayed or square recess treatment to give form to the intersection and provide more circulation space for pedestrians at the corner.

l. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

m. Materials should relate to the context of buildings within the precinct to achieve continuity and harmony.

n. Security shutters should be transparent or open grill design.

Active Frontages

o. The design and use of buildings should encourage active uses fronting public streets and places to contribute to the creation of a vibrant precinct. Entrances to buildings should be clear, well lit and well defined.

p. Active and semi active frontages and awning locations for the West Side precinct are shown in Figure 4.5(ag) West Side Precinct - Active Frontages and Awning Locations.

Wind Effects

q. A wind effects report is to be submitted with a development application for buildings higher than 40m. The report is to be prepared by a suitably qualified engineer and is to:

- be based on wind tunnel testing, which compares and analyses the current and proposed wind conditions;
- report the impacts of wind on the pedestrian environment within the site and the public domain; and
- provide design solutions to minimise the impact of wind on the public and private domain.

r. Wind effects caused by development should not exceed:

- 10 metres per second for active frontages as shown on the Frontage Map at Figure 4.5(ag)
- 16 metres per second for all other streets.

s. New development should incorporate design features that will ameliorate existing adverse wind conditions.

t. New development should minimise adverse wind impacts on recreation facilities and open space areas within development and within public domain areas.

Facades - West Precinct

u. Building facades should reinforce the continuity of the streetscape by:

v. maintaining a generally consistent street wall height and podium level,

w. incorporating a podium adjacent to the public domain with a height of 2 to 3 storeys (8m - 12m) in accordance with Figure 4.5(o),

x. maintaining consistent horizontal building elements and vertical rhythm to merge existing and heritage facades with new development, and

y. incorporating horizontal features that relate to the features on neighbouring buildings. Where these vary, an infill building should relate to and create a transition between the two buildings.

z. Articulation of facades in the west precinct should relate to the established rhythm of the streetscape and incorporate appropriate vertical features such as party walls, projecting or recessed planes, columns, down pipes, changes in materials, textures or colours.

aa. Materials should relate to the context of buildings within the precinct to achieve continuity and harmony. Contrasting materials may be used to provide diversity. However, material and colour should not dominate the streetscape.

Notes:

Active Frontages require 90% of the frontage to be shop and office windows and building entrances at street level.

Semi active Frontages require 30% of the frontage to be shop and office windows and building entrances at street level.

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist* and the National Heart Foundation's *Blueprint for an Active Australia*.

Horizontal features include window heads and sills, verandas, balconies, balustrades, parapets, changes in materials, textures or colours and sun hoods.

Heritage Considerations - West Precinct

ab. Retain or incorporate heritage buildings and high quality facades where possible according to Figure 4.5(ah) West Side Precinct - Heritage and Facade Retention Plan

Note:

See Part 9: Heritage of this DCP

Gateway Areas

ac. The following areas represent the gateway to the Town Centre and require special treatment (see Figure 4.5(ae).

- Peats Ferry Road adjacent to the Council Chambers and the TAFE College,
- Intersection of Burdett and George Streets,
- Intersection of the Pacific Highway with Edgeworth David Avenue, and
- Intersection of the Pacific Highway with Pretoria Parade and College Crescent.
- Cenotaph Plaza and entry to the Hornsby Rail Station

ad. Buildings on or adjacent to gateway areas should:

- Incorporate landmark features including a tower, or other vertical element or emphasis in the design, and/or
- Form a pair with another building to enhance the perception of entry.

ae. Where overhead bridges are proposed in accordance with the Public Domain element, the bridges should be designed to promote a gateway or arrival point.

Arrival Points

af. The following areas represent arrival points within the Town Centre and require special treatment:

- Intersection of Peats Ferry Road with Coronation Street.
- Intersection of Peats Ferry Road with High Street.
- George Street adjacent to Hornsby Railway Station and the Florence Street Mall.
- Cenotaph Plaza

ag. Arrival points should be identified by one or more of the following elements: graphics, sculpture, architecture, urban or landscape design elements.

ah. The pedestrian overpass into Florence Street Mall should be relocated to open views into the Town Square.

Feature Points

ai. Hornsby Junction at the intersection of Peats Ferry Road, George Street and Edgeworth David Avenue represents a feature point and requires special treatment, including the provision of distinct features (i.e. a landscaped medium strip, planting, paving and/or flag poles).

aj. The site fronting Cenotaph Plaza and Peats Ferry Road is in a prominent position to provide a focal point to the over all place making of the West Side Precinct and Hornsby Town Centre, by setting a positive architectural example and depicting the desired future character of the Precinct.

Views and Vistas

ak. Development should improve or maintain views within the Town Centre, consistent with Figure 4.5(af).

al. Open spaces, low rise podium's or spaces between tall buildings should align with the key vistas to and from the Town Centre depicted in Figure 4.5(af).

am. Development should maintain and enhance views into the Florence and Hunter Street Malls

an. Where vistas are terminated by built form, such as 'T' intersections or where a change of direction occurs in the street, placing emphasis on a section of built form, the building should acknowledge the vista with special emphasis given to the axis.

ao. The Town Centre from afar should present a cohesive form. Buildings should conform to the overall concept for the built form of the Town Centre profile.

ap. The design of taller buildings should maximise views of surrounding bushland as well as contribute to the achievement of a distinctive image for the Town Centre.

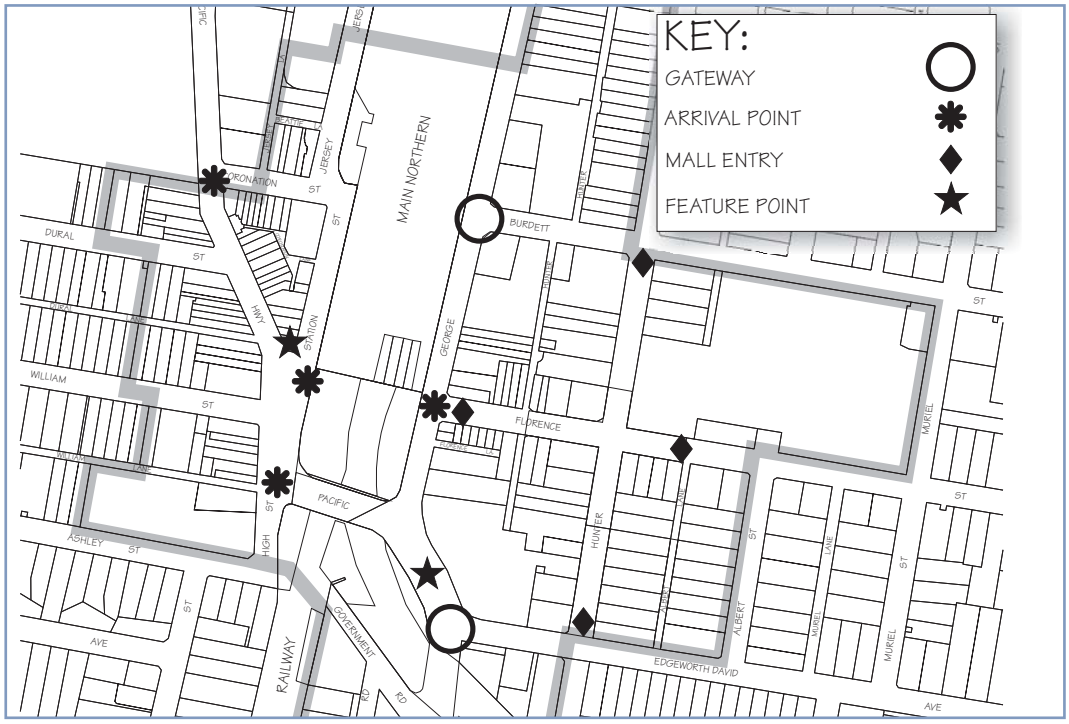


Figure 4.5(ae): Gateways, Arrivals and Feature Points. (I)



Figure 4.5(af): Views and Vistas.(C)



Figure 4.5(ag) West Side Precinct - Active Frontages and Awning



Figure 4.5(ah): West Side Precinct - Heritage and Facade Retention Plan. (C)

4.6 Epping Town Centre

Epping Town Centre straddles the boundaries of the Hornsby and Parramatta local government areas. The HLEP was amended by the NSW State Government in 2014 to facilitate the Epping Urban Activation Precinct (UAP).

The Epping Town Centre Core is located around the Epping Railway Station and has good access to public transport. The Epping Town Centre Core is divided into two planning precincts - East Precinct and West Precinct.

The location of the Town Centre Core Planning Precincts is depicted in Figure 4.6(a) below. The following provides controls for development of land which is zoned B2 Local Centre and located within the East and West Precincts within the Epping Town Centre Core.

Note:

Controls for development of land within the Epping Town Centre Core which is zoned R4 High Density Residential is subject to the applicable built form controls in Part 3 Residential of the DCP.

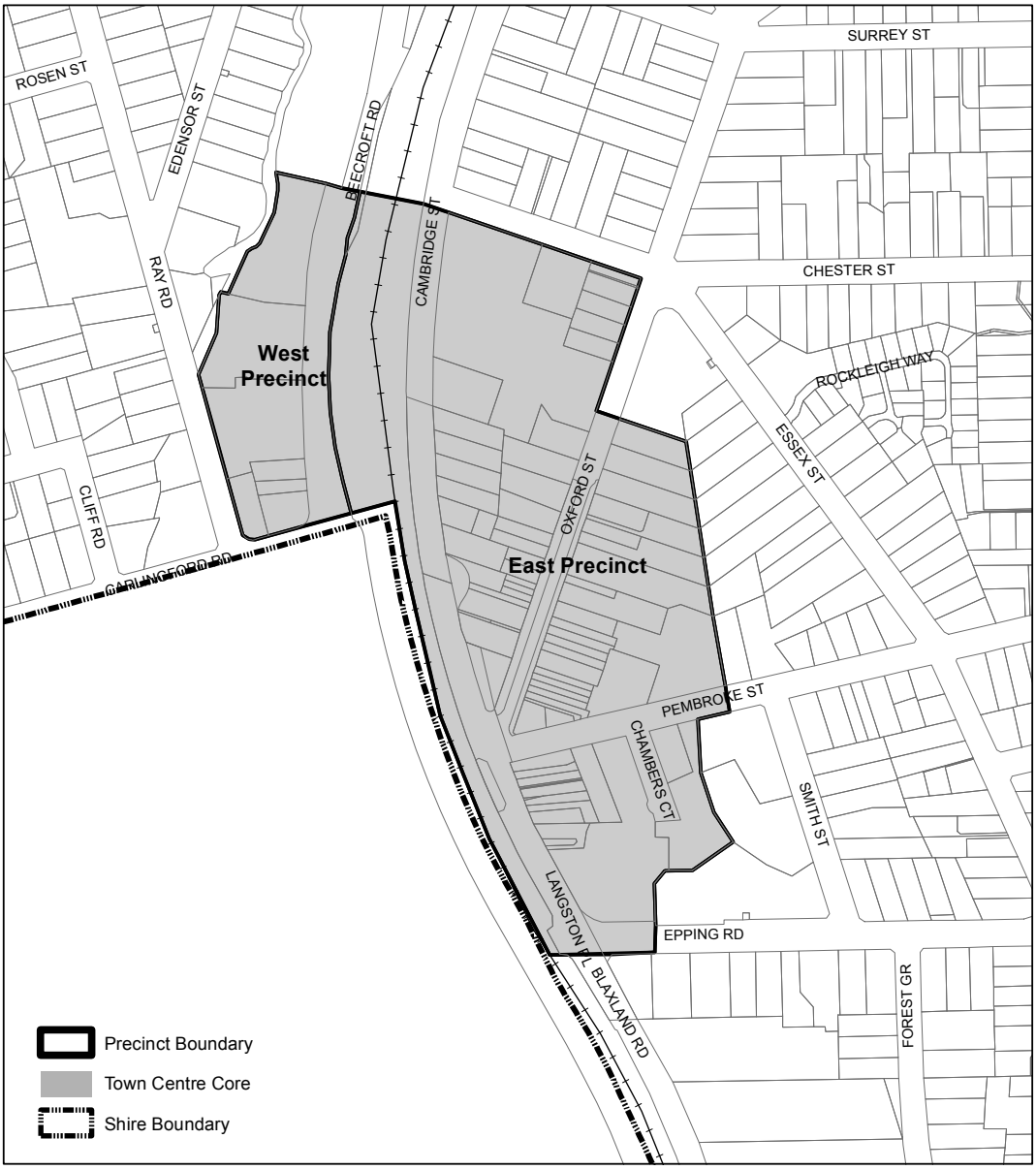


Figure 4.6(a): Epping Town Centre Core Planning Precinct Boundaries.(C)

4.6.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

b. Development applications should demonstrate compatibility with the following statement of desired character.

Epping Town Centre Core

Epping Town Centre is a compact and vibrant town centre in an important strategic location. The town centre has grown and developed either side of Epping Railway Station and benefits from excellent rail access to most major employment locations in the Sydney metropolitan region through the main North Line, the Epping to Chatswood Link and the future North West Rail Link.

The Epping Town Centre Core encompasses main street retail/commercial activity, dispersed with civic/community uses and surrounded by residential development of varying density.

Responsive scale and built form

Epping Town Centre will grow and develop as the retail, commercial, residential and cultural heart of Epping. The town centre will build upon its compact character and increased activity will occur in the Town Centre Core, being areas located with good access to the rail station. The majority of new residential dwellings will be developed in the Town Centre Core along with a range of retail, commercial and cultural activities at the lower levels that can meet the needs of the local population.

Higher density commercial, retail and residential development will be achieved in the form of high quality towers located in the Town Centre Core. New buildings should respond to the existing fine grain character of the street, using modulation to reduce the overall massing of a development. Tower elements should be elegant with slim and slender proportions and setback from the podium to allow view and light corridors.

Better streets and local connections

New development within the Town Centre Core will contribute to creating better quality streets, new and improved local connections, especially for pedestrians and cyclists and a revitalised public domain.

A finer grain structure of local connections reinforced by active and continuous ground level uses and clearer and safer connections can reinforce the role of the main streets as the core retail/commercial area, provide good pedestrian amenity and assist pedestrian safety.

Epping Town Centre's streets will be defined and characterised by 2-3 storey podium development at the edge of the street, providing a range of easily accessible retail, commercial and other activities at the local level.

Improvements to local connections that can benefit the town centre include more effective and high quality pedestrian links across the railway line, new through site vehicular connections, better cycleway connections and new/improved pedestrian connections. Development will improve physical connections across the railway line, linking the western and eastern parts of the town centre. Avenues of street trees along the main vehicular and pedestrian links will enhance the visual quality of the area.

Better spaces and places

New development within the Town Centre Core will contribute to creating better local parks, plazas, spaces and places that form part of a revitalised public domain.

Opportunities include a potential new civic space located on Pembroke Street to the north of Epping Branch Library.

Development along Oxford Street and other key streets should strengthen the 'main street' shopping and dining character of the precinct. New buildings should reinforce the traditional shopping centre character of the precinct through well scaled podium forms, a consistent street wall height, active frontages and continuous awnings to primary and secondary streets that together contribute to the pedestrian experience and create a distinct character. Tower elements should be set back from the podium and be located at prominent locations to provide focal points and enclosure to the public realm.

Building design will provide a pedestrian scale at the base and incorporate a podium. Upper levels will be setback to maximise solar access to the public domain and reduce the impact of the building bulk on the streetscape.

Epping will be a vibrant and attractive place to live, shop, work and visit and provide a range of goods, services and employment opportunities.

The Epping Town Centre Core will continue to be developed into two identifiable high density mixed use commercial/residential areas to the south, east and west of the Epping Transport Interchange and a high density residential precinct to the south and south east. Mixed use development should be consistent with the individual

characteristics of the areas as described in the following statements of desired character.

Epping Town Centre Core - East Precinct

The East Precinct will continue to provide traditional main street activities for Epping Town Centre. The Precinct will provide a range of housing, retail and commercial offices, food outlets and entertainment and employment opportunities to support the larger centre and service the working and residential populations in the area.

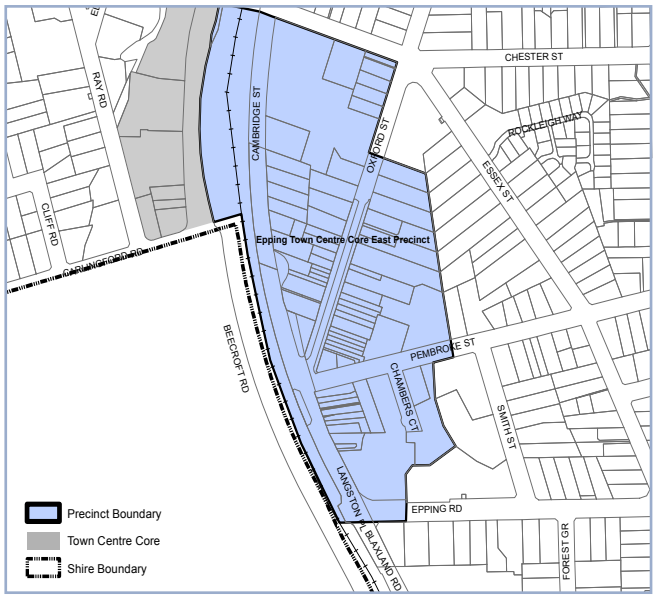


Figure 4.6(b): East Precinct Boundary

Development should promote and enhance connections through the core and improve physical connections across the railway line, linking the western and eastern parts of the town centre.

Buildings within the East Precinct should reinforce the traditional shopping centre character of the precinct though well scaled podium forms, a consistent street wall height, active frontages and continuous awnings to primary and secondary streets that together contribute to the pedestrian experience and create a distinct character.

The lower levels of development along Oxford Street, and parts of Langston Place, Pembroke Place and Cambridge Street should incorporate active uses such as cafes, outdoor dining and other retail activities. Development should strengthen the main street shopping and dining character of the precinct and should preserve high value heritage buildings and facades that enhance the streetscape and contribute to the over sense of place of the precinct.

Buildings adjacent the intersection of Langston Place, Pembroke Street, Oxford Street and Cambridge Place should incorporate architectural elements that signify the focal point of the town centre.

Buildings adjacent to the proposed village green, plaza and library in Pembroke Place and Chambers Court should integrate with the adjacent public domain. Development adjacent this areas should facilitate this role by the provision of seats, shade and performance areas such as steps and terraces. Ground floor uses fronting the town square should include outdoor dining at cafes and restaurants that encourage longer and more active use of the public domain outside core business hours.

Epping Town Centre Core - West Precinct

The West Precinct is a mixed use precinct separated from the 'main street' functions of the Town Centre Core by busy arterial roads and the railway line and station. The West Precinct will support edge of centre functions and should provide a transition into the adjoining lower density residential areas. Building bulk and scale will step down from Carlingford Road and Beecroft Road to the adjacent residential area to the north in terms of built form, scale and setting.

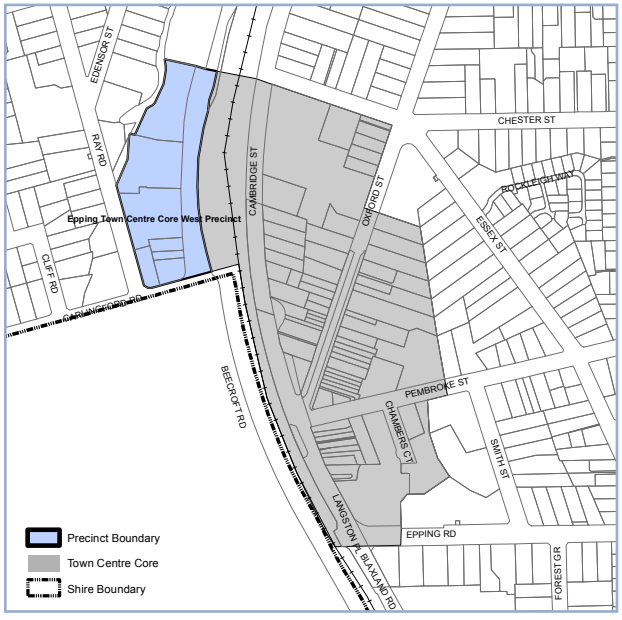


Figure 4.6(c): West Precinct Boundary

Setbacks to Beecroft Road should provide for retention of existing trees and facilitate additional landscaping to screen development from Beecroft Road and the Railway Line.

4.6.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* are achieved, and
- the design is consistent with the objectives of the Apartment Design Guide.

Note:

- Development applications should be accompanied by a statement of environmental effects which includes the following:
- an explanation of how the design addresses the design quality principles set out in Schedule 1 of *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development*, namely:
  - context and neighbourhood character; built form and scale; density; sustainability; landscape, amenity, safety; housing diversity and social interaction; and aesthetics.
- an explanation of how the design addresses the detailed provisions of the Apartment Design Guide.
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development; and
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

4.6.3 Site Requirements

Desired Outcome

a. Encourage amalgamation of lots to achieve desired urban design outcomes and the efficient use of land to avoid the creation of isolated sites.

Prescriptive Measures

a. Development sites should have a minimum lot width of 30 metres measured at the street frontage.

b. Development sites should be of an area and width that can accommodate a building envelope consistent with the floor plate and setback controls in this DCP and the Apartment Design Guide under *SEPP 65 Design Quality of Residential Apartment Development*.

c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase the isolated site based on a fair market value.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.

4.6.4 Scale

Desired Outcome

a. Development with a scale compatible with the role and function of the centre under the commercial centres hierarchy.

Prescriptive Measures

Floor Space Ratio

a. The maximum floor space ratio for business lands shall be in accordance with the HLEP Floor Space Ratio Map as follows:

Table 4.6.4(a): Summary of HLEP FSR Provisions

HLEP Area	Maximum FSR (total)
Y	4.5
AA	6:1

Notes:

As detailed in Clause 4.5 of the HLEP, the Floor Space Ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of Gross Floor Area.

Floorplates

b. Residential floorplates above the podium should have a maximum GFA of 700 sqm. Balconies and terraces may project from this maximum.

c. Commercial floorplates above the podium should have a maximum GFA of 1,200sqm.

Height

d. Business zoned sites with the following maximum building height under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 4.6.4(b) (excluding basement carparking).

Table 4.6.4(b): Translation of Height to Storeys

HLEP Area	Maximum building height (m)	Maximum Storeys Commercial building	Maximum Storeys Mixed Use building
X	48m	12 storeys	15 storeys
AA	72m	18 storeys	22 storeys

e. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

f. A podium should be provided in accordance with figure 4.6 (f). Buildings should incorporate a podium that:

- presents a human scale at the street frontage,
- incorporates commercial floor space, and
- has an active frontage to the public domain.

g. The podiums of buildings facing the junction of Langston Place, Pembroke Street, Oxford Street and Cambridge Street should be 2-3 storeys in height. Elsewhere, podiums should be 2 storeys in height.

h. A transition in building heights should be provided at sensitive interface areas adjacent to heritage items and adjacent residential areas outside the precinct.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

A **mixed use building** described above comprises a building with a commercial podium and residential floors above.

4.6.5 Setbacks

Desired Outcome

a. Well articulated building forms with a "pedestrian-friendly" scale that encourages commercial activity along active frontages and provides for landscaping, open space and separation between buildings.

Prescriptive Measures

Street setbacks

a. Ground floor minimum setbacks are illustrated on Figure 4.6.(e). Buildings should incorporate a podium adjacent to the public domain setback in accordance with Figure 4.6.(e).

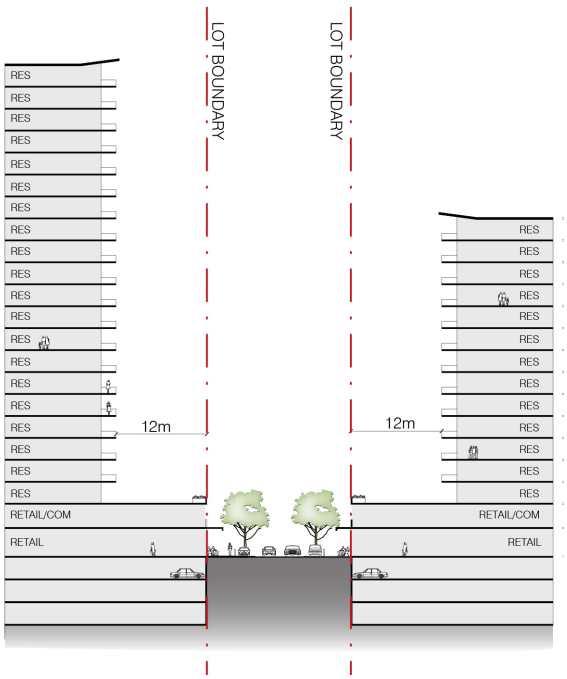


Figure 4.6 (d): East Precinct - Building Height (Oxford Street) illustration (I)

b. Basements should be located under the building footprint and setback in accordance with the prescribed building setbacks in Figure 4.6(e).

c. Buildings should incorporate a tower element above the 2 to 3 storey (8-12 metre) podium and setback in accordance with the Setbacks Map at Figure 4.6.(e).

d. The tower element of buildings on Oxford Street may encroach within the 12 metre front setback to a minimum of 9 metres for up to 1/3 of the tower width.

e. The following minor structures are able to encroach into the prescribed setbacks:

- driveways or basement ramps up to 6 metres wide, with deep soil verges at least 2 metres wide adjacent to the side boundary,
- roof eaves and awnings,
- sunshades and screens, and
- blade columns which support roofs or sunshades.

f. An awning over the footpath should be provided in the locations nominated on the Frontages Map at Figure 4.6 (f).

g. Where the building alignment is setback from the street alignment, balconies may project up to 600mm into the front building setback, provided the cumulative width of all balconies at that particular level totals no more than 50% of the horizontal width of the building facade.

h. Where landscape setbacks are identified in the Setbacks Map at Figure 4.6 (e), a 3 metre setback between the boundary and the front building alignment is required. The landscape setback should include planting, large trees and turf. Car parking (including basement parking) and hard surfaces areas (excluding driveways and access paths) are not permitted within the setback.

Rear and Side Setback

i. Zero side and rear setbacks for podiums are permissible where a commercial development adjoins another non residential or mixed use development. In other instances, and above the podium height, development should be setback at least 6 metres from the rear and side boundary.

j. Where a property adjoins a boundary with a residential landuse, greater setbacks may apply to the upper storeys in accordance with the separation controls in Section 4.6.9 Privacy and Security.

Notes:

Greater setbacks may apply to the upper residential storeys in accordance with the separation controls in the Apartment Design Guide.

Refer to Part 9 Heritage of this DCP for additional heritage controls.

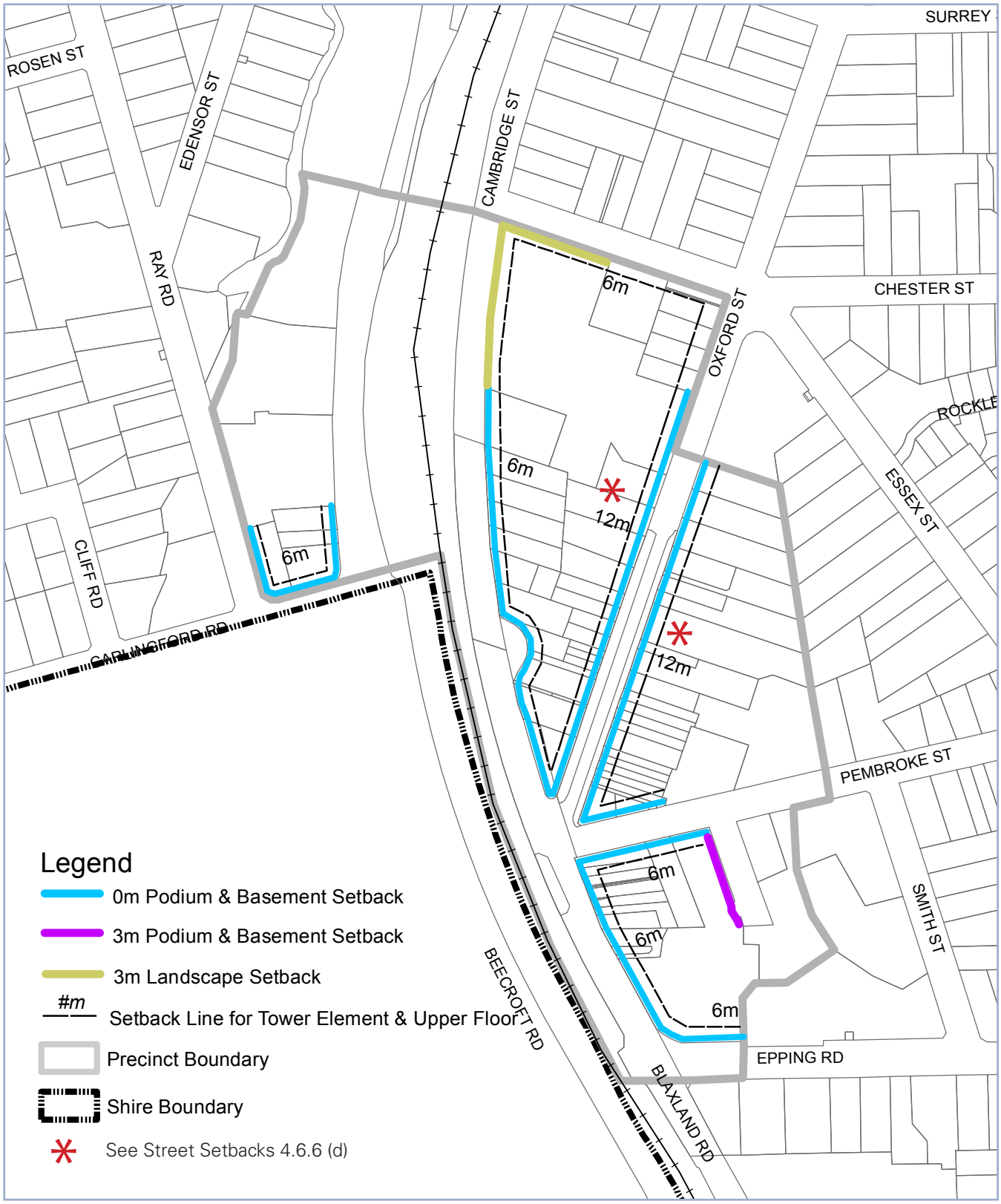


Figure 4.6 (e): Epping Town Centre Setbacks

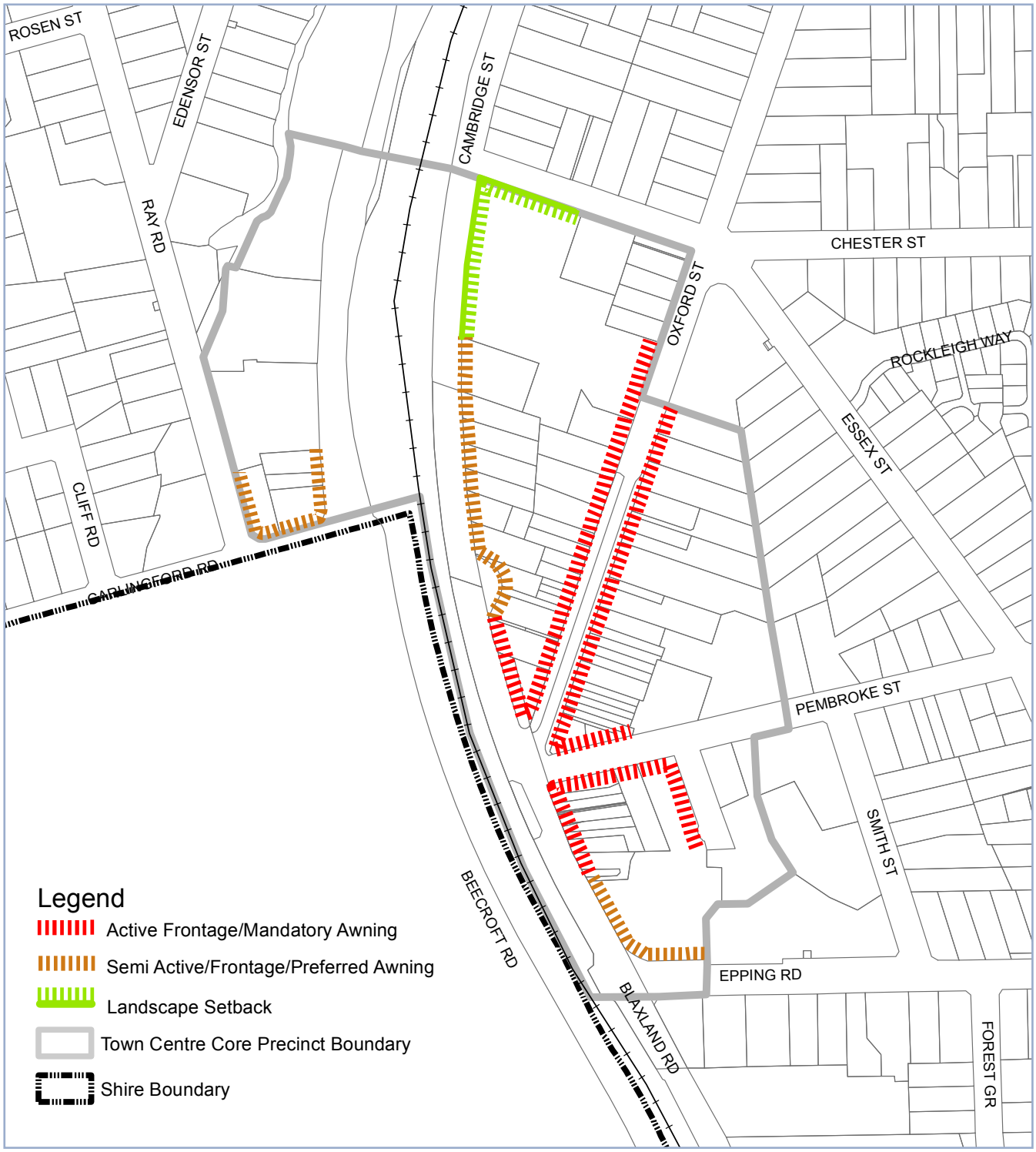


Figure 4.6 (f): Epping Town Centre Frontages

4.6.6 Design Details

Desired Outcome

a. Development that contributes positively to the streetscape and the creation of a vibrant active precinct.

Prescriptive Measures

General

a. Buildings should be designed with external appearances that provide for a distinctive base, middle and a top.

b. Tower forms should appear simple, yet elegant, with slim and slender proportions.

c. Tower forms should have a delineated top to visually terminate the building.

d. Towers should taper towards the sky to appear thinnest at the top.

e. When commercial podiums are provided, the podiums should have minimal gaps in the street wall and maintain a consistent building line.

f. Facades above the podium, are to engage with the public domain through the extensive use of large windows and other openings and the avoidance of large expanses of blank walls.

g. A balance between horizontal and vertical elements should be provided through careful placement of windows, colour patterns and building materials.

h. Continuous awnings should be provided to provide shelter for pedestrians. Awnings should be consistent with the general alignment of awnings in the street and the desired future character of the area.

i. Corner buildings should be designed to:

- address its neighbouring buildings, dual frontage and its turning of the corner,
- step up at the corner,
- incorporate distinctive features to enhance the streetscape, (such as stepped parapet turrets, towers, clocks etc.), and
- incorporate a splayed or square recess treatment to give form to the intersection and provide more circulation space for pedestrians at the corner.

j. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

k. Materials should relate to the context of buildings within the precinct to achieve continuity and harmony.

l. Security shutters should be transparent or open grill design.

Active Frontages

m. The design and use of buildings should encourage active uses fronting public streets and places to contribute to the creation of a vibrant precinct. Entrances to buildings should be clear, well lit and well defined.

n. Buildings should embody active living principles.

o. Active and semi active frontages should be provided in the locations nominated on the Frontage Map at Figure 4.6(f).

p. Active frontages are to contribute to the liveliness and vitality of streets by:

- maximising entries or display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction,
- minimising fire escapes, service doors, plant and basement entries,
- providing elements of visual interest, such as display cases, or creative use of materials and architectural detailing where fire escapes, service doors and equipment hatches cannot be avoided, and
- providing a high standard of finish for shop fronts.

q. Driveways and service entries are not permitted on active frontages, unless it is demonstrated that there is no alternative.

r. Security grilles may only be fitted internally behind shop fronts and are to be fully retractable and at least 50% transparent when closed.

Notes:

Active frontages require 90% of the frontage to be shop and office windows and building entrances at street level.

Semi active frontages require 30% of the frontage to be shop and office windows and building entrances at street level.

Facades

s. Building facades should reinforce the continuity of the streetscape by:

- maintaining consistent building heights,
- maintaining consistent horizontal and vertical lines, and
- incorporating horizontal features that relate to the features on neighbouring buildings. Where these vary, an infill building should relate to and create a transition between the two buildings.

t. Materials should relate to the context of buildings within the precinct to achieve continuity and harmony. Contrasting materials should be used to provide diversity. However, material and colour should not dominate the streetscape.

u. Building materials and features may include:

- face brickwork or decorative brickwork,
- contrasting trim and details,
- rendered masonry or concrete,
- parapets incorporating decorative brickwork or render, and
- cantilevered steel, suspended awnings.

Notes:

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist* and the National Heart Foundation's *Blueprint for an Active Australia*.

Horizontal features include window heads and sills, verandas, balconies, balustrades, parapets, changes in materials, textures or colours and sun hoods.

Wind Effects

v. A wind effects reports is to submitted with a development application for buildings higher than 40m. The report is to be prepared by a suitable qualified engineer and is to:

- be based on wind tunnel testing, which compares and analyse the current and proposed wind conditions,
- report the impacts of wind on the pedestrian environment within the site and the public domain, and
- provide design solutions to minimise the impact of wind on the public and private domain.

w. Wind effects caused by development should not exceed:

- 10 metres per second for active frontages as shown on the Frontage Map at Figure 4.6(f).
- 16 metres per second for all other streets.

x. New development should incorporate design features that will ameliorate existing adverse wind conditions.

y. New development should minimise adverse wind impacts effects on recreation faculties and open space areas within development and within public domain areas.

Reflectivity

z. A Reflectivity Report that analyses potential solar glare from the proposed building design may be required for taller buildings.

aa. Generally, light reflectivity from building materials used on facades should not exceed 20%.

External lighting

ab. External light fixtures should be integrated with the Architecture of the building.

ac. External lighting should not disturb the amenity of residents in the locality.

ad. External lighting should minimise the light spill into the night sky.

4.6.7 Open Spaces

Desired Outcome

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Development that increases the amount and quality of open space available for use by workers, visitors and the residential population.

Prescriptive Measures

Pembroke Street Civic Park

c. A central green space should be created which acts as a gathering and recreational area for the residents and workers of the precinct.

Shop Top Housing

d. Every dwelling should be provided with a principal private open space in accordance with Table 4.6.7(a).

Table 4.6.7(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m2	2m
1 bed unit	8m2	2m
2 bed unit	10m2	2m
3+ bed unit	2m2	2.4m
Ground level apartments	15m2	3m

e. Private open spaces should be designed as "outdoor rooms" that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

f. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

g. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

Communal Open Space

h. A principal communal open space area should be provided for any developments over 8 storeys with more than 10 dwellings as follows:

- be located on a podium,
- have a minimum area of 50m^2,
- have a minimum dimension of 6 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

4.6.8 Landscaping

Desired Outcome

a. Development that contributes to attractive streetscapes by providing shade along pedestrian frontages and screen planting along boundaries.

b. Development that preserves significant trees that add to the environmental character of the commercial centre.

Prescriptive Measures

General

a. Landscaping should be included in building setback areas to complement the appearance of the building.

b. Setbacks from sensitive areas should be fully landscaped.

c. Primary and secondary retail frontages should be landscaped with tree-plantings combined with paving in accordance with the following:

- Trees should be planted as widely-spaced avenues along kerbsides, using a consistent range of species for each precinct, and
- Pavements within the Town Centre Core should be of a consistent design, constructed of durable and non-slip modular units that are resistant to fading, discolouration and chipping, and that may readily be removed and replaced following future installation of in-ground services.

Shop Top Housing

d. Residential levels should be landscaped with native or exotic species in planter boxes watered by recycled grey water or stormwater to provide screening.

e. Where communal open space is provided, these spaces should include lawn areas surrounded by hedges of shrubs.

Retention of Landscape Features

f. Buildings, driveways and service trenches should have a minimum setback that complies with *AS4970* from trees that have been assessed as significant or which are visually prominent streetscape elements.

Fencing

g. Fencing is discouraged in the primary and secondary street frontage setbacks.

h. Allotments adjoining residential lands should be fenced with appropriate residential style fencing.

i. Fencing enclosing private residential courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

Notes:

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the development.

4.6.9 Privacy and Security

Desired Outcome

j. Development designed to provide reasonable privacy to proposed and adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. For development at the interface of a commercial area and a residential zone, development should encourage views from the commercial area to the horizon rather than downward onto residential areas.

b. The commercial and residential component of development should be distinguished in terms of building entries and private, communal and public open space.

c. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

d. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

e. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

f. Where communal open space is required, balconies, terraces or bedroom windows near communal areas should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

g. Common residential lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

Security

h. Identify safe, clear and direct pedestrian and cyclist entrance to the building from the primary street frontage.

i. Private open spaces, living room windows, commercial unit windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

j. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

k. Where a mix of land uses are proposed, separate, secure access should be provided to lift lobbies, basements and communal storage areas.

Notes:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A **privacy screen** means a screen that is at least 1.5 metres high, measured from the floor level, and has no individual opening more than 30 millimetres wide, and has a total of all openings less than 30 percent of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

4.6.10 Sunlight and Ventilation

Desired Outcome

a. Development that maximises solar access to the public domain, pedestrian areas and public open spaces.

b. Development designed to provide reasonable solar access and natural ventilation to residential living areas and open space areas.

Prescriptive Measures

a. On 22 June, public open space areas and plaza areas should receive 2 hours of sunlight between 9am and 3pm to at least 50 percent of the area.

b. On 22 June, at least 70 percent of dwellings should receve 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

c. Every habitable room should have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.

d. A window should be visible from any point in a habitable room.

e. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

4.6.11 Housing Choice

Desired Outcome

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Mixed-use developments should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be Adaptable Housing, designed to meet the needs of residents as they age.
- At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- AdaptableHousing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

4.6.12 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

Vehicular Access

a. Access to garages and storage areas should be confined to side and rear facades, with access from main roads avoided.

b. Vehicle access should be consistent with the servicing strategy depicted in the Key Development Principles diagram.

Parking

c. Resident and visitor parking should be provided within basements.

d. All ramps are to be designed as two way ramps in accordance with AS 2890.1 and AS 2890.2

e. All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2

f. Street level parking for shoppers should be provided in convenient proximity to primary retail frontages.

g. Any undercroft car parking should be screened and should not be located in a facade that faces a primary or secondary street frontage.

h. Parking for service and delivery vehicles should be integrated with the design of driveways and surrounding landscaped verges, and should not visually dominate any street frontage.

Ancillary Fixtures and Facilities

i. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

Public Domain

j. Car parking areas at ground level should be screened by active uses from the street.

k. Basement parking areas and structures should not protrude above the level of the adjacent street or public domain. Where they are visible, basement structures and vent grills should be integrated into the building and landscape design. Ventilation grills are to block views into basement areas and, in inappropriate locations, be screened by landscaping in garden beds with a minimum soil depth of 1m.

Note:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements.

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C

4.6.13 Public Domain and Traffic Management Works

Desired Outcome

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Addressing the street and public domain

a. Buildings should include high quality finishes and public art to enhance the public domain.

b. Align breaks between buildings with the location of nearby streets, lanes and pedestrian links where possible.

Outdoor Dining

c. Outdoor dining areas should be located in areas with good amenity, landscape, outlook, solar access in winter, shading in summer and a compatible local traffic environment.

Note:

Outdoor dining proposed on Council land should comply with Council's Outdoor Dining Code.

Traffic Management

d. Traffic Management Works should be undertaken in accordance with the Traffic Management Improvement Plan Figure 4.6 (g).

e. Council or the relevant authority will undertake the necessary traffic management improvement located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

4.6.14 Key Development Principles

The following provides more detailed controls for some particular precincts within the Epping Town Centre Core.

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles Diagrams.

Prescriptive Measures

b. Key Development Principles Diagrams apply to the following precincts:

- Langston Place, Epping Precinct;
- Cambridge Street, Epping Precinct.
- Ray Road, Epping Precinct; and
- Pembroke Street, Epping Precinct.

c. Development should be designed to embody the principles of the relevant precinct Key Development Principles Diagram.

d. Pedestrian thoroughfares should be provided in accordance with the Key Development Principles Diagrams and Town Centre Linkage diagrams (see Annexure B).

e. Development in the vicinity of heritage items and Heritage Conservation Areas shown in the precinct diagrams should have regard to the Heritage provisions in Part 9 of this DCP.

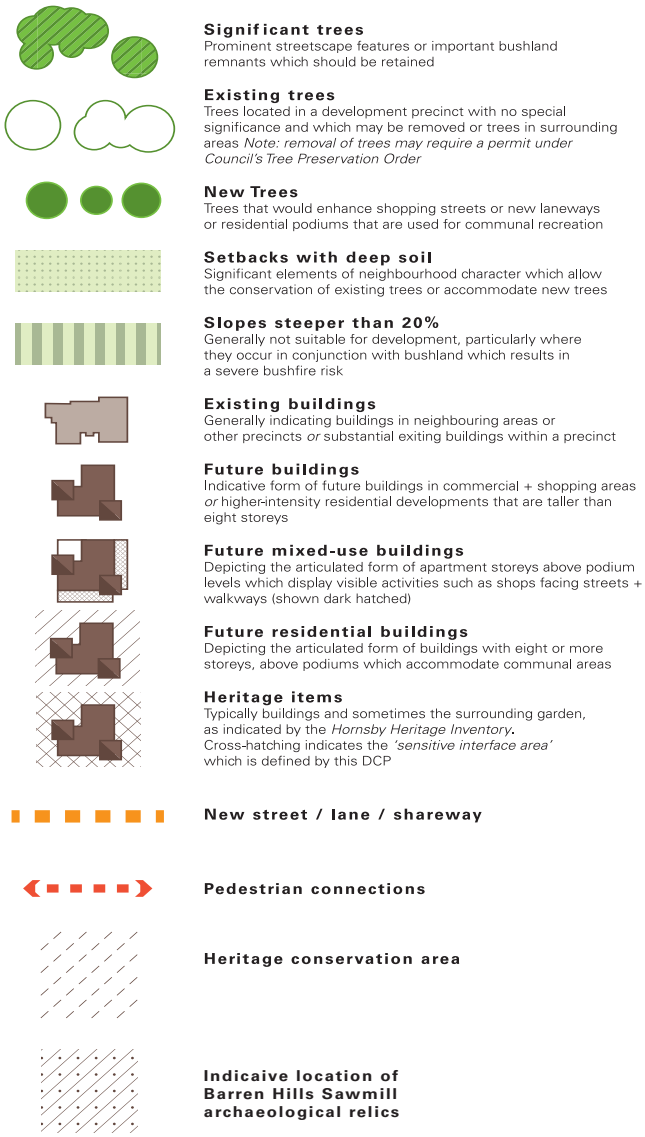
f. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

Note:

The Key Development Principles Diagrams are indicative only and are not to scale. Relevant scale, setback and landscaping controls are provided in Sections 4.6.3, 4.6.4 and 4.6.7 of this DCP.

Legend

The following symbols appear in the Key Development Principles Diagrams:



Langston Place, Epping precinct

Key Development Principles Diagram

Strategy

Redevelopment of up to twenty two storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

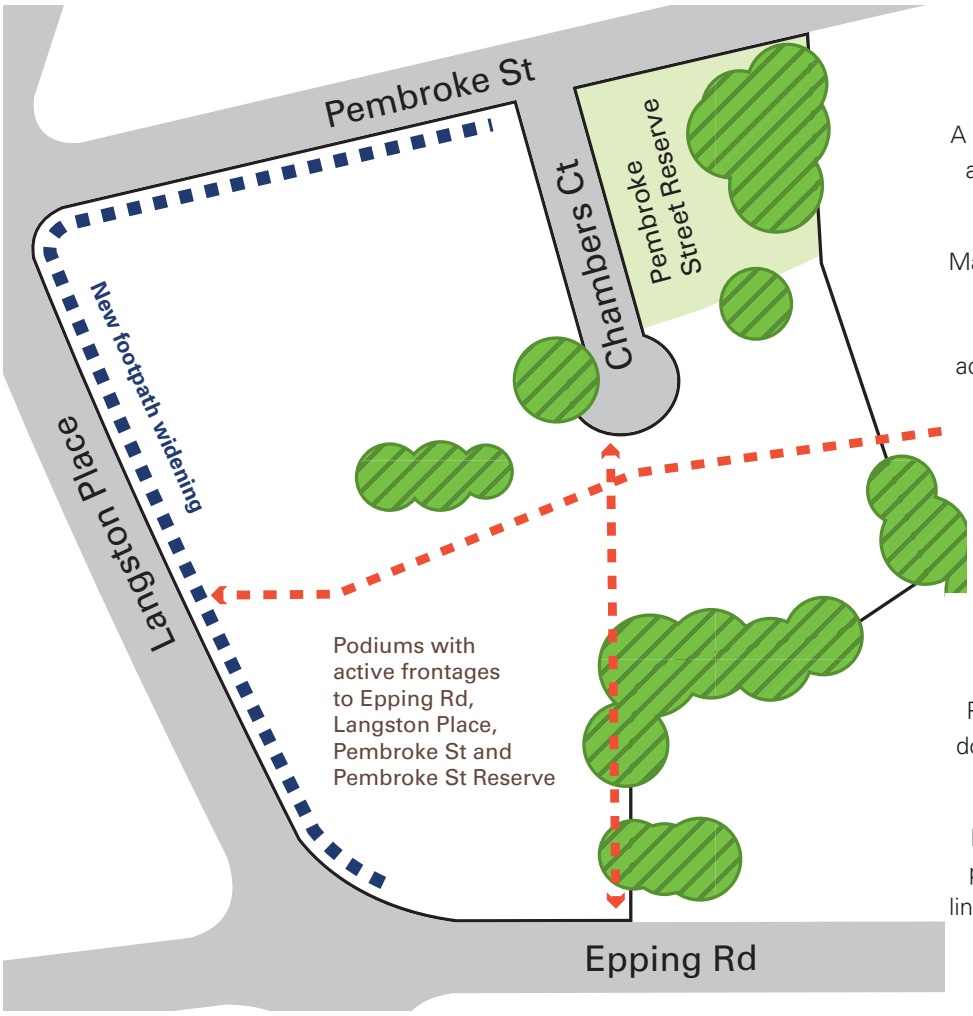
Servicing

Provide access to basements + service areas from Pembroke Street/ Chambers Court. Limit vehicle access from Langston Place.

No vehicle access to be provided from Epping Road.

Chambers Court may be relocated to form a contiguous open space and should be redeisgned as a shared space.

Street level retail + business premises to be serviced by kerbside parking.



Public frontages

A widened footpath is to be provided along Langston Place + Pembroke Street.

Maximise activity facing all streets by siting lower storeys without any setback from footpaths + accommodating a nearly-continuous mix of shopfronts and building entrances.

Landscape setting

Retain significant trees.

Provide a landscaped plaza / public domain space adjacent to Chambers Court with active frontages.

Pedestrian connections should be provided north-south + east-west, linking Pembroke Street, Epping Road + Langston Place.

Built form

Provide a continuous podium of up to three storeys facing all streets, and shape each podium to address major street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from their podium.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Cambridge Street, Epping precinct

Key Development Principles Diagram

Strategy

Redevelopment of up to twenty two storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

Public frontages

Maximise activity along Oxford Street + Cambridge Street (south of the new shareway) + both sides of the new east-west shareway by siting lower storeys without any setback from the footpath + accommodating a nearly-continuous mix of shop fronts and building entrances.

Consolidate entries to basement + service areas to protect desired levels of activity facing all active streets + new shareway.

Servicing

Provide a new east-west shareway for access linking Oxford Street and Cambridge Street as part of any future redevelopment of 41 Oxford Street (existing Cambridge Business Park). The detailed design of the street including the width, direction + intersection treatments are to be determined in consultation with Council and supported by a Traffic Impact Assessment.

Provide access to basements + service areas from the shareway or Chester Street. If access is not available from these streets, consolidate vehicle entrances from Oxford Street.

Built form

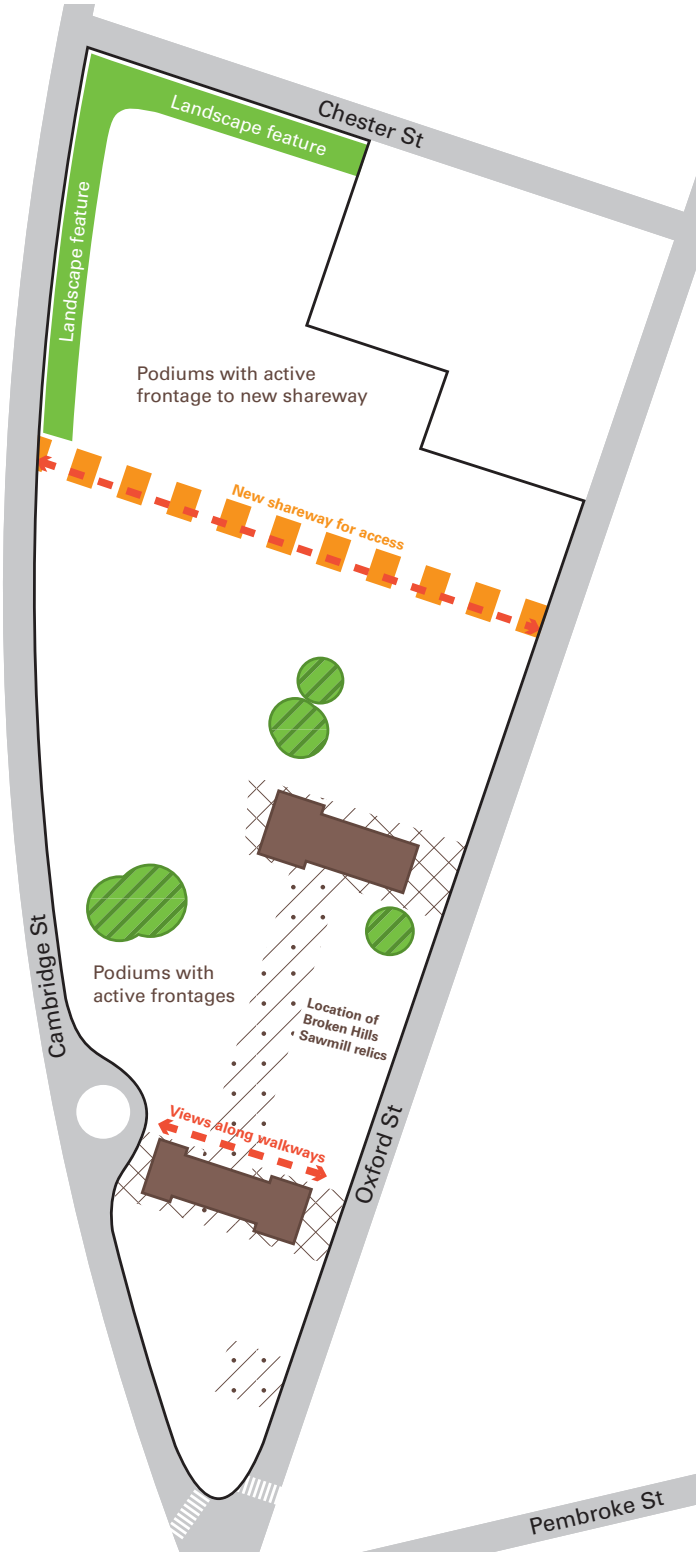
Provide a continuous podium of up to three storeys facing all streets, and shape each podium to address major street corners.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Landscape setting

Retain significant trees.
Establish landscaped setbacks along non-active frontages.
Investigate location of Barren Hills archaeological relics.



Ray Road, Epping precinct

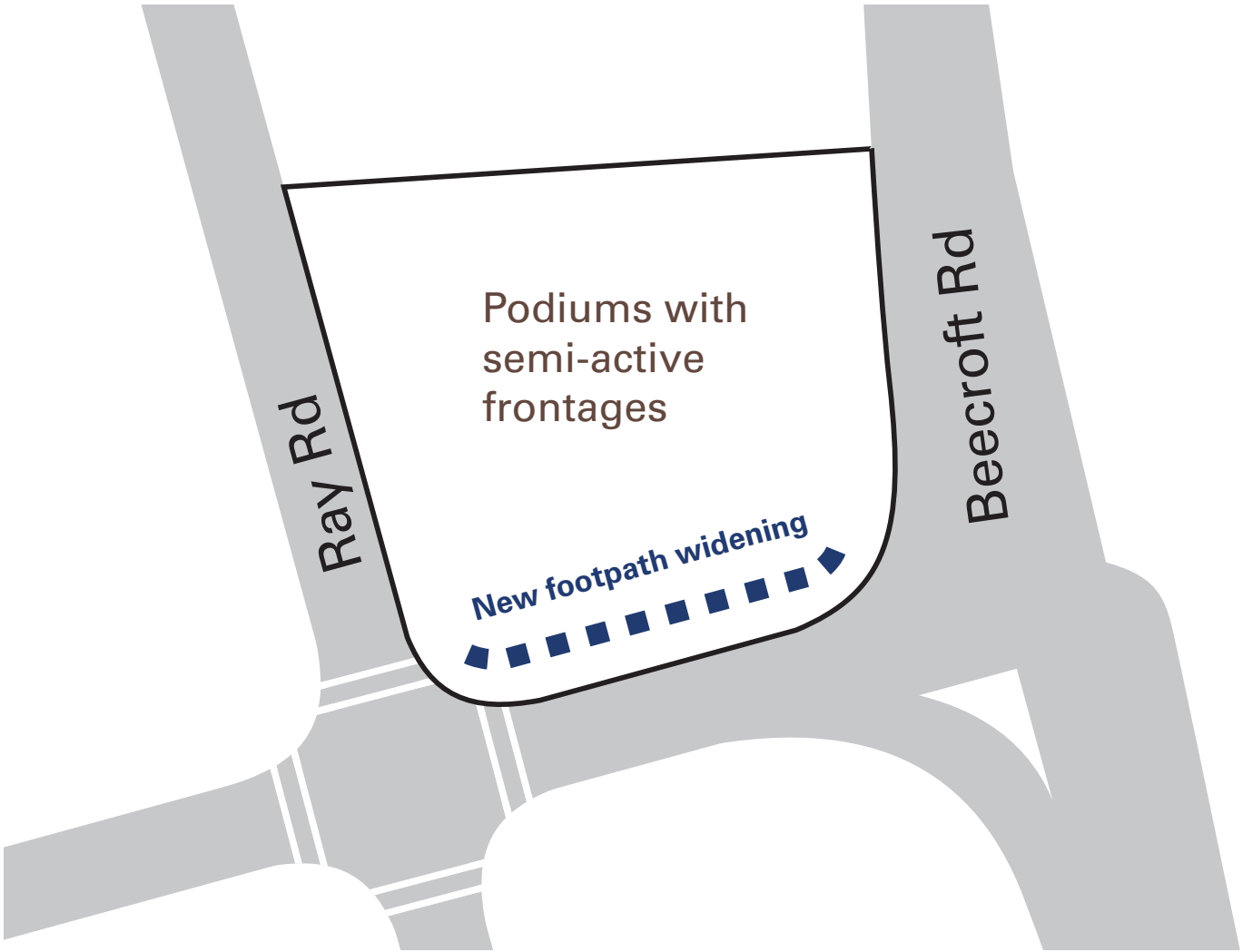
Key Development Principles Diagram

Strategy

Redevelopment of up to fifteen storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

Servicing

Provide access to basements + service areas from Beecroft Road or Ray Road.



Public frontages

Maximise activity facing all streets by siting lower storeys without any setback from footpaths + accommodating a nearly-continuous mix of shopfronts and building entrances.

Provide a pedestrian connection between Ray Road + Beecroft Road.

Consolidate entries to basements + service areas to protect desired levels of activity facing all active streets.

Built form

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Pembroke Street,Epping precinct

Key Development Principles Diagram

Strategy

Redevelopment of up to fifteen storeys should accommodate residential flats, offices, business + / or retail premises, serviced by basement parking.

Redevelopment should accommodate existing community + education facilities + heritage items.

Public frontages

Maximise activity along Oxford Street + Pembroke Street by siting lower storeys without any setback from the footpath + accommodating a continuous mix of shop fronts and building entrances.

Consolidate entries to basement + service areas to protect desired levels of activity facing all active streets.

Landscape setting

Retain significant trees.
Landscaped setbacks should be maintained around St Alban's Anglican Church.
Investigate location of Barren Hills archaeological relics

Servicing

Provide a new laneway linking Oxford Street and Pembroke Street as part of the redevelopment of the site in order to provide additional street frontages. The detailed design of the street including the width, direction + intersection treatments are to be determined in consultation with Council and supported by a Traffic Impact Assessment.

Provide access to basements + retail service areas from the shareway and Pembroke Street. Limit vehicle access from Oxford Street.

Built form

Provide a continuous podium of up to three storeys facing al streets, and shape each podium to address major street corners.

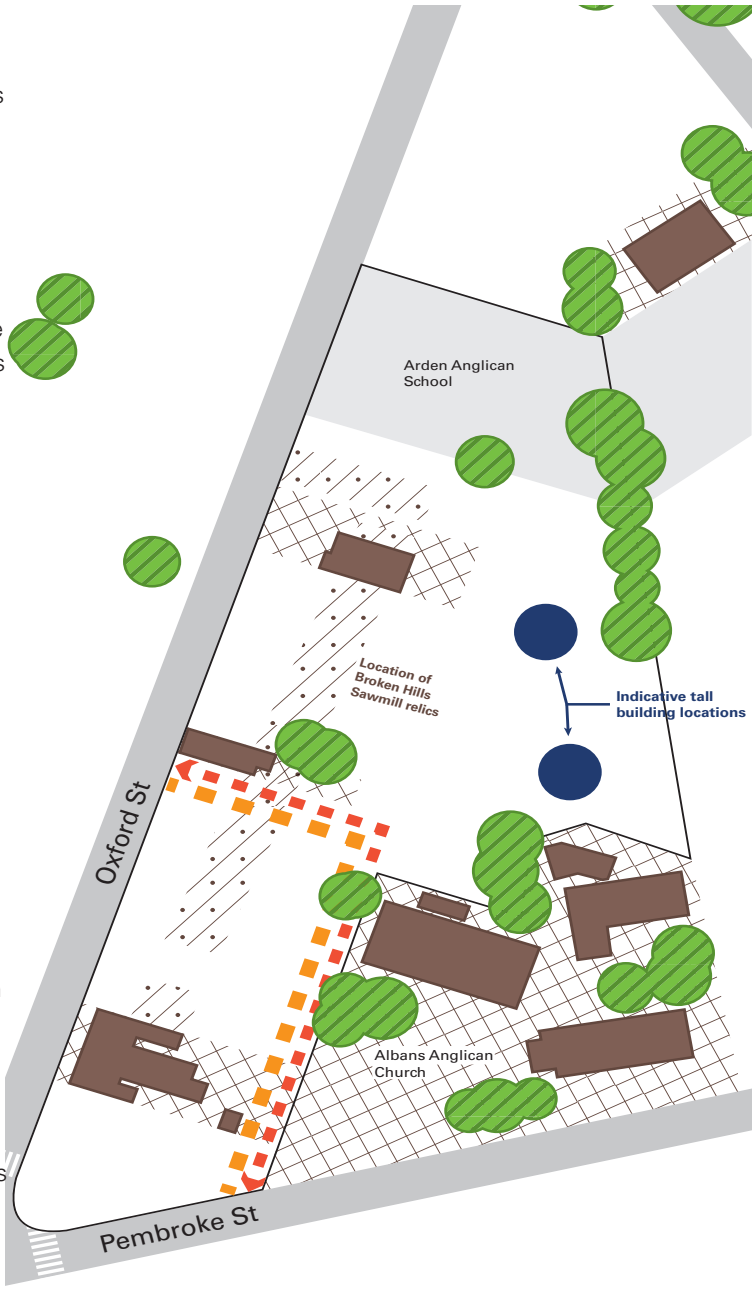
Avoid extensive sheer vertical facades by setting upper storeys back from their podium. Towers should generally be aligned in an east-west direction.

Maintain heritage curtilage setbacks from St Alban's Anglican Church.

Maintain heritage shop fronts facades along Oxford Street with infill development behind.

Achieve a varied skyline by providing different heights, profiles + roof forms for successive buildings.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.



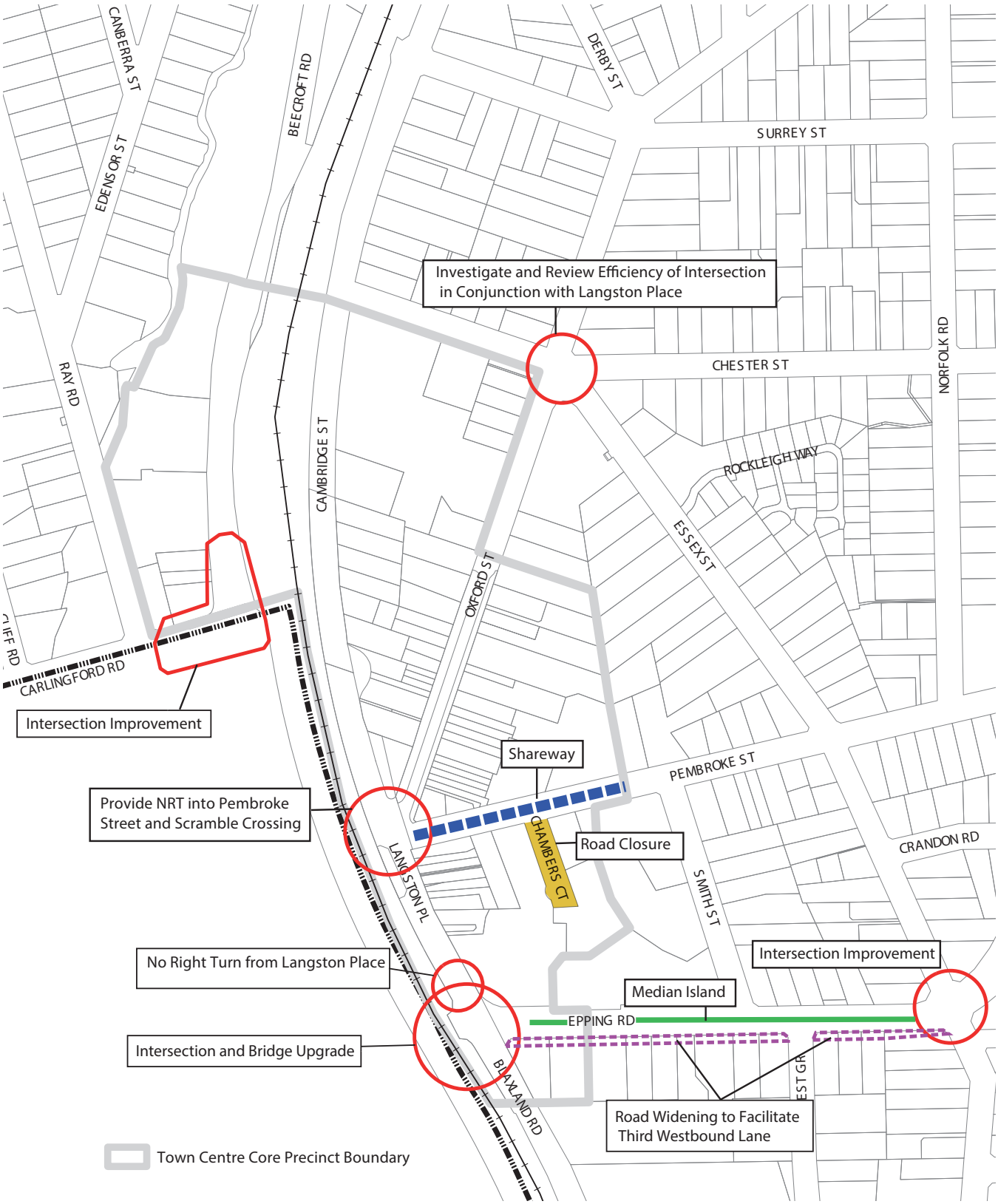


Figure 4.6 (g) : Traffic Management Improvement Plan - Epping (C)

HORNSBY
SHIRE COUNCIL



Industrial

Part 5

Part 5 Industrial

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Introduction

This Part of the DCP applies to land within the industrial areas of Hornsby Shire. The industrial areas are located in Thornleigh, Mount Kuring-gai, Hornsby Heights, Asquith/ Hornsby and Dural Service Centre and includes land within the following zones: IN1 General Industrial and IN2 Light Industrial.

The planning controls for the industrial areas are informed by the Ku-ring-gai and Hornsby Subregional Employment Study (2008) and the Dural Service Centre Retail and Commercial Study (2009).

Hornsby Shire's industrial land is competitively placed to attract industrial activity. Development in industrial areas will incorporate a range of employment generating land uses such as industry, transport related uses, warehousing and distribution. The industrial areas will also incorporate land uses that provide services to meet the day to day needs of workers in the area. Other land uses that are typically located in business centres, such as retail and offices, are to be limited within the industrial areas to reinforce the commercial centres hierarchy and ensure the most efficient use of infrastructure.

Development is to be sited and designed to be environmentally sustainable, minimise land use conflicts and operate under appropriate environmental management measures to manage waste and minimise air, water and noise pollution. Development will also be compatible with the scale, form, design, colour, height, materials, setbacks and landscaping of the surrounding area, in particular sensitive areas.

5.1 Industrial Land

The following section provides controls for the development of land zoned IN1 General Industrial and IN2 Light Industrial.

Note:

Part 8 - River Settlements of this DCP provides provisions for the IN4 Working Waterfront Zone.

5.1.1 Scale

Desired Outcomes

a. Development with a height, scale and intensity compatible with the character of the area.

b. Development that provides appropriate areas for access, car parking and landscaping.

Prescriptive Measures

Floor Space Ratio

a. The maximum floor space ratio for industrial land shall be in accordance with the *HLEP Floor Space Ratio Map* as follows:

Table 5.1.1(a): Summary of HLEP FSR Provisions

HLEP Area	Maximum Floor Space Ratio
H	0.7:1
N	1:1

Note:

As detailed in Clause 4.5 of the HLEP, the Floor Space Ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of gross floor area.

Height

b. Sites with the following maximum building heights under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 5.1.1(b).

Table 5.1.1(b): Translation of Height to Storeys

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement carparking)
K	10.5m	2 storeys
N	14.5m	3 storeys

c. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Storey controls are based on a typical industrial floor to floor height of 4.5 metres and an allowance for some roof projections.

Site Coverage

d. The maximum site coverage for buildings within specific industrial areas should comply with Table 5.1.1(c).

Table 5.1.1(c): Maximum Site Coverage

Industrial Estate Area	Maximum Site Coverage *(% of total lot size)*
Dural Service Centre	35%
Mount Kuring-gai	50%

Notes:

The Dural Service Centre industrial area is located on the eastern side of New Line Road, extending from property No. 232 to 278 New Line Road, Dural.

Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) any basement,

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,

(c) any eaves,

(d) unenclosed balconies, decks, pergolas and the like.

Lot size (or site area) in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

(a) any land on which the development is not permitted under an environmental planning instrument, and

(b) if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

Ancillary Office Space

e. The maximum floor space permitted to be constructed/ utilised for ancillary office purposes is 30 percent of the gross floor area within an individual premises.

Industrial Retail Outlet

f. In accordance with Clause 5.4 of the *HLEP*, the retail floor area of an industrial retail outlet is the lesser of:

(a) 10% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or

(b) 100m^2.

Note:

Industrial retail outlet means a building or place that:

(a) is used in conjunction with an industry or rural industry, and

(b) is situated on the land on which the industry or rural industry is located, and

(c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

5.1.2 Setbacks

Desired Outcomes

a. Setbacks that complement the streetscape and allow for landscaping that reduces the visual mass of buildings.

b. Setbacks that allow for the retention of significant landscape features and respect site constraints.

Prescriptive Measures

a. Except as otherwise provided in this DCP, the minimum setbacks of all buildings and structures to the boundaries of the site are outlined in Table 5.1.2(a)

Table 5.1.2(a): Minimum Boundary Setbacks

Setback	Minimum Building Setback
Front Boundary (to all roads)	Mount Kuring-gai - 10m Dural Service Centre - 15m to New Line Road and 10m to local roads Other Areas - 5m to roads and 0m to laneways
Side Boundary	Mount Kuring-gai - 5m Dural Service Centre - 5m Other Areas - 0m, unless the land is within 5m of a sensitive area
Rear Boundary	Mount Kuring-gai - 10m Dural Service Centre - 15m Other Areas - 0m, unless the land is within 5m of a sensitive area
Land within 5m of a sensitive area	A minimum 5m separation between the industrial building/ structures and the property boundary of a sensitive area to provide for screen planting, except for land in Asquith refer to Figure 5.1(a)

b. Setback areas should not be used for storage, loading areas, or for the advertising of products.

c. The setback of buildings and ancillary facilities from the property boundary may need to be increased to maintain landscape features, as detailed in Section 5.1.3 of this DCP.

Note:

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

Setback Encroachments

d. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 8 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Roof eaves and awnings,
- Sunshades and screens, and
- Blade columns which support roofs or sunshades

Bushfire Asset Protection Zones (APZs)

e. The setback of buildings should accommodate required bushfire APZs on the site as detailed in the 'Bushfire' element in Section 1C.3.1 of this DCP.

f. APZs should be located within buffer areas that protect significant vegetation, threatened species and populations as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP.

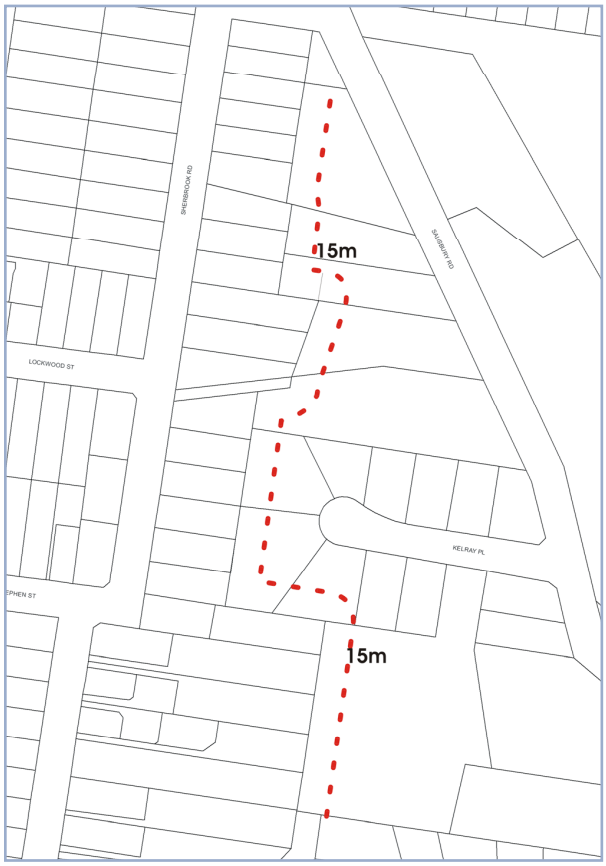

Figure 5.1(a): 15 metre wide setback at the western interface of the Asquith industrial area. (C)

5.1.3 Landscaping

Desired Outcomes

a. Landscaping that softens the visual impact of buildings.

b. Landscaping that retains existing landscape features.

Prescriptive Measures

General

a. Landscaping should be included in building setback areas to complement the appearance of the building.

b. A minimum of 50% of the required setback area to all public roads should be landscaped area. This landscaping is to extend along the full length of each street frontage (other than a vehicle entry/exit driveway).

c. Setbacks from sensitive areas should be fully landscaped.

d. Where landscaping is required for screening, landscaping should include species that will grow to the height of the building.

e. Landscaping along Old Northern Road and New Line Roads should incorporate grass swales and dense vegetation planting.

Retention of Landscape Features

f. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

g. In the Asquith and Mt Kuring-gai Industrial areas, fencing should not be provided in front of the building line.

h. In other areas, any fencing provided in front of the building line to a public street should be palisade style in recessive colours (eg. black or dark green).

i. Any masonry fence in front of the building line to a public street should not extend more than 3 metres either side of the driveway entrance.

j. Any fencing between development and sensitive areas should be designed to maintain the amenity of the adjoining land uses.

Certain Land in Mount Kuring-gai and Asquith/Hornsby

k. In addition to the above controls, certain industrial land in Mount Kuring-gai and Asquith/Hornsby has been identified as potentially containing significant flora and fauna habitats, as identified in Figures 5.1(b) and 5.1(c) of this DCP. The siting of buildings and ancillary facilities should protect any significant flora and fauna habitats.

Notes:

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the development.

For further information on potentially containing significant flora and fauna habitats in Mount Kuring-gai and Asquith/Hornsby refer to the *Review of Industrial Lands in the Hornsby Local Government Area* by PSB dated October 2001.



Figure 5.1(b) Location of potentially significant flora and fauna habitats on industrial zoned land at Mount Kuring-gai. (C)



Figure 5.1(c) Location of potentially significant flora and fauna habitats on industrial zoned land at Asquith/Hornsby. (C)

5.1.4 Open Space

Desired Outcomes

a. Development that provides adequate communal open space on-site for employees.

Prescriptive Measures

a. An outdoor eating and sitting area should be provided on-site at a rate of 1m^2 per employee, with a minimum total area of 10m^2 and a minimum dimension of 2 metres.

b. On-site communal areas should incorporate green space where possible.

c. Communal seating and lunch gathering areas should be shaded in summer and have protected sunny areas in winter.

d. Where an outdoor space cannot be accommodated on-site, an internal eating/sitting area is to be provided.

Note:

For the purposes of calculating the required communal open space area, the potential number of employees on a property is to be calculated using average employee density data. Examples of average employee densities are:

Commercial / Retail development - 1 employee / 30m2 GFA

Industrial - 1 employee / 50m2 GFA

Source: Hornsby Shire Section 94 Contributions Plan

5.1.5 Sunlight

Desired Outcomes

a. Development designed to provide reasonable sunlight to sensitive areas.

Prescriptive Measures

a. On 22 June, public open space areas, plaza areas and footpaths should receive 2 hours of sunlight between 9am and 3pm to at least 50% of the area.

b. On 22 June, 50 % of the principal private open space in any adjoining residential property should receive 2 hours of unobstructed solar access.

Note:

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

5.1.6 Vehicle Access and Parking

Desired Outcomes

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

b. Developments that incorporate on-site service areas that provide for a range of industrial uses.

Prescriptive Measures

Vehicular Access

a. Direct vehicular access to main roads should be avoided where alternative access is available via service lanes or local roads.

b. For development in the Dural Service Centre, vehicular access to New Line Road should be via service lanes and vehicular access to Old Northern Road should be via service roads, in accordance with the Traffic Management Strategy ((see Figures 5.1(d) and 5.1(e)).

Parking

c. Parking should be provided to the rear of buildings or below ground level.

d. Parking may be considered in front setback areas where site constraints warrant. A maximum of 50% of the required front setback area should be used for carparking and driveway areas.

e. Car parking should be screened from the street by landscaping.

Service Vehicles

f. Each industrial unit/ premises should have access to a loading and unloading area on-site.

g. Where a development consists of multiple industrial units, at least 1 communal loading area that is capable of accommodating an articulated vehicle should be provided on-site.

h. Loading areas should have minimum dimensions of 3 metres x 7 metres and have turning areas that comply with AS 2890.2, applicable to the size of vehicle that may service the site.

Note:

Refer to Part 1 'General' of the DCP for car parking, service vehicle, bicycle parking provisions and ancillary general design requirements.

5.1.7 Traffic Management Work

Desired Outcomes

a. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

a. Applicants should liaise with Roads and Maritime Services and Council to determine the extent of any road works required along New Line Road, in accordance with the Traffic Management Strategy.

b. Service lanes should be provided in accordance with the Traffic Management Strategy (see Figures 5.1(d) and 5.1(e)).

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

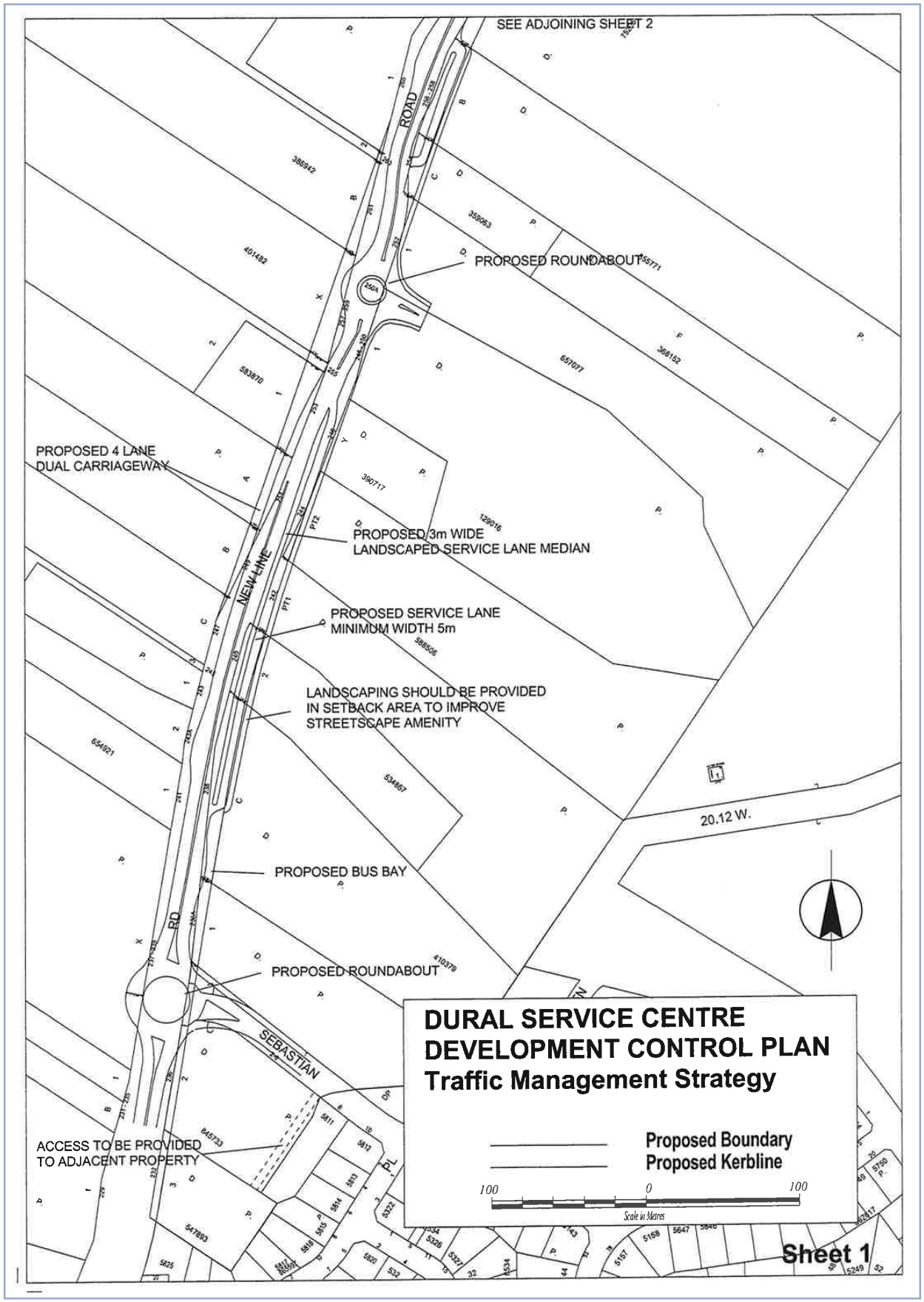

Figure 5.1(d) Dural Service Centre Traffic Management Strategy - Sheet 1.(C)

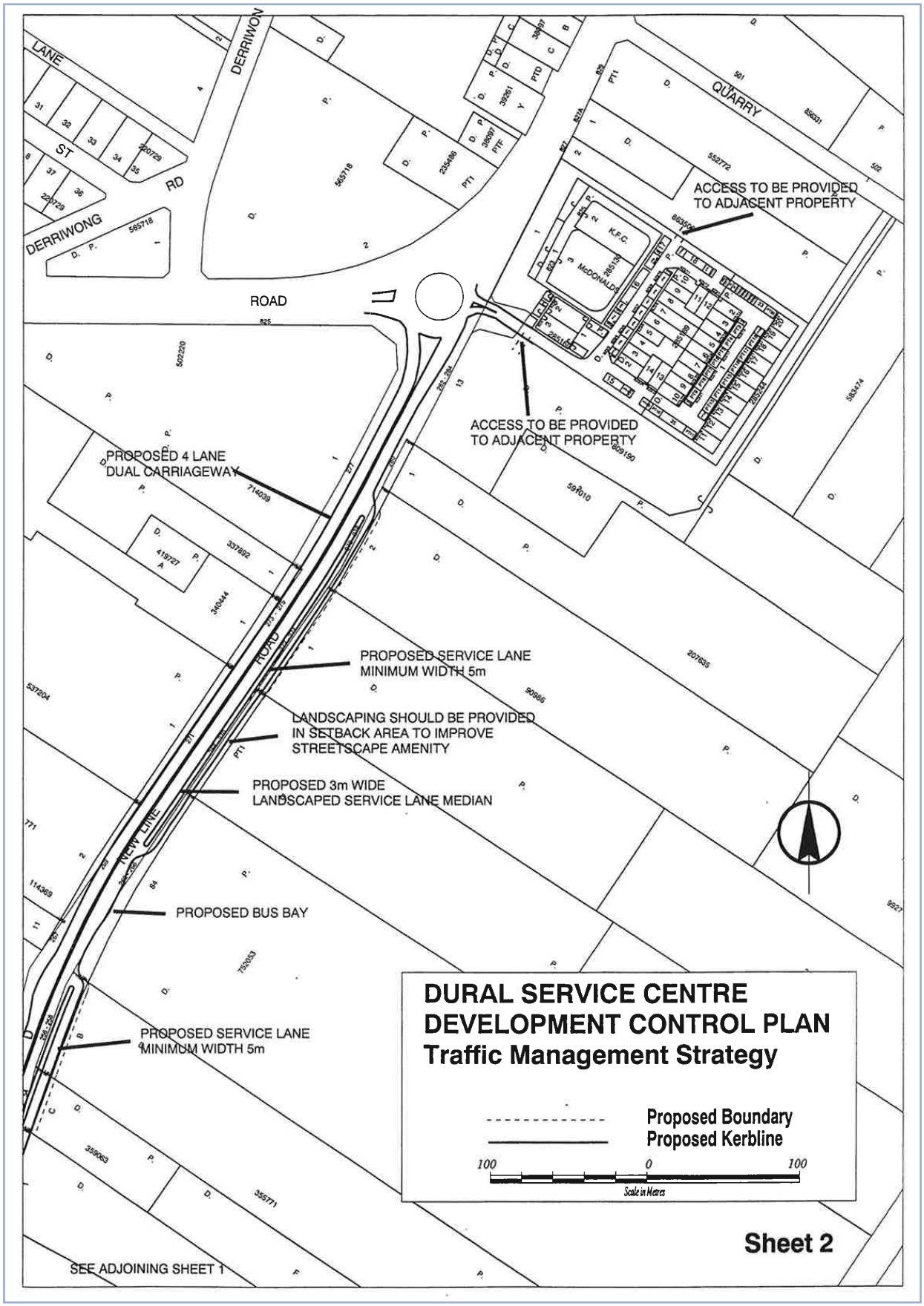

Figure 5.1(e) Dural Service Centre Traffic Management Strategy - Sheet 2 (C)

5.1.8 Design Details

Desired Outcomes

a. Development that contributes positively to the streetscape.

Prescriptive Measures

General

a. Facades should adopt a contemporary appearance, relating to the function of the building.

b. The main entry to the building should be easily identifiable from the street and directly accessible from the front of the building or the driveway in the case of a multi-unit complex.

c. Corner buildings should be designed to address both streets.

d. Architectural features should be included in the design of new buildings to provide for a more visually interesting precinct. These may include:

- elements which punctuate the skyline,
- distinctive parapets or roof forms,
- visually interesting facades,
- architectural emphasis in the built form, and
- a variety of window patterns.

e. Other features that are encouraged include balustrades, pergolas, expressed structure and downpipes, glazed skylights, sun shading devices and distinctive entries.

f. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

Colours and Materials

g. Buildings in the Asquith, Mount Kuring-gai and Dural Service Centre industrial areas should have recessive colours and external finishes consistent with nearby bushland areas (i.e. grey greens, grey blues, browns etc).

h. Colours in the Thornleigh industrial area should be consistent with the themes of adjoining development and enhance the visual amenity of the industrial precinct.

i. Large areas of glass may be included, however, mirror glass with a reflectivity in excess of 15% should be avoided.

Storage Areas

j. Outdoor storage areas should be located behind the front building setback and screened from view from adjoining sensitive areas.

k. Development should make provision for an enclosed on-site waste and recycling facility that has a storage area to accommodate the waste generated from the development as detailed in the 'Waste Management' element in Section 1C.2.3 of this DCP.

l. Above ground liquid storage facilities, including waste, should be located in a covered bunded area constructed of impervious materials.

5.2 Sex Service Premises

HLEP Clause 6.7 contains provisions for the location of sex services premises. The following provides provisions for the use of a premises for sex services in the IN1 General Industrial Zone and IN2 Light Industrial Zone, in addition to the building controls provided elsewhere in this DCP.

Note:

Sex services premises means a brothel, but does not include home occupation (sex services).

5.2.1 Location

Desired Outcomes

a. Sex services premises that are discreetly located and appropriately separated from sensitive land uses.

b. Sex services premises that are not located in proximity to another brothel so as to create a concentration or cluster of brothels.

Prescriptive Measures

a. Under the HLEP sex services premises are only permissible with Council consent in the IN1 General Industrial Zone and IN2 Light Industrial Zone.

b. Sex services premises should not adjoin or be clearly visible from:

- schools, educational institutions for young people or places where children and adolescents regularly gather,
- where worshippers regularly gather,
- bus stops regularly used by school buses, or
- any other place likely to be regularly frequented by children.

c. When sex services premises front the street, premises should be located on upper levels of buildings rather than the ground floor.

Note:

For planning principles on the location of sex services premises refer to case *Martyn v Hornsby Shire Council* [2004] NSWLEC 614 available on the NSW Land and Environment Court website at www.lawlink.nsw.gov.au.

5.2.2 Design Details

Desired Outcomes

a. Sex services premises that are modest in scale and discreet in design, to limit the potential for adverse environmental impacts.

b. Sex services premises that are designed to maximise the safety and security of staff, clients and the general public by upholding the principles of Crime Prevention Through Environmental Design (CPTED).

c. Sex services premises that provide facilities to assist in the implementation of best practice health standards.

Prescriptive Measures

General

a. The scale of the premises should be limited to:

- a maximum of 5 workrooms that provide sex services, and
- a maximum gross floor area of 160m2.

b. The pedestrian entrance should be:

- via the public domain and not via another business/ premises, and
- discreet in design, not excessively bright in light or colour.

c. The interior of the premises should not be visible from adjoining or surrounding premises or the public domain.

d. Appropriate noise shielding or attenuation techniques should be incorporated into the design of the building to prevent noise transmitting outside the premises.

e. The building should be designed to accommodate facilities and amenities consistent with WorkCover guidelines.

Common Areas

f. A reception/waiting area within the front of the premises should be provided for clients.

g. Food and drinks should not be served to clients.

h. A safe and accessible staff room that includes facilities for food and beverage preparation should be provided.

i. A minimum of two receptacles should be provided either in the laundry or another readily accessible area of the premises for the separate storage of clean linen and used linen.

j. Facilities or arrangements should be provided for the cleaning of linen including either the use of commercial laundering or on-site facilities.

Equitable Access

k. Access for people with a disability should be provided. For example, where a sex services premises is located on an upper level, a chair lift may be required.

l. All common areas and facilities, including toilets, should be suitable for use by people with a disability.

Safety and Security

m. New buildings or alterations and additions should avoid alcoves, entrapment spaces and blind corners internally and externally.

n. In existing buildings, where no new works are proposed, lighting should illuminate existing entrapment spots and mirrors provided to improve sightlines around blind corners.

o. Casual surveillance should be provided to pedestrian access pathways and car parks.

p. Barriers, such as landscaping and fencing, should be low in height or visually permeable to prevent obstructing site lines between the street and the building, in particular the entrance.

q. In consultation with police, a Plan of Management (POM) should be submitted with the development application addressing safety and security measures, including:

- Lighting of access/egress routes and existing entrapment spots but avoiding light spillage, particularly to adjacent sensitive areas,
- Security cameras located in public areas, such as entries, hallways, stairs and car parking areas,
- Workroom doors without locks,
- Security grills on windows able to be opened from inside,
- A security alarm/intercom connected from each workroom to a central base, such as reception, and
- External storage areas, including waste storage, secured to avoid creating hiding places or potential entrapment spots and unauthorised access.

Signage

r. A maximum of 1 external sign per premises with a maximum area of $0.5m^{2.}$

s. The sign should only indicate the address and contact number.

t. A clearly visible street number should be displayed on the premises to avoid disturbance to surrounding premises arising out of confusion as to the location of the premises.

u. The sign may be illuminated only during operating hours.

v. Flashing, moving and/or neon signs are not permitted.

w. Sex workers or sex related products should not be displayed from windows, the front door or outside of the premises.

x. Spruikers (staff at the door or outside of the premises who encourage patrons to enter) are not permitted.

Note:

For guidelines on amenities, refer to the 2001 WorkCover NSW *Health and Safety Guidelines for Brothels*.

For further information on CPTED refer to Section 1C.2.7 of this DCP.

Sensitive areas include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.



HORNSBY
SHIRE COUNCIL

Subdivision

Part 6

Part 6 Subdivision

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Introduction

This Part of the DCP applies to all land within the Hornsby Local Government Area and provides specific controls for the subdivision of land.

The planning controls are informed by the NSW Housing Code, the Hornsby Shire Housing Strategy (2010), and the Hornsby Shire Rural Lands Planning Provisions (2009).

The Hornsby Shire Housing Strategy identified areas suitable for the provision of additional housing to assist meet Council's housing obligations into the future. A concentrated housing model has been adopted, with housing located in planned precincts rather than dispersed.

Subdivision of land is to be designed to ensure development relates to site conditions, is consistent with the existing or desired future character of the area, is located in areas where services and related infrastructure are available and protects the natural and built environment.

Note that environmental controls relating to subdivision applications are also provided in Part 1 'General' of the DCP.

6.1 General

6.1.1 General Provisions

These general provisions apply to all subdivision applications.

Desired Outcomes

a. Subdivision design that provides usable allotments that relate to site conditions.

b. Subdivision design that provides for the retention of significant landscape features and respects site constraints including:

- significant trees,
- remnant bushland,
- steep topography,
- watercourses, riparian land and stormwater overland flow paths, and
- bushfire hazard asset protection zones.

c. Subdivision design that provides for all necessary services and facilities, including any required extension or amplification to Council infrastructure.

Prescriptive Measures

General

a. Where subdivision is a permitted landuse within the zone, any proposed subdivision should demonstrate that the newly created allotments would be capable of accommodating the construction of landuses permitted within that zone and in accordance with the controls within this DCP.

Retention of Landscape Features

b. Developable areas and accessways should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Water Management

c. Stormwater from any new lot should be gravity drained to Council's drainage system and in accordance with the 'Stormwater Management' element in Section 1C.1.2 of this DCP.

d. Proponents may require creation of easements over downstream properties for drainage purposes. In this circumstance, a letter of consent from the owner(s) of the downstream properties is to be submitted with the development application.

Flood Prone Land

e. Potential developable areas and ancillary driveways to any new lot should be above the 1:100 ARI (average recurrent interval) flood event.

Bushfire Asset Protection Zones (APZs)

f. Subdivision design and the siting of building envelopes should accommodate required bushfire APZs on the site as described in the 'Bushfire' element in Section 1C.3.1 of this DCP.

g. APZs should be located within buffer areas that protect significant vegetation, threatened species and populations as prescribed in the 'Biodiversity' element in Section 1C.1.1 of this DCP.

Notes:

A developable area incorporates:

- a building envelope, and
- an on-site waste water disposal area (where required), and
- area for disposal of stormwater, and
- a principal private open space area (for residential uses), and
- carparking areas.

Design controls for accessways and public roads are provided in Sections 6.4 and 6.5 of this DCP.

Other general environmental controls relating to subdivision applications are also provided in Part 1 'General' of the DCP.

6.2 Urban Subdivision

6.2.1 Residential Lands Subdivision within Hornsby LGA

The following provides controls for subdivision in the R2 Low Density Residential Zone.

Desired Outcomes

a. Subdivision design should maintain appropriately shaped lots to accommodate a dwelling and associated development that is compatible with a low density residential environment.

b. Subdivision design should provide setbacks to developable areas that will:

- complement the streetscape,
- provide for landscaping,
- protect landscape features, and
- provide separation between existing and future dwellings.

Prescriptive Measures

Lot Size

a. The minimum lot size is depicted on the Minimum Lot Size map, as summarised in the following:

Table 6.2(a): Minimum Lot Size - R2 Zone

HLEP Area	Minimum Lot Size
I	500m²
M	600m²

b. In calculating the area of a lot resulting from a subdivision of land, the area of any accessway, right of carriageway or the like is to be excluded.

c. The size of the proposed lot may need to be greater than the area prescribed in the table above in order to achieve the minimum setbacks required from significant landscape features or to address site constraints.

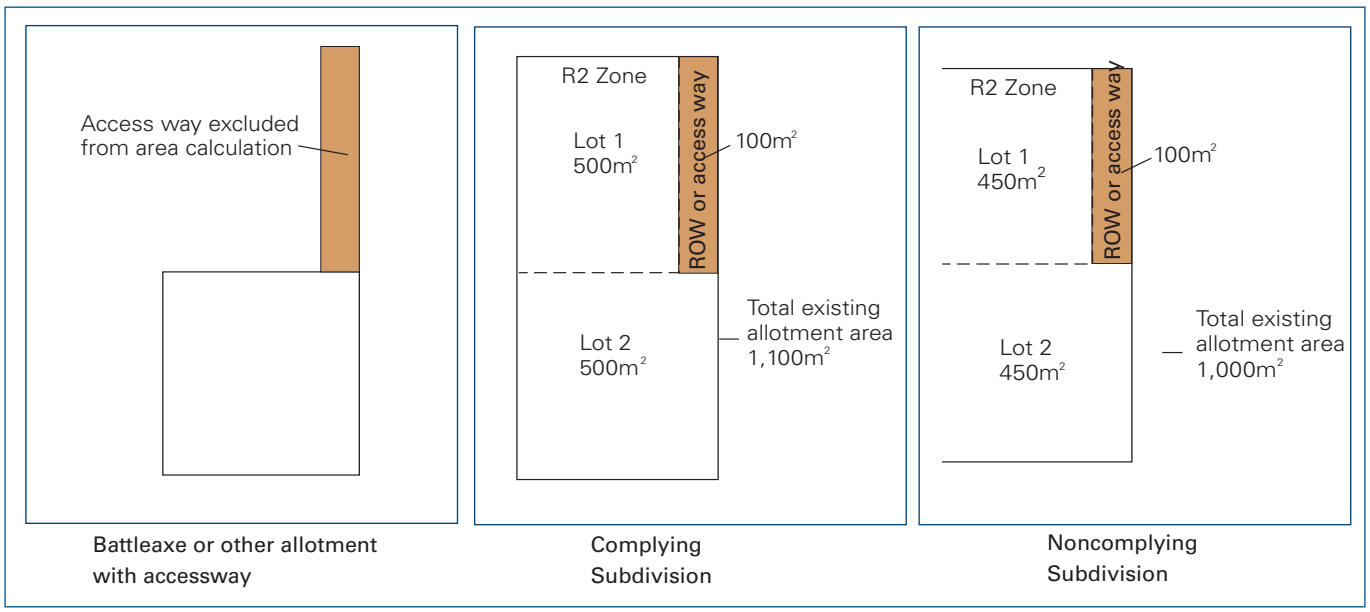


Figure 6.2(a) - Illustration of lot size controls in the R2 zone, within area I on the HLEP Lot Size Map.(I)

Lot Shape

d. Lot design should maintain a minimum lot width that is compatible with the subdivision pattern, as detailed in Table 6.2(b). In accordance with Figure 6.2(b), lot width is measured at:

- The building line adjacent to the primary street frontage, or
- across the front of a building envelope within battle-axe allotments.

Table 6.2(b): Minimum Lot Width - R2 Zone

HLEP Area	Minimum Lot Size	Minimum Lot width
I	500m²	12m
M	600m²	15m

e. Lots should be designed to allow the construction of a building, principal private open space area and carriageway with a maximum cut and fill of 1 metre from natural ground level.

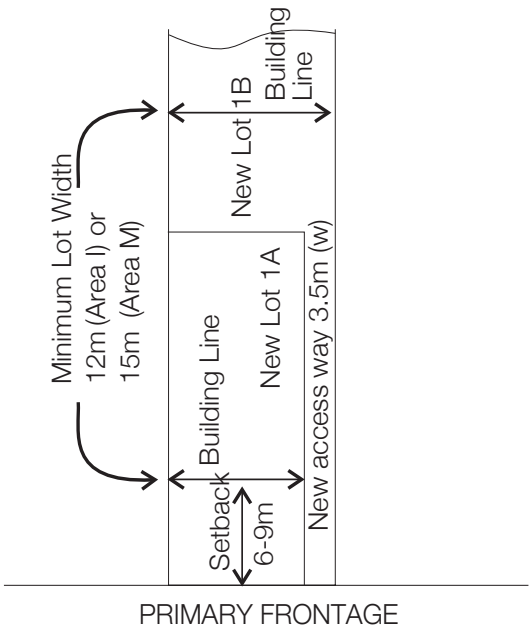


Figure 6.2(b):
Minimum lot width required for all allotments.(I)

f. Lot design should identify a potential developable area. as detailed in Figure 6.2(c). This area is to accommodate the following:

- a building envelope of 200m² with a minimum dimension of 10 metres;
- a principal private open space area,
- area for parking 2 cars behind the building line, and
- comply with the general provisions in Section 6.1

g. If an existing dwelling is to be retained, the proposed lot should be of sufficient size and design so that the dwelling complies with the 'Dwelling House' element in Section 3.1 of this DCP.

Note:

A building envelope is the area of land identified for the purpose of the future erection of a dwelling and its immediate curtilage.

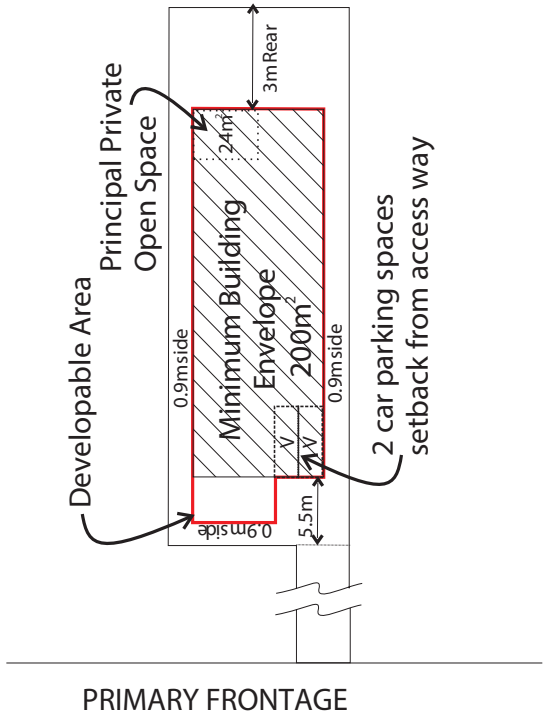


Figure 6.2(c):
Proposed subdivision plans should identify a potential developable area for each new lot.(I)

Setbacks

h. Setbacks to the proposed building envelope and ancillary structures should comply with Table 6.2(c).

Table 6.2(c): Minimum Boundary Setbacks

Setback	Minimum Building Envelope Setback
Front boundary (primary frontage)	6m to local roads and 9m to designated roads, except for the following: ■ on local roads, where an existing setback of 7.6m or greater exists, it may be necessary to conform to this setback to maintain the streetscape character, and ■ 3m to Brooklyn Road, Brooklyn, and ■ 9m to roads in Cherrybrook
Waterfront Setback	See Clause 6.1 of HLEP Foreshore Building Line Map
Secondary boundary (corner lots)	3m
Setbacks from internal accessways	5.5m to a garage/ carport
Side boundary	0.9m
Rear boundary	3m

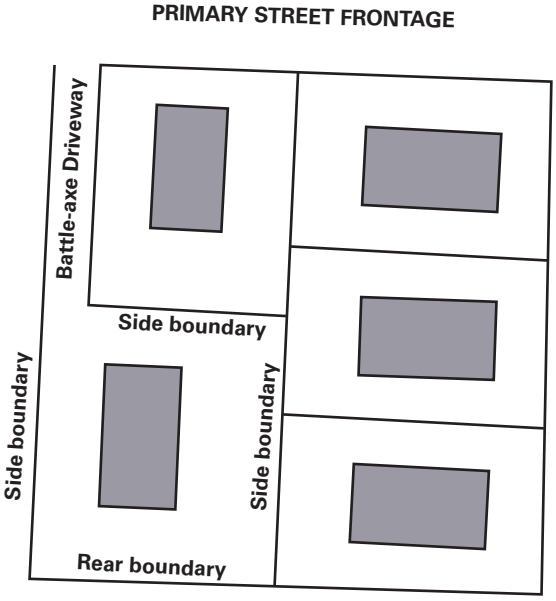


Figure 6.2 (d): Setbacks on battle-axe lots.(I)

i. For a site that:

- Adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.
- Is a battle-axe lot, the setback on the opposite side of the lot to the rear setback, is taken to be a side setback (refer to Figure 6.2 (d).

j. The setback of the building envelope and ancillary structures from the property boundary may need to be increased to comply with the general provisions in Part 1 and Section 6.1 of this DCP.

Note:

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

Open Space and Landscaping

a. Subdivision design should provide a principal private open space area of 24m² for each lot. This area is to be generally level, with a minimum width of 3 metres, sited adjacent to the building envelope and behind the front setback.

b. Subdivision design should demonstrate that the minimum landscaped area on a property complies with Table 6.2(d):

Table 6.2(d): Minimum Landscaped Area

Lot size	Minimum landscaped area *(% of the lot size)*
Up to 599m²	20%
600m² to 899m²	30%
900m² to 1499m²	40%
1500m² or larger	45%

c. Areas included as part of the minimum landscaped area should have a minimum width of 1.5 metres.

d. At least 50 percent of the minimum landscaped area should be located behind the building line to the primary road frontage.

e. A proportion of the front yard should be maintained as landscaped area as follows:

- 25 percent of the front yard for lots less than 18 metres wide, and
- 50 percent of the front yard for lots greater than 18 metres wide.

Note:

Landscaped area refers to a permeable area capable of growing plants, grasses and trees. It does not include the 200m2 building envelope, the principle private open space area, clothes drying areas, driveways, and other structures or hard paved areas.

Lot size (or site area) in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

(a) any land on which the development is not permitted under an environmental planning instrument, and

(b) if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

6.2 Urban Subdivision

6.2.1 Residential Lands Subdivision within City of Parramatta LGA

The following provides controls for subdivision in the R2 Low Density Residential Zone.

Desired Outcomes

a. Subdivision design should maintain appropriately shaped lots to accommodate a dwelling and associated development that is compatible with a low density residential environment.

b. Subdivision design should provide setbacks to developable areas that will:

- complement the streetscape,
- provide for landscaping,
- protect landscape features, and
- provide separation between existing and future dwellings.

Prescriptive Measures

Lot Size

a. The minimum lot size is depicted on the Minimum Lot Size map, as summarised in the following:

Table 6.2(a): Minimum Lot Size - R2 Zone

HLEP Area	Minimum Lot Size
I	500m²
M	600m²

b. In calculating the area of a lot resulting from a subdivision of land, the area of any accessway, right of carriageway or the like is to be excluded.

c. The size of the proposed lot may need to be greater than the area prescribed in the table above in order to achieve the minimum setbacks required from significant landscape features or to address site constraints.

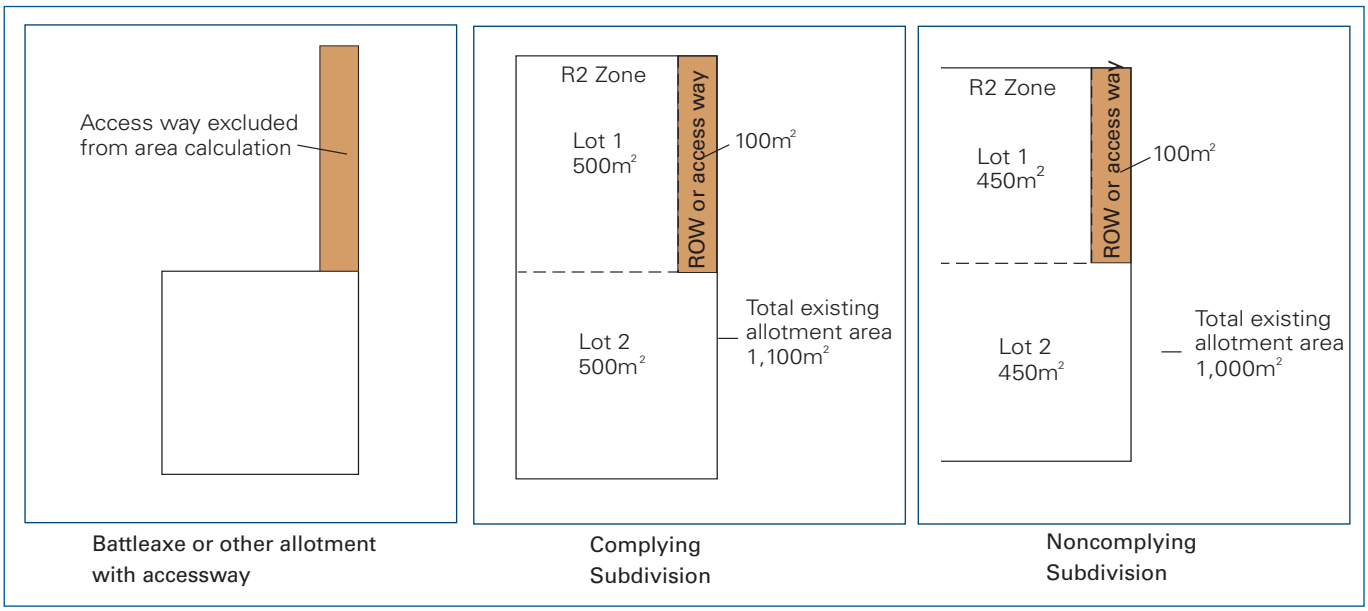


Figure 6.2(a) - Illustration of lot size controls in the R2 zone, within area I on the HLEP Lot Size Map.(I)

Lot Shape

a. Lot design should maintain a minimum lot width that is compatible with the subdivision pattern, measured at the building line adjacent to the primary street frontage, as detailed in Table 6.2(b).

Table 6.2(b): Minimum Lot Width - R2 Zone

HLEP Area	Minimum Lot Size	Minimum Lot width
I	500m²	12m
M	600m²	15m

b. Lots should be designed to allow the construction of a building, principal private open space area and carriageway with a maximum cut and fill of 1 metre from natural ground level.

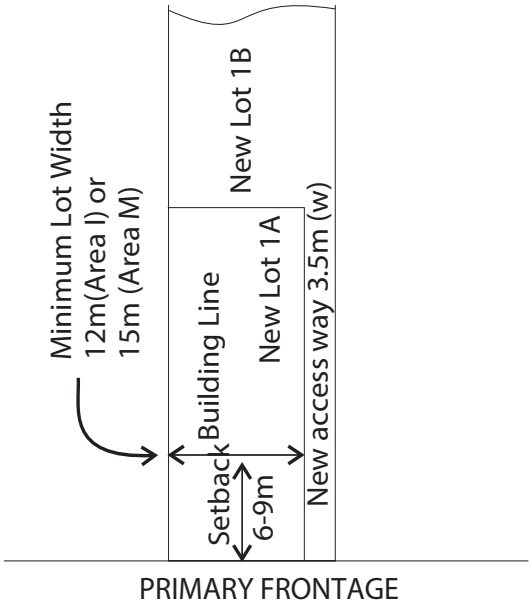


Figure 6.2(b):
Minimum lot width required at the primary street frontage boundary.(I)

c. Lot design should identify a potential developable area. This area is to accommodate the following:

- a building envelope of 200m2 with a minimum dimension of 10 metres;
- a principal private open space area,
- area for parking 2 cars behind the building line, and
- comply with the general provisions in Section 6.1

d. If an existing dwelling is to be retained, the proposed lot should be of sufficient size and design so that the dwelling complies with the 'Dwelling House' element in Section 3.1 of this DCP.

Note:

A building envelope is the area of land identified for the purpose of the future erection of a dwelling and its immediate curtilage.

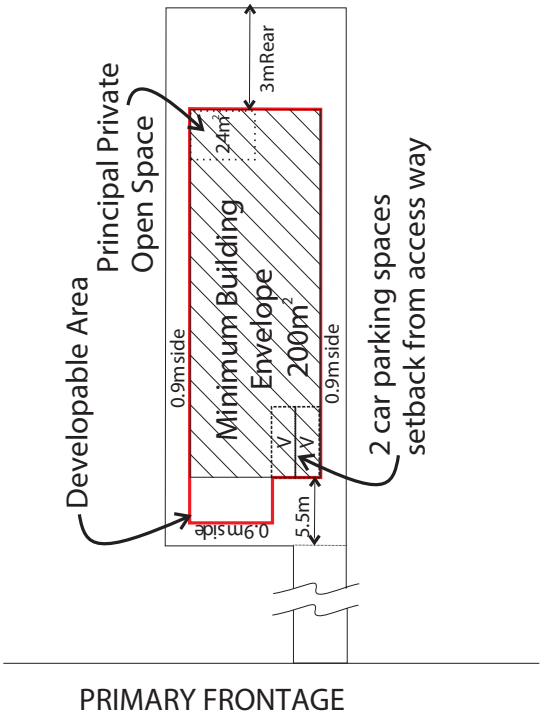


Figure 6.2(c):
Proposed subdivision plans should identify a potential developable area for each new lot.(I)

Setbacks

a. Setbacks to the proposed building envelope and ancillary structures should comply with Table 6.2(c).

Table 6.2(c): Minimum Boundary Setbacks

Setback	Minimum Building Envelope Setback
Front boundary (primary frontage)	6m to local roads and 9m to designated roads, except for the following: ■ on local roads, where an existing setback of 7.6m or greater exists, it may be necessary to conform to this setback to maintain the streetscape character, and ■ 3m to Brooklyn Road, Brooklyn, and ■ 9m to roads in Cherrybrook
Waterfront Setback	See Clause 6.1 of HLEP Foreshore Building Line Map
Secondary boundary (corner lots)	3m
Setbacks from internal accessways	5.5m to a garage/ carport
Side boundary	0.9m
Rear boundary	5m

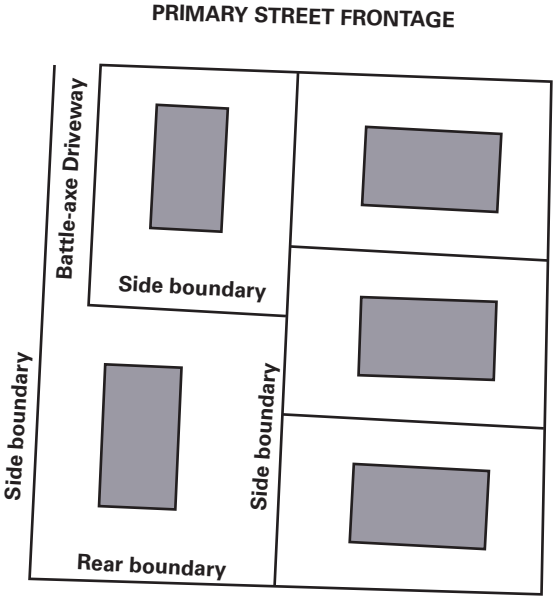


Figure 6.2 (d): Setbacks on battle-axe lots.(I)

b. For a site that:

- Adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.
- Is a battle-axe lot, the setback on the opposite side of the lot to the rear setback, is taken to be a side setback (refer to Figure 6.2 (d).

c. The setback of the building envelope and ancillary structures from the property boundary may need to be increased to comply with the general provisions in Part 1 and Section 6.1 of this DCP.

Note:

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

Open Space and Landscaping

a. Subdivision design should provide a principal private open space area of 24m^2 for each lot. This area is to be generally level, with a minimum width of 3 metres, sited adjacent to the building envelope and behind the front setback.

b. Subdivision design should demonstrate that the minimum landscaped area on a property complies with Table 6.2(d):

Table 6.2(d): Minimum Landscaped Area

Lot size	Minimum landscaped area *(% of the lot size)*
Up to 599m^2	20%
600m^2 to 899m^2	30%
900m^2 to 1499m^2	40%
1500m^2 or larger	45%

c. Areas included as part of the minimum landscaped area should have a minimum width of 1.5 metres.

d. At least 50 percent of the minimum landscaped area should be located behind the building line to the primary road frontage.

e. A proportion of the front yard should be maintained as landscaped area as follows:

- 25 percent of the front yard for lots less than 18 metres wide, and
- 50 percent of the front yard for lots greater than 18 metres wide.

Note:

Landscaped area refers to a permeable area capable of growing plants, grasses and trees. It does not include the 200m2 building envelope, the principle private open space area, clothes drying areas, driveways, and other structures or hard paved areas.

Lot size (or site area) in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

(a) any land on which the development is not permitted under an environmental planning instrument, and

(b) if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

6.3 Rural Subdivision

6.3.1 Rural Lands Subdivision

The following provides controls for subdivision in the Rural areas of Hornsby Shire, including land within the following zones: RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, C2 Environmental Conservation and C3 Environmental Management.

Desired Outcomes

a. Subdivision density that maintains the character of the area and is consistent with the zone objectives.

b. Subdivision design that provides setbacks to developable areas that will:

- provide sufficient boundary setbacks to maintain the open rural character of the area;
- protect landscape features, and
- minimise potential landuse conflicts with existing rural activities.

Prescriptive Measures

Lot Size

c. The minimum allotment size for land within the rural areas of the Shire shall be in accordance with the *HLEP Minimum Lot Size map* as summarised in Table 6.3(a).

Table 6.3(a): Minimum Lot Size - Rural Area

HLEP Area	Minimum Lot Size
U	1000m^2
X	5000m^2
Z	2ha
AA	5ha
AB	10ha
AB1	40ha

d. In calculating the area of a lot resulting from a subdivision of land, the area of any accessway, right of carriageway or the like is to be excluded.

e. Some lots in the rural area have a split zoning, such as a rural zone (eg RU2) and an Environmental Protection Zone (eg C3). Subdivision of such land is to ensure that:

- The total area of each new lot is equal to or greater than the minimum rural zone lot size over land; and
- Includes a component of rural zoned land equal to or greater than 20% of the minimum lot size.

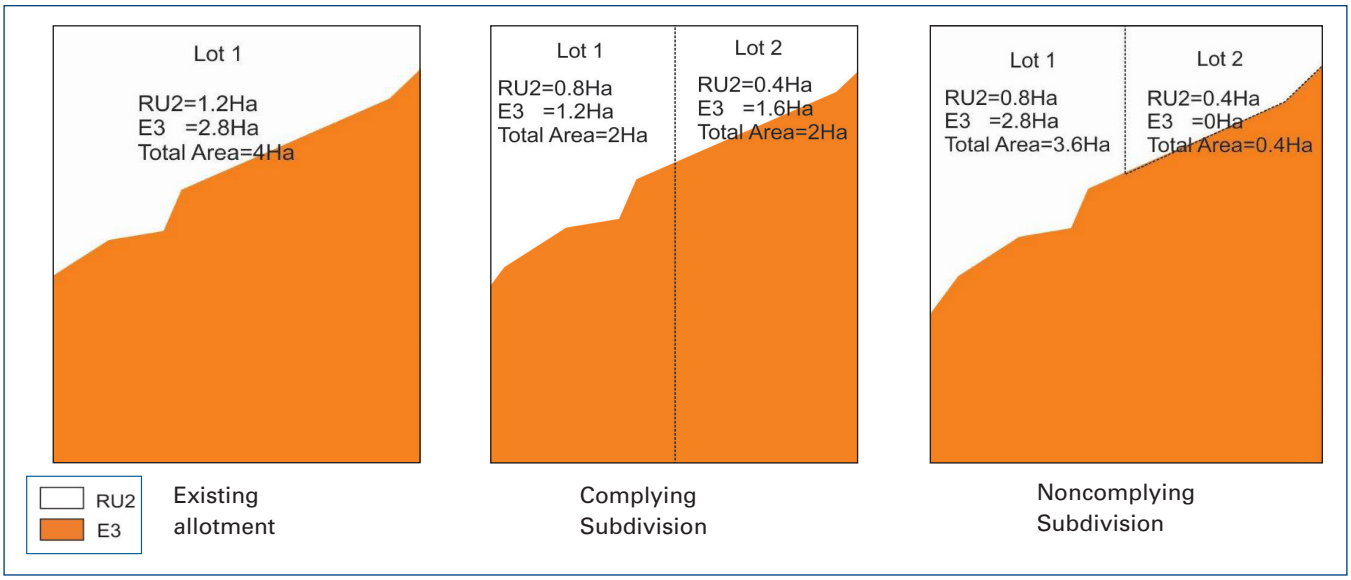


Figure 6.3(a) - Application of minimum lot size controls to land within different zones and different areas in the HLEP Maps. (eg. in the above example, the complying subdivision creates 2 lots both of which comply with the minimum lot size as they have both a total area in excess of the minimum rural zone lot size of 2 hectares and both include a component of rural zoned land greater than 1 acre

f. In addition, subdivision layout should generally provide for equal sized split zone lots with regular division lines. Such a layout would promote orderly subdivision where the burden of managing the environmentally sensitive land (eg. C3 zoned land) is shared amongst a number of property owners, as illustrated in Figure 6.3(a), and in accordance with Clause 4.1B of the HLEP.

g. The size of the proposed lot may need to be greater than the area prescribed in the table above in order to achieve the minimum setbacks required to significant landscape features or to address site constraints.

Lot Shape

h. Lot design should identify a suitable developable adrea. This area is to accommodate the folllowing:

- a minimum building envelope of 200m2 with a minimum dimension of 10 metres,
- area for an-on site waste water disposal system area that complies with Section 1C.2.4 of this DCP,
- area for disposal of stormwater,
- a principal private open space area,
- area for parking 2 cars behind the building line, and
- comply with the general provisions in Section 6.1.

i. Accessways should be located so as not to require more than 1 metre of cut and fill.

j. If existing rural buildings are to be retained, the proposed lot should be of sufficient size and design so that the development complies with the rural building controls in Section 2.1 of this DCP.

Notes:

A building envelope is the area of land identified for the purpose of the future erection of a rural dwelling and its immediate curtilage.

Open Space

k. Subdivision design should provide a principal private open space area of 24m^2 for each lot. This area is to be generally level, with a minimum depth of 3 metres, sited adjacent to the building envelope and behind the front setback.

Setbacks

l. Setbacks to the proposed building envelope should comply with Table 6.3(b):

Table 6.3(b): Minimum Boundary Setbacks

Minimum Setbacks	HLEP Lot Size Map Areas U and X	HLEP Lot Size Map Areas Z, AA, AB and AB1
Front Boundary (primary frontage)	10m or the average of the front setbacks of the nearest two neighbouring houses, whichever is the greater	15m to local roads 30m to designated roads
Secondary boundary (on corner lots)	5m	10m
Side boundary	5m	10m
Rear boundary	10m	15m

m. For a lot that adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.

n. The proposed building envelope should comply with the minimum separations to intensive rural activities as detailed in Part 2 of the DCP.

o. The setback of the building envelope and ancillary structures from the property boundary may need to be increased to comply with the general provisions in Part 1 and Section 6.1 of this DCP.

Notes:

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

Primary Production Lots

p. Council may grant consent for a subdivision upon land zoned RU1 Primary Production, RU2 Rural Landscape or RU4 Rural Small Holdings which is less than the minimum allotment size requirement as shown on the Lot Size Map contained in HLEP, where it can be demonstrated that the purpose of the subdivision is for primary production purposes only.

q. The following additional provisions relate to applications for primary production lots:

- Any lot created for the purpose of primary production only is to demonstrate that the land is of suffient size and shape to accommodate viable primary production use.
- All applications should be accompanied by a letter from NSW Department of Primary Industries or financial documentation certifying that the agricultural activity on the allotment justifies the demand for a separate lot.

r. Any proposed lot for primary production purposes must not be created so as to permit an existing dwelling to be situated on the lot.

s. A dwelling-house or dwelling (including a rural workers dwelling) is prohibited to be erected on any primary production lot.

6.4 Accessway Design

6.4.1 Residential and Rural Lands Accessway Design

The following provides controls for the accessway design of subdivisions in the low density residential areas and rural areas of Hornsby Shire. For other localities refer to the applicable parts of the DCP. For example, for subdivision in an Industrial Area the provisions of 5.1 Industrial land will apply.

Desired Outcomes

a. To ensure access along private accessways to all new lots is simple, safe and direct.

b. Driveways should not be visually intrusive to the existing streetscape.

c. To limit the number of driveway crossings and additional dwellings with direct access to main roads to limit the cumulative impacts on traffic flows and safety.

Prescriptive Measures

Location

a. Accessways should connect to local roads. No new direct vehicle access should be provided to the following main roads:-

- Castle Hill Road (between Old Northern Road and Edward Bennett Drive, Cherrybrook)
- Old Northern Road (between Castle Hill Road and New Line Road, Cherrybrook)
- New Line Road (between New Farm Road and Sebastian Drive, West Pennant Hills, Cherrybrook and Dural)
- Boundary Road (between New Line Road and Cherrybrook Road, Cherrybrook)

b. Additional vehicle crossings should be limited to all other main roads .

c. The distance between adjacent driveways should be less than 3 metres or more than 6 metres, to avoid the creation of an undersized on street parking space.

d. On the eastern side of Arcadia Road between Galston Road and Gribbenmount Road:

- vehicular crossings and driveways should be consolidated where possible, and
- street tree planting should be provided within the road reserve.

Notes:

Refer to AS 2890.1:2004 for sight distance at driveway access exits.

Refer to Section 1.4.1. of the DCP for general design requirements related to transport and parking.

General Design

e. The dimensions of an accessway should comply with Table 6.4(a).

Table 6.4(a): Accessways to Low Density Residential and Rural Lots

Lots and/or dwellings	Accessway width (min)	Carriageway width (min)	Landscape verge (min total)
1-3	3.5m	3.0m including kerbs	0.5m
4-6	4m	3.0m including kerbs	1m
7-24	6.65m	5.65m including kerbs	1m
>24	Comply with Council's H.S.C. Civil Works Design and Construction Specification		

f. Carriageways should have a maximum grade of 25% at any point with a maximum average grade of 20% over the length of the carriageway for subdivisions of 1 to 3 lots. For subdivisions of 4 or more lots, the maximum gradient is 20%.

Note:

The carriageway is an unencumbered pavement with no building encroachments (including eaves) with a minimum height clearance of 4.5 metres.

Common Turning Areas

g. Accessways serving 2 or more lots should incorporate a common turning area, designed to allow the 85% Design Car Turning Path in accordance with AS 2890.1 and AS 2890.2, where:

- the site has a slope greater than 15%,
- the accessway fronts a main road or highly pedestrianised area, or
- where vehicles would otherwise have to reverse more than 50 metres.

Note:

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

A highly pedestrianised area includes sites located in close proximity to schools, shopping centres, bus stops, places of worship and other busy community facilities.

Passing Bays

h. A passing bay with a minimum width of 5.5 metres and depth of 6 metres and transition of 4 metres should be provided adjacent to the street boundary where the accessway:

- serves 7 or more lots, or
- serves 2 or more lots and fronts a main road.

i. A passing bay with a minimum width of 5.5 metres should be provided every 40 metres where a long common driveway is proposed.

Waste Collection Vehicles

j. Waste collection vehicles should be accommodated on-site if the accessway serves 7 or more lots, or where site constraints require.

k. When an on-site waste collection area is required, the development should:

- identify a bin collection area inside the property,
- enable waste collection vehicles to enter and exit the site in a forward direction, and
- be designed to accommodate Council's large waste collection vehicle per Section 1C.2.3 of the DCP.

Note:

The requirement to accommodate a large waste collection vehicle may result in the maximum carriageway gradient of 20-25% as prescribed in the general design controls, being unachievable.

Pedestrian and Bicycle Links

l. The subdivision design should provide convenient, obvious and safe pedestrian and bicycle links from the site to public transport facilities and local facilities.

Street Lighting

m. Accessways serving 7 or more properties should provide street lighting per AS 1158.3 and AS 4282.

Note:

Compliance with AS 1158.3 and AS 4282 may require bollard style lighting along private accessways to provide for lighting whilst limiting light spill into residential dwellings.

6.5 Road Design

6.5.1 Public Road Design

These provisions apply to all subdivision applications.

Desired Outcomes

a. To ensure vehicular access along new public roads is simple, safe, direct and creates a pleasant environment.

b. Roads should be designed to allow on-street car parking.

c. Roads in new urban areas should be designed to provide for safe, convenient and efficient bus routes and the needs of cyclists/pedestrians.

Prescriptive Measures

a. The design of public roads should comply with Council's *Civil Design and Construction Specification.*

6.6 Subdivision Masterplans

6.6.1 Subdivision Masterplans - General

Desired Outcomes

a. Orderly development that is consistent with the principles in the Subdivision Masterplans.

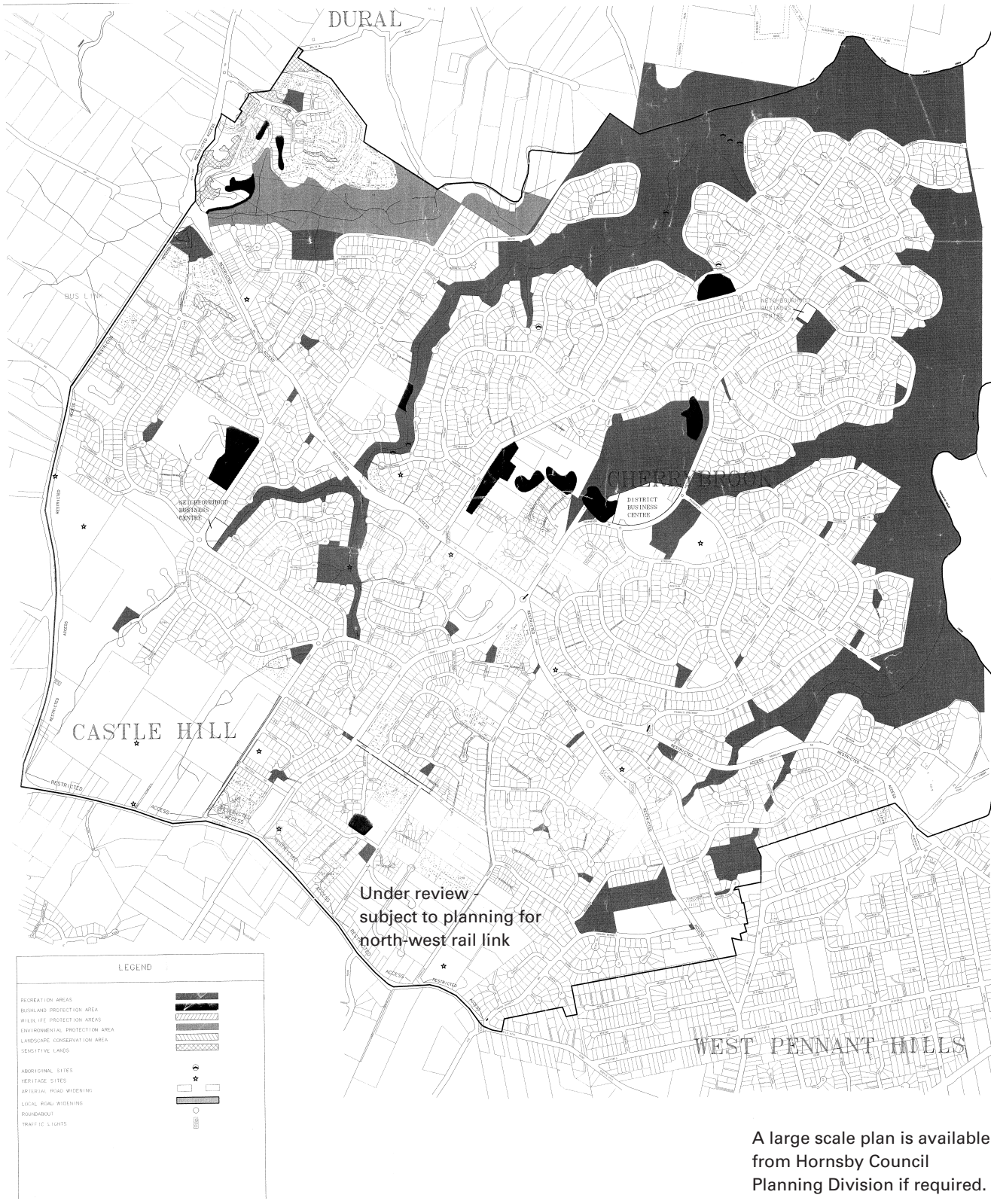
Prescriptive Measures

a. Subdivision Masterplans apply to the following localities:

- Cherrybrook Precinct

b. Vehicular access should be provided in accordance with the principles of the relevant Masterplan.

Cherrybrook Precinct Masterplan



A large scale plan is available from Hornsby Council Planning Division if required.



HORNSBY SHIRE COUNCIL

Community

Part 7

Part 7 Community

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Introduction

This Part of the DCP applies to all land within the Hornsby Local Government Area and provides specific controls for community related landuses including: child care centres, schools, places of worship, community housing, telecommunications, temporary community events, and health services facilities (in the SP2 zone).

The planning controls for child care centres are informed by the Hornsby Child Care Planning Review (2006). Restrictions on the number of child care places in individual developments, building height, size and bulk are the primary tools that Council have applied to limit the potential impact on residential amenity. However the controls permit larger centres where there is an additional community benefit, such as the inclusion of nursery places for 0-2 year olds and other children's services

Development is to be sited and designed to be environmentally sustainable, minimise land use conflicts and operate under appropriate environmental management measures to manage waste and minimise air, water and noise pollution. Development should be compatible with the existing or desired future character of the area.

7.1 Community Uses

The following section provides guidelines for the development of land for community uses including child care centres, schools and places of public worship throughout Hornsby Shire.

7.1.1 Site Requirements

Desired Outcomes

a. Community Uses with a site area that contributes to the achievement of desired urban design outcomes.

b. Community Uses located to be readily accessible to users, promote the health and safety of the future occupants of the facility and minimise potential land use conflicts.

Prescriptive Measures

General

a. The development site width of a school should not be less than 60 metres in urban areas, measured at the primary street frontage.

b. The development site width of a place of worship in a residential area should be less than 50 metres, measured at the primary street frontage.

c. Community uses should not be situated on:

- battle-axe allotments, or
- in a street, or portion of a street, ending in a cul-de-sac.

Note:

Preferred locations for the establishment of community uses include:

- corner sites, sites adjacent to non residential uses, sites with frontage to a park, and
- walking distance (i.e. 400m) to public transport facilities, local shopping facilities, schools, or other community facilities, and
- co-located with other community uses.

Environmentally constrained sites should be avoided for the establishment of community uses, such as steeply sloping sites, bushfire prone land, flood prone land, and the like.

Major Roads and Rail Corridors

d. Community uses adjoining a major road or railway should be accompanied by a report that demonstrates the site is suitable for use in terms of acoustic amenity.

e. Community uses adjoining a major road are to include siting and design measures to ameliorate the potential impact of vehicle emissions on the site.

Note:

See further details on Noise and Air quality controls refer to Part 1 of the DCP.

Separation from Intensive, Offensive or Hazardous Landuses

f. Community uses should not be sited in close proximity to significant noise, dust or odour generating uses.

g. Within the rural areas of the Shire, community facilities should comply with the minimum separations between intensive rural landuses and sensitive landuses as detailed in Section 2.2 of the DCP.

h. Community uses in industrial areas should not be located within 100 metres of dangerous goods of a quantity requiring a notification to Workcover NSW, as measured from the location of the dangerous good to the nearest point of the site.

Notes:

Workcover notification for the storage of dangerous goods is covered by the OHS Regulation 2001, Explosives Act 2003 and the Radiation Control Act 1990. Applicants should contact Workcover's Dangerous Goods Licensing Unit on (02) 4321-5500 to apply for necessary site search/s for details on notifications received on dangerous goods.

The NSW Fire Brigade's operational guidelines require that in the event of a leak, spill or similar emergency, a 100m exclusion zone in all directions around the hazard may be established.

Contaminated Land

i. A land contamination report should accompany an application for a community use on or adjacent to land that is potentially contaminated.

Notes:

The Resilience and Hazards SEPP contains procedures for proponents of development on contaminated sites.

The Transport and Infrastructure SEPP (the SEPP) establishes a planning framework for child care and school development which includes some requirements which differ from Council policy. Accordingly, Part 7.1 of the HDCP should be read in conjunction with the SEPP.

7.1.2 Scale

Desired Outcomes

a. Development with a height, scale and intensity that is compatible with the character of the area.

b. Child care centres that incorporate best practice design and address the local demand for child care places.

Prescriptive Measures

General

a. The maximum floor space ratio shall be in accordance with the HLEP *Floor Space Ratio Map*.

b. The maximum building height shall be in accordance with the HLEP *Height of Buildings Map.*

c. The scale of buildings should be in accordance with Table 7.1.2(a).

Table 7.1.2(a): Scale of Buildings by Location

Location	Building Scale Controls
Rural Zones	Apply scale and site coverage controls for rural buildings in Section 2.1 of the DCP.
R2 Low Density Residential Zone	Apply height and site coverage controls for dwelling houses in Section 3.1 of the DCP.
R3 Medium Density Zone	Apply height and building form controls for Medium Density Housing in Section 3.3 of the DCP.
R4 High Density Zones	Apply height and building form controls for Residential Flat Buildings that would otherwise be permissible in the zone in Sections 3.3, 3.4, 3.5 of the DCP.
Business Zones	Apply the scale controls that would otherwise apply to Commercial development in Part 4 of the DCP
Industrial Zones	Apply height and site coverage controls that would otherwise apply to Industrial development in Part 5 of the DCP.
Special Use and Recreation Zones	Apply height and site coverage controls for dwelling houses in Section 3.1 of the DCP.

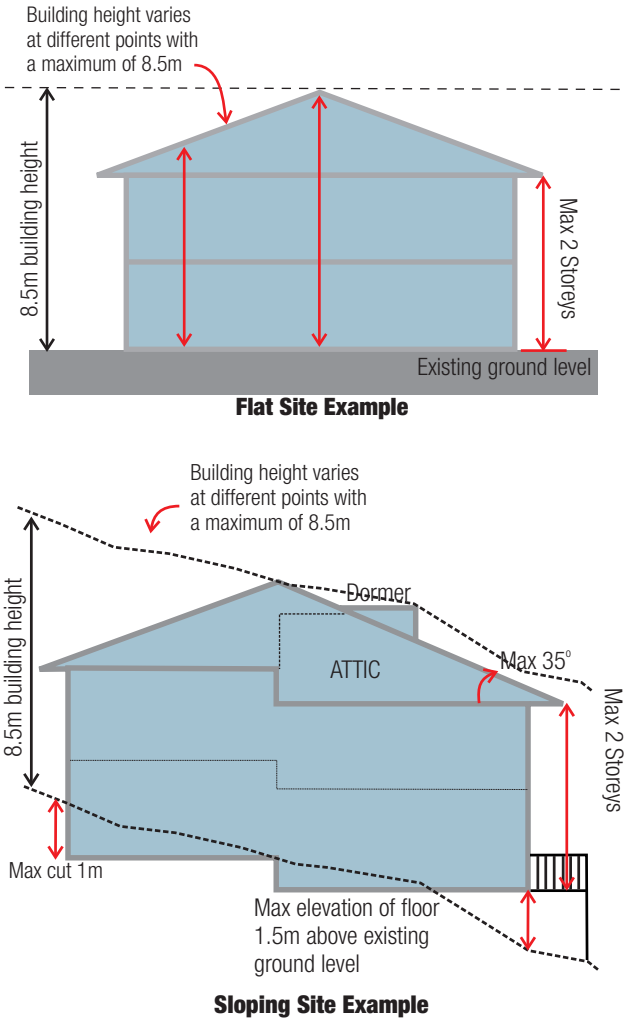


Figure 7.1(a): Illustration of maximum building heights in the R2 Low Density Residential Zone.(I)

Child Care Centres - additional controls

d. A maximum of one child care centre per allotment.

e. The size of a child care centre should be limited to the following prescribed in Table 7.1.2(b),

Table 7.1.2(b): Intensity of Child care centres by Location

HLEP Zone	Maximum Number of Children
Residential Zones (excluding existing school sites)	30 children (for a dwelling house conversion) 40 children (for a purpose built centre), or 60 children, when at least 33% of all places are provided for 0-2 year olds, and ■ the child care centre involves the conservation of a heritage item or a building of contributory value in a heritage conservation area in the case of a dwelling-house conversion, and/or ■ a minimum of 3.25m2 of unencumbered indoor play space and a minimum of 15m2 of unencumbered outdoor play space is provided per each child for above 40 for a purpose built centre, and/or a minimum of 15m2 of unencumbered outdoor play space is provided per each child above 30 in a dwelling house conversion, and/ or ■ where other children's services are integrated into the development.
Business and Industrial Zones	90 children.
Rural, Special Use and Recreation Zones and Existing School Sites	60 children, or 90 children where a minimum of 25% of places are provided for 0-2 year olds or where other children's services are integrated into the development.

f. Any application to increase the number of children within an existing child care centre should comply with the above table

g. Within the R2 Low Density Residential Zone, the maximum floor area of any child care centre should comply with the following:

Table 7.1.2(c): Floorspace of Child care centres - R2 zone

Lot size	Maximum floor area
Up to 899sqm	380m^2
900sqm or larger	430m^2

Notes:

Childrens Services are governed by the National Quality Framework and/ or"Children (Education and Care Services) Supplementary Provisions Regulation 2012" which can be viewed online.

Other children's services can include partnerships with community groups, community meeting space, early childhood professional and health services, early intervention and support programs for children with additional needs, brokerage services for back up child care for emergencies and sick children.

Floor area (as defined by the NSW Housing Code) includes carports, garages, balconies, patios, pergolas, terraces or verandahs which are attached to the house and have two enclosing walls of at least 1.4m above floor level. The calculation of floor area is the total of both the ground and upper floors (if there is one) not including awnings, eaves, voids, stairways or lift shafts.

The floor area at 7.1.2(c) is the equivalent to the maximum sized dwelling house that is permitted in the area pursuant to Section 3.1 of the DCP. The intent of the controls is to ensure that child care centres in predominately residential areas are of a scale comparable to a dwelling house.

7.1.3 Setbacks

Desired Outcomes

a. Setbacks that are compatible with adjacent development and complement the streetscape.

b. Setbacks that allow for the retention of significant landscape features and respect site constraints.

Prescriptive Measures

a. The minimum setbacks of all buildings and structures to the boundaries of the site are prescribed in Table 7.1.3(a):

Table 7.1.3(a): Minimum Boundary Setbacks

HLEP Zone	Minimum Setbacks
Rural Zones	Apply setback controls for Rural buildings in Part 2 of the DCP
R2 Low Density Residential Zone,	Apply setback controls for Dwelling-Houses in Part 3.1 of the DCP, except for purpose built centres where the minimum side setback should be 2m.
R3 Medium Density Zone	Apply setback controls for Medium Density Housing in Part 3.2 of the DCP
R4 High Density Zones	Apply setback controls for Residential Flat Buildings that would otherwise be permissible in the zone in Part 3.3, 3.4, 3.5 of the DCP
Business Zones	Apply setback controls that would otherwise apply to Commercial development in Part 4 of the DCP
Industrial Zones	Apply setback controls that would otherwise apply to Industrial development in Part 5 of the DCP
Special Use and Recreation Zones	Apply setback controls for Dwelling Houses in Part 3.1 of the DCP, except apply 3m setbacks from side and rear property boundaries.

Setbacks to Landscape Features

b. The setback of buildings and ancillary facilities from the property boundary may need to be increased to maintain landscape features, as detailed in Section 7.1.4 of this DCP.

Bushfire Asset Protection Zones (APZs)

c. The setback of buildings should accommodate required bushfire APZs on the site as detailed in the 'Bushfire' element in Section 1C.3.1 of this DCP.

d. APZs should be located within buffer areas that protect significant vegetation, threatened species and populations as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP.

7.1.4 Landscaping

Desired Outcomes

a. Landscaping that is compatible with the character of the locality.

b. Landscaping that retains existing landscape features such as significant trees, flora and fauna habitats and urban streams.

Prescriptive Measures

General

a. Landscaping should be provided around the site to soften the development when viewed from adjoining land.

b. Within the R2 Low Density Residential Zone and the RU5 Rural Village Zone, the minimum landscaped area should comply with the following:

Table 7.1.4(a): Minimum Landscaped Area

Lot size	Minimum landscaped area *(% of the lot size)*
up to 900sqm	30%
901sqm to 1500sqm	40%
1501sqm or larger	45%

c. Where a children's outdoor play space adjoins a residential property, screen planting along the common boundary with the residence should be provided.

d. In residential areas car parking should be visually recessive and preferably located at basement level to maintain the landscaped setting. Where parking in the front setback is compatible with the streetscape, car parking forward of the building line should provide a 2 metre minimum landscaped setback from all property boundaries.

Retention of Landscape Features

e. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Fencing

f. Fencing should comply with the relevant controls for developments that are otherwise applicable to the locality.

Table 7.1.4(b): Fencing Controls by Location

HLEP Zone	Minimum Setbacks
Rural Zones	Apply fencing controls in Section 2.1 of the DCP
R2 Low Density Residential Zone,	Apply fencing controls for Dwelling-Houses in Part 3.1 of the DCP
R3 Medium Density Zone	Apply fencing controls for Medium Density Housing in Part 3.2 of the DCP
R4 High Density Zones	Apply fencing controls for Residential Flat Buildings that would otherwise be permissible in the zone in Part 3.3, 3.4, 3.5 of the DCP
Business Zones	Apply fencing controls that would otherwise apply to Commercial development in Part 4 of the DCP
Industrial Zones	Apply fencing controls that would otherwise apply to Industrial development in Part 5 of the DCP
Special Use Zones, and Recreation Zones	Apply fencing controls for Dwelling Houses in Part 3.1 of the DCP.

g. Any fencing between development and sensitive lands, should be designed to maintain the amenity of the adjoining landuse.

Notes:

Landscaped area refers to a permeable area capable of growing plants, grasses and trees. It does not include any building, structure or hard paved area.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the construction of any development.

7.1.5 Open Space

Desired Outcomes

a. Outdoor play spaces that provide a safe, functional and educational environment for children.

b. Outdoor play space that is designed to limit land use conflicts with neighbouring properties and incorporate best practice design.

Prescriptive Measures

General

a. Active recreation areas and play spaces should be located away from adjoining noise sensitive landuses.

Child Care Centres

b. An outdoor play space should be designed to:

- be located in the side or rear setback of the site (not the primary front setback area),
- have separate outdoor play spaces for children aged under under 2 years, and children aged 2 or more years, and
- have a maximum grade of 1 in 8.

c. Childcare centres should provide unencumbered outdoor play space per child in accordance with Table 7.1.5(a).

Table 7.1.5(a):
Child care centre outdoor play space by Location

HLEP Zone	Minimum Play Space
Rural Zones	15m^2 per child.
Residential Zones	7m^2 per child, or 15m^2 per child for larger centres as required by Section 7.1.2 of this DCP.
Business Zones	7m^2 per child.
Industrial Zones	7m^2 per child.
Special Use and Recreation Zones and Existing School Sites	15m^2 per child

d. Where it is impracticable to provide the required amount of unencumbered outdoor play space in business and industrial zones, some or all of that space may be provided indoors where it is:

- designed and equipped to permit children to participate in activities that promote fundamental movement skills,
- physically separated from the required minimum unencumbered indoor play space, and
- has access to natural sunlight.

e. For new centres, a covered outdoor play area should be provided for use in all weather conditions and:

- be located between the indoor and outdoor areas such as in the form of a covered verandah, and
- take into account the design recommendations in the "Best Practice Guidelines in Early Childhood Physical Environments".

f. Storage facilities for outdoor play equipment should be provided.

g. The outdoor play space should incorporate shade structures.

Notes:

The above requires 'Best Practice' standards for larger sites or developments. For the purposes of calculating unencumbered outdoor play space, items such as car parking areas, storage sheds and other fixed items that prevent children from using the space or that obstruct the view of staff supervising children in the space should be excluded.

The covered outdoor (transitional) play area may be included in the overall outdoor play space calculation for the centre.

The application plans should clearly indicate the location of open play, active play and quiet play spaces on the site plan.

For further guidelines on Best Practice refer to:

The requirements of NSW Cancer Council and NSW Department of Health (2005) *Shade for child care services,* Sydney, 1999, 2005.

Early Childhood Australia Policy: Physical Environments for Centre Based Early Childhood Services.

Matters included in *Best Practice Guidelines in Early Childhood Physical Environments* (DoCS 1997);

Play area matters included in *Child-friendly environments* (DUAP and the NSW Play Alliance 1999);

All outdoor play equipment should comply with any relevant Australian Standard including *AS 4686 and AS4486.1: Playgrounds and Playground Equipment*

Softfall surfaces are to be used to surround play equipment and other areas where children may be at risk of falling, designed to comply with *AS4422: Playground Surfacing.*

Educational Establishments

h. Recreation space should be provided on-site at a minimum rate of 20m^2 per student.

i. Location of buildings should allow for the maximum utilisation of flatter areas for recreation space where a slope of less than 1:60 is preferred.

Note:

Recreation space includes internal sports facilities such as gymnasiums, swimming pools and the like, although does not include car parking areas, driveways, verandahs, services areas and the like.

Places of Worship

j. Congregational and recreational space should be provided in accordance with the likely needs of patrons.

Note:

Consideration should be given to the need to provide an area for children playing and congregation areas before/ after services.

7.1.6 Privacy, Security and Sunlight

Desired Outcome

a. Development designed to provide reasonable privacy and sunlight to adjacent properties.

b. Development designed to provide high levels of security.

Prescriptive Measures

Privacy

a. For development at the interface of a residential area, development should encourage views from the community use to the horizon rather than downward onto residential areas.

Sunlight

b. On 22 June, development should not overshadow more than 50% of adjacent public open space areas including parks and recreational facilities between 9am and 3pm.

c. On 22 June, 50% of the principal private open space on any adjoining residential property should receive 3 hours of unobstructed solar access between 9am and 3pm.

Security

d. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

e. Windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

7.1.7 Vehicle Access And Parking

Desired Outcomes

a. Development with simple, safe and direct vehicular and pedestrian access.

b. Carparking that meets the requirements of future occupants and their visitors.

Prescriptive Measures

General

a. Separate pedestrian and vehicular access should be provided from the public domain to the community use.

Note:

Refer to Section 1C.2.1. of the DCP for general design requirements related to transport and parking.

Additional Child Care Centre Requirements

b. A traffic report should be submitted where a child care centre is proposed:

- within 100 metres of an existing child care centre on the same street, or
- for more than 30 places, or
- fronting a major road.

c. Consideration may be given to shared use of car parking for child care centres that operate in conjunction with a school or church.

d. A reduction in the total car parking requirement prescribed in Section 1C.2.1 of the DCP may be permitted where a traffic and parking report is submitted and demonstrates that:

- there are low traffic volumes and speeds, and
- there is sufficient safe on street parking located outside the development or alternative parking otherwise available in the locality, and
- the development is not likely to result in any adverse impacts to the safe operation of the surrounding road network, and
- the development involves a dwelling house conversion child care centre in a low density residential zone, or
- the development involves a child care centre in a business, industrial, special use or open space zone.

Additional Educational Establishment Requirements

e. Driveways should incorporate a set down/ pick up area for students.

f. Educational Establishments should be designed to incorporate provision for bus services.

Note:

Applicants should consult with the local bus service providers regarding requirements for bus services. Plans should clearly indicate the location of bus set down areas. Documentation confirming that arrangements have been made to the satisfaction of the Department of Transport (or similar) for bus set down areas on-site should accompany any development application.

Additional Place of Worship Requirements

g. Driveways should incorporate a set down/ pick up area for service vehicles for events such as weddings and funerals.

7.1.8 Design Details

Desired Outcomes

a. Development that complements the streetscape.

b. Child care centres that incorporate best practice design for larger sites or centres.

Prescriptive Measures

General Controls

a. Building design should complement the desired future character of the zone, and include consideration of:

- setbacks,
- materials, textures and colours,
- scale of building, height and bulk,
- roof form, pitch,
- landscaping,
- facades, window placement,
- fences and driveways,
- street trees, and
- balance between solid walls and openings.

b. Buildings should provide elevations that address the street. Buildings on corner allotments should be designed to address both street frontages.

c. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

Mixed Use Developments

d. Where mixed use is proposed, the community use development should be designed to comply with the requirements of Part 7 and all other relevant provisions of this DCP.

Child Care Centre Building Facilities

e. Childcare centres should provide unencumbered indoor play space per child in accordance with Table 7.1.8(a).

Table 7.1.8(a):
Child care centre indoor play space by Location

HLEP Zone	Minimum Play Space
Rural Zones	4.5m^2 per child
Residential Zones	3.25m^2 per child
Business Zones	3.25m^2 per child
Industrial Zones	3.25m^2 per child
Special Use and Recreation Zones and Existing School Sites	4.5m^2 per child

Notes:

The above requires Best Practice standards for larger sites or developments. For the purposes of calculating unencumbered indoor play space, items such as any passage way or thoroughfare, door swing areas, kitchen, cot rooms, toilet or shower areas or any other facility such as cupboards, staff rooms and offices are to be excluded.

For further guidelines on Best Practice refer to:

- *Early Childhood Australia Policy: Physical Environments for Centre Based Early Childhood Services*, and
- Matters included in *Best Practice Guidelines in Early Childhood Physical Environment* (DoCS 1997).

DA Submission Requirements

f. Applications involving new buildings fronting an established streetscape should be accompanied by an elevation showing the relationship of the buildings to the adjoining buildings.

g. Applications should be accompanied by an Access and Mobility Audit: The audit should address the BCA and matters included in AS 1428 Design for Access and Mobility – General Requirements for Access.

h. Applications involving any proposed new or enlarged child care centre should be accompanied by Architect Plans and a Statement of Compliance certifying compliance with the matters in the applicable Children Services Regulation.

i. The application plans for a child care centre should indicate all of the following required building facilities on the floor plan to enable an accurate calculation of the unencumbered indoor play space proposed:

- A storeroom suitable for the storage of large play equipment, high chairs and bedding material, located directly accessible from the indoor play space,
- A cot room that accommodates a cot for each child under the age of 2 years,
- Child-accessible toilets and hand washing facilities,
- Nappy change areas located away from food and craft preparation areas,
- An office used only for administration of the service and for private consultation between staff and parents,
- A staff room provided at the rate of 1m2 per employee, with a minimum total area of 10m2 and a minimum dimension of 2 metres. The room is to be located away from the areas used by children, for respite of staff,
- Toilet facilities for adult staff in accordance with the provisions of the Building Code of Australia,
- A bottle preparation area,
- A laundry, and
- A kitchen and other food preparation facilities provided in accordance with the provisions of the BCA, and the Food Act 2003 and associated Regulations.

7.2 Community Housing

The following section provides guidelines for the development of land for seniors housing, boarding houses, group homes and hostels throughout Hornsby Shire.

7.2.1 Seniors Housing

Desired Outcomes

a. Development with a bulk, scale and intensity that is compatible with the character of the area.

Prescriptive Measures

a. Development for Seniors Housing should comply with the planning controls in the Housing SEPP.

b. Development for Seniors Housing on land identified as Area 1 in the HLEP Height of Building Map should also comply with the site-specific and other controls for residential flat buildings identified in Part 3.5 – Residential Flat Buildings (6 or more storeys) and the site-specific parking rates and other general controls identified in Part 1 – General of the HDCP.

7.2.2 Boarding Houses

Desired Outcomes

a. Development with a bulk, scale and intensity that is compatible with the character of the area.

Prescriptive Measures

a. Development for Boarding Houses should comply with the planning controls detailed in the Housing SEPP.

7.2.3 Group Homes

Desired Outcomes

a. Development with a bulk, scale and intensity that is compatible with the character of the area.

Prescriptive Measures

a. Development for Group Homes should comply with the planning controls detailed in the Housing SEPP.

Note:

The complying development provisions within Schedule 2 of the SEPP will be used as a guideline in assessing development applications for group homes.

7.3 Telecommunications

The following section provides guidelines for the development of telecommunications facilities.

7.3.1 Location

Desired Outcomes

a. Telecommunications facilities that are located to maximise the co-location of facilities to limit visual impact on the locality.

b. Telecommunications facilities that are located to minimise the impacts of electromagnetic radiation on sensitive landuses.

Prescriptive Measures

a. The facility should be consistent with the Australian Communications Industry Forum (ACIF) Code, including consideration of alternative locations and infrastructure to minimise electromagnetic radiation.

b. Telecommunications facilities should be located:

- on business and industrial sites, or
- on existing infrastructure sites, and
- to avoid locations within or at the termination of a significant vista or focal point of a streetscape, and
- to avoid heritage conservation areas or items.

c. Where practical, antennae and similar structures should be co-located or attached to existing structures, such as buildings, public utility structures, poles, towers or other telecommunication facilities to minimise visual impact.

d. If a facility is proposed not to be co-located, the proponent should demonstrate that co-location is not practical or desirable considering the ACIF Code exclusions.

7.3.2 Design

Desired Outcomes

a. Telecommunications facilities that are designed to minimise the visual impact on the locality.

Prescriptive Measures

a. Telecommunications facilities should be designed in accordance with industry best practice.

b. Telecommunications facilities should be integrated with the design, appearance and scale of the building or structure on which it is located with regards to colour, texture, material and built form.

c. Ground level ancillary structures (such as equipment huts) should be screened with native landscaping.

Notes:

Applications should include documentation demonstrating compliance with the following best practices:

(i) The ACIF Code (now called Communications Alliance Ltd) *C564:2004 Industry Code Deployment of Mobile Phone Network Infrastructure* (see www.commsalliance.com.au)

(ii) The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) *Prediction Methodology for predicted levels of electromagnetic energy* (EME) (see www.arpansa.gov.au)

(iii) The Australian Communications Authority ACA Code *Assessing and Installing Telecommunications Facilities Guide* (1999). (see www.aca.gov.au)

7.4 Temporary Events

The following section provides guidelines for the development of land for a temporary use as permitted by Clause 2.8 of the HLEP. It is envisaged that these guidelines would apply to infrequent community events such as markets, music festivals, circus, and the like.

Desired Outcomes

a. A temporary use of land that provides a positive economic, social or environmental benefit.

Prescriptive Measures

General

a. Sites for the temporary use of land should incorporate:

- setbacks to sensitive landuses that minimise any impacts,
- areas for the proposed use, ancillary structures and customers,
- parking on-site or in the immediate vicinity to cater for anticipated demand, and
- toilets to cater for anticipated demand.

b. Existing buildings to be used for a temporary community event should:

- address the site requirements above, and
- incorporate fire safety measures in the existing building for the temporary use.

c. The temporary use should incorporate design measures that minimise any external impacts.

Lighting

d. External and security lighting should be positioned to avoid light spillage, particularly to adjacent residential development.

Noise and Air Pollution

e. Temporary uses should be sited and designed to minimise offensive noise and odours to residential areas and other sensitive land uses.

Waste Management

f. Development should make provision for on-site waste storage.

Notes:

In addition to the above, matters for consideration for temporary uses are detailed in Clause 2.8 of the HLEP.

Preferred locations for the establishment of temporary community events include large recreation areas, large sites adjacent to non residential uses, and sites within walking distance to public transport facilities.

Environmentally constrained land should be avoided for the establishment of temporary community events, such as steeply sloping sites, bushfire prone land, flood prone land, and the like.

For intensive traffic generating developments, a traffic management plan may be required.

For offensive noise generating uses (such as music concerts), an acoustic report may be required.

7.5 Health Services Facility

The following section provides guidelines for the development of land zoned SP2 Health Services Facility, on property bounded by Palmerston Road, Burdett Street, Northcote Road and Balmoral Street in Hornsby as illustrated on Figure 7.5(a).

The planning controls for a health service facility in other localities should apply the relevant development standards from the HLEP 2013 and the DCP controls for the predominent landuse in that zone (for example, in the R3 Medium Density Residential area, apply the built form controls for medium density housing at Section 3.2 of the DCP).

Note:

A health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

(a) a medical centre,

(b) community health service facilities,

(c) health consulting rooms,

(d) patient transport facilities, including helipads and ambulance facilities,

(e) hospital.



Figure 7.5(a) Location of Health Services Facility Precinct.(C)

7.5.1 Scale

Desired Outcomes

a. Development with a height, scale and intensity compatible with the role and function of the locality.

Prescriptive Measures

Height

a. Sites with the following maximum building height under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 7.5.1(a).

Table 7.5.1(a): Translation of Height to Storeys

HLEP Area	Maximum building height (m)	Maximum Storeys (excluding basement carparking)
I	8.5m	2

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Storey controls are based on a typical commercial floor to floor height of 4 metres, and a minor roof projection.

Floor Space Ratio

c. The maximum floor space ratio for business lands shall be in accordance with the *HLEP Floor Space Ratio Map* as follows:

Table 7.5.1(b): Summary of HLEP FSR Provisions

HLEP Area	Maximum Floor Space Ratio
D	0.5:1

Notes:

As detailed in Clause 4.5 of the HLEP, the floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of gross floor area.

7.5.2 Setbacks

Desired Outcomes

a. Setbacks that complement the streetscape.

b. Setbacks that maintain the amenity of adjoining land uses.

Prescriptive Measures

General

a. Buildings and structures should comply with the setbacks prescribed in Table 7.5.2(a):

Table 7.5.2(a): Minimum Boundary Setbacks

Location	Minimum Building Setback
All boundaries adjacent to a Public Road.	4m
Side boundary	1m
Rear boundary	3m

Setback encroachments

b. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide,
- Stairs to the ground floor,
- Pedestrian ramps to building lobbies at the ground level with deep soil verges at least 1 metre wide,
- Fences, and
- Letter boxes and meter enclosures provided that they are located at least 2 metres from the front boundary and screened by plantings.

7.5.3 Landscaping

Desired Outcomes

a. Landscaping that softens the visual impact of buildings.

b. Development that preserves significant trees that add to the environmental character of the area.

Prescriptive Measures

General

a. Landscaping should be included in building setback areas to complement the appearance of the building.

b. A proportion of the setback area adjacent to a public road should be maintained as landscaped area as follows:

- 25% of the total setback area for frontages less than 18 metres wide,
- 50% of the total setback area for frontages greater than 18 metres wide, and
- areas to be included towards the minimum landscaped area should have a minimum width of 1.5 metres.

c. Buildings, driveways and service trenches should have a minimum setback that complies with *AS4970* from trees that have been assessed as significant or which are visually prominent streetscape elements.

d. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.

Fencing

e. When there are no existing front fences, fencing is discouraged to maintain an open streetscape appearance.

f. When front fencing is consistent with the streetscape, fencing should:

- have a maximum height of 1.2 metres, and
- be constructed from predominately lightweight materials with the design allowing at least 50% openings.

g. Side and rear fences should have a maximum height of 1.8 metres, sited behind the front building line.

Street Trees

h. Street tree planting should be provided where appropriate having regard to site lines, footpath widths, underground services and awnings.

Notes:

Landscaped area refers to a permeable area capable of growing plants, grasses and trees. It does not include any building, structure or hard paved area.

The applicant is encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au.

7.5.4 Privacy, Security and Sunlight

Desired Outcome

a. Development designed to provide reasonable privacy and sunlight to adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. For development at the interface of a commercial area and a residential area, development should encourage views from the commercial area to the horizon rather than downward onto residential areas.

Sunlight

b. On 22 June, 50% of the required principal private open space on any adjoining residential property should receive 2 hours of unobstructed solar access between 9am and 3pm.

Security

c. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

d. Windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.

7.5.5 Vehicle Access and Parking

Desired Outcomes

a. Development with simple, safe and direct vehicular access.

b. Carparking that meets the requirements of future occupants and their visitors.

Prescriptive Measures

a. On-site car parking should:

- be provided behind buildings or beneath buildings in a basement,
- not be sited within a primary or secondary setback area,
- be accessed via secondary streets where available,
- be screened from the street and other public areas by landscaping, and
- design the basement carpark entrance to incorporate other facade elements such as overhanging balconies or side planter boxes in the composition of the facade.

Note:

Refer to Section 1C.2.1. of the DCP for general design requirements related to transport and parking.

7.5.6 Design Details

Desired Outcomes

a. Development that contributes positively to the streetscape and the creation of a vibrant active precinct.

Prescriptive Measures

General

a. Building design should:

- provide active ground-floor uses that are at the same general level as the public footpath and are accessible directly from the public domain,
- provide frontages on upper levels that facilitate passive surveillance of the street,
- embody active living principles.

b. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

Notes:

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist* and the National Heart Foundation's *Blueprint for an Active Australia*.

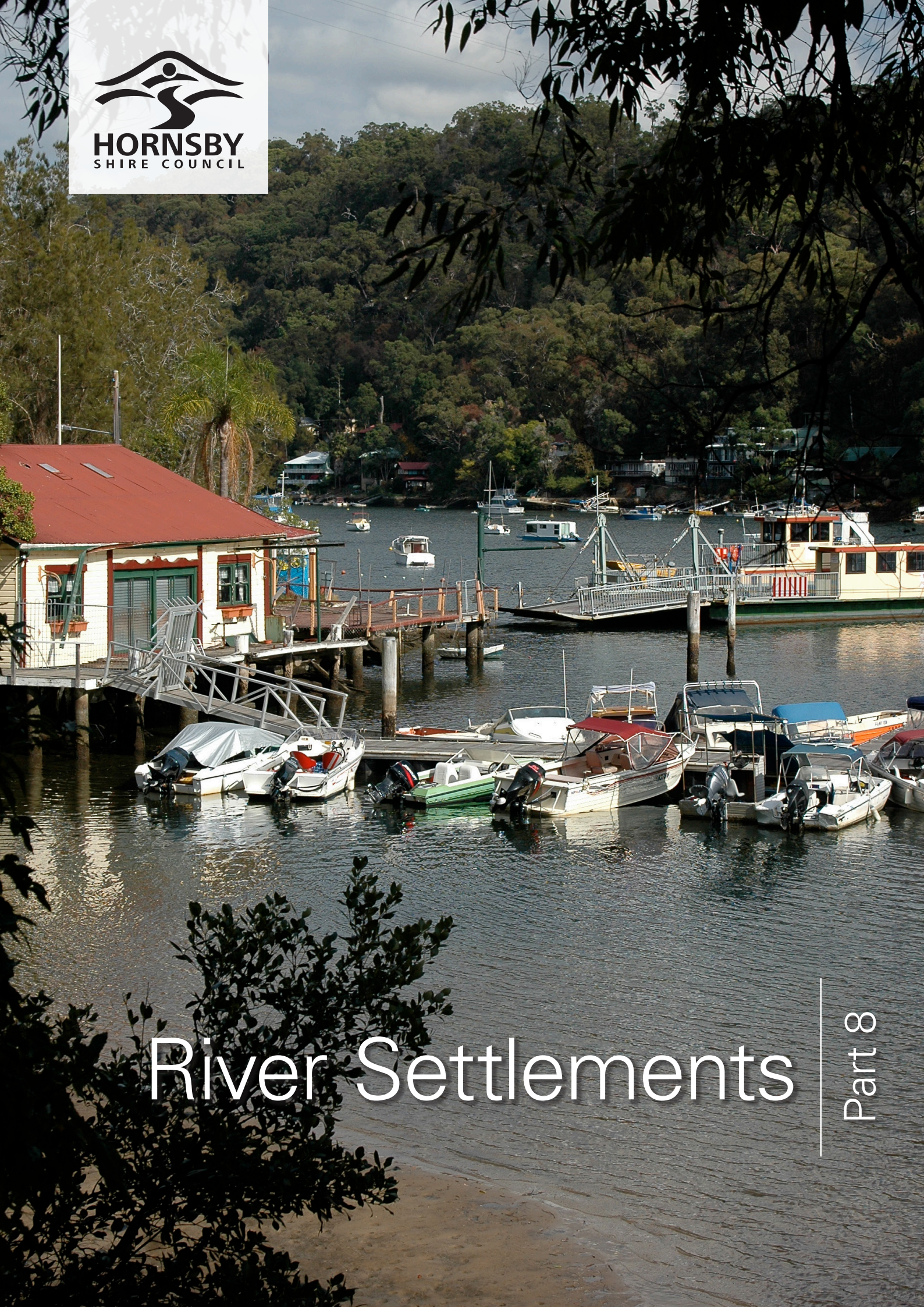
Facades

c. Materials should relate to the context of buildings within the area to achieve continuity and harmony.

d. Buildings on corner allotments should be designed to provide elevations that address both street frontages

e. Large areas of glass may be included, however, mirror glass with a reflectivity in excess of 15% should be avoided.

f. Security screens, grilles and bars should provide minimum 60% transparency.



HORNSBY SHIRE COUNCIL

River Settlements

Part 8

Part 8 River Settlements

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Introduction

This Part of the DCP applies to land within the River Settlements of Hornsby Shire as indicated on Figure 8(a). The River Settlements are located along the Hawkesbury River (i.e. Milsons Passage, Dangar Island and parts of Brooklyn) and along Berowra Creek between Marra Marra Creek and Berowra Waters.

The planning controls for the River Settlements are informed by the *Hornsby Shire River Settlements and Foreshores Review (2007).*

Development within the River Settlements will be ecologically sustainable and will protect water quality, significant native flora and fauna, the natural topography and the scenic quality of the area. The disposal of effluent and grey water from buildings will be in a manner acceptable by Council that will not impact on water quality or downstream properties and waterway users (i.e. commercial and recreational fishers, swimmers, boaters).

Housing within the River Settlements will be consistent with the desired character and recognise the access, environmental and infrastructure constraints of the area. The population within the River Settlements will be restricted to levels which will not impact on the natural environment.

Commercial facilities will service the local residential population and the regional population who utilise the area for recreation and will recognise the access, infrastructure, and environmental constraints of the area. Tourism and tourist infrastructure will protect the natural resources that serve to attract tourists and the social environment of the area.

Community services and facilities will be provided in accordance with existing and future population thresholds and community preferences.

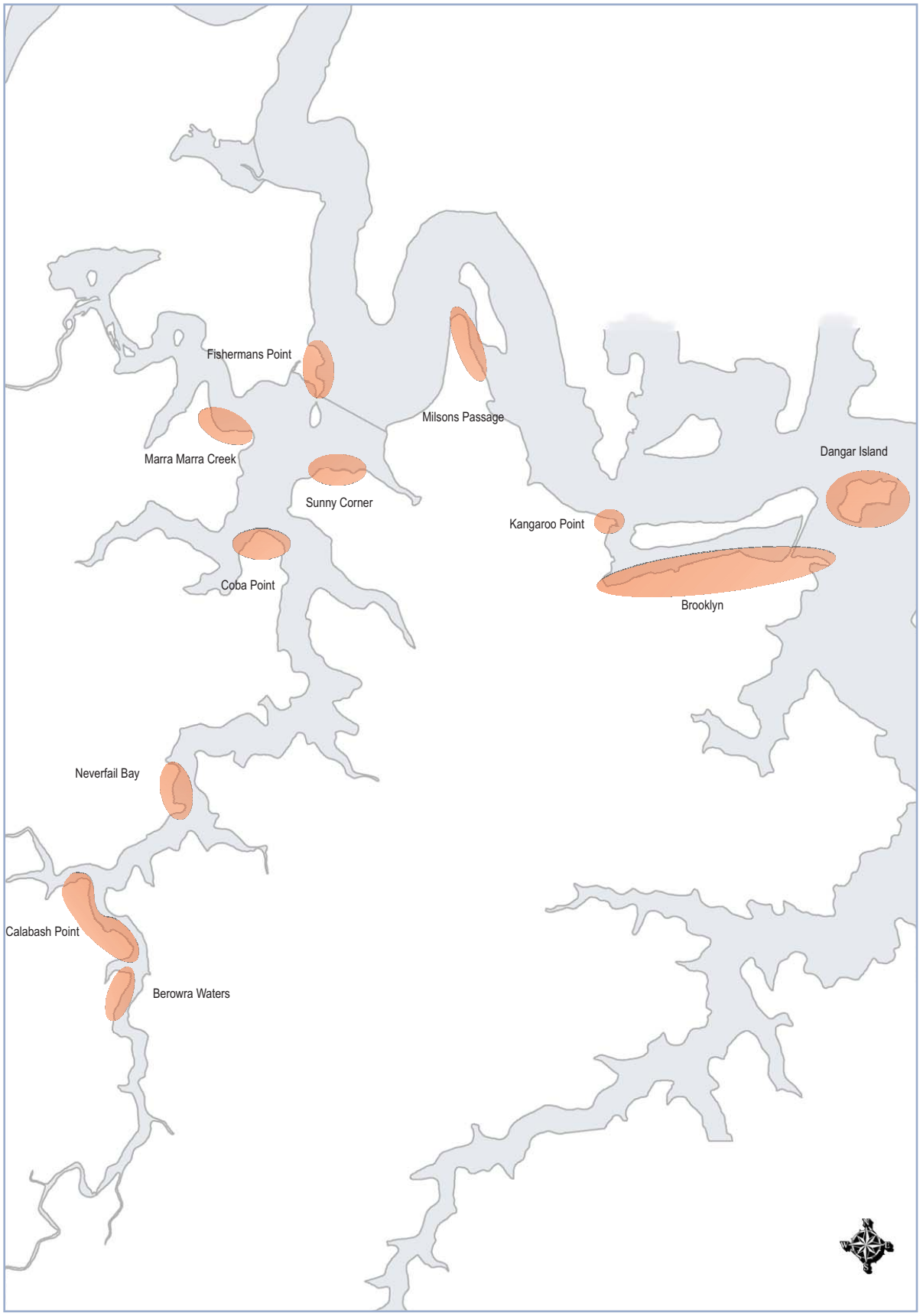


Figure 8(a): River Settlements of Hornsby Shire.(C)

8.1 River Settlement Land

The following section provides controls for the development of land zoned C3 Environmental Management, C4 Environmental Living, IN4 Working Waterfront and SP3 Tourist (Brooklyn).

8.1.1 Desired Future Character

Desired Outcome

a. Development that contributes to the desired future character of the area.

Prescriptive Measures

b. Development applications should demonstrate compatibility with the following statements of desired character:

Berowra Waters

Berowra Waters is dominated by the operations of the ferry crossing, commercial marinas and associated buildings on either side of the river. New development is sympathetic to the existing bushland and landscape setting. Dwellings are a mix of 1 and 2 storeys in height and respond to the natural topography. The scale of new development has a village atmosphere.

Brooklyn

Brooklyn continues to play a vital role in the maritime operations of the river, providing a transport interchange, maritime services facilities, commercial fishing, and a gateway for tourists, visitors and residents of the Hawkesbury River. Redevelopment of the foreshore area prioritises the retention of vegetation such as mangroves. Dwellings are a mix of 1 and 2 storey dwellings, with pole design homes stepping up the hillside on the southern side of Brooklyn Road.

Calabash Point

Calabash Point consists mainly of shallow building platforms terraced along the water's edge at the base of the escarpment. The topography of the area dictates that new houses are sited according to the natural landform, with pole design for steeper sites. New dwellings are generally 2 storeys in height. The water's edge retains the natural landform and limits the inclusion of urban elements, such as seawalls and swimming pools.

Coba Point

Coba Point has a mix of 1 and 2 storey dwellings nestled in the bushland along the foreshore. New dwellings take advantage of the sweeping views available north up the river, while blending in with the surrounding landscape. Roofs are low pitched or flat.

Dangar Island

Dangar Island is a unique bushland island settlement, essentially free of vehicular traffic, predominantly residential in use. Topography divides the island into 2 distinct parts - an open flatter more urban part and a steeply sloping bushland area. Dwellings in the flatter more open part of the site are 1 and 2 storeys in height. Development on the steeper bushland are of pole design with decks and undercrofts clinging to the hillside.

Fishermans Point

Fishermans Point remains an isolated settlement. Dwellings are set on large lots surrounded by bushland. Development is setback from the river and not readily viewed from the water.

Marra Marra Creek

Marra Marra Creek is an isolated river settlement set amongst the mangroves. The remoteness of the area reinforces the sparseness of development. New dwellings are single storey of modest design with a fibro or weatherboard appearance and pitched roofs.

Milsons Passage

Milsons Passage continues to be a relatively remote weekender style residential settlement. New dwellings are typically single storey elevated above the river level, with boat sheds, jetties and ramps lining the foreshore. Some new development on steeper land takes the form of pole homes with a fibro or weatherboard appearance and pitched roofs.

Neverfail Bay

Neverfail Bay retains a range of dwelling types. Traditional 1 and 2 storey development of weatherboard and fibro appearance with modest low pitched roofs are built on lower, more level areas. Elevated slopes incorporate pole homes with bushland settings. Native vegetation is retained to assist screen buildings and reduce overall scale.

Sunny Corner

Sunny Corner remains an isolated settlement. Dwellings are single storey either hugging the level river banks or setback in the bushland. Dwellings are screened by indigenous vegetation.

8.1.2 Scale

Desired Outcome

a. Development with a height, bulk and scale that protects and maintains the environmental and scenic qualities of the area.

Prescriptive Measures

Height

a. Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 8.1.2(a).

Table 8.1.2(a): Translation of Height to Storeys

HLEP Area	Maximum building height (m)	Maximum Storeys
I	8.5m	2 storeys
K	10.5m	2 storeys

b. Buildings should not protrude above the predominant tree canopy.

c. Two storey dwellings should:

- have a maximum floor to floor height of 3.5 metres, and
- be stepped in design with single storey on the waterfront and the 2 storey component towards the rear.

d. Any part of a building within 5 metres of the Mean High Water Mark (MHWM) should be single storey.

Notes:

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor and the floor level next above, or if no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Mean high water mark means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

Floor Area

e. The maximum floor space ratio shall be in accordance with the HLEP Floor Space Ratio Map as follows:

Table 8.1.2(b): Summary of HLEP FSR Provisions

HLEP Area	Maximum Floor Space Ratio
A2	0.3:1
D	0.5:1

f. In addition to the above, the maximum floor area of buildings should comply with the following:

Table 8.1.2(c): Maximum Floor Area by Location

Location	Maximum Dwelling House Floor Area	
C3 Environmental Management Zone	Lot size	Maximum floor area
	450m² to 599m²	330m²
	600m² to 899m²	380m²
	900m² or larger	430m²
C4 Environmental Living Zone	180m² for dwelling-houses, and 30m² for boat sheds	

Notes:

Floor area of a dwelling house includes carports, garages, balconies, patios, pergolas, terraces or verandahs which are attached to the house and have two enclosing walls of at least 1.4 metres above floor level. The calculation of floor area is the total of both the ground and upper floors (if there is one) not including awnings, eaves, voids, stairways or lift shafts.

As detailed in Clause 4.5 of the HLEP the Floor Space Ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of Gross Floor Area.

Lot size (or site area) in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

(a) any land on which the development is not permitted under an environmental planning instrument, and

(b) if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

Site Coverage

g. The maximum site coverage of all buildings on a property in the SP3 Zone should comply with Table 8.1.2(d):

Table 8.1.2(d): Maximum Site Coverage - SP3 Zone

Lot size	Maximum site coverage *(% of total lot size)*
450m² to 899m²	50%
900m² to 1499m²	40%
1500m² or larger	30%

h. Dwellings in the C4 Environmental Living Zone should be broken up into small elements or pavillions with a maximum footprint in any single element of 90m² (see Figure 8.1(a)).

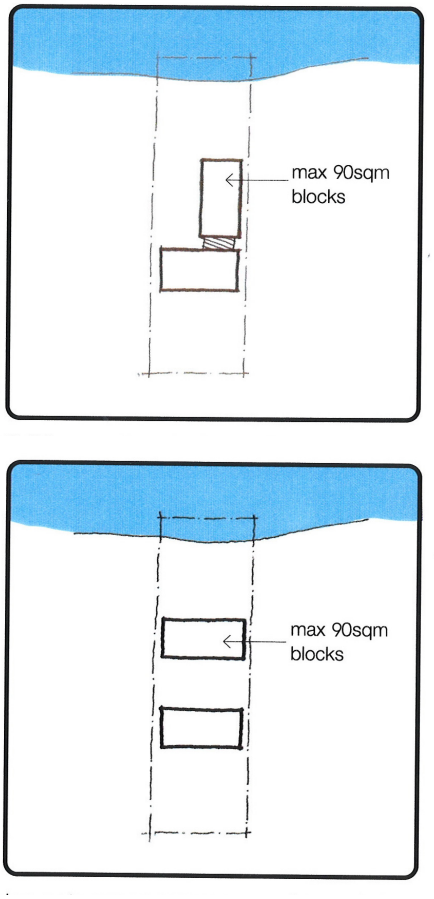


Figure 8.1(a): Buildings in the C4 zone are to be broken up into smaller 'elements' to ensure a more appropriate scale to the built structures along the waterway.(I)

Note:

Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) any basement,

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,

(c) any eaves,

(d) unenclosed balconies, decks, pergolas and the like.

8.1.3 Setbacks

Desired Outcomes

a. Setbacks that are compatible with adjacent development and complement the riverine scenic quality.

b. Setbacks that allow for canopy trees to be retained and planted along the front and rear property boundaries.

Prescriptive Measures

a. The minimum setback of all buildings and structures to the boundaries of the site should comply with Table 8.1.3(a):

Table 8.1.3(a): Minimum Boundary Setbacks

Boundary Setback	Minimum Building Setback
Waterfront Setback	see *HLEP* Foreshore Building Line Map and Clause 6.1
Primary Road Frontage	Local roads - 6m Dangar Road, Brooklyn - 0m Brooklyn Road, Brooklyn - 3m 43-75 Grantham Crescent, Dangar Island - 3m to road Riverview Ave, Dangar Island - on merit
Secondary Road Boundary	3m
Side Boundary	2m
Rear Boundary	1 storey element = 3m 2 storey element = 8m except if a rear building limit is prescribed in Figures 8.1(b) to 8.1(h).

b. For the purpose of the setback controls, a 1 storey building or element is not to exceed a building height of 4.5 metres above existing ground level.

c. For the purpose of the setback controls, the rear building limit means the location beyond which all buildings and structures should not extend, as measured from the site's foreshore boundary (i.e. any building should be located between the foreshore building line and the rear building limit).

Setbacks to Landscape Features

d. The setback of the building and ancillary structures from the property boundary may need to be increased to maintain landscape features, as detailed in Section 8.1.4 of this DCP.

Setback Encroachments

e. Development may be permitted between the Foreshore Building Line and the Mean High Water Mark (MHWM), where it complies with Clause 6.1 of the HLEP 2013.

f. Fencing that complies with 8.1.4 of the DCP.

g. Swimming pools and spas that are above ground or require retaining walls and/or seawalls should not be located between the MHWM and the building.

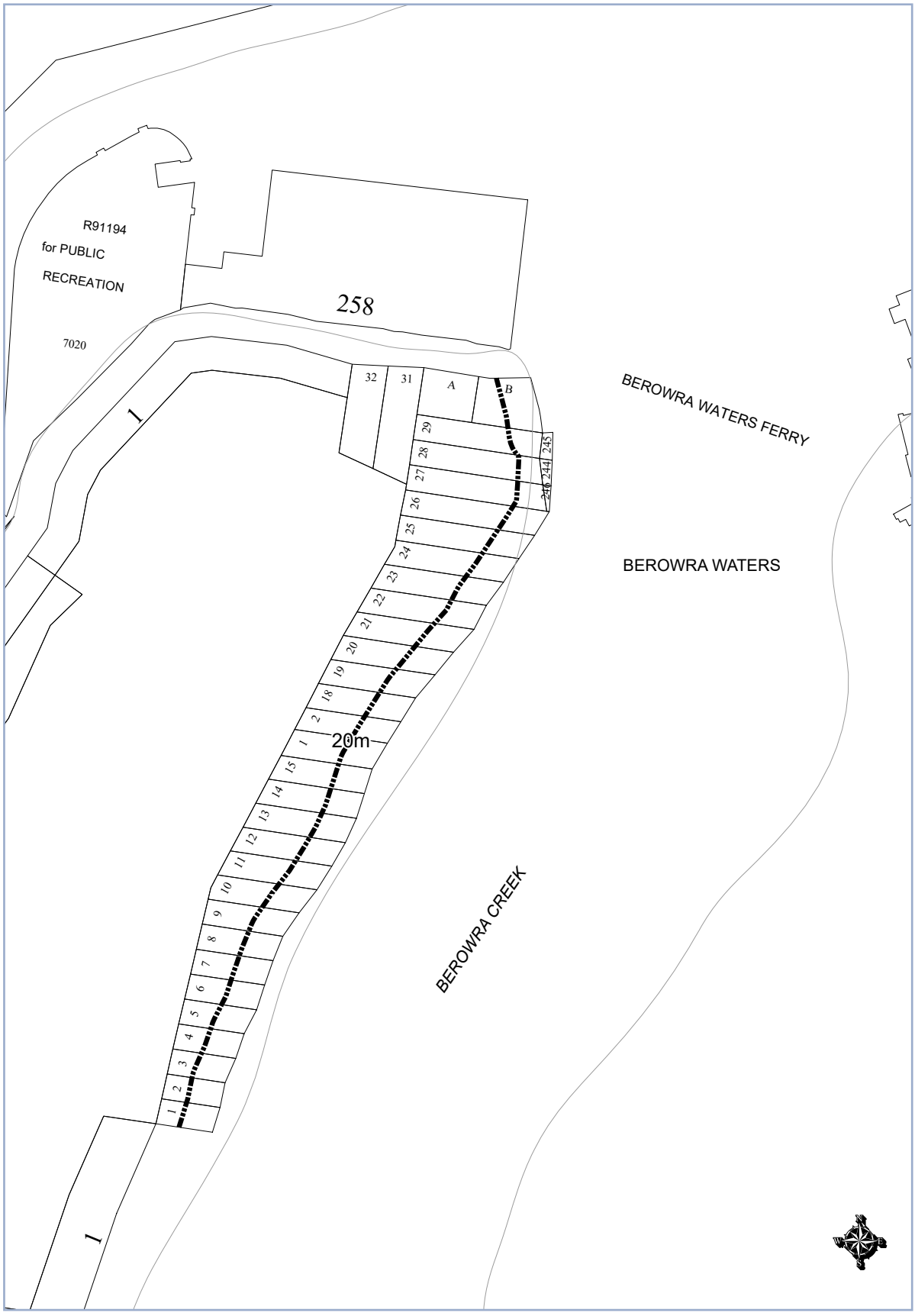


Figure 8.1(b): Rear Building Limit - Berowra Waters.(C)

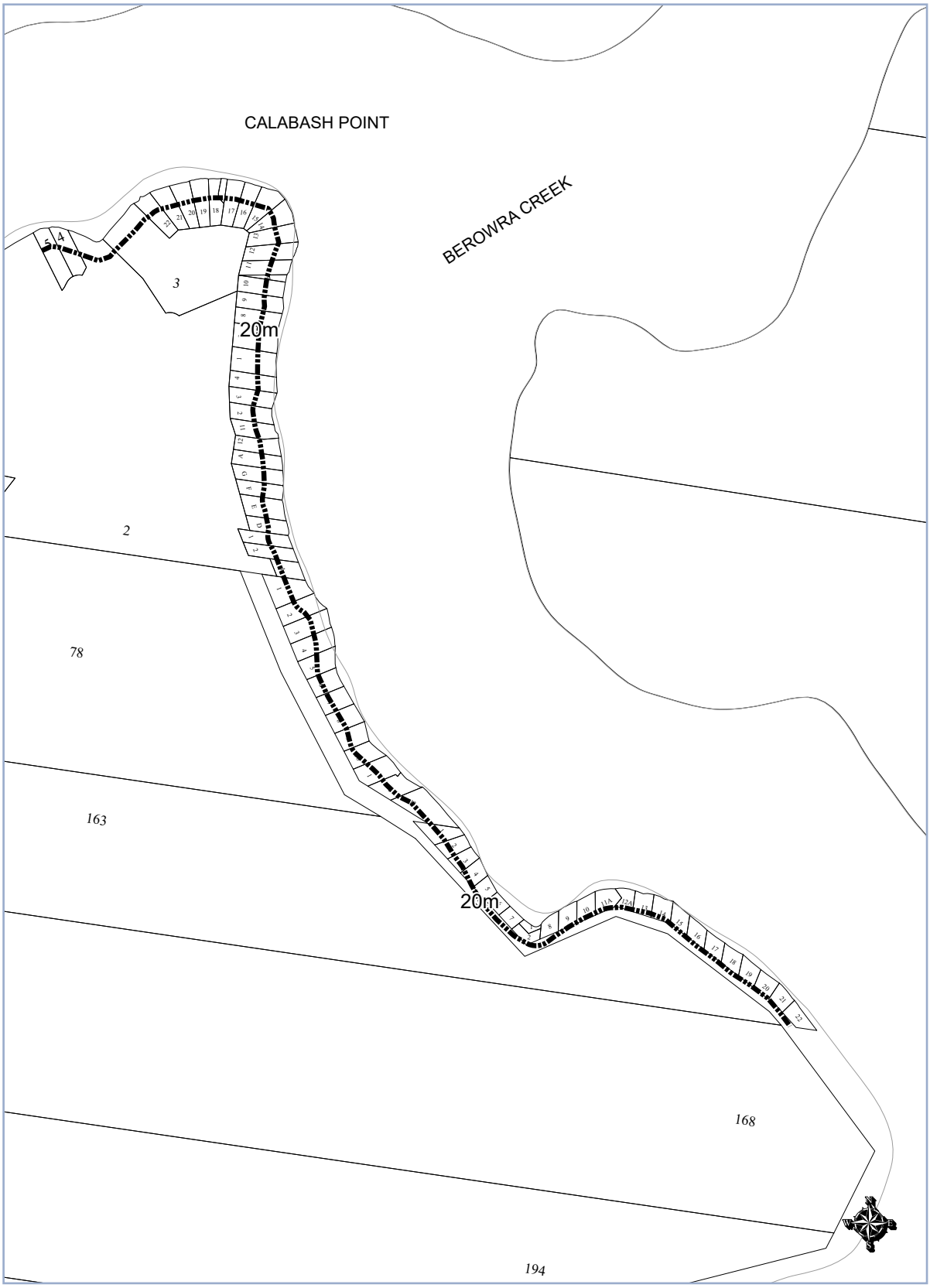


Figure 8.1(c): Rear Building Limit - Calabash Point.(C)



Figure 8.1(d): Rear Building Limit - Coba Point.(C)



Figure 8.1(e): Rear Building Limit - Marra Marra Creek.(C)

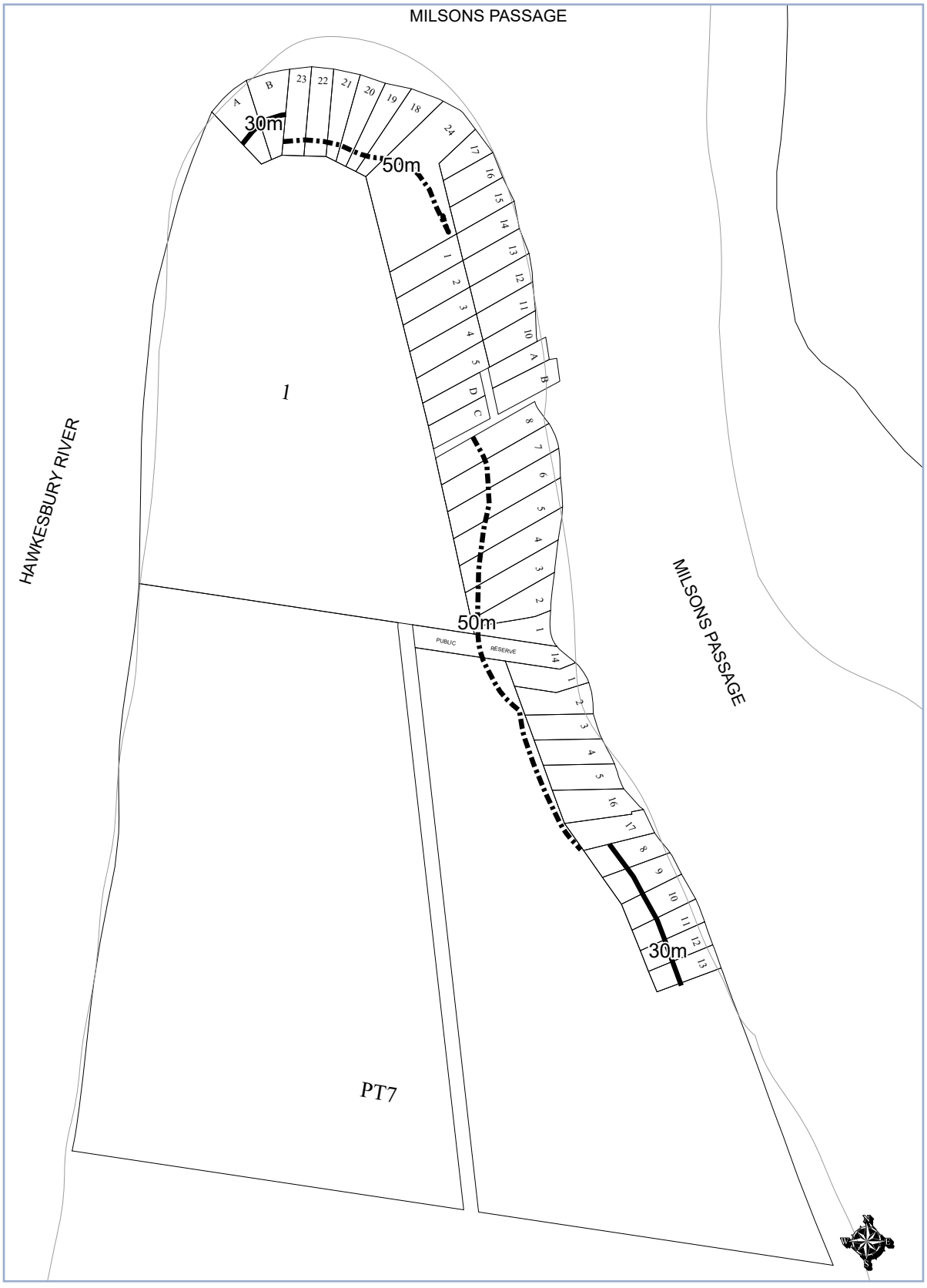


Figure 8.1(f): Rear Building Limit - Milsons Passage.(C)

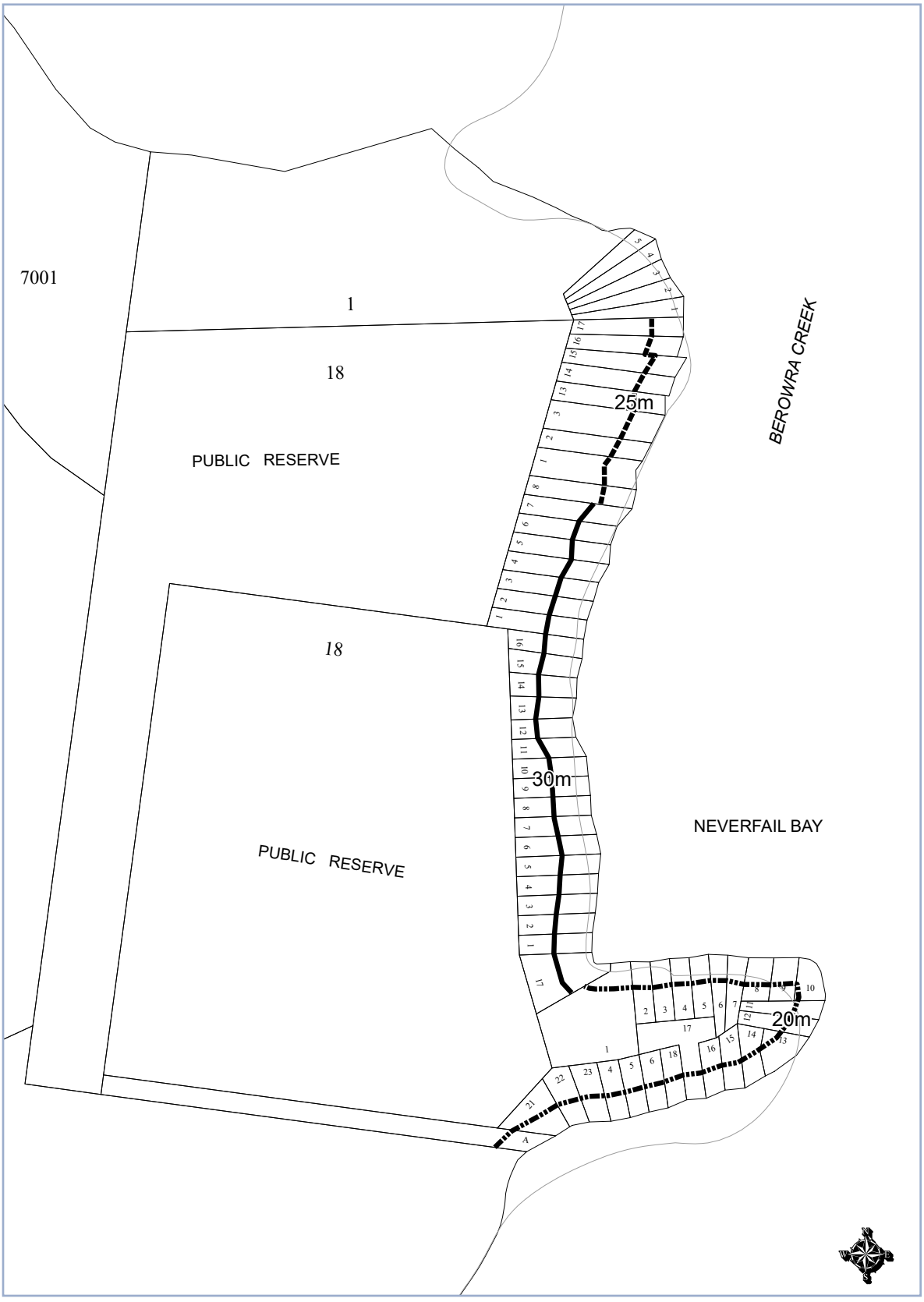


Figure 8.1(g): Rear Building Limit - Neverfail Bay.(C)

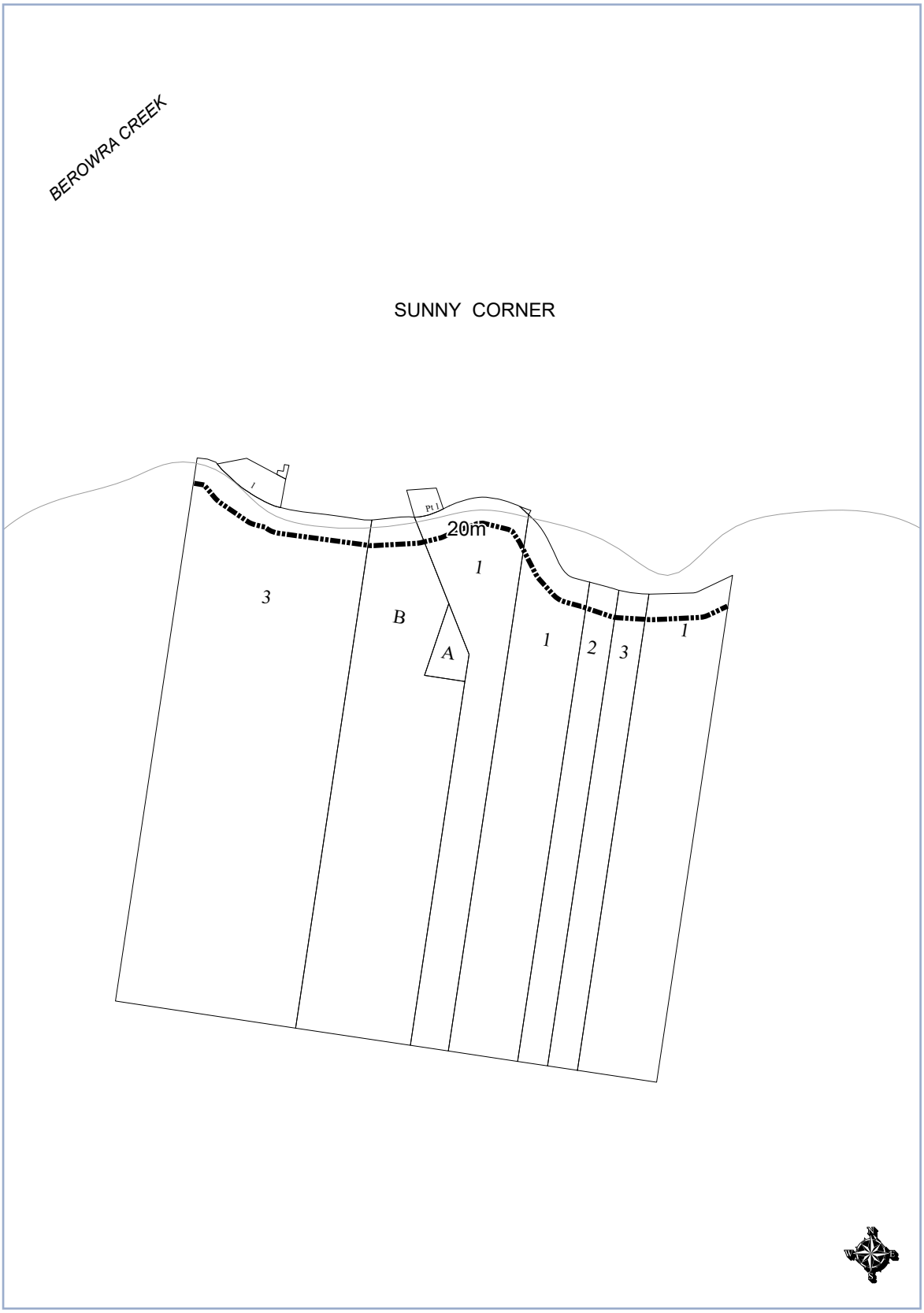


Figure 8.1(h): Rear Building Limit - Sunny Corner.(C)

8.1.4 Landscaping

Desired Outcomes

a. Landscaping which screens building undercroft areas.

b. Landscaping that retains the natural landscape features of the riverine scenic areas.

Prescriptive Measures

General

a. Setback areas should be landscaped and designed to:

- retain indigenous bushland and landscape features as prescribed in Part 1 of this DCP,
- retain indigenous trees and comply with *AS 4970*,
- incorporate the planting of indigenous species rather than lawns, and
- not be terraced or contain retaining walls unless it is demonstrated necessary to achieve a high quality built outcome or to reduce erosion. Where retaining walls or terracing is proposed, rough stone, natural timber or other natural materials which blend with the landscape should be used. Such work should not disturb remnant bushland, particularly on the foreshore.

Fencing

b. To maintain the riverine scenic quality of the area and facilitate the sharing of views, fences should not be constructed between the building and the water. Visual separation between dwellings should be achieved through landscape planting.

c. Fencing is discouraged along Riverview Avenue, to maintain the Island's bushland character.

d. Where required, fences should be constructed from lightweight materials and dark neutral tones. Colorbond fencing is discouraged.

Note:

Applicants are encouraged to incorporate species from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website hornsby.nsw.gov.au as part of the development.

Stairs and Inclinators

e. Stairs and inclinators should:

- on steep sites be constructed to sit above the natural ground line and not be formed by terracing the natural topography (see Figure 8.1(i)),
- be constructed from lightweight elements such as timber or steel with no solid masonry or concrete (see Figure 8.1(j), and
- be painted in dark neutral tones.

f. Inclinators should also:

- be kept to a minimum length and the inclinator rail should be kept as close as possible to the natural ground level,
- avoid being adjacent to the windows and private outdoor areas of buildings on adjoining properties,
- avoid a motor that is audible from within the nearest habitable room of any adjacent premises (windows open), and
- avoid glare and light spill.

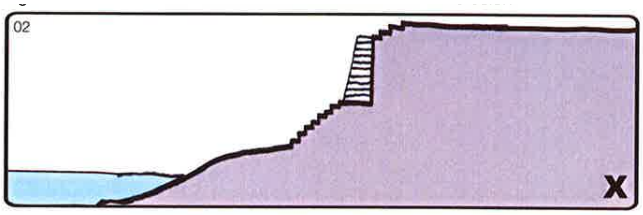


Figure 8.1(i): New access stairways should not cut into the landform. This approach disrupts indigenous vegetation and watercourses and increases the risk of soil erosion.(I)

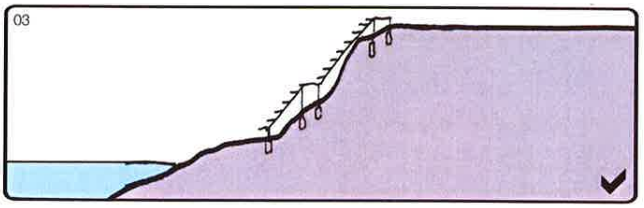


Figure 8.1(j): New access stairways should have minimal disruption to the landform. They should be lightweight and constructed from steel or timber.(I)

8.1.5 Open Space

Desired Outcomes

a. Private open space that functions as an extension to the dwelling house.

Prescriptive Measures

Principal Private Open Space

a. A dwelling house should be provided with private open space that incorporates a principal private open space area in accordance with Table 8.1.5(a).

Table 8.1.5(a): Minimum Private Open Space

Lot width at Building Line	Minimum Principal Private Open Space Area	Minimum Dimension
6-9m	16m^2	3m
10m or larger	24m^2	3m

b. The principal private open space area should be:

- sited behind the front building line,
- directly accessible from the living area of the dwelling, and
- generally level and comprise verandahs, balconies or elevated decks on steep or sloping sites rather than lawned areas.

c. Private open space should be located to respect the natural topography of the land and should not be formed from cut and fill.

Clothes Drying Area

d. Each dwelling house should have access to an external air clothes drying area, in addition to the minimum principal private open space area. This is to be screened from public areas.

8.1.6 Sunlight Access

Desired Outcomes

a. Development designed to provide solar access to open space areas.

Prescriptive Measures

a. On 22 June, public open space areas, plaza areas and footpaths should receive 2 hours of sunlight between 9am and 3pm.

b. On 22 June, 50 percent of the principal private open space area should receive 3 hours of unobstructed solar access between 9am and 3pm.

c. On 22 June, 50 percent of the principal private open space on any adjoining property should receive 3 hours of unobstructed solar access between 9am and 3pm.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

8.1.7 Privacy and Views

Desired Outcomes

a. Development designed to provide privacy to adjacent residential properties.

b. Development designed to ensure that views of the waterways are shared.

Prescriptive Measures

General

a. Development should allow for the reasonable sharing of significant views, including water views and iconic views, in particular:

- views that have not already been obscured,
- views from front and rear boundaries whilst in a standing position, and
- views from living and entertainment areas (including kitchens).

b. Development should allow for the reasonable sharing of significant views by:

- appropriately siting the building,
- appropriately designing the bulk of the building,
- using open materials for balustrades on balconies and decks,
- new landscaping comprising a light open foliage, and
- incorporating the design details in Section 8.1.8.

Note:

View Sharing - Consistent with Planning Principles endorsed by the Land and Environment Court, where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. Whereas, with a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable. For planning principles on view sharing refer to case *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140 available on the NSW Land and Environment Court website at www.lawlink.nsw.gov.au.

Residential

c. Living and entertaining areas of dwelling houses should be orientated towards the river and/or private open space of the dwelling-house and not side boundaries.

d. A proposed window in a dwelling house should have a privacy screen if:

- it is a window to a habitable room, other than a bedroom, that has a floor level of more than 1 metre above existing ground level,
- the window is setback less than 3 metres from a side or rear boundary, and
- the window has a sill height of less than 1.5 metres.

e. Decks and the like that need to be located more than 600 millimetres above existing ground level should not face a window of another habitable room, balcony or private open space of another dwelling located within 9 metres of the proposed deck unless appropriately screened.

Commercial

f. For development at the interface of a commercial area and a residential area, development should encourage views from the commercial area to the horizon rather than downward onto residential areas.

Note:

Views from private dwellings considered in development assessment are those available to an observer standing 1 metre from a window or balcony edge (less if the balcony is 1 metre or less in depth).

8.1.8 Design Details

Desired Outcomes

a. Building design that complements the desired character of the River Settlements.

b. Building design that is sympathetic to the topography of the site and limits large substructure areas that are visible from the waterway and public areas.

c. Development that incorporates environmentally sustainable design and construction.

Prescriptive Measures

General

a. Development should be designed to:

- be consistent with the desired character of the area and dominant design themes within the immediate area, including roof pitch, materials, colours, textures and window placement,
- address all river and street frontages,
- have a maximum cut and fill of 1 metre from existing ground level,
- retain public access to the foreshore,
- maintain existing commuter berthing facilities, and
- ensure minimum impact on the waterways water quality and downstream users.

b. Dwelling houses should be designed to:

- incorporate pole or pier construction methods on steeply sloping sites,
- limit the visual impact of large undercrofts that are visible from the waterway and public areas,
- be sited on the lower foot slopes of allotments in the River Settlements rather than on ridge lines, and
- reduce the perceived building bulk by avoiding large unbroken roof planes, and incorporate lightweight features to articulate the facade, such as verandahs, decks, awnings and screens.

c. Commercial buildings should be designed to:

- provide active commercial ground-floor uses that are at the same general level as the public footpath and are accessible directly from the public domain,
- provide frontages on upper levels that facilitate passive surveillance of the street,
- distinguish between the commercial and any residential component of the development in terms of building entries and private, communal and public open space,
- identify a safe, clear and direct pedestrian entrance to the building from the primary street frontage,
- incorporate awnings that relate to the architecture of the facade and provide for continuous shelter for pedestrians, and
- embody active living principles.

Materials and Colours (C3 and C4 Zones)

d. Buildings should be of lightweight timber and steel construction with a weatherboard and fibro cement appearance and corrugated iron roofing.

e. Solid masonry, brick or stone buildings and terracotta or slate roofing is discouraged.

f. Louvred windows are encouraged.

g. Buildings should be painted in dark, neutral tones. Primary colours should not be used.

h. Bright or light colours (excluding white) should only be used in small areas of buildings as highlights.

Notes:

Building design should have regard to the scenic quality requirements of Sydney Regional Environmental Plan No. 20 which encourages small unobtrusive buildings and landscaping to screen and break up building appearance. It also precludes seawalls and the construction of fences to the waterfront.

To achieve active living principles development should have regard to NSW Health's *Healthy Urban Development Checklist* and the National Heart Foundation's *Blueprint for an Active Australia.*

Roof Forms (C3 and C4 Zones)

i. Roofs should have a maximum pitch of 30 degrees and should not be curved as illustrated in Figure 8.1(k).

j. Roofs should have a maximum single roof plane of 90m^2 in plan area as illustrated in Figure 8.1(l).

k. Roofs should be constructed of lightweight materials such as metal deck roofing rather than roof tiles as illustrated in Figure 8.1(m).

l. Habitable roof spaces are discouraged and dormer windows should not be incorporated into roofs as illustrated in Figure 8.1(n).



Appropriate

Figure 8.1(k): Metal roofs with a pitch equal to or less than 30 degrees are encouraged.(I)

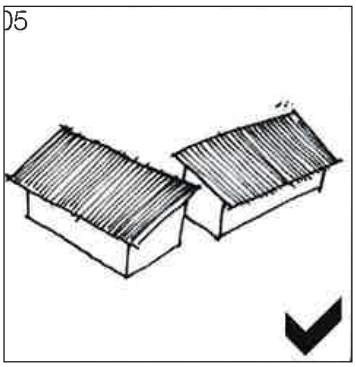
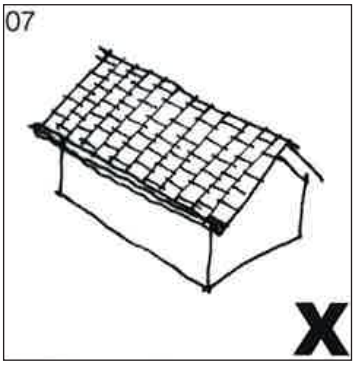


Figure 8.1(l) Roofs should be 'broken' up into smaller areas.(I)



Inappropriate

Figure 8.1(m) Tiled roof forms are strongly discouraged.(I)

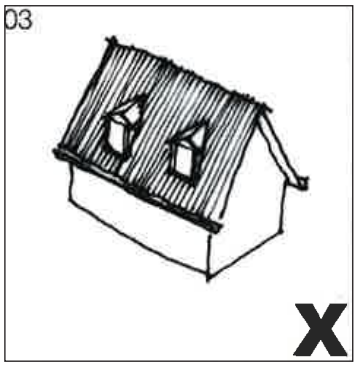


Figure 8.1(n) Dormer windows should not be incorporated into roofs.(I)

Undercrofts

m. Undercroft spaces with a vertical height at any point of more than 1.5 metres above existing ground level should not be enclosed.

n. Any undercrofts below a height of 1.5 metres which are enclosed should be constructed of timber battens with a minimum 50 percent openings as illustrated in Figure 8.1(o)

o. Undercrofts, including any plumbing or rainwater tanks located within, should be painted in dark recessive colours.

p. Supports to habitable platforms above undercrofts should be setback a minimum of 2 metres from the leading platform edge to reduce the overall bulk and scale of the undercroft area as illustrated in Figure 8.1(p).

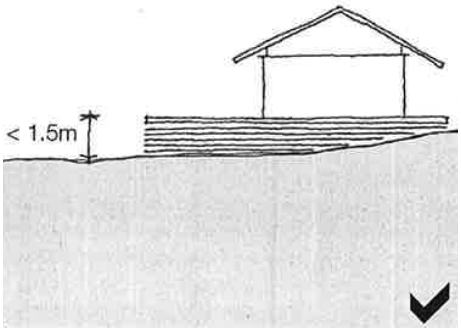


Figure 8.1(o)
Enclosed undercrofts below a height of 1.5 metres.(I)

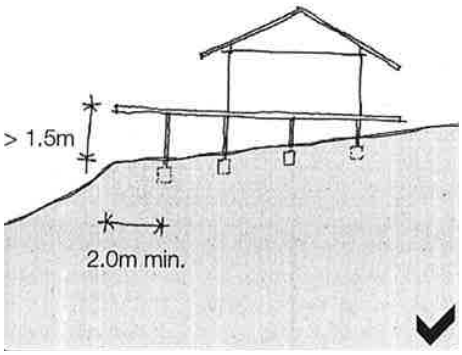


Figure 8.1(p) Location of supports to habitable platforms above undercrofts.(I)

8.2 River Settlement Uses

The following section provides controls for ancillary uses and works in the River Settlements.

8.2.1 Boat Sheds

Desired Outcomes

a. Boat sheds which are modest in scale and only used for the storage and routine maintenance of boats and other maritime goods.

Prescriptive Measures

General

a. Boat sheds should be designed and located to:

- be sited above the MHWM,
- be single storey with a maximum height of 3.6 metres to the ridgeline,
- have a maximum floor area of 30m2, and
- the frontage of the boat shed (facing the water) should not be more than half the depth of the shed (see Figure 8.2(a)).

b. Boat sheds should not contain any services not associated with maritime activities, including kitchens, living areas, bedrooms or any other living facilities.

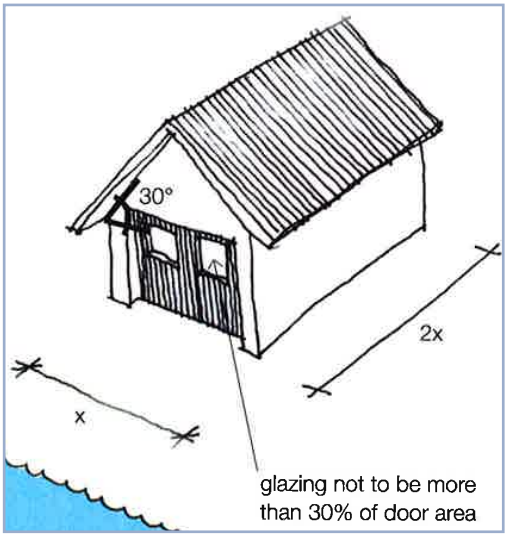


Figure 8.2(a) Boat shed design.(C)

Building Facades and Roof Forms

c. Boat sheds should be constructed of lightweight materials, preferably of timber and weatherboard appearance in nautical colours (whites, creams, greys and blues). Solid masonry or stone boat sheds are discouraged.

d. Boat sheds should have a maximum glazed component of 30 percent in the facade adjacent to the waterway.

e. Openings onto the waterway should be large enough to facilitate the movement of boats but not consist of sliding glass doors or bi-folding doors.

f. Boat shed roofs should be gabled with a roof pitch of approximately 30 degrees.

Notes:

Boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

Boat shed design should incorporate best management practices and accommodate materials for the containment, collection and off site disposal of products associated with boat maintenance.

For further information on management practices for boat shed operators refer to the Department of Environment and Climate Change (DECC) *Environmental action for marinas, boat sheds and slipways* (June 2007) guide on the Office of Environment and Heritage website at www.environment.nsw.gov.au.

8.2.2 Water Recreation Structures

Desired Outcomes

a. Piers, wharves, jetties and boat launching ramps that are compatible with the built and natural elements of the area.

b. Piers, wharves, jetties and boat launching ramps that maintain water flow and navigation channels.

c. Piers, wharves, jetties and boat launching ramps that are located to provide safe, convenient and equitable access to the waterway.

Prescriptive Measures

General

a. Waterway structures should be constructed using floating pontoons or pier construction methods to maximise the free flow of water beneath recreation structures. Wharves and jetties should not be constructed of solid fill.

b. Elevated platforms or boardwalks are discouraged. Where required, platforms or boardwalks should not extend beyond the MHWM.

c. To ensure safe charter, a detailed hydrographic survey should be submitted to demonstrate a minimum water depth of 600 millimetres at Indian Spring Low Water tide between the head of the waterway structure and recognised navigation channels.

d. Waterway structures should be located in areas away from aquatic plants including seagrass beds and saltmarshes and retain mangroves.

e. Where it is demonstrated that aquatic plants cannot be avoided, mitigation measures should be employed. For example, wharves and jetties should incorporate translucent or mesh walkways and pontoons to allow sunlight penetration.

f. The location and length of waterway structures should be restricted to the limits illustrated in Figures 8.2(b) to 8.2(d) where appropriate to:

- conserve public access to recreational assets, such as beaches,
- maintain safe navigable channels,
- maintain the visual amenity of the waterway, and
- minimise impacts on the foreshore, aquatic and sensitive natural environments.

g. Where more than 2 permanent berths for boats of 8 metres length or greater are proposed, boat pumpout facilities should be provided.

Berthing Facilities for Dwelling-Houses

h. The principal landing area of berthing facilities should not exceed 12m$^{2.}$

i. The length of a waterway structure should not exceed the distance required to reach minimum navigable water depth (i.e. 600 millimetres at Indian Spring Low Water tide).

j. Despite the above, a waterway structure may be constructed to a length that does not exceed the length of any existing waterway structure on the adjoining property.

k. The length of a waterway structure should not adversely impact on aquatic and visual environments and/or obstruct navigation and commercial fisheries operational areas.

l. Berthing facilities such as pontoons and wharves should be shared where possible by 2, or more, adjoining properties, with legal shared access rights.

m. Where a berthing facility cannot be built at a property, 1 off-shore residential mooring will be permitted.

Note:

Water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

For further information on protecting aquatic habitats refer to the Fish Habitat Protection Plans on the NSW Department of Primary Industries website at www.dpi.nsw.gov.au.

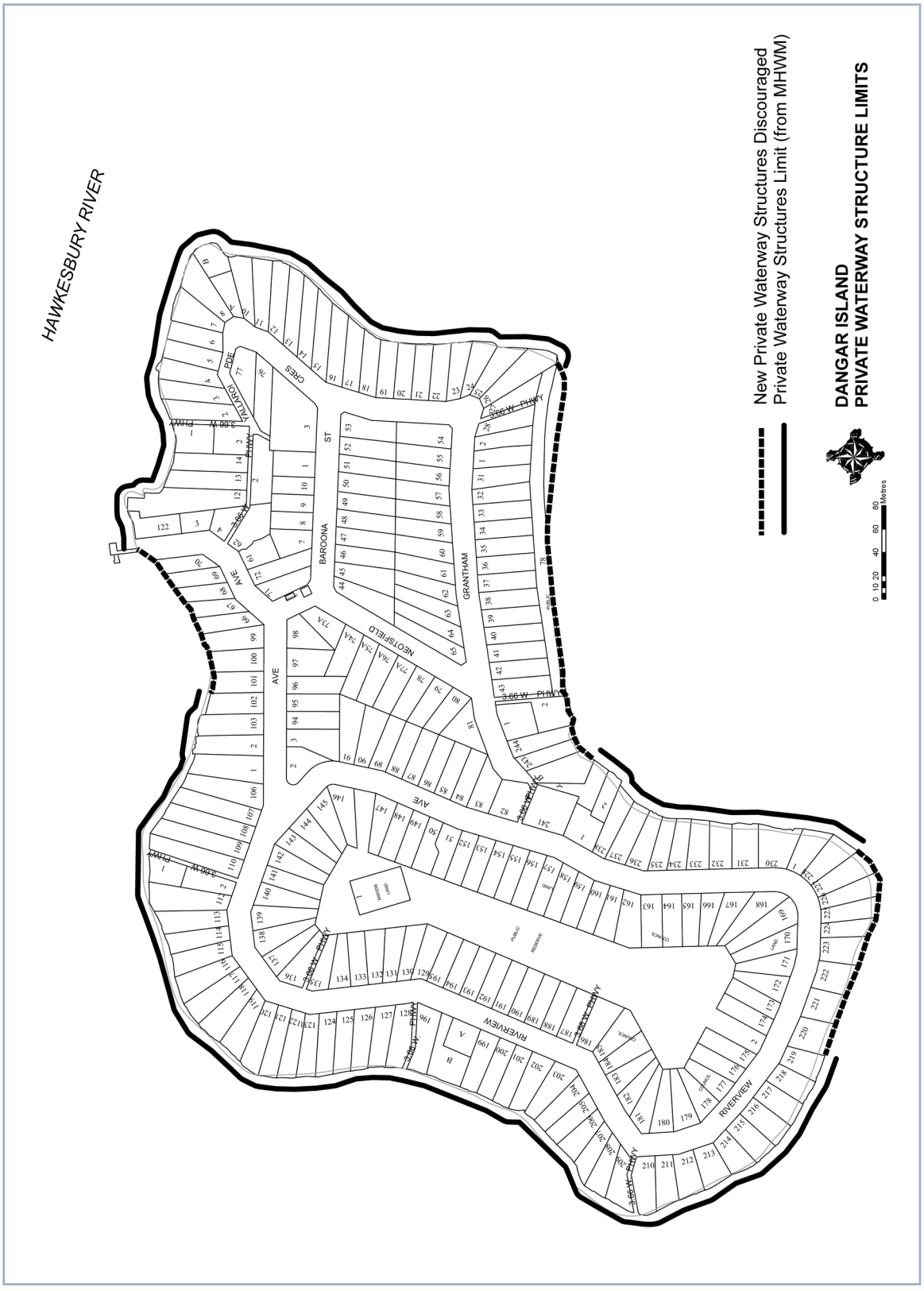


Figure 8.2(b) Dangar Island - Private Waterway Structure Limits (C)

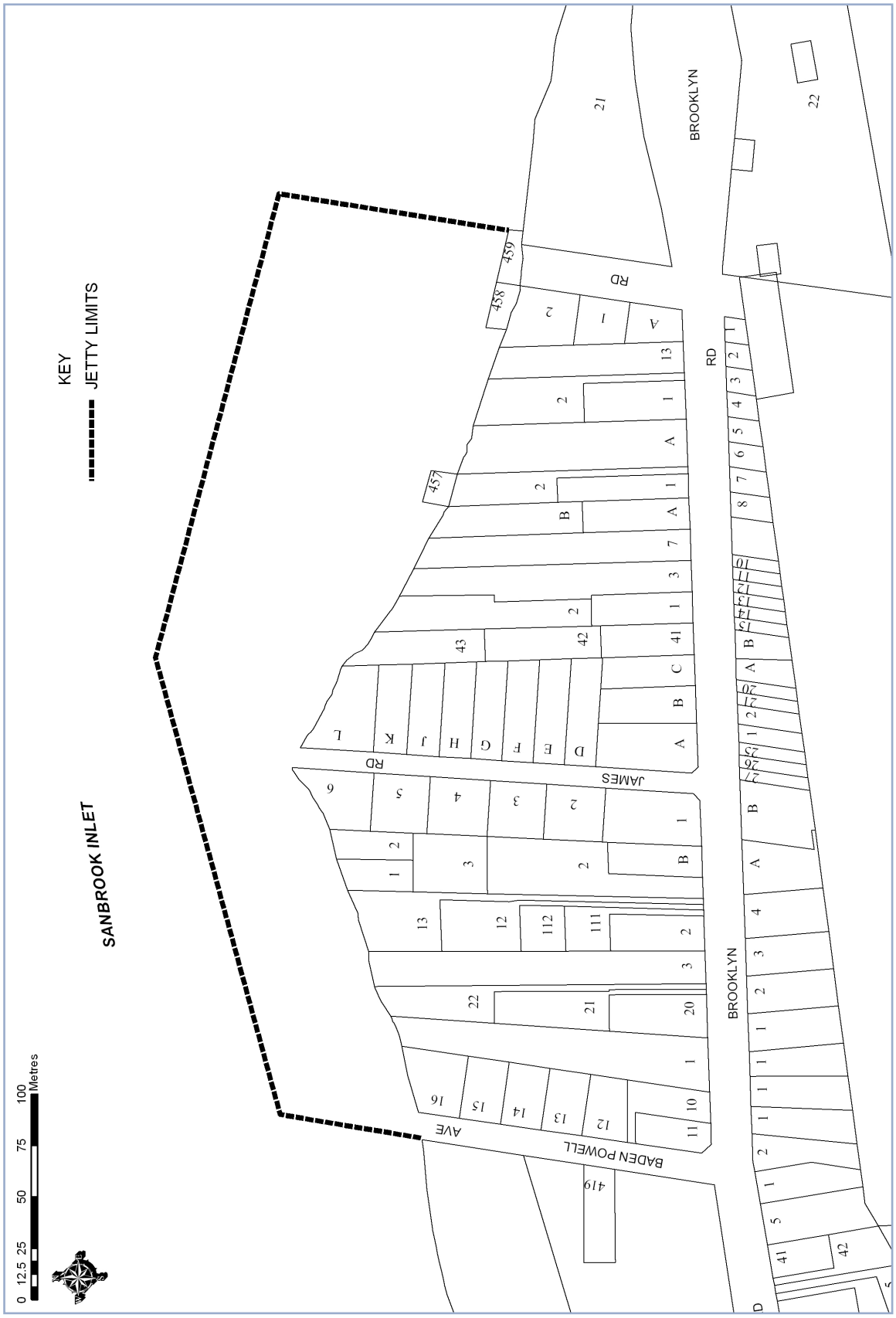


Figure 8.2(c) Brooklyn - Jetty Limits (C)

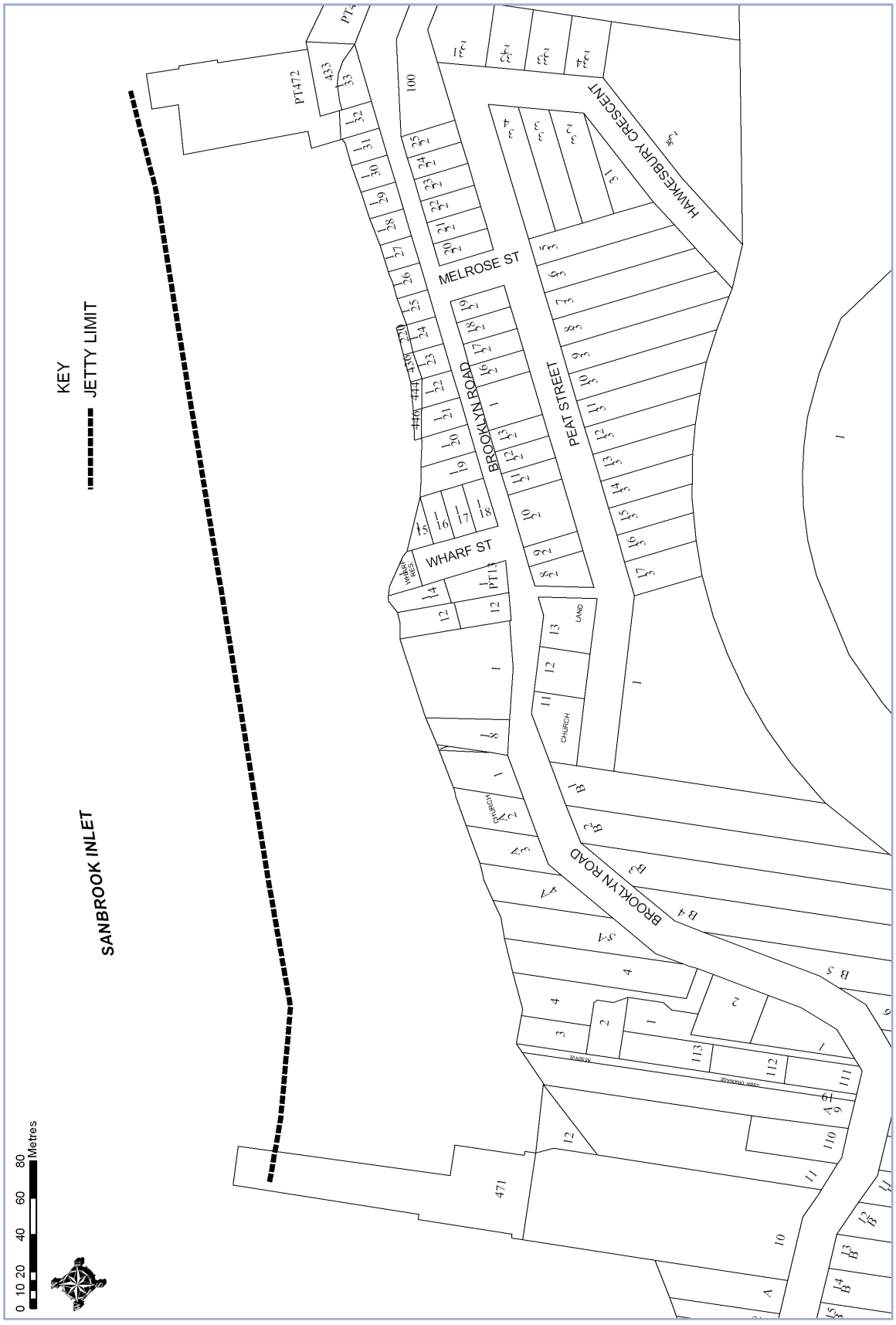


Figure 8.2(d) Brooklyn - Jetty Limits (C)

8.2.3 Seawalls

Desired Outcomes

a. Seawalls constructed only in circumstances where it is necessary to protect improvements on properties.

b. Seawalls that provide habitats for marine flora and fauna.

c. Seawalls that complement the landscape features of the natural riverine scenic area.

Prescriptive Measures

General

a. To maintain the riverine scenic quality of the area, seawalls are discouraged where alternative options such as bank stabilisation with vegetation is available.

b. Seawalls should not be used as part of any reclamation of the foreshore area. Material should not be dredged from the estuary for the purpose of providing material to backfill a seawall.

Location

c. Seawalls should be located entirely within private property boundaries. Seawalls (including the 'toe') should not extend below the MHWM without written authority from the relevant Crown authority.

d. Seawalls should not impede any public right of access.

e. Seawalls should not affect the tidal flushing patterns of the estuary.

Note:

Development applications for seawalls should be accompanied by a report by an appropriately qualified person that addresses existing tidal patterns.

Consideration should be given to the Environmentally friendly seawall guidelines by the Department of Environment and Climate Change NSW.

Design

f. Seawalls should reflect a slope that is commensurate with the surrounding natural landscape and should minimise wave reflection to prevent the transfer of bed and bank instability onto adjacent properties. Vertical walls have the greatest reflectance and should not be built (see Figure 8.2(e)).

g. New seawalls should take account of the levels and layout of adjoining sites and achieve integration between adjoining sites (see Figure 8.2(f)).

h. Seawalls should be no higher than is necessary to protect against:

- Variations in tidal waters, and
- Wave action caused by water craft.

i. Seawalls should be designed to maximise habitat for marine flora and fauna through the provision of small horizontal shelves, pools, crevices and the like.

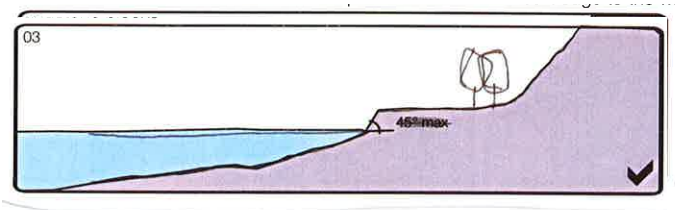


Figure 8.2(e) Vertical seawalls provide an intrusive built edge to the waterway. Seawalls should have a slope commensurate with the surrounding natural landscape.(I)

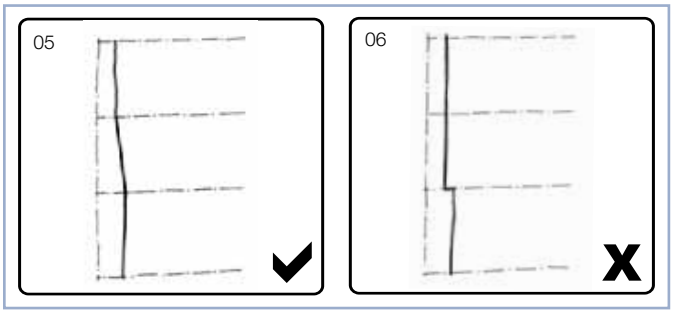


Figure 8.2(f) Seawalls should mediate in plan between adjoining conditions. At no point should a seawall create a physical step in plan.(I)

Materials and Landscaping

j. Seawalls should be constructed of permeable materials such as sandstone and not mortar, solid masonry or poured in-situ concrete. Mortar should only be used for the addition of ecological features (such as ecological pools and horizontal shelves) (see Figure 8.2(g)).

k. Seawalls should not restrict planting of riparian vegetation or impede the potential for estuarine vegetation to recolonise. Incorporation of estuarine vegetation, such as seagrasses, mangroves and saltmarshes into seawall design is encouraged.

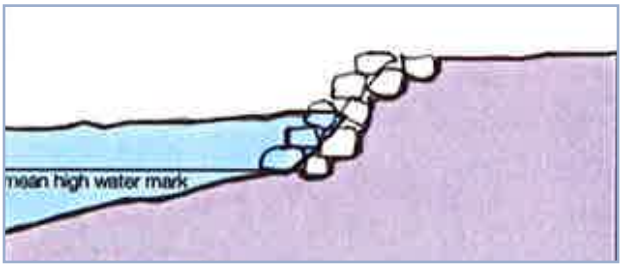


Figure 8.2(g) Seawalls should be constructed from rough sandstone blocks. The nature of the material reduces the wash, provides a habitat for marine flora and fauna while presenting a more natural shoreline.(I)

8.2.4 Tourist and Visitor Accommodation

These controls apply to Bed and Breakfast Accommodation and Short-Term Rental Accommodation (comprising short-term holiday letting of dwelling-houses).

Desired Outcome

a. Tourist and visitor accommodation that is compatible in scale and character with development in the locality.

b. Tourist and visitor accommodation that provides adequate facilities and services for occupants and are located and designed to minimise amenity impacts on the locality.

Prescriptive Measures

General

c. A single sign should be displayed in public view within the property boundaries that:

- has a maximum area of 0.5m2,
- includes details of the land use, name(s) of the owner/establishment and 24 hour contact phone number, and
- should not be illuminated.

d. In unsewered areas, it should be demonstrated that the existing sewage management system is adequate for the proposed use or will be upgraded.

e. Active recreation facilities, such as barbeque areas, should be located away from the bedroom areas of adjoining dwellings.

f. If relevant, a bushfire evacuation plan should be submitted with the development application showing means of evacuation in an emergency. The bushfire evacuation plan should be displayed within the dwelling or sleeping rooms.

Bed and Breakfast Accommodation

g. Bed and breakfast accommodation should:

- be undertaken by the permanent residents of the dwelling-house,
- be on a short-term basis, and
- comprise a maximum of 3 bedrooms catering for a maximum of 6 guests.

Short-Term Rental Accommodation

h. Short-term rental accommodation should:

- be undertaken in a lawful dwelling,
- be on a short-term basis (less than 90 days), and
- comprise a maximum of 6 guests.

i. A Code of Conduct to be signed and adhered to by guests should be prepared and submitted with the development application. The Code of Conduct should, at minimum, address the following responsibilities of guests during their stay:

- maximum guest numbers,
- contact number of the property manager including an after hours number,
- noise and lighting restrictions for activities after 10pm,
- instructions concerning recycling, garbage services and special requirements relating to the disposal of garbage, and
- procedures in case of an emergency.

Notes:

The change of use of a dwelling to tourist and visitor accommodation may require a change of classification under the Building Code of Australia (BCA). This may require significant fire upgrading work and disabled access provision to the building.

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.

Short-term rental accommodation differs from bed and breakfast accommodation in that visitors of the latter are hosted by the permanent residents of the dwelling where the former has no on-site manager. It is otherwise known as short-term holiday letting.

Proponents of tourist and visitor accommodation should have regard to the *Guidelines for Bed and Breakfast Operations* available on the Local Government and Shires Associations of NSW website at www.lgsa.org.au.

For further information on preparing a Holiday Rental Code of Conduct, refer to the best practice publication *Holiday Rental Code of Conduct - Version 1* (March 2012) available at destinationnsw.com.au.

8.3 River Settlement Masterplans

8.3.1 River Settlement Masterplans - General

Desired Outcome

a. Orderly development that is consistent with the principles in the River Settlement Masterplans.

Prescriptive Measures

a. River Settlement Masterplans apply to the following localities:

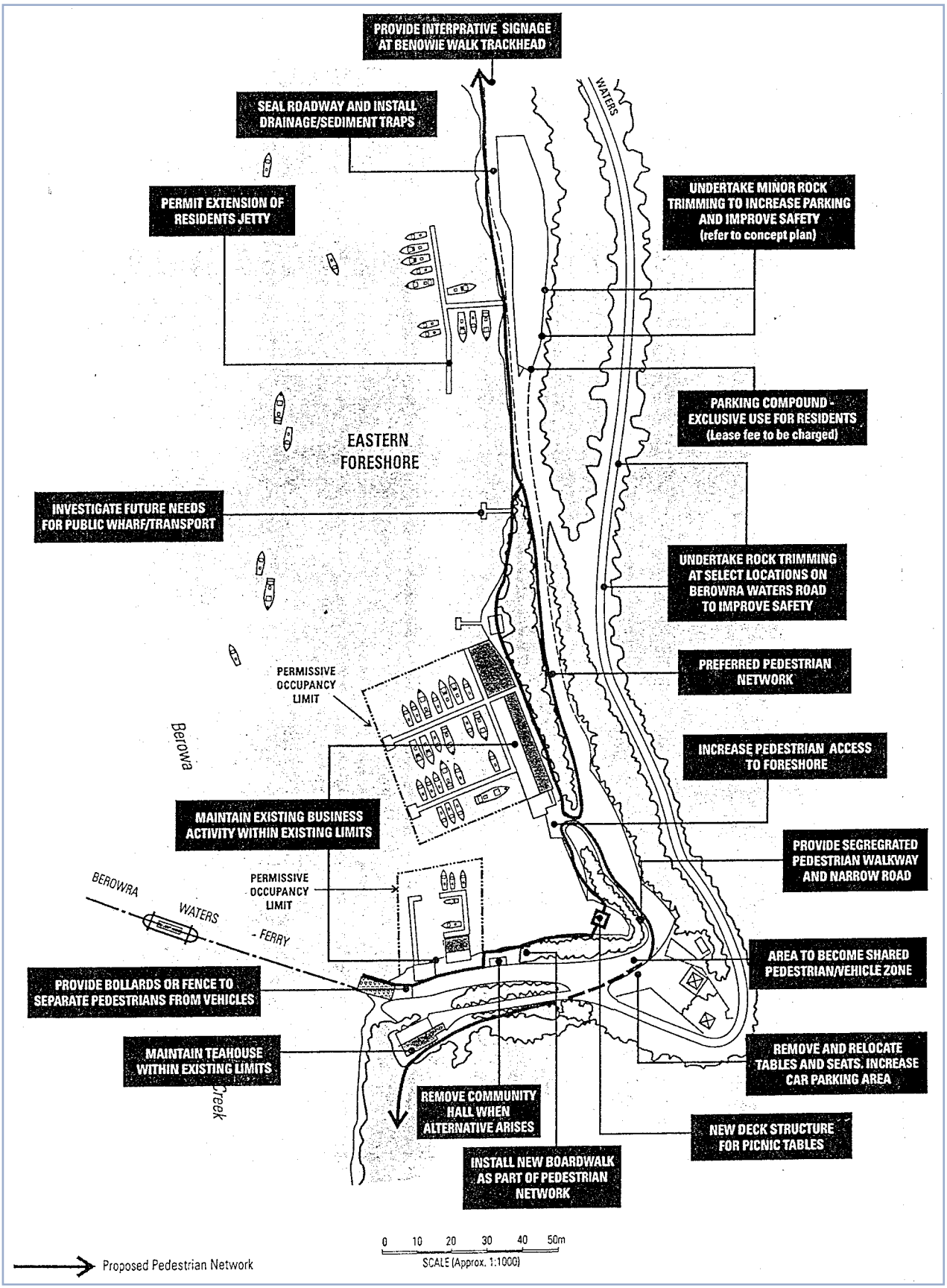
- Berowra Waters
- Kangaroo Point

b. Development should be designed to embody the principles of the relevant River Settlement Masterplans.

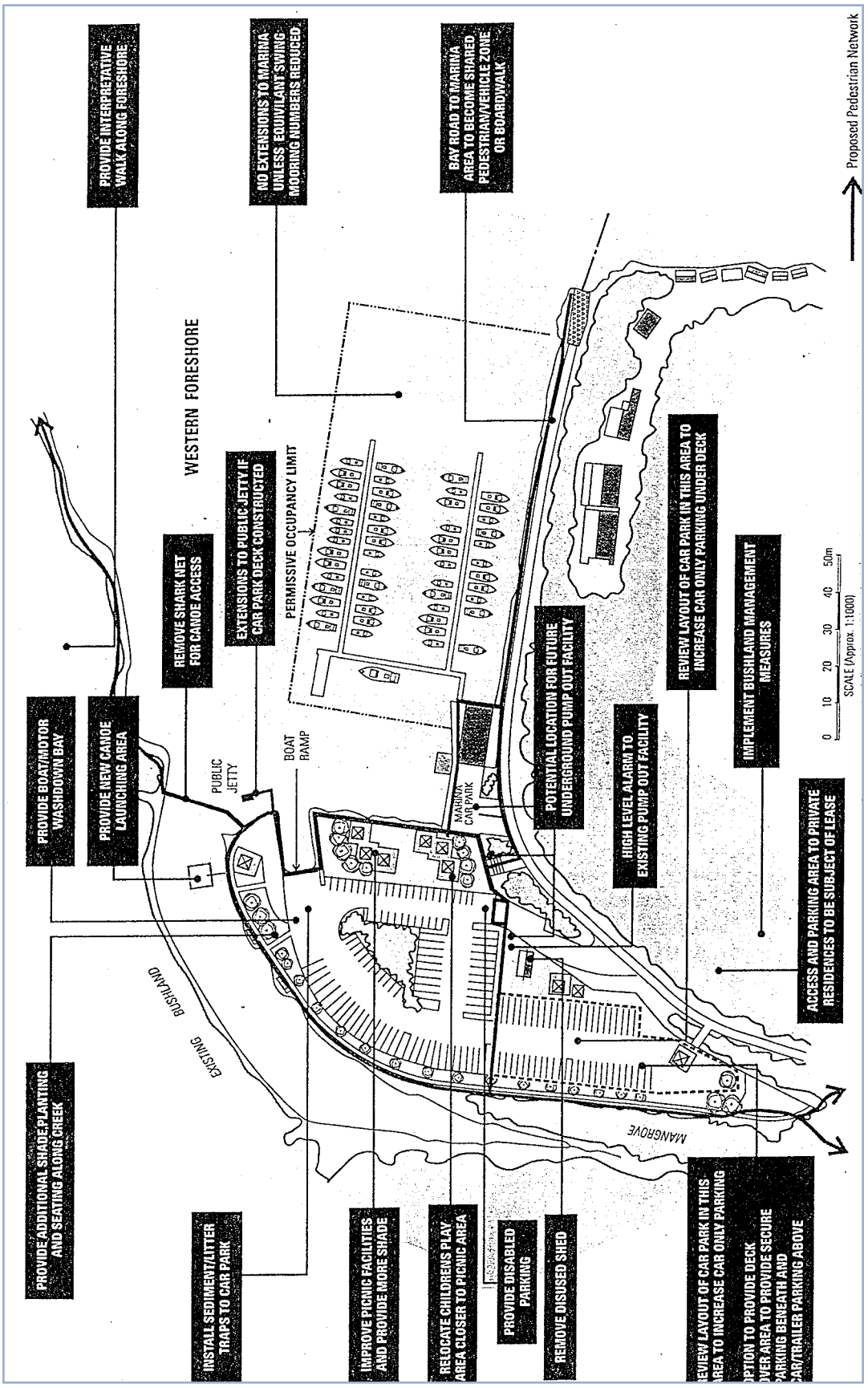
Note:

The Masterplan diagrams are indicative only and are not to scale.

Berowra Waters Masterplan (eastern side)



Berowra Waters Masterplan (western side)



Kangaroo Point Masterplan

a. Development should be consistent with the urban design guidelines provided in the Masterplan diagram and incorporate the following elements:

Former Restaurant Building

b. Any new building or adaptation of the existing building should be constructed on the footprint of the existing former restaurant building. The building should be a maximum of two storeys in height and vehicular access should be provided to both upper and lower levels.

c. The building should include public toilets and other use/s that are compatible with and encourage visitation for recreation, such as:

- Commercially operated café / restaurant;
- Council managed heritage interpretation facility;
- Take-away food facility;
- Community lecture rooms;
- Public barbeque facilities with shade and shelter;
- Caretaker's residence up to a maximum of 100m2 floor space and external curtilage up to a maximum of 50m2 and/or
- Storage for management of the reserve.

d. The building should be constructed with a structural system that will be appropriate in providing flexibility for future uses, such as a columned frame. Building materials should be natural materials such as timber and low-reflective metal cladding to ensure the building is not visually intrusive. Pitched roofs should be articulated into a number of planes to visually fragment the bulk of the building. Wide eaves are desirable to ensure walls are shaded. This should ensure visual recessiveness and energy efficiency in the building.

Disused Sheds

e. The disused sheds and carport on the southern side of the road leading to the public wharf should be removed to open up views of the mangrove area.

f. The disused sheds on the land spit may be used for the provision of office and storage space for recreation based activities.

Interpretation

g. Signage boards should be provided for school and educational groups and for visitors wanting an introduction to the site. Interpretation sites should be provided on main walking paths to provide recreational users with an understanding of the site through more abstract signage and sculpture.

Existing Stone Walling and Edges

h. Existing stone walls and edges should be retained and restored as significant remnants of early European development of the area.

Paths

i. An accessible walking circuit should be provided that extends to all site features, including the mangrove area, stone walls, main building, public wharf, picnic areas, playground, car parks and foreshore. This should provide easy access to all facilities on-site.

Picnic Areas

j. Grass picnic areas should be provided on upper and lower terraces in areas of existing shade where views to waterway are prominent. Grass species should be used which minimise weed invasion into natural areas.

k. Furniture should be of robust materials such as steel and concrete on bins and barbeques and warm materials such as timber on seats.

l. Electric barbeques should be sited near or, if the use of the building for commercial purposes is demonstrated to be unviable, in the former restaurant building.

m. Seating and benches should be dispersed to all picnic areas.

n. Garbage bins should be centrally located. This should minimise waste and centralise rubbish collection activities.

Playground

o. Playground equipment should be provided for children.

Roads

p. Existing roads should be reused as vehicular access. In some instances they can be narrowed. One way roads should be sealed 4 metres wide. Two way roads should be 7 metres wide. Road edges should be soft landscape. Bollard and wire rope should be used to prevent errant vehicle parking. Road edges should be cambered into natural swales to filter roadway contaminants and sediment from entering waterway.

Coach Parking

q. Parallel coach parking should be provided on the upper level.

r. A lease should be issued over the coach parking bays to a co-operative of commercial charter boat operators. The use of the coach parking bays between public and private interests should be balanced.

Car Parking

s. Car parking should be provided at both upper and lower levels and formalised by line marking. Three car parking spaces should be designed for use by disabled persons.

Lighting and Signage

t. Lighting should be sufficient for night time use of paths that link car park areas to wharfs. Suitably designed pole top lights should be provided on 6 metre poles to minimise spread.

u. Signage should be minimised and low-key. No advertising on the site should be permitted.

Vegetation

v. Mixed species in existing vegetation is significant to the heritage of the place. Existing vegetation should be conserved to maintain shade opportunities.

w. New shade planting should be provided to enhance the opportunities for shade on the site. Tree species should include endemic tree species and understorey planting should include native grasses. Native screen planting should be provided to screen unsightly activities such as Telstra building and the Freeway. Mangrove areas should be reinstated.

Caretaker's Residence

x. The caretaker's residence on the lower level of the former restaurant building should be retained for use by a person undertaking the role of a caretaker of Kangaroo Point.

Commercial Houseboat Marina

y. The existing houseboat berths and associated offices within the "Luxury Afloat" marina should be reconfigured to be contained within the boundaries of the commercial licence issued by the Land and Property Management Authority (LPMA).

Commuter Berthing Facility

z. To protect seagrass, maintain boat channels and retain views to and from the water, any commuter berthing facility should be:

- limited to a maximum of 25 boats of up to 6 metres in length; and
- within the area shown on the Masterplan or an approved licence area.

Public Wharf Upgrade and Use

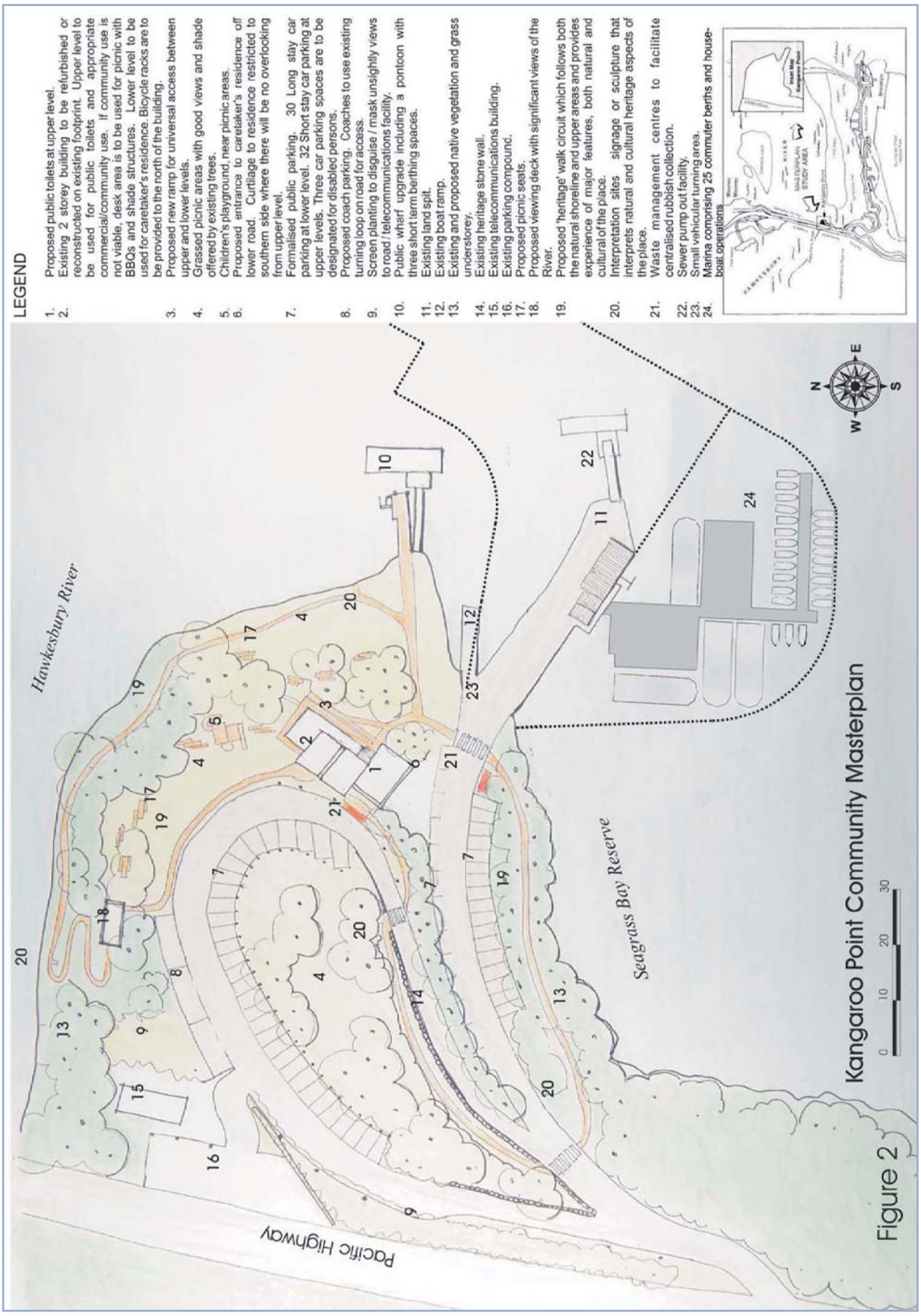
aa. Public vehicular and pedestrian access to the wharf should be retained.

ab. Commercial operators should be provided access where development consent for the use has been granted.

ac. The existing timber framed ferry wharf should be retained. A light weight framed wharf should be provided to provide improved access for potential users (i.e. charter ferries). Any new wharf should conserve built fabric identified as having heritage significance and the scale, materials and colours of any structure should not be visually intrusive.

ad. Three short term berthing spaces should be included on the pontoon of any proposed upgrade of the public wharf.

Kangaroo Point Masterplan



HORNSBY
SHIRE COUNCIL



Heritage

Part 9

Part 9 Heritage

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Introduction

This Part of the DCP applies to Aboriginal cultural heritage, listed heritage items, heritage conservation areas and places in the vicinity of heritage items and heritage conservation areas.

Heritage includes places and objects that have a sense of living history, and which offer physical links that connect the community to earlier generations and their way of life. The Dharug and Guringai Aboriginal people were the original owners of Hornsby Shire. Significant remnants of Aboriginal culture remain within the Shire as evidence of their occupation.

Conserving heritage helps us to understand our past and contribute to the future. Hornsby Shire's heritage illustrates prominent themes of development including transport, horticulture, country estates and subdivision. The heritage resources encompass a diverse range of buildings, structures, places and landscape elements.

The provision of guidelines addressing design, streetscapes, sitting, garages, carports, fences, gates and landscaping will assist in conserving the heritage significance of the natural and built environment and ensure new development is sympathetic with identified heritage values. In doing this, the Shires's heritage resources and the quality of the environment will be maintained or improved, resulting in attractive streetscapes and provding an appealing place to live.

Heritage controls will not prevent development, rather ensure that change takes place in a way that does not detract from the significance of heritage items.

9.1 Heritage Administration

9.1.1 Development Without Consent

HLEP Clause 5.10 provides controls for heritage conservation including when development consent is required. The following supplements the provisions in Clause 5.10(3).

General

a. Pursuant to Clause 5.10(3) of the HLEP, Development consent may not be required for work to a Heritage Item or Heritage Conservation Area if Council is satisfied that the proposed development:

- is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area; and
- would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area.

b. Contact Council's Planning Division to determine whether development consent is required. Written advice from Council should be obtained prior to commencement of works.

Maintenance and minor works

c. For the purposes of Clause 5.10(3) of the *HLEP,* and subject to the provisions of this section, the following minor maintenance works may not require consent:

- resealing/treating timber;
- replacing broken windows;
- re-hanging doors or gates;
- replacing or establishing gutters and down pipes;
- re-pointing brickwork;
- restoring posts or fence posts;
- repairing stonework and plaster work;
- underpinning and damp proofing; and
- general maintenance of heritage gardens (pruning or replanting original species).

d. Replacing external materials such as roofs or exterior cladding with like materials may be considered minor work. However details of such proposed works should be submitted to Council, seeking confirmation in writing that development consent is not required.

e. Replacing original materials with modern materials which are not of a similar style, type, colour and profile is not minor work and will require development consent.

f. Repainting surfaces, other than items on the State Heritage Register, may not require development consent. Colours should be in keeping with the heritage significance or style of the property or heritage conservation area.

g. Painting previously unpainted surfaces requires development consent from Council.

Notes:

Clause 5.10(3) of the HLEP states that development consent is not required for other specified forms of development not identified in this DCP.

Some minor developments are permissible on heritage items and within heritage conservation areas as exempt development under the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, including access ramps, air-conditioning units, pathways and paving, playground equipment and rainwater tanks. For further information go to www.planning.nsw.gov.au

9.1.2 Development Application Submission Requirements

HLEP Clause 5.10(5) and 5.10(6) identifies when a heritage impact statement, heritage conservation management plan or other heritage management document is required to be considered prior to granting development consent. The following supplements the provisions in Clause 5.10.

Heritage Items

a. Development applications for heritage items normally require:

- Heritage Impact Statement; and
- measured drawings of the existing building including elevations.

b. Conservation Management Plans (CMPs) are required for changes to State significant heritage items and development applications that rely on the conservation incentive provisions of Clause 5.10(10) of the HLEP. A CMP usually includes:

- a statement of heritage significance;
- a history of the place;
- a physical description of the place including buildings, site features and landscaping;
- a description of the constraints and opportunities affecting the heritage item; and
- conservation policy recommendations.

c. A heritage conservation management plan should accompany a development application that proposes a change of use to a purpose that would otherwise not be permissible but for Clause 5.10(10) of the HLEP. The plan should demonstrate:

- how the conservation of the heritage item is facilitated by the proposed new use,
- that the proposed development does not adversely affect the significance of the heritage item, that the proposed development does not have any significant adverse effect on the amenity of the surrounding area, and
- a staging plan indicating when secondary or non-heritage works are to be undertaken in association with the adaptive re-use.

Heritage Conservation Areas

d. Development applications for demolition in a Heritage Convservation Area normally require a Heritage Impact Statement that incorporates the following:

- information about the history of the property;
- details of the architectural style of the building and changes that have occurred over time;
- a comparative analysis in relation to other buildings in the heritage conservation area; and
- a statement justifying the proposed demolition taking into consideration the matters in 9.3.4 Demolition.

e. Development applications for new buildings in a Heritage Conservation Areas normally require a Heritage Impact Statement.

f. Development applications for subdivision of land in heritage conservation areas normally require a Heritage Impact Statement.

g. All other development applications in heritage conservation areas may require the Statement of Environmental Effects to include a heritage assessment considering the effect of the proposal on the streetscape with reference to:

- front setbacks;
- materials, colours and textures;
- roof form and pitch;
- scale of buildings, height and bulk;
- landscaping and garden treatment;
- spaces between buildings;
- facade treatment, verandahs and windows;
- height and design of fences;
- placement and design of garages and driveways;
- existing street trees; and
- balance between solid walls and openings.

Notes:

For further information refer to the Heritage Division, Office of Environment and Heritage website www.heritage.nsw.gov.au for detailed guidelines on preparing of Heritage Impact Statements.

Work to State significant heritage items may be integrated development requiring an approval under Section 60 of the Heritage Act.

9.2 Heritage Items

This section applies to Heritage Items listed in Part 1 of Schedule 5 Environmental Heritage of the HLEP. Heritage Items include buildings, works, gardens and trees.

9.2.1 General Design Requirements

Desired Outcomes

a. Development that allows reasonable change to occur to heritage items, particularly to meet contemporary amenity or safety standards without unreasonably impacting heritage significance.

b. Alterations and additions that are sympathetic to significant features, and do not dominate the heritage item in terms of bulk, scale, form, setbacks and materials.

c. Development that encourages new uses that facilitate the ongoing viability of heritage items without adversely affecting heritage significance.

d. New uses that allow for interpretation of the heritage item and do not result in substantial or irreversible changes to significant features.

e. Development that cantilevers over or retains a heritage item within its envelope complements the form, style and character of the heritage item and allows it to be viewed and interpreted as a discrete entity.

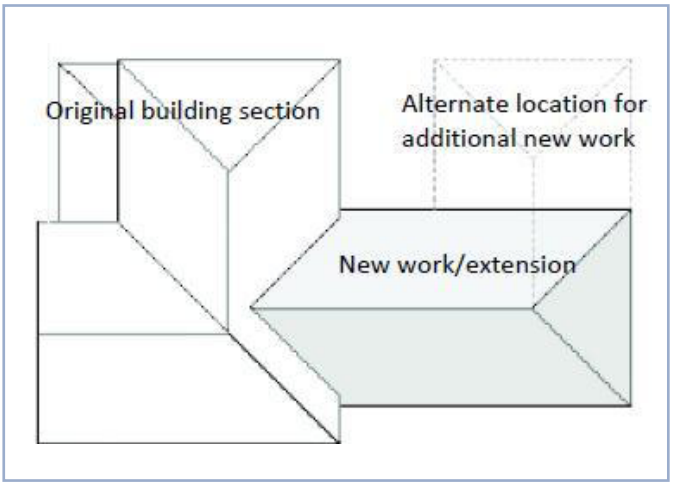


Figure 9.2(a) - Locate new work away from the significant area of the item. (i)

Prescriptive Measures

General

a. Features or elements that contribute to the heritage significance of the item should be retained.

b. Council does not generally support demolition of heritage items. Poor structural condition or costs associated with renovating are not sufficient justifications.

c. New work and changes should be located away from main areas that are intact or highly significant. Cantilevers are to be stepped back from primary elevations and street facades.

d. New buildings, structures, landscaping or other works should be located to minimise adverse impacts on the setting of the heritage item.

e. Introducing decorative elements that could reduce the integrity and confuse the period of the building should be avoided, unless documentary or physical evidence exists to show it has been removed.

f. For large projects a staging plan may be required to indicate when secondary or non-heritage works are to be undertaken.

g. Servicing, fire safety or BCA compliance upgrades for a new use should not impact on the heritage significance of the item.

Removing unsympathetic changes

h. Unsympathetic elements should be removed, especially where substantial changes are proposed to a heritage item and the reversal will assist an improved heritage outcome.

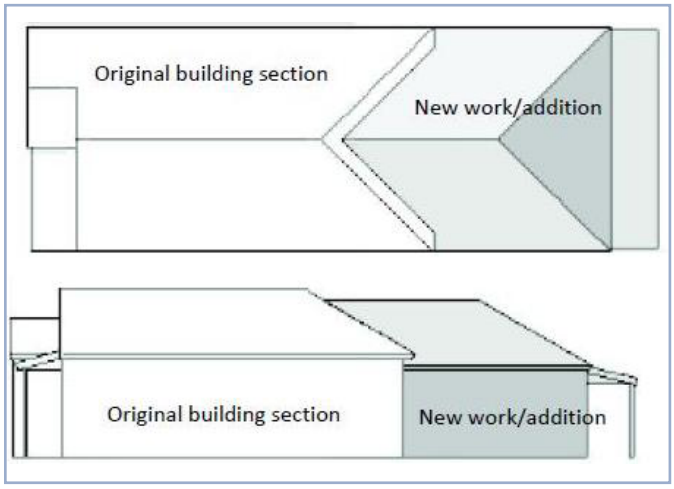


Figure 9.2(b) - Alterations and additions to be smaller in scale and length than the existing building. (i)

Form, massing and scale

i. New work should be designed to complement the heritage item in terms of scale, proportion, bulk, massing and detail.

j. Additions and extensions at the front of heritage items should be avoided. Additions should be located away from the principal elevation and significant features of the heritage item, and behind and below the main roof ridge.

k. Alterations and additions should be smaller in scale and length than the existing building.

l. Large second storey additions should be avoided. Additions should be located to the rear or side. Depending on the form and style of the building it may be possible to design new levels within the existing roof space or below the gutter line of the main building.

m. Extensive blank or unarticulated walls are discouraged. Articulation should be achieved through the use of materials or design elements such as soldier/string courses, windows, fibro/timber inserts or the like.

Internal changes

n. Changes to the original layout of the building should be minimal so that the evolution of the building remains recognisable. Development should retain significant interior elements. For example, wall nibs, decorative ceilings, picture rails, architraves, feature tiling or features such as fire places should be retained.

Materials, colours, finishes

o. Rendering or painting original face brick is not supported.

p. Materials should be selected to complement the period and style of the building. Compatible, but not necessarily matching materials i.e. modern materials, may be used where appropriate.

Note:

The controls for heritage items adopt a "whole of building" approach because heritage significance applies to the whole property, not just the front façade of a building or particular element of a site. The controls are based on the principles of minimising impact on heritage significance, and ensuring that where change occurs, the decision is based on an understanding of heritage significance.

No. 2 and No. 4 High Street, Hornsby

New development:

a. Must be designed to provide for an integrated and holistic development outcome across No. 2 and No. 4 High Street, Hornsby.

b. Must retain the heritage listed Hornsby War Memorial Hall including significant external and internal features, existing setbacks, fabric, spaces and layout.

c. Adopt a high quality and respectful contextual design that is sympathetic to and complements the Hall's significant fabric, form, setback, detail and landscaping.

d. Should not dominate the Hall or obscure views to it from public domain and not visually dominate or visually disrupt the public appreciation of the Hall.

9.2.2 Garages, Carports and Driveways

Desired Outcomes

a. Garages and carports that do not dominate heritage items in terms of design, bulk, scale and setbacks.

Prescriptive Measures

Garages and carports

a. Garages and carports should be located at the rear of the property.

b. A garage or carport may be considered adjacent to the building where access to the rear is not available, provided it is setback behind the building line and is designed to complement the architectural style of the heritage item.

c. Altering or demolishing any part of the heritage item to enable construction of a garage or carport should be avoided, except where the topography or building design allows for the change and the modification will not alter a primary or intact section of the building.

Driveways

d. Existing driveways constructed as two wheel strip or traditional driveway form should be retained.

e. Driveways should be designed to minimise extent and visual dominance. Materials that complement the period of the dwelling should be used.

Note:

Parking structures and areas can have a significant impact on the integrity and setting of heritage items. Open areas or carports are generally preferable than garages. Double fronted garages can be intrusive and should generally be avoided.

9.2.3 Gardens, Trees and Landscaping

Desired Outcomes

a. Development that retains and conserves significant garden elements, trees and landscaping.

b. Gardens that complement the heritage significance and architectural style of the heritage item.

Prescriptive Measures

Gardens

a. Heritage listed gardens should retain layouts and primary features and structures.

b. Trees and garden elements which contribute to the significance of a heritage listed item should be retained and conserved.

c. Gardens within the curtilage of a heritage listed item should be designed to complement the period and style of the item.

d. Alterations and additions should be located to avoid impacts on significant trees and garden areas.

Trees and landscaping

e. The removal of trees that are identified as heritage items or are within the curtilage of heritage items should be avoided unless the tree is diseased, dying or dangerous.

f. Mature trees that are removed should be replaced with a tree in a similar or more appropriate location that will mature to similar size and canopy.

g. Proposed works should comply with AS 4970 Protection of Trees on Development Sites.

h. All tree pruning work should be carried out in accordance with AS 4373 Pruning of Amenity Trees.

i. Site works, including driveways, should be located and designed to avoid damage to significant trees.

j. Connectivity of large street trees with adjoining or nearby remnant groups should be protected.

Note:

When the removal of significant trees are proposed, a landscape plan should be provided detailing the replacement trees.

Works involving heritage listed trees should also have regard to Part 1 General of this DCP.

9.2.4 Fences and Gates

Desired Outcomes

a. Development that retains significant and original fences, and gates.

b. New fencing that complements the heritage significance and architectural style of the heritage item.

Prescriptive Measures

Fences and gates

a. Original fences and gates should be retained. Where sections of fence are required to be replaced because of poor condition, sections of the old fence in good condition should be integrated where possible.

b. Location of gates should be retained where the associated path and garden are part of a traditional garden layout and are historic links between the property and the street.

c. Fences and gates should complement the period and style of the building as indicated in Figure 9.2 (c).

d. Traditional fencing materials should be used such as timber, iron, brick and stone. Sheet metal and tubular steel fences should be avoided.

Fences on busy roads

e. High, solid fences should be avoided other than on-sites along roads with significant traffic volumes. In these instances:

- fences should be a maximum height of 1.8 metre;
- piers should be a maximum height of 2 metres and where the fence is to be broken up, a maximum of 3 metres apart; and
- fences should incorporate articulation.

Note:

Council may require the fence to be setback at least 600mm from the property boundary to allow hedge planting to soften the appearance in the streetscape.

Roads with significant traffic volumes include: Pacific Highway (south of Edgeworth David Avenue); Pennant Hills Road; Carlingford Road; Beecroft Road; Epping Road; Castle Hill Road; Boundary Road; and New Line Road.

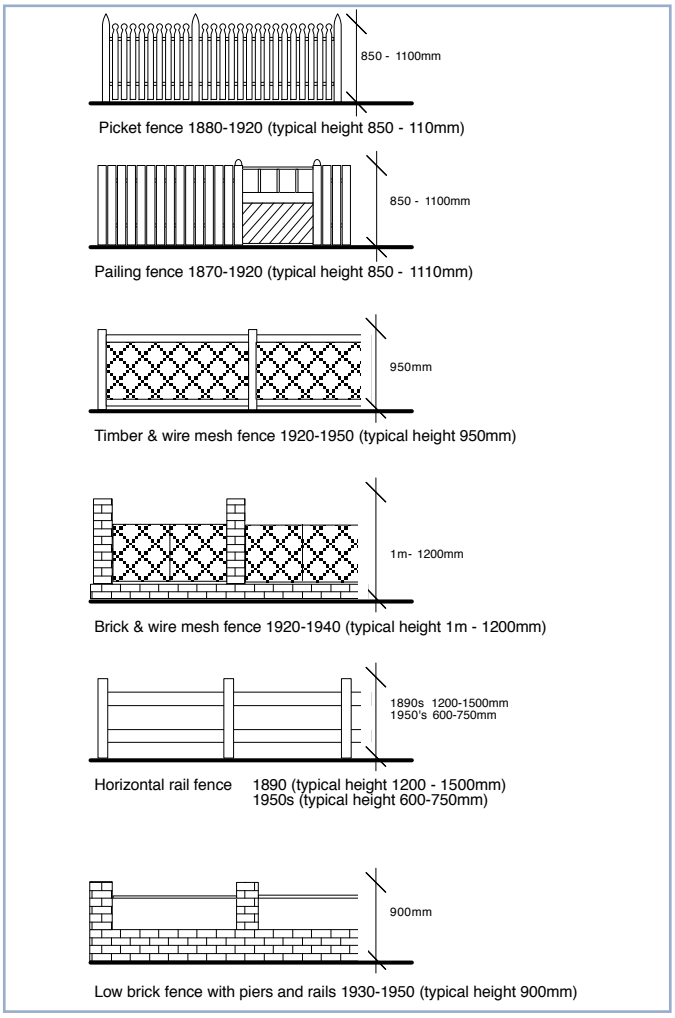


Figure 9.2(c): Typical fences and gates. (C)



Figure 9.2(d): Hedges are a traditional form of fencing for many heritage items. (E)

9.2.5 Subdivision

Desired Outcomes

a. Subdivision that retains adequate curtilage, and protects the setting of heritage items.

b. Subdivision that enables historical boundaries to be interpreted.

c. Subdivision that supports the ongoing use of the heritage item.

Prescriptive Measures

a. Adequate area around the heritage item should be retained to facilitate its ongoing use, or allow for flexible adaptive reuse in a manner compatible with its history and heritage significance.

b. Subdivision should minimise interference with the visual setting of the heritage item. The lot containing the heritage item should have sufficient area to provide a visual setting that is proportional to the size and design of the building.

c. Changes affecting significant gardens should be avoided.

d. Potential impacts from associated development (such as extensive driveways or hard stand areas) on the heritage significance and setting of the heritage item should be minimised.

e. Traditional relationships between the heritage item and street, such as traditional presentation of the heritage item, should be retained particularly where the relationship to the street is part of its heritage significance.

f. The subdivision layout should enable historic boundaries to be interpreted. This may be achieved by the location of internal subdivision lines along historic fence lines or similar.

g. A Conservation Management Plan may be required depending on the scale of the site and scope of works.

h. A staging plan should confirm that conservation works will occur prior to the issue of a subdivision certificate.

9.2.6 Rural Heritage Items

Desired Outcomes

a. Development that protects the physical and visual setting of rural heritage items.

b. Dwellings that support modern living arrangements whilst retaining the significance of small heritage listed cottages.

Prescriptive Measures

a. Development should minimise adverse impacts on the historic and visual curtilage for the heritage item.

b. Development on land adjoining a rural heritage item should be of an appropriate scale, taking into consideration the visual relationship between the development site and the heritage item and need for screening.

c. The setting of the heritage item should be maintained through design, siting of works and landscaping as appropriate.

d. Alterations and additions to small heritage listed cottages should be in the form of pavilion type extensions.

e. The matters below should be addressed where an application is on the site of, or adjoins, a rural heritage item:

- the historic subdivision pattern associated with the item;
- topographic features such as tree lines, fences or creeks that form natural lines of division;
- stands of vegetation (natural bush or regenerated areas) that could be impacted by development;
- view corridors to, or from the heritage item;
- building scale adjoining the item;
- building materials, new fencing and new landscaping;
- screening measures that may be needed if the new development is much larger in scale than the heritage item; and
- elements depicted in Figure 9.2(e).

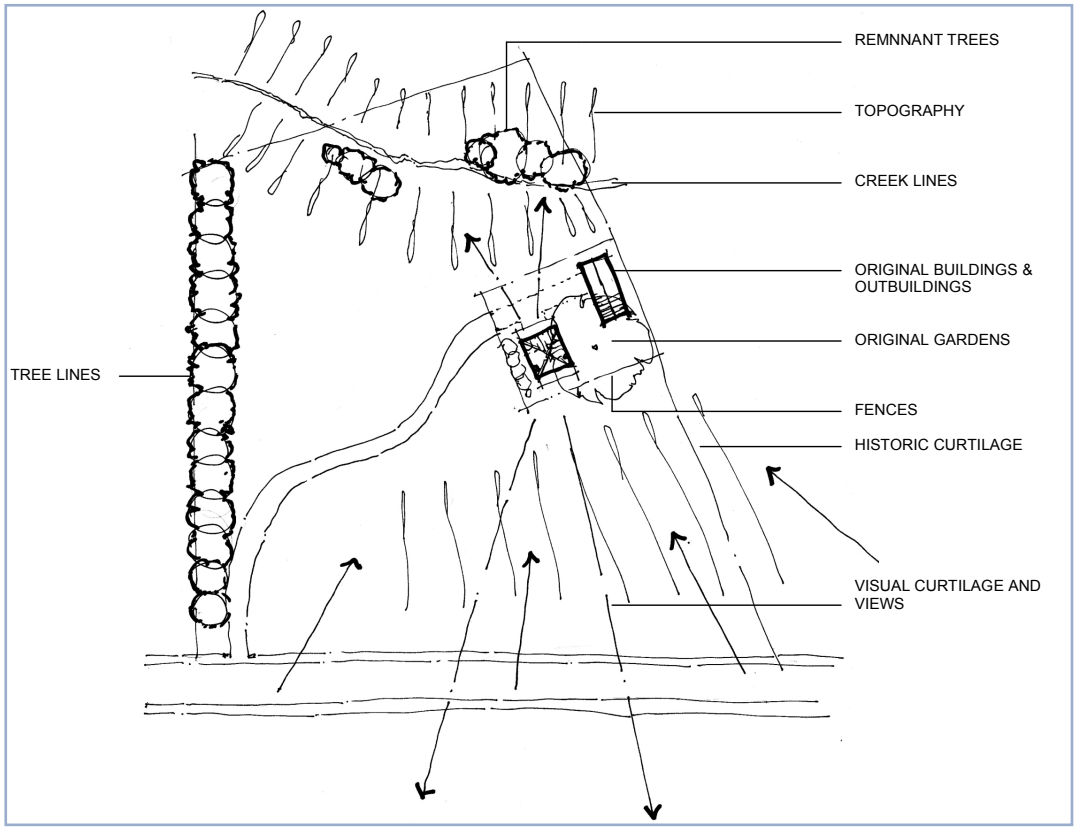


Figure 9.2(e) - Elements to be taken into consideration. (C)

9.2.7 Commercial Heritage Items

Desired Outcomes

a. Development that retains evidence, including layout, of original shopfronts.

b. Development that reinstates traditional features and results in sympathetic new work.

c. Development that contains minimal signage that complements, rather than dominates, the architectural characteristics of the building.

Prescriptive Measures

Facade treatment

a. Original elements and features, including features above awning level, should be retained.

b. Replacement shopfronts, where original shopfronts have been altered, should be based on historic information and/or interpretation of period details.

c. New work should respect the form, scale and detailing of the existing building, and streetscape features including the parapet line.



Figure 9.2(f) - Elements of a traditional early twentieth century shop front. (I)

d. Infilling of original verandahs should be avoided.

e. Colour schemes for repainting should be based on historical evidence or period colour charts.

Signs

f. Signs should be located on parts of the building that have traditionally been used for signs. Above awning signs should be avoided except where part of the original design.

g. The number and location of signs on commercial buildings should be sympathetic to the character and style of the building.

Detailed Fabric Survey (Epping Town Centre Core)

h. Where works are proposed to heritage items, Council encourages and may require a detailed fabric survey for significant heritage items to identify original significant fabric and internal elements that should be retained and conserved.

Hornsby West Side

i. When works are proposed, Council encourages and may require a detailed fabric survey for significant heritage items to identify original significant fabric and internal elements that should be retained and conserved.

j. The following buildings appear to be relatively intact and should be retained and conserved:

- Pair of Federation Shops - No. 3 Jersey Street
- The Browsery Cottage - No. 5 Jersey Street
- Hornsby Cinema - No. 155 Pacific Highway
- Shop - No. 187 Pacific Highway.

Notes:

Hornsby's commercial heritage items are predominantly from the Federation period, and include a grouping along the Pacific Highway in the west precinct of the town centre. Other heritage listed commercial buildings are at Epping, Waitara and at Brooklyn.

While some shopfronts have been altered, most of Hornsby's commercial heritage retains period detailing above awning level. Important considerations for future proposals are sympathetic signs, colour schemes and façade treatments.

9.3 Heritage Conservation Areas

This section applies to Heritage Conservation Areas listed in Part 2 of Schedule 5 Environmental Heritage of the HLEP, as summarised in Table 9.3(a):

Table 9.3(a): Heritage Conservation Areas

Heritage Conservation Area (HCA)	Character Statement DCP Reference
Beecroft-Cheltenham HCA	9.3.6
Hornsby West Side, comprising Mt Errington Precinct HCA Pretoria Parade HCA, and Peats Ferry Road HCA	9.3.7
The Crescent HCA	9.3.8
Wahroonga HCA	9.3.9
Wahroonga North HCA	9.3.10
Barker College HCA	9.3.11
East Epping HCA	9.3.12
Essex Street (Epping) HCA	9.3.13
Rosebank Avenue (Epping) HCA	9.3.14

This Section provides general controls that apply to all Heritage Conservation Areas (namely 9.3.1 to 9.3.5) and detailed additonal controls where appropriate for specific Heritage Conservation Areas (within the Character Statements).

The particular characteristics that make each Heritage Conservation Area significant are described in the Character Statements in this section, including a plan of the Heritage Conservation. For most areas this includes the history of subdivision, main building periods and associated architectural styles, consistency of buildings in terms of form, height, setbacks and materials, landscape, trees and the streetscape elements.

Development in Heritage Conservation Areas is required to respect the significant characteristics of the area. The controls place emphasis on how changes appear from public spaces, and 'fit in' in relation to the predominant built form, style and landscape character of the area.

9.3.1 General Design Provisions

Desired Outcomes

a. Development that complements and is sympathetic to the existing character of the conservation area and the elements that are significant to that character.

Prescriptive Measures

Maintain and reinforce characteristic details

a. Development should respect the significant characteristics of the Heritage Conservation Area, as detailed in the applicable Character Statement in this Part.

b. Significant changes to front elevations should be avoided where the existing building retains characteristic detailing.

c. Original decorative elements and detailing on buildings should be used where appropriate but should not be overdone as a means of fitting in.

Form, massing, scale, setbacks – streetscape character

d. New work should be designed to complement the existing streetscape in terms of the following elements (refer to Character Statements for details):

- Building elements - scale, height, bulk, massing, roof form, orientation, façade treatments, setbacks and spaces between buildings, verandah and window placement, balance of solid walls and openings, materials, colours and textures; and
- Landscape elements – landscaping and gardens, height and design of fences, garages, driveways and existing street trees.

e. Additions should be located away from the street elevation and below the main ridge line.

f. New buildings, alterations and additions should be single storey within streetscapes that are predominately single storey. New levels, or split level additions, may be possible to the rear on sloping sites.

g. Ancillary structures e.g swimming pools, tennis courts, sheds, should be located in rear yards.

h. New buildings should be located so that they are compatible with predominant front setbacks in the street, particularly the setbacks of immediately adjoining buildings.

i. Roof form and pitch should be compatible with characteristic roof forms of the conservation area. Traditionally rear extensions used skillion or simple pitched roof forms.

Contemporary design

j. Contemporary design should be sympathetic to the characteristic built form of the conservation area, particularly in terms of bulk, scale, height, form or materials.

Materials and finishes

k. Rendering or painting over original face brick should be avoided.

l. Materials used should complement the period and style of the building, and the conservation area. Compatible, but not necessarily matching materials i.e. modern materials may be used where appropriate (refer to Character Statements for details).

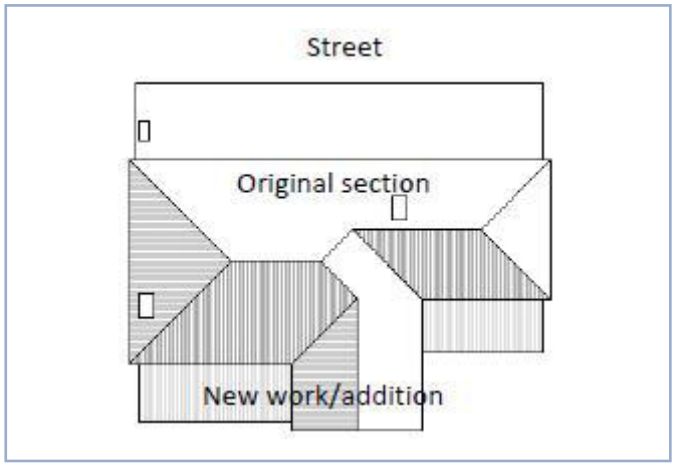


Figure 9.3(a)
Locate additions away from the street elevation.(I)



Figure 9.3(b) - Design new work to complement front setbacks, materials and colours, landscaping and garden treatments. (I)

9.3.2 Garages, Carports and Driveways

Desired Outcomes

a. Development that retains the integrity and setting of heritage conservation areas.

b. Garages and carports that are designed as secondary structures and do not dominate the streetscape of heritage conservation areas.

Prescriptive Measures

Garages and carports

a. Garages and carports should be located to the rear of the property.

b. A garage or carport may be considered adjacent to the building where access to the rear is not available, provided it is setback behind the building line and to the side of the dwelling.

c. Garages and carports should not dominate the street elevation or main façade of the building, and should be designed to:

- be consistent with the Character Statements;
- complement the existing dwelling in terms of design and materials;
- present as secondary to the dwelling;
- avoid double garages visible from the street; and
- preferably comprise open sided carports rather than solid, enclosed structures.

d. The alteration or demolition of any part of a building to enable construction of a carport or garage should be avoided, except where topography or the building design allows for the change.

e. A maximum of one hardstand parking space should be located within the front setback area. Landscaping and garden layout should complement any hardstand area.

Driveways

f. Existing driveways constructed as two wheel strips should be retained.

g. New driveways should be constructed as two wheel strips where characteristic of the conservation area or appropriate to the site context.

h. The number of driveways to the street and extent of paved area from each property should be minimised. Turning circles should be avoided.

i. Alternatives to concrete such as brick edging, paving, bitumen/asphalt, gravel or grass-crete should be considered.

Notes:

Garages can be intrusive where they are allowed to dominate front facades. They were traditionally located to the rear of houses or designed as secondary elements.

Paving associated with driveways can significantly impact the streetscape character of conservation areas, especially where there is a strong link between the landscape and heritage significance.

9.3.3 Gardens, Fences and Gates

Desired Outcomes

a. To retain and conserve the garden and landscape character of the heritage conservation area.

b. Landscaping that retains original and traditional garden layouts and plantings.

c. Fencing that complements the streetscape character and the significance of the heritage conservation area.

Prescriptive Measures

Gardens

a. Traditional garden settings should be retained, particularly where they are important to the character of the heritage conservation area.

b. New gardens should be horticulturally and stylistically sympathetic to the period of the heritage conservation area with the use of similar materials.

c. Alterations and additions should be located to avoid impacts on significant trees and garden areas.

d. Development should not impact upon trees/landscaping that contribute to the significance of the heritage conservation area including the removal of trees/ landscaping that contribute to the significance of the heritage conservation area.

e. Mature trees/landscaping that are removed should be replaced with trees/landscaping in a similar or more appropriate location that will mature to similar size and canopy.

f. Proposed works should comply with AS 4970 Protection of Trees on Development Sites. All tree pruning work should be carried out in accordance with AS 4373 Pruning of Amenity Trees.

Note:

When the removal of significant trees are proposed, a landscape plan should be provided detailing the replacement trees.

Works involving significant trees within heritage conservation areas should also have regard to Part 1 General of this DCP.

Trees, gardens and landscape elements define the public/private domain and are often critical to the cohesive sense of place in conservation areas. Landscape elements can also help to 'soften' developments that might otherwise be intrusive.

Fences and gates are important streetscape elements because of their proximity to the street edge and role in defining the public/ private domain.

Fences and gates

g. Fences should be avoided where there are no, or few fences.

h. Original fences and gates should be retained. Where sections of fence are required to be replaced because of poor condition, good sections of the old fence should be integrated where possible.

i. Location of gates should be retained where the path and garden are part of a traditional garden layout and are historic links between the property and the street.

j. Fences and gates should complement the period and style of the building and the streetscape.

k. Traditional fencing materials should be used such as timber, iron, brick and stone. Sheet metal and tubular steel fences should be avoided.

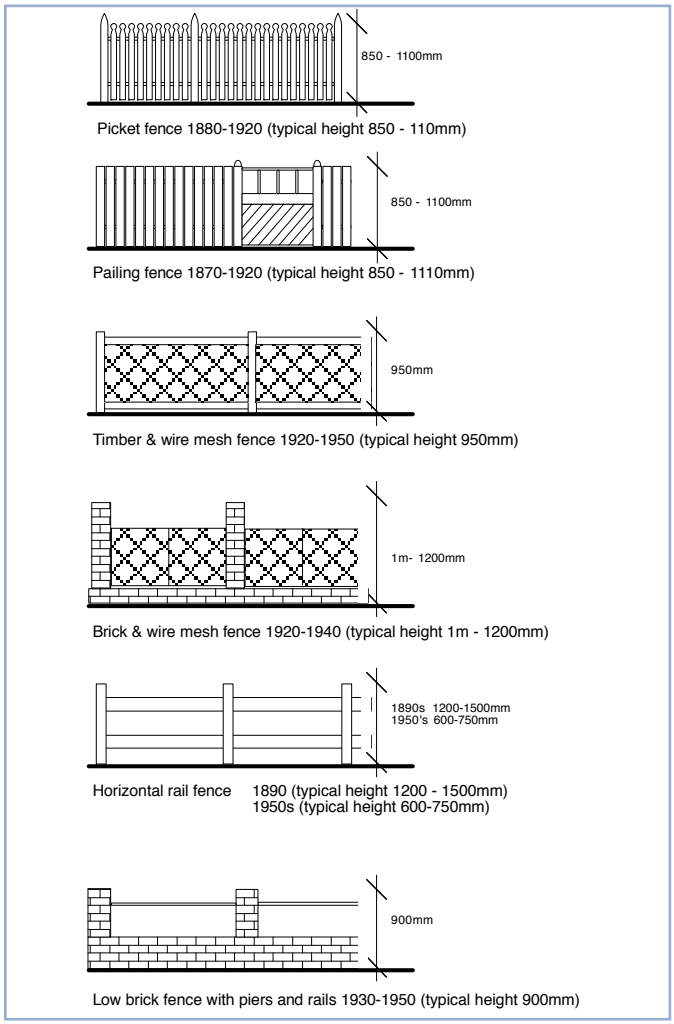


Figure 9.3(c) - Typical fences and gates. (C)

Fences on busy roads

I. High, solid fences should be avoided other than on-sites along major roads with significant traffic volumes. In these instances fences should be:

- a maximum height of 1.8 metres;
- piers should be a maximum height of 2 metres and where the fence is to be broken up, a maximum of 3 metres apart; and
- fences should incorporate articulation.

Note:

Council may require the fence to be setback at least 600mm from the property boundary to allow hedge planting to soften the appearance in the streetscape.

Roads with significant traffic volumes include: Pacific Highway (south of Edgeworth David Avenue); Pennant Hills Road; Carlingford Road; Beecroft Road; Epping Road; Castle Hill Road; Boundary Road; and New Line Road.



Figure 9.3(d): Take clues from traditional fences in the heritage conservation area. (E)

9.3.4 Demolition

Desired Outcomes

a. Development that does not detract from the qualities of the Heritage Conservation Area and which are positive elements in the streetscape.

Prescriptive Measures

General

a. Demolition of buildings that are characteristic of the heritage conservation area and are intact, or easily capable of having characteristic details reinstated, should be avoided (refer to Character Statements for details).

b. Demolition of a building that is compatible with the characteristic built form as described in the Character Statement, should only be considered where it is not reasonable to alter and extend to meet contemporary amenity and living standards.

c. Replacement buildings and associated landscaping elements should be sympathetic to the characteristic features of the Heritage Conservation Area.

Note:

Heritage Conservation Areas rely on the combined effect of a range of contributing elements to retain their significance. While demolition of one building may seem minor, the broader effect on the area's character can be substantial.

Where demolition is proposed the assessment is based on the heritage significance of the property rather than the development potential of the land.

9.3.5 Subdivision

Desired Outcomes

a. Subdivision that retains characteristic subdivision patterns, particularly where the subdivision pattern is closely related to characteristic built patterns in the heritage conservation area.

b. Subdivision that prevents intrusive developments as a result of uncharacteristic changes to the subdivision pattern.

Prescriptive Measures

a. Altering the subdivision pattern (either by amalgamating or subdividing lots) should be avoided, especially where the characteristic development pattern is based on lots of consistent size often supporting similar building types (refer to the Character Statement for details).

b. New lots should be capable of development that is compatible with the established character of the heritage conservation area, especially in terms of the orientation of buildings and setbacks.

c. Subdivision should not result in new dwellings being constructed in the front setback area of existing characteristic buildings.

d. Potential impacts from associated development such as driveways and hard stand areas on the streetscape and heritage significance of the heritage conservation area should be minimised.

e. Changes affecting significant gardens should be avoided.

Note:

The subdivision pattern often underpins the heritage significance of heritage conservation areas. Changes to the subdivision pattern can result in unsympathetic developments where the new lots are not compatible with the characteristic lot pattern of the area.

9.3.6 Beecroft—Cheltenham Heritage Conservation Area—Character Statement

The location of the Beecroft-Cheltenham Heritage Conservation Area and the Precinct boundaries is depicted in Figure 9.3(e).

History

a. The Beecroft-Cheltenham Heritage Conservation Area comprises the Field of Mars Common, a Crown subdivision released over a number of years from 1887. The area's development followed completion of the Main North railway line to Hornsby in 1886.

Description

a. The topography has been a dominant influence on the area's development, determining the location of the railway line, influencing the road layout and restricting development into the deep gullies.

b. Subdivision and infill development have been part of the pattern of development. The area retains its predominant character as an area of single dwellings.

Beecroft-Cheltenham Plateau Precinct

c. The Beecroft-Cheltenham plateau extends either side of the railway line and Beecroft Road. The plateau incorporates the early release subdivisions of the Field of Mars which saw development extend in a spine on the more level and accessible land along the transport corridors.

d. The early development occurred near Beecroft Station from the late 1880s, comprising villas with modest and large domestic gardens that have become characteristic of the area's streetscape. Development around Cheltenham Station commenced in the 1920s on later subdivisions.

e. Victorian villas are among the earliest remaining buildings in Beecroft and Cheltenham. The main building periods are Federation, Edwardian and Interwar, with infill development from later periods also present in most areas.

f. Buildings are predominantly single storey in scale, and are well articulated in the manner characteristic of the period.

g. Stone foundations, face brick with rendered detailing of small areas and terracotta or slate tiled roofs are typical.

h. Mature trees, including remnant forest trees, combine to create a landscaped character. The gardens and private domain plantings contribute to this character.

Beecroft Village Precinct (Commercial Centre)

i. The Beecroft Village is within the land of the first Crown subdivision. The first general store, Stobo's store opened in 1893. The Beecroft School of Arts opened in 1904 after years of agitation by the Beecroft Progress Association.

j. A second general store, chemist and a land agent opened in 1905. From 1910 the centre began to take shape, and by 1915 there were 15 retail businesses in the area.

k. The village centre has a variety of building designs and setbacks. The historic growth of the centre along Wongala Crescent, Beecroft Road and later Hannah Street is evident by the smaller individual buildings that remain.

l. The Beecroft School of Arts, Fire Station and Village Green create a strong gateway to the centre, and are important to the heritage character and fabric of the centre. The Village Green represents a community landscape of local significance.

Beecroft North Precinct

m. The land between Chapman Avenue, Albert Road and Pennant Hills Road remained semi rural until the Inter-war period, with orchards still present in the early 1960s. Some earlier houses occur along Beecroft Road. The original building on the Mount St Benedict's School grounds dates from 1907.

n. The undulating topography results in steep roads and terraced sites. Exposed rock outcrops are common in the area. The subdivision pattern includes cul-de-sac roads, with irregular setback patterns. Fencing is generally open.

The Northern Triangle Precinct

o. The triangle on the northern side of Pennant Hills Road is an area of more recent development. This area remained semi rural until the Inter-war period, with orchards still present in the early 1960s.

p. The undulating landscape has an irregular subdivision pattern with varying lot sizes.

q. Large Federation houses are located along Pennant Hills Road and Boundary Road, and at the southern end towards Chapman Avenue.

r. The remnant forest canopy is important to the area's character.

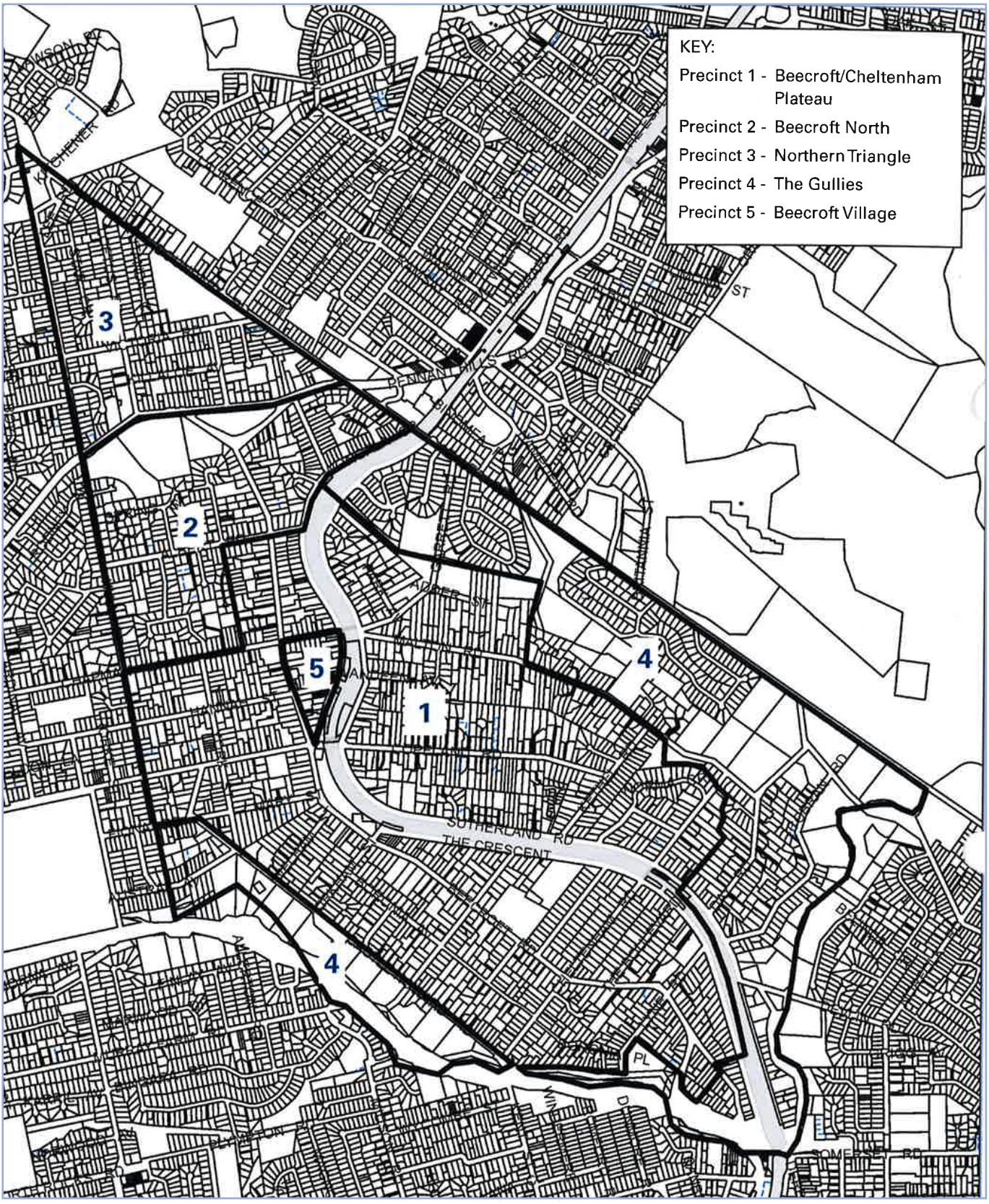


Figure 9.3(e): Beecroft Heritage Conservation Area and Precinct Boundaries. Refer to annexure D for enlarged plans of Precinct Boundaries (C)

The Gullies Precinct

s. Development of the gullies and less accessible edges of the Field of Mars Common occurred from the 1960s. The eastern edge of the Common is still clearly discernible.

t. The land is typically sloping and includes bluffs and rock outcrops, with some original and regrowth forest communities.

u. The subdivision pattern is irregular with some cul-de-sacs.

v. Development is mostly from the post war and modern periods in a mix of single and two storey built form.

w. Landscaping and mature trees are prominent in the streetscape. Front gardens are often open without fences, or with low fences constructed in stone or freestone.

Statement of Significance

a. The Beecroft-Cheltenham Heritage Conservation Area is significant as an example of a government subdivision that was used to fund the development of a railway line. The area developed from 1893 as a township due to its proximity to Beecroft Station.

b. The Heritage Conservation Area demonstrates a multi-layered history of suburban subdivision, re-subdivision and development from the initial boom period of the Victorian crown land subdivision of 1887 to the 1960s, and less noticeably into the present day.

c. The area contains a fine collection of buildings from the Victorian, Federation, Arts and Crafts, Inter-War and Post-War eras. There have been comparatively few demolitions to interrupt the "development diary", resulting in generally intact early residential fabric and streetscapes.

d. The Beecroft Village Precinct contains an important public reserve and community buildings including the Beecroft School of Arts and the Beecroft War Memorial that represent the aspiration of a growing suburb. The continuing focus in the Beecroft village for day to day activities and community interaction, together with the community buildings, clubs and activities show an enduring sense of community cohesiveness.

Prescriptive Measures

a. Development within the Beecroft-Cheltenham Heritage Conservation Area should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.6(a).

Table 9.3.6(a): Additional Prescriptive Measures - Beecroft Cheltenham HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Beecroft-Cheltenham Plateau Buildings from the Victorian, Federation, Edwardian and Interwar periods should be retained. Beecroft North and Northern Triangle Buildings from the Victorian, Federation and Edwardian periods should be retained.
Streetscape character	Beecroft-Cheltenham Plateau The predominantly single storey scale should be retained. Articulation should break up building mass using elements such as bay windows and verandahs. Hipped and gabled roofs should be used.
Materials and finishes	Clean faced brick should be used for walls. Terracotta tiles or slate should be used for roofs. Render, shingles and timber joinery should be used for small areas or feature elements. Stone or other treatments should be used to distinguish base or foundation level.
Garages and carports	Garages and carports should have pitched roofs (especially in the Plateau area).
Driveways	Driveways should be wheel strips.
Subdivision	Single driveway access point with joint right of way should be used for any battleaxe subdivision.

9.3.7 Hornsby West Side Heritage Conservation Areas–Character Statement

The location of the Hornsby West Side Heritage Conservation Areas and the Precinct boundaries is depicted in Figure 9.3(f).

History

a. The Mt Errington Precinct was initially subdivided in two sections – between Frederick Street and Lisgar Road in 1886, west of Lisgar Road in 1897. The Pretoria Parade Precinct comprises small lot Edwardian and Post War subdivision development. Peat's Ferry Road was established by George Peat for his own private access. The government adopted it as an official route and improved it for traffic in 1850. This is more or less the route of the present Pacific Highway from Pearce's Corner. The Pacific Highway name was adopted in 1931.

Description

a. Topography is a major influence in the Heritage Conservation Area. Grass verges, concrete footpaths and low street planting are common elements. Driveways are typically of single width and garages are set to the rear of houses or behind the main building line.

Peat Ferry Road (Pacific Highway) Precinct

b. The Peat Ferry Road Precinct includes the old Hornsby town centre, and the civic and open space uses to the north.

c. The Precinct is within the West Precinct of the Hornsby CBD, and includes a number of individually listed heritage items along the Pacific Highway and Jersey Street.

d. The Precinct contains one of the few surviving streetscapes of Federation and Inter War period commercial buildings in Hornsby.



Figure 9.3(f): Hornsby West Side Heritage Conservation Area and Precinct Boundaries. (C)

e. The group of buildings within Coronation Street/Jersey Street form the earliest shopping precinct in Hornsby, dating from 1894. Development along the Pacific Highway dates from c1901.

f. Shopfronts are generally two or three storeys with parapeted facades and suspended awnings facing the streetscape.

g. The village atmostphere and landscaped areas form the distinct commercial and civic town centre qualities of the precinct.

Mt Errington Precinct

h. William and Dural Streets run parallel to the ridge, while Lisgar and Rosemead Roads run down the steep slopes. Pockets of remnant and regenerated native vegetation remain in the road reserves, verges and in private gardens. The tall tree canopy is a significant and unifying feature of the area, and intrinsic to the bushland setting.

i. The subdivision of the earlier eastern section intentionally created smaller, narrower lots to support modest housing forms. In comparison, lots to the west of Lisgar Road are typically larger. Remnants of these historic development patterns are evident, with more modest houses constructed nearest the railway line and grander houses on the western ridge overlooking the valley.

j. The built form is diverse and predominantly residential, characterised by detached single storey houses on separate lots. Houses from the Federation and Inter-War periods establish the characteristic qualities of the precinct.

k. Front setbacks vary in response to the topography and historical development. Roof forms are characteristically hipped or gabled with broad, simple planes and verandahs to the street.

Pretoria Parade Precinct

l. Pretoria Parade runs along the ridgeline with the landform falling away to the north and south. Nursery Street has a steep bluff that falls away to the north. The street slopes down from east to west.

m. Lots have regular frontages and are typically deep. Some battleaxe subdivisions have occurred along Pretoria Parade.

n. Residential buildings date from the Federation, Edwardian, Inter War periods with some modern infill.

o. Pretoria Parade has irregular front setbacks and varying side setbacks. Buildings are generally single storey with hipped and gabled roofs, and verandahs to the front.

p. Houses in Nursery Street are single and two storey with hipped and gabled roofs, and verandahs to the street. The buildings are set to the higher ground with smaller setbacks to the east. Side setbacks vary.

q. Front gardens are well planted, and terracing is a feature of the steeper sites, especially in Nursery Street. Some properties are unfenced, others have low fences that include timber pickets, brick, post and wire, brick and metal, and stone.

Statement of Significance

Peat Ferry Road (Pacific Highway) Precinct

a. The Peat Ferry Road Precinct is significant for its association with the development of Hornsby as a railway town, and role within the old town centre.

b. The area is historically and socially significant as an extant example of the earliest commercial precinct in Hornsby.

c. The Peats Ferry Road precinct contains a fine collection of Federation and Inter War period commercial and civic buildings.

Mt Errington Precinct

d. The Mount Errington Precinct demonstrates the historic development of Hornsby, with surviving evidence of early development. Houses and gardens from the Federation and Inter War periods, and the landscape contribute to quality streetscapes.

e. The dramatic setting contributes to a high level of aesthetic significance, with bush encircling the area on three sides providing a green backdrop that is reinforced by the dominant tree canopy of remnant and regeneration forest.

Pretoria Parade Precinct

f. The Pretoria Parade Precinct is an example of an early 19th century subdivision form that has a consistent pattern of modest single storey houses.

Prescriptive Measures

a. Development within the Hornsby West Side Heritage Conservation Areas should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.7(a).

Table 9.3.7(a): Additional Prescriptive Measures - Hornsby West Side HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Pretoria Parade and Mt Errington Precincts Houses from the Federation, Edwardian and Inter-war periods should be retained. Peat Ferry Road Precinct Significant heritage items, civic heritage items and significant original facades of commercial buildings from the Federation and Inter-War periods should be retained where possible.
Streetscape character	Pretoria Parade Precinct Pretoria Parade development should be consistent with existing front setbacks and single storey scale, and include pitched roofs and open verandahs. Nursery Street can accommodate two storey buildings. Developments should retain open gardens to the street, and avoid excavation into the natural slope forward of the building line along Nursery Street. Peats Ferry Road Precinct New work to significant shopfronts should be consistent with the style and character of the building and the streetscape. Shopfronts should not be amalgamated. Where internal spaces of buildings are amalgamated, the definition of individual shopfronts presenting to the streetscape should be retained. Original shopfronts and significant elements of original facades such as above-awning windows should be retained. Reconstruction of significant original elements and details such as awnings and window openings should be encouraged. Unsympathetic and instrusive elements such as air-conditioning units should be removed. Air-conditioning units should not be visible from the public domain and must not have a detrimental impact on the architectural style of significance of the building to which they are attached. When external works are proposed, architectural drawings should incorporate adjacent buildings showing the new work in the context of the streetscape. Mt Errington Precinct The predominantly single storey scale should be retained. Front setbacks should be determined from adjoining buildings constructed prior to the 1960s. Front elevations should be articulated through use of elements such as bay windows, entry gables and front verandahs. Flush unbroken facades should be avoided.
Materials and finishes	Pretoria Parade Precinct Weatherboard or brick should be used for walls. Render is also characteristic in Nursery Street. Terracotta tiles and corrugated metal should be used for roofs. Peats Ferry Road Precinct Colour schemes for repainting should be based on historical evidence or traditional period colour charts appropriate to the style of building. The use of fluorescent paints and primary colours should not be used. Original brickwork, sandstone or tiling that is unpainted should not be refinished in a manner inappropriate to the architectural style of the building. Mt Errington Precinct Clean faced brick (red/brown colours) or weatherboards should be used for walls. Rendered or painted brick work, or timber joinery can be used for small areas or feature elements. Rock faced stonework or other treatment should be used for basement walls or foundations. Terracotta tiles or slate with ridge cappings and ornamental end caps should be used for roofs. If corrugated metal is used, lighter colours of silver or green should be selected.
Driveways	Driveways should be constructed as wheel strips where possible.
Subdivision	Altering the existing subdivision pattern through amalgamation and battleaxe subdivisions should be avoided along Pretoria Parade. Subdivision in the Mt Errington Precinct that would result in removal of significant trees or

Element	Additional Prescriptive Measures
	landscape features such as rock outcrops, including trees that contribute to the area's landscape character, should be avoided.
New Development	<u>Peats Ferry Road Precinct</u> Massing of new development at the podium should complement the historic character and existing buildings in the precinct. Additional storeys should be set back from the significant original shopfronts and parapet facades. External materials, finishes, textures and details should be used in a manner that complements the early twentieth century character of the streetscape. Building heights north of Coronation Street should step down to respect the predominant scale of the historic buildings - Hornsby Court House and Hornsby Council Chambers. Building forms should respect the architectural character and detail of significant buildings and facades in terms of roof forms, relationship of solids and voids, fenestration patterns and relationship of floor to ceiling heights. Proponents of new development should provide a detailed site and context analysis stating how the design relates to the built form, materials and character of the precinct and a statement of heritage impact.
Signage	<u>Peats Ferry Road Precinct</u> The design and size of signes should not dominate or obscure the architectural character and detail of significant original building facades. Signs should respond appropriately to the relevant historic character of the building facade and streetscape. Intrusive signage, including large brightly coloured signs obstructing significant architectural detailing should be removed. The colours and style of lettering used in signs should be suitable for the style of the building and the historic character of the area. Signage should be located and limited to parts of the building that have traditionally been used for signs, such as awning fascia signs, under awning signs and top hammer signs. Above awning parapet and facade signs should be avoided except where sympathetically designed and part of the original building design.

9.3.8 The Crescent Heritage Conservation Area—Character Statement

The location of The Crescent Heritage Conservation Area (Pennant Hills) is depicted in Figure 9.3(g).

History

a. The Crescent Heritage Conservation Area was laid out in 1905 by the Intercolonial Investment Land & Building Company following their purchase of the Aiken family's 41 acre orchard Hillside in 1890.

Description

a. The landform rises gently from Pennant Hills Road before falling away sharply to the south east and west at Britannia Street. The Crescent follows the slope with a high and low side.

b. The lot pattern is irregular, with lots of varying sizes and frontage widths. Further amalgamation or subdivision of existing lots would potentially further erode the character and heritage significance of the area.

c. The streetscape features wide kerbed road with grass verges and concrete footpaths. Street plantings are a combination of lower shrubs and taller specimens that blend to mature, well planted gardens.

d. Buildings date from the Federation, Edwardian and Inter War periods, and include a number of individually listed heritage items. The area also includes modern infill buildings, some of which are substantial in size.

e. Characteristic buildings are single and two storey brick, rendered masonry, timber weatherboard, fibro houses with hipped and gabled slate and terracotta tile roofs. Articulated facades with verandahs and bay windows are also characteristic elements. Front and side setbacks are irregular.

f. Recent changes include an infill building on the northern side of The Crescent, and the more recent medium density complex at the north western corner of the area.

g. Fences are typically low and constructed in stone, brick and timber.

h. There are no garages to the street, other than some modern infill sites.

Statement of Significance

a. The Crescent Heritage Conservation Area is a very good example of a Federation subdivision with substantial, high quality period homes including Barncleuth (1909).

Prescriptive Measures

a. Development within The Crescent Heritage Conservation Area should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.8(a).

Table 9.3.8(a): Additional Prescriptive Measures - The Crescent HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Buildings from the pre-1940 period should be retained.
Streetscape character	Development should be single storey. Articulation should be used to break up building mass through the use of elements such as bay windows, entry gables and front verandahs.
Materials and finishes	Brick, rendered masonry or weatherboard should be used for walls. Slate or terracotta tiles should be used for roofs.
Driveways	Concrete strip driveways should be used.
Subdivision	Altering the existing subdivision pattern through subdivision, amalgamation or boundary adjustments should be avoided.



Figure 9.3(g): The Crescent Heritage Conservation Area (C)

9.3.9 Wahroonga Heritage Conservation Area—Character Statement

The location of Wahroonga Heritage Conservation Area is depicted in Figure 9.3(h).

History

a. The Wahroonga Heritage Conservation Area occupies part of the land granted to John Terry Hughes in 1842. Subdivision occurred in the late 19th century following the opening of the North Shore Railway line as the Pearce's Corner Township Estate. The land within the Heritage Conservation Area was developed during the Edwardian and Post war periods.



Figure 9.3(h): Wahroonga Heritage Conservation Area. (C)

Description

a. The landform is relatively level, with slight falls to the east. The Pacific Highway and Ingram Street create strong boundaries to the west and south edges. The cutting to the railway line and F3 freeway are physical barriers to the north and south east.

b. The area has a regular subdivision pattern that features similar sized lots with consistent front setbacks. Some larger lots occur along the Pacific Highway. Changes and lot amalgamations have occurred to the underlying lot pattern associated with infill development.

c. Grass swales/verges along Isis Street and mature street planting of varying heights are prominent streetscape elements.

d. Buildings are typically single storey with hipped and gabled roofs, and verandahs to the street. There are some two storey Federation Arts and Crafts and Inter War apartment buildings.

e. Timber weatherboard houses are characteristic of the area, especially along Isis Street, and strongly define the built character.

f. The front gardens are well planted and often have no fencing. Where fences occur they are typically low and constructed of timber (some pickets), brick, timber post and wire, brick and metal rail, and stone. It is important for the area's character to retain the pattern of low fences, and to continue to ensure that fence design matches, or is compatible with, the period of the house.

g. Common and characteristic building materials are weatherboard, fibro, brick and roughcast render. Roofs are typically corrugated metal or terracotta tiles.

Statement of Significance

a. The Wahroonga Heritage Conservation Area is an example of an early 19th century subdivision with a consistent built form of modest single and two storey houses. The area is closely associated with the construction of the North Shore railway line and Pearce's corner settlement.

Prescriptive Measures

a. Development within the Wahroonga Heritage Conservation Area should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.9(a).

Table 9.3.9(a): Additional Prescriptive Measures - Wahroonga HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Buildings from the Federation, Edwardian and Inter-War periods should be retained.
Streetscape character	New work should continue the pattern of detached cottages with low pitched roofs and verandahs to the street. Changes to the natural landform should be avoided.
Materials and finishes	Weatherboard, brick or roughcast render should be used for walls. Terracotta tiles and corrugated metal should be used for roofs.
Garages and carports	Garages should be located behind the main building line and be designed with asymmetrical massing.
Driveways	Concrete strip driveways should be used rather than full paved surface.
Subdivision	Amalgamation and battleaxe subdivision should be avoided.

9.3.10 Wahroonga (North) Heritage Conservation Area — Character Statement

The location of the Wahroonga (North) Heritage Conservation Area and the Precinct boundaries is depicted in Figure 9.3(i).

History

a. The earliest subdivisions were offered for sale from the 1890's coinciding with the opening of the North Shore Railway Line. Development was slow to proceed with some land from early auctions being the part of later subdivisions.

b. The major subdivisons are closely linked to the main building periods of the area being Victorian/Federation and some Inter War buildings in the southern precinct and Inter War and Post War buildings in the north.



Figure 9.3(i):
Wahroonga (North) Heritage Conservation Area and Precinct boundaries (C)

Description

Northern Precinct

a. The Northern Precinct is bounded by Edgeworth David Avenue, the F3 Freeway, Fern Avenue, Myra Street and Oleander Road.

b. The area north of Fern Avenue includes land that was subdivided in 1913 (Ingalara Estate) and 1926 (Wahroonga Heights Estate). The lots are typical suburban subdivisions of the period with regular frontages. Further subdivisions of the underlying lot pattern are not evident.

c. The landform slopes down from the central plateau area around Highlands Avenue and Fern Avenue. Street trees are a strong and unifying feature of the Precinct's landscape character. This is complemented by mature trees and plantings within gardens.

d. The predominant building period (1913 to 1950) is represented by Inter War and Post War dwellings. This reflects the delay between subdivision and take up of land in the area. Dwellings are typically small, single storey buildings in garden settings with some modern infill buildings.

Southern Precinct

e. The Southern Precinct is bounded by Oleander Road (south side), Fern Avenue, the F3 Freeway, Alexandria Parade and Myra Street.

f. The earliest phase of development occurred in the Southern Precinct where land was subdivided from the 1890s (Bundarra Estate and Highlands Estate). Highlands, one of the earliest remaining houses in the area, was built in 1892/93. The Highlands Estate was progressively sold from subdivisions in 1933 (Highlands Estate) and 1938 (Hordern Estate).

g. The Precinct retains a character of larger estates with infill development, particularly on the western side of Bundarra Avenue. The tree canopy, wider lot frontages, generous setbacks, low fencing and irregular road layout are important elements of the area's character.

h. Federation and Inter War houses are characteristic of the Precinct and represent the predominant building period from 1892 to 1939. Dwellings are typically two storey on substantial landscaped lots.

Statement of Significance

a. The Wahroonga (North) Heritage Conservation Area is closely associated with the opening of the North Shore Railway line in the 1890s, and includes land in the early estates of the locality, Bundarra Estate (1892) and its subsequent Federation development. It also includes the pre War and Inter War subdivisions of the Bundarra (Ingalara) Estate (1913), Wahroonga Heights Estate (1926) and the two divisions of the Highlands Estate (1933 and 1938) that led to the Inter War and Post War development of the area.

b. The Heritage Conservation Area is strongly associated with significant local persons including the Hordern Family and particularly the family matriarch, Caroline Hordern and the Hordern Family Estate which centered on their mansion, 'Highlands House.'

c. The Heritage Conservation Area is aesthetically distinctive, with a strong collection of Federation residential buildings. This includes 'Highlands House' (1892), 'Neringla' (1895) and 'Cherrygarth' (1897). The overlay of Inter War and Post War houses is unified and made complementary by the landscaped setting.

d. The Heritage Conservation Area is important as a reference site for Hornsby, particularly in relation to the early development of the area. The area has potential to reveal its pre Victorian development and use through research.

e. The Heritage Conservation Area demonstrates the post 1892 residential development of the area, exhibiting built and landscape qualities that are becoming rare within Hornsby and which are endangered by continuing unsympathetic development.

Prescriptive Measures

a. Development within the Wahroonga (North) Heritage Conservation Area should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.10(a).

Table 9.3.10(a): Additional Prescriptive Measures - Wahroonga (North) HCA Provisions

Element	Additonal Prescriptive Measures
Demolition	Buildings from the Federation, Inter War and Post War periods should not be demolished.
Streetscape character	New openings on the facades of contributory buildings should be avoided. Existing roof forms on heritage items and contributory buildings should be retained. Windows should be vertically proportioned or broken up into vertically proportioned components. Dormer windows should be located to the rear of buildings. Development should retain large enough gardens in front and rear yards to include medium to large trees. Extensive cut and fill or retaining walls that visually disrupt the natural landform or streetscape character should be avoided. Northern Precinct Development should be single storey. Southern Precinct Two storey development should be complemented by a reasonable landscaped setting and retain setbacks comparable to adjoining characteristic developments.
Materials and finishes	Original building fabric, details and materials that are components of significant buildings or landscape elements should be retained. Use of mottled, specked or light coloured brickwork should be avoided. Traditional materials, such as Terracotta tiles, should be used for roofs.
Garages and carports	Garages should be separately articulated from the dwelling.

Table 9.3.10(a): Additional Prescriptive Measures - Wahroonga (North) HCA Provisions continued

Element	Additonal Prescriptive Measures
Driveways	Side setbacks should allow for a single landscaped driveway on one side and access and planting on the other. Driveways and driveway crossings should be single car width. Driveways should be constructed as paved wheel strips with turf between where possible. Changes to driveways should be avoided where street trees or mature plantings could be affected.
Fences and gates	New front fences should be of a traditional low height (in some areas as low as 750mm, but mostly 900mm to 1200mm). Traditional timber fencing should be used for side fences. Side fences should be lower in height within the front garden to match the height of the front fence. Fences that contain metal railings and brick pillars should be avoided.
Subdivision	Altering the existing subdivision pattern through subdivision, amalgamation or boundary adjustments should be avoided unless the resulting development reflects the established character of single detached dwellings on separate allotments.

9.3.11 Barker College Heritage Conservation Area—Character Statement

The location of the Barker Heritage Conservation Area is depicted in Figure 9.3(j).

History

a. Barker College was founded in 1891 by Anglican Clergyman Rev Henry Plume. The school moved from Kurrajong Heights to Hornsby in 1896. Plume sold the school to William Charles Carter in 1905. The school was subsequently purchased by the Church of England in 1919 and now occupies the land between the Pacific Highway, College Crescent, Clarke Road and Unwin Road.

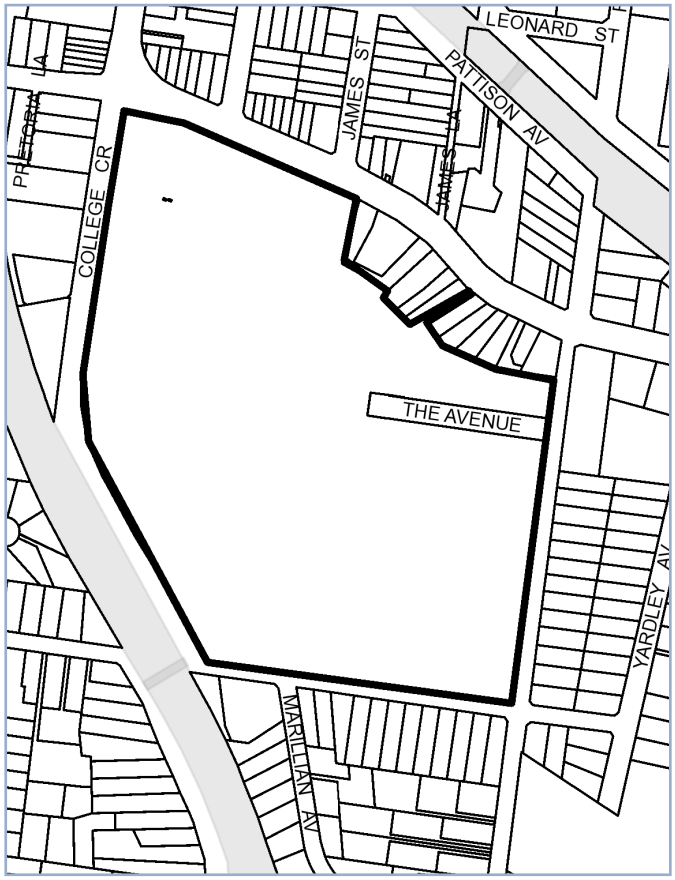


Figure 9.3(j): Barker Heritage Conservation Area. (C)

Description

a. The landform falls from the Pacific Highway to the south. The college campus has designated areas – the Middle and Senior School to the north, open grounds in the centre and the Junior School to the south.

b. There are views across the school grounds from north to south, and from east to west, and along the internal streets. Future development should seek to minimise impacts on existing view corridors, and to create new view lines where possible, such as across the grounds from the Avenue to the west and the like.

c. There are three individual heritage items within the Heritage Conservation Area. These are "Barker College group of buildings, grounds and gate", "Barker College - Centenary Design Centre, Mc Caskill Music Centre, the Development Office" and the "Barker College Junior School".

d. The Barker College Heritage Conservation Management Plan 1998 ranks the relative significance of buildings on the site. Buildings of high significance are to be retained, while buildings of moderate significance options should be investigated for retention in terms of providing a function that cannot be provided elsewhere by long term planning.

Statement of Significance

a. The Barker College Heritage Conservation Area is significant as a long established educational institution in Hornsby. The college grounds have developed over time with a character achieved through consistent scale, use of materials, architectural style and landscaping.

b. Barker College demonstrates its own history through it character, range of buildings and landscape features, and is appreciated by a community of past and present students, teachers and others associated with the college.

c. The Heritage Conservation Area contributes to the local townscape through its buildings, gardens and prominent trees.

Prescriptive Measures

a. Development within the Barker Heritage Conservation Area should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.11(a).

Table 9.3.11(a): Additional Prescriptive Measures - Barker HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Buildings ranked as high significance should be retained. Investigate options to retain buildings ranked as moderate significance.
Streetscape character	The predominant building scale of two storeys should be retained. Major views within the school precinct along the school streets and across the grounds from north to south and from east to west should be retained.
Materials and finishes	Red/brown bricks should be used as the dominant material of walls. Sandstone should be used for small retaining walls and edgings to gardens and paths.

9.3.12 East Epping Heritage Conservation Area—Character Statement

The location of the East Epping Heritage Conservation Area is depicted in Figure 9.3(k).

History

a. The East Epping Heritage Conservation Area comprises part of the Field of Mars Common which was released for subdivision in 1886.

b. Opening of the railway line in 1886 and new road networks preceeded a period of rapid development. Railway workers and wider population were attracted to the area and local farmers prospered having more access to markets.

c. The name "Epping" was officially adopted for the area in 1899, derived from the many trees in the area after "Epping Forest" in England. The streets were named after English counties or towns as the area was described like a "country village".

d. Completion of Epping Road in 1940 and improvement of road networks led to an Inter-war period of subdivision and development. Further development continued into the 1950s Post-war period which saw a significant change to the character of the area.

Description

a. The East Epping Heritage Conservation Area represents an area of housing that has remained largely intact. It retains many elements of the various housing styles and the early subdivision patterns from the 1886 to the period just after the Second World War.

b. The housing styles characteristically include single detached houses from the Federation, Inter-war and Post-war periods with some earlier Victorian housing and late 20th century development located between.

c. A number of heritage listed items are located within the area, many of which occupy prominent corner sites and make a positive visual contribution to the streetscapes. Some items are distinctive and uniqure features in the streetscape or are relatively rare examples in the local area.

d. The area is characterised by wide, dual carriageways, wide grassed verges and pedestrian footpaths.

e. A number of mature native and introduced, ornamental trees and plantings generally line the streets. Together with individual garden settings and plantings, the landscape elements enhance the built context.

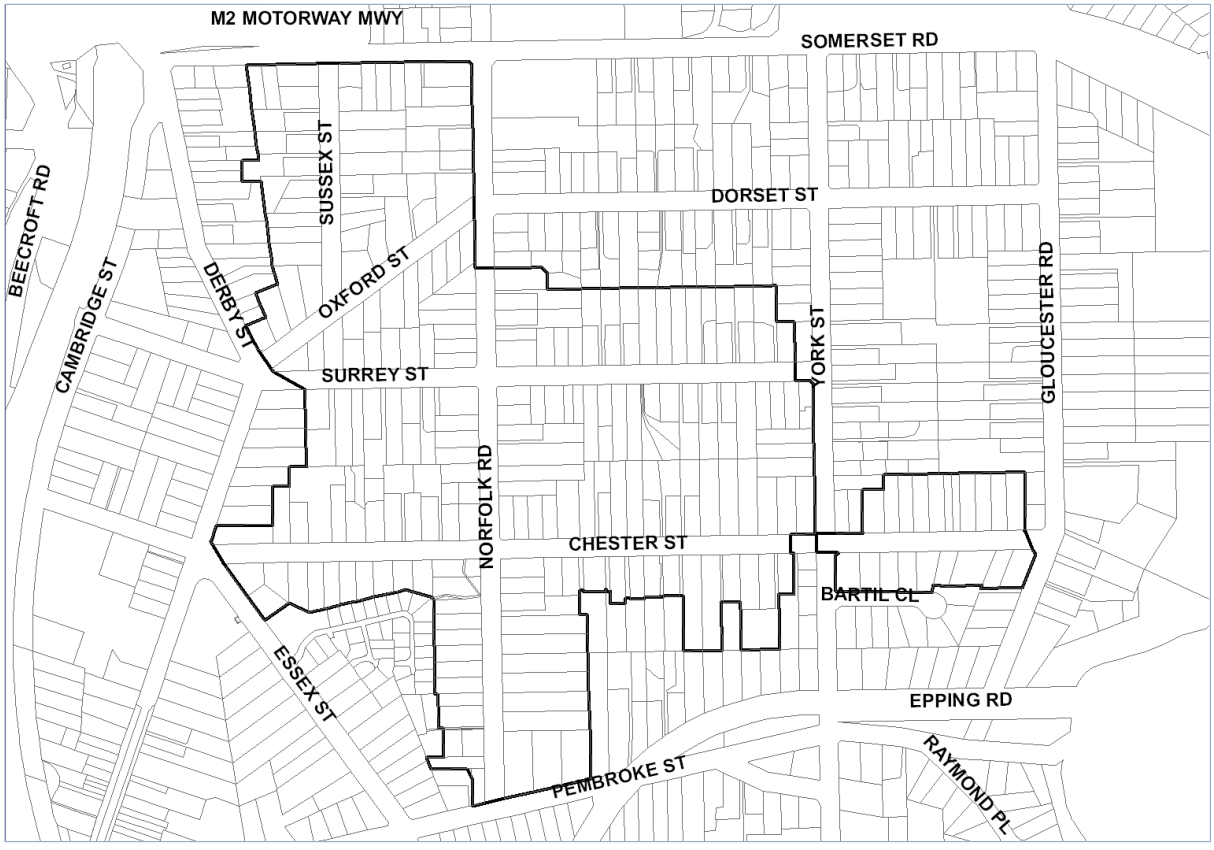


Figure 9.3(k): East Epping Heritage Conservation Area. (C)

f. A number of houses retain original and complementary fences which contribute to the suburban garden setting.

g. The early natural character and topography of the area is indicated by extant rock forms, undulating streets, sloping sites and the number of native trees and plantings.

h. The streets and subdivision generally comprises a regular grid type pattern, with the exception of Oxford Street, and Norfolk Road forming the main spine of the conservation area.

i. The character of the area is unified by the similarity in allotment sizes, scale of building and openings, setbacks from the street, fencing, detailing and landscape elements.

Statement of Significance

j. The East Epping Heritage Conservation Area is of high local historic and aesthetic significance as a good representative example of late 19th century subdivision. It retains a good and largely intact example of Federation, Inter-War and Post-war period residential development that represents the major period of growth and development of the Epping area.

k. The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses.

l. The built context is enhanced by the local topography and native plantings, wide street proportions, street trees and garden settings.

m. The Epping Public School site on Norfolk Road established in 1900 and the Inter-war period Uniting Church at the intersection of Chester, Oxford and Essex Streets are of historic and social significance to the locality.

Prescriptive Measures

a. Development within the East Epping Heritage Conservation Area should be in accordance with the general controls within Part 9.3 and the additional prescriptive measures in Table 9.3.12(a).

Table 9.3.12(a): Additional Prescriptive Measures - East Epping HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Buildings from the Victorian, Federation, Inter-war and Post-war periods should be retained.
Streetscape character	Development should be single storey. New openings on the facades of heritage items and contributory buildings should be avoided. Windows should be vertically proportioned or broken up into vertically proportioned components. Dormer windows should be located to the rear of buildings. Articulation should be used to break up building mass through the use of elements such as bay windows, entry gables and front verandahs. Existing roof forms on heritage items and contributory buildings should be retained. Hipped and gabled roofs should be used. New development should be consistent with the existing scale of buildings, openings and setbacks from the street. Extensive cut and fill or retaining walls that visually disrupt the natural landform or streetscape character should be avoided. Development should retain large enough gardens in front and rear yards to include medium to large trees.
Materials and finishes	Original building fabric, details and materials that are components of significant and contributory buildings or landscape elements should be retained. Clean faced brick (red/brown colours) or weatherboards should be used for walls. Rendered or painted brickwork, or timber joinery can be used for small areas or feature elements. Existing face brick should not be painted or applied with a rendered finish. Traditional materials, such as slate or terracotta tiles should be used for new roofs. Replacement roofs should complement the period and style of the building. Replacement windows should match existing or complement the period and style of the building.

Table 9.3.12(a): Additional Prescriptive Measures - East Epping HCA Provisions (cont)

Element	Additional Prescriptive Measures
Fences and gates	Original fences and gates should be retained. New fences and gates should complement the period and style of the building as indicated in Figure 9.2(c). New front fences should be of a traditional low height, from 500mm to 900mm. Traditional timber fencing should be used for side fences. Side fences should be lower in height within the front garden to match the height of the front fence. Metal sheet or colourbond fencing should not be used.
Utilities	Aerials, antenne, air conditioning units, hot water systems, communitcation devices rainwater tanks, roof vents, skylights, solar panels and the like should not be visible from the streetscape or a public place.
Garages and carports	Garages and carports should be located behind the main building line and be separately articulated from the dwelling. Traditional materials such as timber or face brick should be used.
Driveways	Changes to driveways should be avoided where street trees or mature plantings could be affected. From the property boundary line, concrete strip driveways, gravel, stone or brick pavers should be used rather than slab or stenciled concete.
Subdivision	Altering the existing subdivision pattern through subdivision, amalgamation or boundary adjustments should be avoided.

9.3.13 Essex Street (Epping) Heritage Conservation Area — Character Statement

The location of the Essex Street (Epping) Heritage Conservation Area is depicted in Figure 9.3(l).

History

a. The Essex Street (Epping) Heritage Conservation Area comprises part of the Field of Mars Common released for subdivision in 1899.

b. Opening of the railway line in 1886 and new road networks preceeded a period of rapid development. Railway workers and wider population were attracted to the area and local farmers prospered having more access to markets.

c. At this time, the name "Epping" was officially adopted for the area, derived from the many trees in the area after "Epping Forest" in England. The streets were also named after English counties or towns as the area was described as being like a "country village".

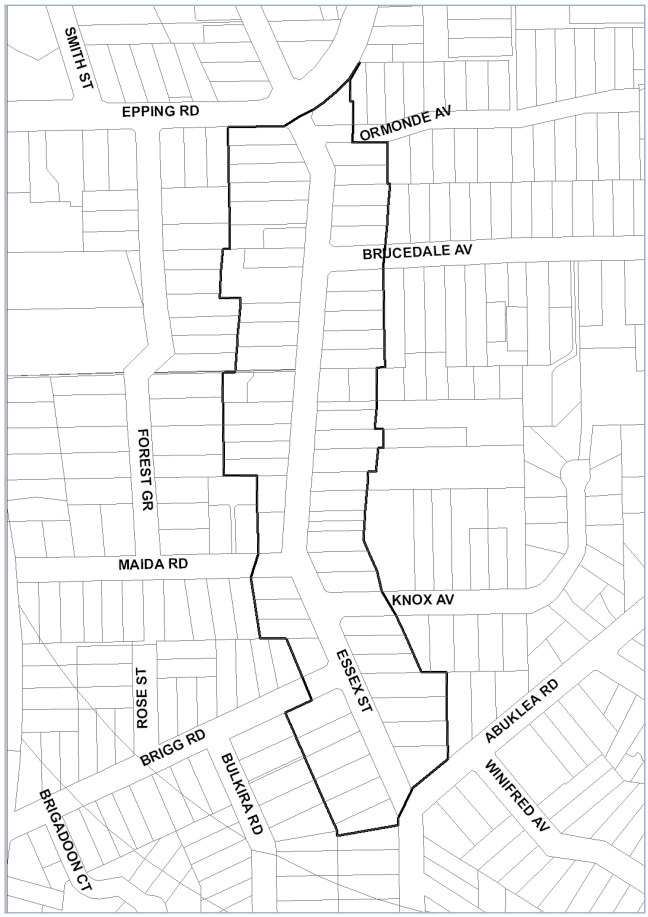


Figure 9.3(l): Essex Street (Epping) Heritage Conservation Area (C)

d. Completion of Epping Road in 1940 and improvement of road networks led to an Inter-war period of subdivision and development in the area. Further development continued into the the Post-war period which saw a significant change in the character of the area during the 1950s.

e. During the 1960s to 1980s medium density development occured closer to the railway line, followed by larger scale residential and commercial complexes during the late 20th and early 21st century.

Description

a. The Essex Street (Epping) Heritage Conservation Area retains a good and largely intact example of housing styles from the Federation and Inter-war periods, representative of the early era of suburban development within Epping.

b. The housing styles include substantial Federation red brick dwellings, Inter-war Bungalows, Post-war development with a number of late 20th and early 21st century period dwellings and residential complexes between.

c. Recent changes are evident, however, the overall early 20th century character, streetscape pattern and historical integrity of the area remains.

Table 9.3.13(a): Additional Prescriptive Measures - Essex Street (Epping) HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Buildings from Federation and Inter-war periods should be retained. Contributory buildings from the Post-war period should be retained.
Streetscape character	Development should be single storey or single storey with attic development. New openings on the facades of heritage items and contributory buildings should be avoided. Windows should be vertically proportioned or broken up into vertically proportioned components. Dormer windows should be located to the rear of buildings. Articulation should be used to break up building mass through the use of elements such as bay windows, entry gables and front verandahs. Existing roof forms on heritage items and contributory buildings should be retained. Hipped and gabled roofs should be used. New development should be consistent with the existing scale of buildings, openings and setbacks from the street. Extensive cut and fill or retaining walls that visually disrupt the natural landform or streetscape character should be avoided. Development should retain large enough gardens in front and rear yards to include medium to large trees.
Materials and finishes	Original building fabric, details and materials that are components of significant and contributory buildings or landscape elements should be retained. Clean faced brick (red/brown colours) should be used for walls. Rendered or painted brickwork, or timber joinery can be used for small areas or feature elements. Existing face brick should not be painted or applied with a rendered finish. Traditional materials, such as slate or terracotta tiles should be used for new roofs. Replacement roofs should complement the period and style of the building. Replacement windows should match existing or complement the period and style of the building.
Fences and gates	Original fences and gates should be retained. New fences and gates should complement the period and style of the building as indicated in Figure 9.2(c). New front fences should be of a traditional low height, from 500mm to 900mm. Traditional timber fencing should be used for side fences. Side fences should be lower in height within the front garden to match the height of the front fence. Metal sheet or colourbond fencing should not be used.
Utilities	Aerials, antenne, air conditioning units, hot water systems, communitcation devices rainwater tanks, roof vents, skylights, solar panels and the like should not be visible from the streetscape or a public place.
Garages and carports	Garages and carports should be located behind the main building line and be separately articulated from the dwelling. Traditional materials such as timber or face brick should be used.
Driveways	Changes to driveways should be avoided where street trees or mature plantings could be affected. From the property boundary line, concrete strip driveways, gravel, stone or brick pavers should be used rather than slab or stenciled concete.
Subdivision	Altering the existing subdivision pattern through subdivision, amalgamation or boundary adjustments should be avoided.

9.3.14 Rosebank Avenue (Epping) Heritage Conservation Area —Character Statement

The location of the Rosebank Avenue (Epping) Heritage Conservation Area is depicted in Figure 9.3(m).

History

a. Rosebank Avenue was originally part of the land granted to William Kent Junior, purchased by Pioneer settler, David Hazlewood in 1897. In 1908 David Hazlewood's sons Walter and Harry Hazelwood developed a rose growing industry within the Hazelwood Estate, which became the Hazlewood Brothers Nursery and leading rose suppliers in the early twentieth century.

b. The first subdivision of the Hazlewood Estate was placed on sale in October 1921. In November 1929, two years after David Hazlewood's death, the site of Rosebank Avenue went to auction sale as the Rosegrove Estate, one of the later estate subdivisons to occur within the Epping district.

c. The Estate consisted of 18 lots fronting Rosebank Avenue and three lots fronting Ray Road. 17 properties in seperate ownership (one of which was constructed over two of the original lots) were developed for residential dwelling houses during the Inter-war period, between 1929 and 1942.

d. A "fine old rustic bridge" which was constructed over the existing creek by the Hazlewoods as part of their nursery operations was retained as an attractive element of the Estate.

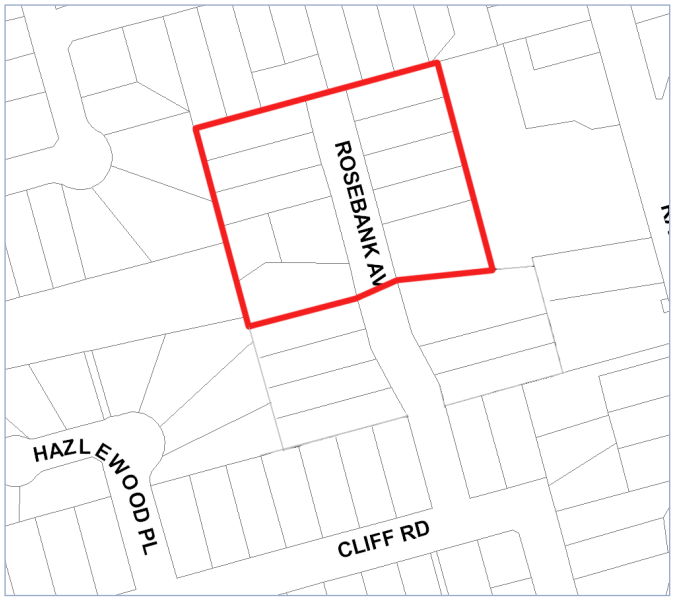


Figure 9.3(m): Rosebank Avenue (Epping) Heritage Conservation Area (C)

e. A strict building ordinance was put in place to ensure that "each home will be worthy of its setting"and that the layout and lot sizes allowed "ample space for gardens, lawns and motor car entrance".

Description

a. A rare example of a good and highly intact Inter-war streetscape within Hornsby Shire.

b. The group of Inter-war period dwellings illustrate various characteristic Inter-war architectural elements from the Bungalow, Tudor Revival and Spanish Mission styles.

c. Generally the buildings retain their original scale, form, character and presentation, evidence of the original intent and covenants placed on the subdivision.

d. Recent alterations and additions and minor modifications are evident, however, do not detract from the overall character and quality of the group and streetscape.

e. The unifying character of the streetscape arises from the retention of the original subdivision pattern and street rhythm, consistent setbacks, style and character of the buildings, scale of buildings and openings, building materials and colours, fencing, paths, driveways, garages, and landscale elements.

f. The gardens and landscaping reflect the typical characteristics and features of the Inter-war period.

g. The single-laned bridge (modernised) associated with the Hazelwood Brothers Nursury and creek are still in existence and provides evidence of the early character of the area.

Statement of Significance

a. Rosebank Avenue is of high local cultural significance as a fine representative example of an Inter-war period residential subdivision and development that remains largely intact and retains its historical subdivision pattern, built context and natural features.

b. Collectively the group form a unique precinct in Hornsby Shire.

c. The houses each retain their overall scale, character and varying stylistics details associated with the period and are enhanced by the wide street proportion, street trees and garden settings and remaining natural features.

Table 9.3.14(a): Additional Prescriptive Measures - Rosebank HCA Provisions

Element	Additional Prescriptive Measures
Demolition	Buildings from the Inter-war period (constructed pre-1942) should be retained.
Streetscape character	Development should be single storey. New openings on the facades of existing buildings should be avoided. Existing hipped and gabled roof forms should be retained. New development should be consistent with the existing scale of buildings, openings, roof forms and setbacks from the street. Windows should be vertically proportioned or broken up into vertically proportioned components. Extensive cut and fill or retaining walls that visually disrupt the natural landform or streetscape character should be avoided. Development should retain large enough gardens in front and rear yards to include medium to large trees. Front garden layouts and plantings should complement the Inter-war period and style of the building.
Materials and finishes	Original building fabric, details, materials and landscape elements should be retained. Clean faced brick (red/brown colours) or a rendered finish should be used for walls. Existing face brick should not be painted or applied with a rendered finish. Terracotta should be used for roofs.
Fences and gates	Original fences and gates should be retained. New fences and gates should complement the Inter-war period, materials and style of the building. New front fences should be of a traditional low height, from 500mm to 900mm.
Utilities	Aerials, antenne, air conditioning units, hot water systems, communitcation devices rainwater tanks, roof vents, skylights, solar panels and the like should not be visible from the streetscape or a public place.
Garages and carports	Garages and carports should be located behind the main building line and be separately articulated from the dwelling. Traditional materials such as timber or face brick should be used.
Driveways	Changes to driveways should be avoided. From the property boundary line, concrete strip driveways should be used rather than full paved surface. Brick pavers or stone could also be used.
Subdivision	Altering the existing subdivision pattern through subdivision, amalgamation or boundary adjustments should be avoided.

9.4 Development in the Vicinity of Heritage

9.4.1 Development in the Vicinity of Heritage Items and Heritage Conservation Areas

Desired Outcomes

a. New work that is sympathetic to the heritage significance of nearby heritage items, or adjoining heritage conservation area, and their settings.

Prescriptive Measures

Heritage Items

a. Design and siting of new work should complement the form, orientation, scale and style of the heritage item.

b. Adequate space should be provided around the heritage item to allow for its interpretation.

c. Development should maintain significant or historic public domain views to and from the heritage item.

d. Original or significant landscape features that are associated with the heritage item and which contribute to its setting should be retained.

e. For rural heritage items, the scale of new work is not to overwhelm the heritage item taking into consideration the matters within the Rural Heritage Items element.

Heritage Conservation Areas

f. Development in the vicinity must repect the curtilage and setting of the HCA and protect views into and from the HCA.

g. Development is to be sympathetic to the primary characteristics and heritage values of the HCA with regards to proposed:

- context, including backdrop to places in the HCA;
- bulk, height alignment form and roofline of new development;
- proportions such as windows and door openings (number and location) and balconies;
- Interface facade materials, treatments and palette;
- Compatable fencing and screening.

h. Development applications for multi-unit developments adjacent to HCAs must include a construction impact report demonstrating that the construction process will not detrimentally or indirectly adversely impact places in the HCA at the time of construction or over time.



Notes:

These controls apply to land that is adjoining, or across the road from a heritage item or a heritage conservation area.

The setting of a heritage item or heritage conservation area often extends beyond current property boundaries, and can be influenced by historic subdivision patterns, topography, vegetation, and views to and from the heritage item or heritage conservation area.

It is important to understand the relationship of a heritage item, or heritage conservation area, to adjoining land. Relevant factors include:

- Is the site within historic property boundaries of the heritage item;
- Could development on the site affect views to or from the heritage item or heritage conservation area;
- Could development on the site change the visual backdrop of the heritage item or heritage conservation area;
- Is the heritage item or heritage conservation area physically separated from the development site by a road, gully or escarpment, creek or similar; and
- Are there any trees or remnant features on the development site that may have had an association with the heritage item.

Rosebank Avenue Heritage Conservation Area

i. Specific controls relating to development adjacent to the Rosebank Avenue Heritage Conservation Area and the heritage items at 9 and 10 Rosebank Avenue are provided forin Section 3.3.15 of the *Hornsby DCP 2013.*

9.5 Aboriginal Heritage

9.5.1 Aboriginal Relics or Places of Heritage Significance

This section provides guidelines for the development of land that may contain an Aboriginal relic or place of heritage significance.

Desired Outcomes

a. Development that protects Aboriginal sites and archaeological relics by minimising the likelihood of disturbance.

Prescriptive Measures

a. An assessment of Aboriginal heritage should accompany any development application on lands that contain culturally modified trees or recorded Aboriginal objects.

b. An assessment of Aboriginal heritage should accompany any development application for work to land that has *not been disturbed* and is:

- within 200 metres of waterways;
- located within a sand dune system;
- located on a ridge top, ridge line or headland;
- located within 200 metres below or above a cliff face; or
- within 20 metres of or in a cave, rock shelter or a cave mouth.

c. When an assessment of Aboriginal heritage is required, a report should be prepared in accordance with published best practice guidelines and submitted with the Development Application. This should include an *Aboriginal Heritage and Information Management System certificate* for property that contains listed objects/ sites.

d. Works, including landscaping and associated elements, should be located away from sites and potential sites containing archaeological relics.

e. The depth and extent of excavation should be minimised where land contains, or is likely to contain, archaeological remains or relics.

Notes:

Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable. Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks, clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services.

For further information on best practice guidelines refer to:

- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011*, and
- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (2010)

by NSW Office of Environment & Heritage available at environment.nsw.gov.au.

For further information and to obtain a certificate from the *Aboriginal Heritage and Information Management System* (AHIMS) database refer to the NSW Office of Environment & Heritage website www.environment.nsw.gov.au.

Aboriginal heritage sites and archaeological relics can occur in a range of places, including private property. In Hornsby Aboriginal sites include:

- Engravings on sandstone ridges;
- Rock shelters on the valley slopes containing cave paintings,drawing sites and archaeological deposits;
- Open campsites and grinding grooves on valley floors;
- Shell middens along tidal waterways; and
- Scarred trees.

An Aboriginal Heritage Impact Permit is required from the NSW Office of Environment & Heritage where development may damage or disturb Aboriginal sites under the *National Parks and Wildlife Act 1974.*

9.6 Beecroft Heritage Precinct

The following provides controls for development within the Beecroft Heritage precinct, on land bounded by Chapman Avenue, Beecroft Road and Wongala Crescent.

The Beecroft Heritage precinct is divided into two planning areas, the residential area (zoned R4) and the commercial area (zoned B2). The Beecroft heritage precinct boundaries and the planning areas are identified in Figure 9.6(a)

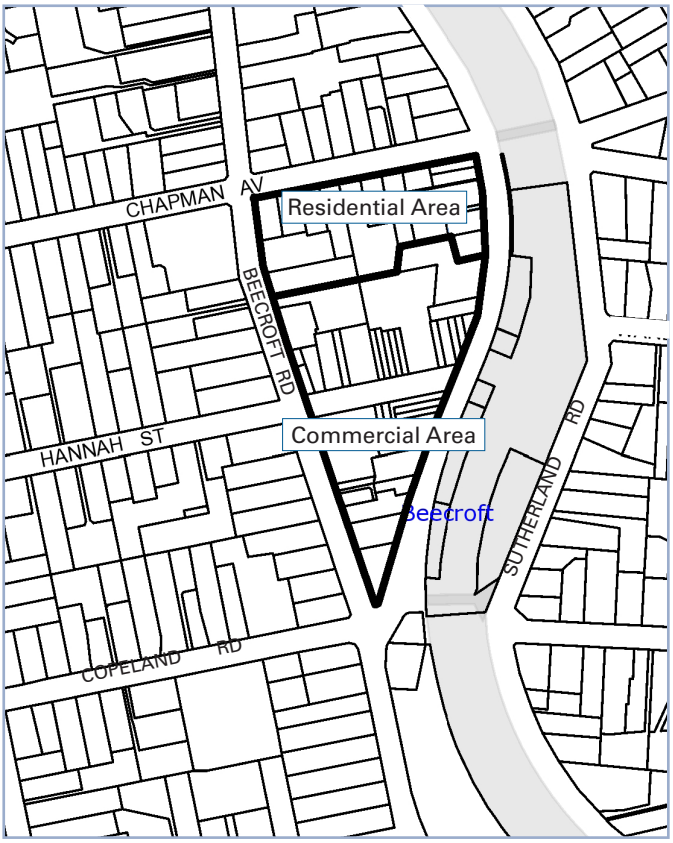


Figure 9.6(a):
Beecroft Precinct and planning area boundaries.(C)

9.6.1 Desired Future Character

Desired Outcome

Development that contributes to the desired future character of the area.

Prescriptive Measures

a. Development applications should demonstrate compatibility with the following applicable statement of desired character:

Desired Future Character Statement - Residential Area

The locality is characterised by 5 storey residential flat buildings in landscaped settings with underground car parking.

Development footprints maintain the setting of Beecroft Village through the retention of landscape corridors, significant vegetation and major trees.

Facades are substantially face brick or render in medium to darker tones. Facade widths are limited, avoiding the appearance of a continuous wall of development. Balconies are supported by a combination of masonry piers and metal posts and will incorporate operable louvres for privacy, shade and glare control.

Roofs are flat or gently pitched with wide eaves around top storeys.



Figure 9.6(b): Example of Desired Character - residential building in a Heritage precinct.(I)



Figure 9.6(c): Example of Desired Character - residential building in a Heritage Precinct.(E)



Figure 9.6(d): Example of Desired Character - residential building in a Heritage precinct.(E)

Desired Future Character Statement - Commercial Area

The locality is characterised by 5 storey mixed use buildings with at grade car parking for retail customers and underground car parking for employees and residents.

Shops are visible and accessed directly from street frontages to retain the historic relationship of the railway and shopping centre.

Business uses are located on the lower two storeys providing a broad podium for dwellings above to be setback from, creating a pedestrian friendly scale. Visible and active shops and street frontages with continuous awnings enhance streetscape character.

Shopfronts are designed with suspended, traditional steel box section awnings over footpaths to assist maintain the village character and fabric of the commercial area.

Roofs are flat or gently pitched with wide eaves around top storeys.



Figure 9.6(e): Example of Desired Character - Mixed use building in the commerical area of the Heritage precinct.(I)

9.6.2 Design Quality - SEPP 65

Desired Outcome

a. A built form which responds to the site, locality and landscape and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

Prescriptive Measures

a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that:

- he or she designed, or directed the design, of the development,
- that the design quality principles set out in *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* are achieved, and
- the design is consistent with the objectives of the Apartment Design Guide.

Note:

Development applications should be accompanied by a statement of environmental effects which includes the following:

- an explanation of how the design addresses the design quality principles set out in Schedule 1 of S*tate Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development,* namely:
  - context and neighbourhood character; built form and scale; density; sustainaility; landscape; amenity; safety; housing diversity and social interaction; and aesthetics.
- an explanation of how the design addresses the design criteria in Part 3 and Part 4 of the Apartment Design Guide.
- drawings of the proposed development in the context of surrounding development, including the streetscape;
- demonstration of compliance with building heights, setbacks and building envelope controls marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed development and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development;
- a sample board of the proposed materials and colours of the facade; and
- detailed drawings of proposed facades.

9.6.3 Heritage Conservation

Desired Outcome

a. New development which retains the historic relationship of the railway and shopping centre within the Beecroft/ Cheltenham Heritage Conservation Area.

Prescriptive Measures

a. Development within the Beecroft Road precinct should have regard to the Heritage provisions elsewhere within Part 9 of the DCP.

b. Where a development site contains a heritage listed item, a Heritage Impact Assessment should be submitted with the Development Application.

c. Where a development is proposed in the vicinity of a heritage listed item, a report on the likely effect of the proposed development on the heritage significance of the item should be submitted with the Development Application.

d. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

e. A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items.

f. Variations to the setback controls may be considered where the variation assists the protection of heritage qualities.

g. New shops/commercial buildings should be designed to be seen and accessed directly from their street frontages by complying with the setback controls within this DCP.

h. Pedestrian and bicycle through-links should be provided in accordance with the key principles diagrams and Town Centre Linkage Diagrams contained within this DCP.

i. The setting of Beecroft Village should be maintained through the retention of significant landscaping and major trees.

j. Shopfronts should be designed with suspended, traditional steel box-section awnings over footpaths to assist maintain the village character and fabric of the commercial area.

k. Parking for residents should be provided in basements. Where off-street parking for shoppers is proposed, it should not dominate the street frontage.

9.6.4 Site Requirements

Desired Outcome

a. Buildings located on consolidated development sites that provide for soft landscaping surrounding the building and limit the number of driveway crossings.

Prescriptive Measures

a. The minimum site width should be 30 metres measured at the primary street frontage.

b. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than 30 metres, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.

c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.

Notes:

Refer to Section 1C.2.12 of the DCP for detailed provisions on Isolated Sites.

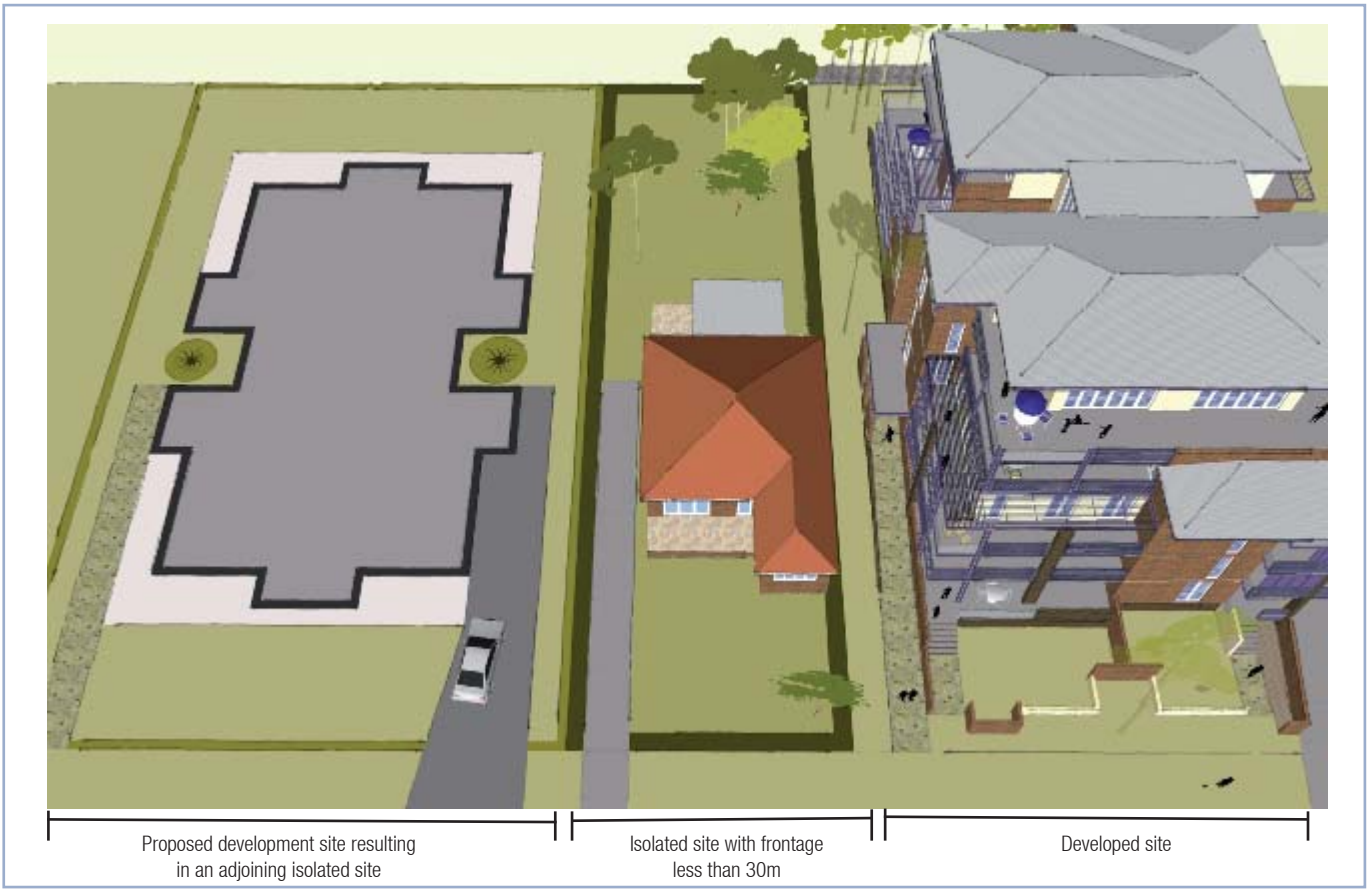


Figure 9.6(f): Lot amalgamation should avoid isolating small sites. (I)

9.6.5 Height within Hornsby LGA

Desired Outcome

a. Mixed use business and residential multi-unit housing development not exceeding 5 storeys in height.

Prescriptive Measures

General

a. Sites with the following maximum building height under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 9.6.5(a).

Table 9.6.5(a): Translation of Height to Storeys

HLEP Area	Maximum building height (m)	Maximum Storeys (excluding basement carparking)
O2	16.5m	5 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

d. Roofs should be flat or gently pitched no steeper than 15 degrees with wide eaves around top storeys.

e. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof, to minimise visual intrusiveness and support an integrated building design.

f. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

g. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.

h. Ceiling heights should be consistent with the SEPP 65 Apartment Design Guide for habitable and non-habitable rooms.

Residential Area

i. For development involving parking in an undercroft, the floor level of the lowest residential storey should be a maximum of 1.5m above natural ground level.

Commercial Area

j. Business uses, including shops and offices, should be confined to the lower two storeys, providing a broad "podium" for dwellings from levels three to five.

k. Dwellings may be located on level two within the podium and may incorporate a component at ground level facing a side street or lane provided that they would not interrupt the desired continuity of commercial activity.

Notes:

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the key principles diagrams.

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

9.6.5 Height within City of Parramatta LGA

Desired Outcome

a. Mixed use business and residential multi-unit housing development not exceeding 5 storeys in height.

Prescriptive Measures

General

a. Sites with the following maximum building height under Clause 4.3 of the *HLEP* should comply with the maximum number of storeys in Table 9.6.5(a).

Table 9.6.5(a): Translation of Height to Storeys

HLEP Area	Maximum building height (m)	Maximum Storeys (excluding basement carparking)
P	17.5m	5 storeys

b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.

d. Roofs should be flat or gently pitched no steeper than 15 degrees with wide eaves around top storeys.

e. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof, to minimise visual intrusiveness and support an integrated building design.

f. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.

g. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.

h. Ceiling heights should be consistent with the SEPP 65 Apartment Design Guide for habitable and non-habitable rooms.

Residential Area

i. For development involving parking in an undercroft, the floor level of the lowest residential storey should be a maximum of 1.5m above natural ground level.

Commercial Area

j. Business uses, including shops and offices, should be confined to the lower two storeys, providing a broad "podium" for dwellings from levels three to five.

k. Dwellings may be located on level two within the podium and may incorporate a component at ground level facing a side street or lane provided that they would not interrupt the desired continuity of commercial activity.

Notes:

Development involving or adjoining heritage items should have regard to Part 9 Heritage of this DCP. Sensitive interface areas are indicated on the key principles diagrams.

Building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Storey means a space within a building that is situated between one floor and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

9.6.6 Setbacks

Desired Outcome

a. Well articulated building forms with a 'pedestrian-friendly' scale which encourages business activity and provides for landscaping, open space and separation between buildings.

Prescriptive Measures

Residential Area

a. The minimum setbacks of all buildings and structures should comply with Table 9.6.6(a).

Table 9.6.6(a):
Minimum Setbacks - Residential Area

Setback	Minimum building setback
Front Boundary	12m, which can be reduced to 10m for a maximum of 1/3 of the building width.
Rear Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width.
Side Boundary (including balconies)	6m, which can be reduced to 4m for a maximum of 1/3 of the building width.
Fifth Storey Setback	3m should be provided between exterior walls of the lowest storey and exterior walls of the fifth storey.
Fifth storey setback where mezzanine proposed	6m additional setback for exterior walls of the fstorey, measured from the walls of the lowest storey.
Basement Parking Setback	9m from front and rear boundaries and 4m from side boundaries to allow for deep soil landscaping.

b. Regardless of the setbacks specified in the above table, all buildings and structures should be setback a minimum of 10 metres from Chapman Avenue.

c. For buildings with a corner frontage:

- front boundary setbacks apply to all street frontages, and
- side boundary setbacks to apply to all other boundaries.

Setback Encroachments - Residential Area

d. Balconies are able to encroach to within 9 metres of the front and rear boundaries provided there is no impact on the achievement of daylight access, visual privacy, and acoustic privacy.

e. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Ground level terraces above basement ramps,
- Stairs to private terraces on the ground floor,
- Pedestrian ramps to building lobbies at the ground level with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Fences, and
- Letter boxes, meter enclosures, electricity kiosks, emergency fire exits and fire hydrants, located at least 2 metres from the front boundary and screened by plantings.

Setbacks to Heritage Items

f. A transition in setbacks should be provided at sensitive interface areas adjacent to heritage items.

g. Variations to the setback controls may be considered where the variation assists the protection of heritage qualities.

Note:

Development involving or adjoining heritage items should have regard to the Heritage DCP. Sensitive interface areas are indicated on the key principles diagrams. Setbacks to heritage items.

Commercial Area

h. The minimum setbacks of all buildings and structures to the boundaries of the site should comply with Table 9.6.6(b).

Table 9.6.6(b): Minimum Boundary Setbacks - Commercial Area

2 STOREY PODIUM

Setback	Minimum Building Setback
All streets, laneways and side or rear boundaries	0m

3RD STOREY AND ABOVE (TOWER ELEMENT)

Setback	Minimum Building Setback
Primary and secondary streets	3m from business podium facade.
Rear streets, laneways or pedestrian alleyways	0m
Side (including balconies) or rear boundaries that are shared with neighbouring properties	6m
Fifth Storey Setback	3m should be provided between exterior walls of the lowest storey above the podium and exterior walls of the fifth storey.
Fifth storey setback where mezzanine proposed	6m additional setback for exterior walls of the fifth storey, measured from the wallsof the lowest storey.

Setback Encroachments - Commercial Area

i. The following minor structures are able to encroach into the prescribed setbacks:

- Driveways or basement ramps up to 6 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
- Roof eaves and awnings;
- Pergolas for private or communal open spaces which are situated upon a podium;
- Sunshades and screens; and
- Blade columns which support roofs or sunshades.

9.6.7 Building Form and Separation

Desired Outcome

a. Residential buildings that are limited in width and depth, incorporating articulated facades and separated by garden areas.

b. Mixed use buildings with dwellings above shops that are limited in width and depth, incorporating articulated facades.

c. Development of a scale and bulk which achieves a pedestrian friendly environment and enhances the streetscape character.

Prescriptive Measures

Residential Area Floorplates

a. Floorplates should have a maximum dimension of 35 metres measured in a perpendicular direction between opposing exterior walls at any point. Balconies, terraces and ground floor lobbies may project beyond this maximum.

b. Floorplates exceeding 25 metres should incorporate a distinct indentation which measures at least 4 metres by 4 metres recess, and creates the appearance of two separate building pavilions rather than a single building mass. The appearance of separate pavilions should be accentuated by individual roofs above each pavilion element.

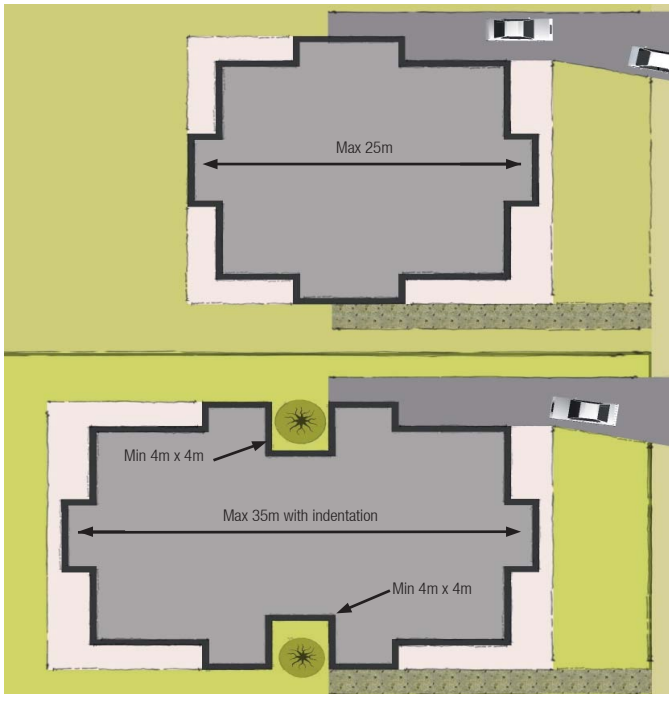


Figure 9.6(g): Residential Building floorplates should be limited in width and depth.(E)

Residential Area Separation

c. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

d. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

e. On large sites where the floorplate control requires more than one building, adjoining buildings should be separated by a minimum of 9 metres.



Figure 9.6(h): Separation of buildings on the same site in the Residential Area.(E)

Residential Area Articulation

f. Facades should be expressed as 2 or 3 distinct planes that are divided by vertical steps as follows:

- half of the width of each facade should incorporate at least two steps between the ground level setback and the top level facade, and each vertical plane should not be taller than 2 or 3 storeys,
- half the width of each facade may include a single vertical rise of up to 4 storeys with only one step between the ground level setback and the top storey facade, and
- If the site directly adjoins an existing residential flat building, only one step is required for a side elevation that would directly face the existing building.

g. Additional articulation of facades should be achieved by division of all facades into vertical "panels" that generally are not wider than 8 metres, with adjoining panels separated and by steps of at least 1 metre which should be achieved by:

- Indentations or projections in the alignment of exterior walls, or
- Balconies or terraces that project from exterior walls, and
- Eaves, pergolas and awnings that project from exterior walls.

Note: To achieve articulation the following is encouraged:

- Detailing of brickwork by string or header courses or by structural elements such as exposed slab edges and blade walls;
- Panels of curtain wall windows which are applied only to top storeys that are setback from the middle levels;
- Bay windows; and
- Windows that display vertical proportions and, except for top storeys, are arranged as regular patterns of openings that are 'cut' through brick walls.

h. Facades should incorporate corner treatments such as wrap-around balconies, flat roof forms with eaves and other elements to cast shadows and visually break up the built form.

i. Facade elements should not be repetitive and should:

- use a range of materials and finishes;
- use a minimum of 30% exposed brick or natural material cladding (such as sandstone or timber); and
- not be fully rendered.

j. Top storeys should be visually-recessive: exterior walls should employ light-weight cladding and extensive glazing (especially where top storey apartments incorporate mezzanine levels).

k. Exterior walls should be substantially face brick in medium to darker tones, although a proportion of walls may include painted brickwork and render.

l. Balconies should be supported by a combination of masonry piers and metal posts, some set behind the alignment of a buildings exterior walls. Balustrades and parapets should predominantly be painted brickwork, sheet or board cladding, or metal railings. A minor proportion of balustrades may be glazed.

Note: To achieve the above elements the following are encouraged:

- Light-weight structures such as balconies, blinds and privacy screens and operable louvres located at visually-prominent corners of each building;
- A high proportion of large windows at the top storey;
- Levels one to four should display a varied pattern of 'solid-to-void';
- If vertical rows of windows are proposed, the height of masonry sills should be minimised to avoid a bulky character

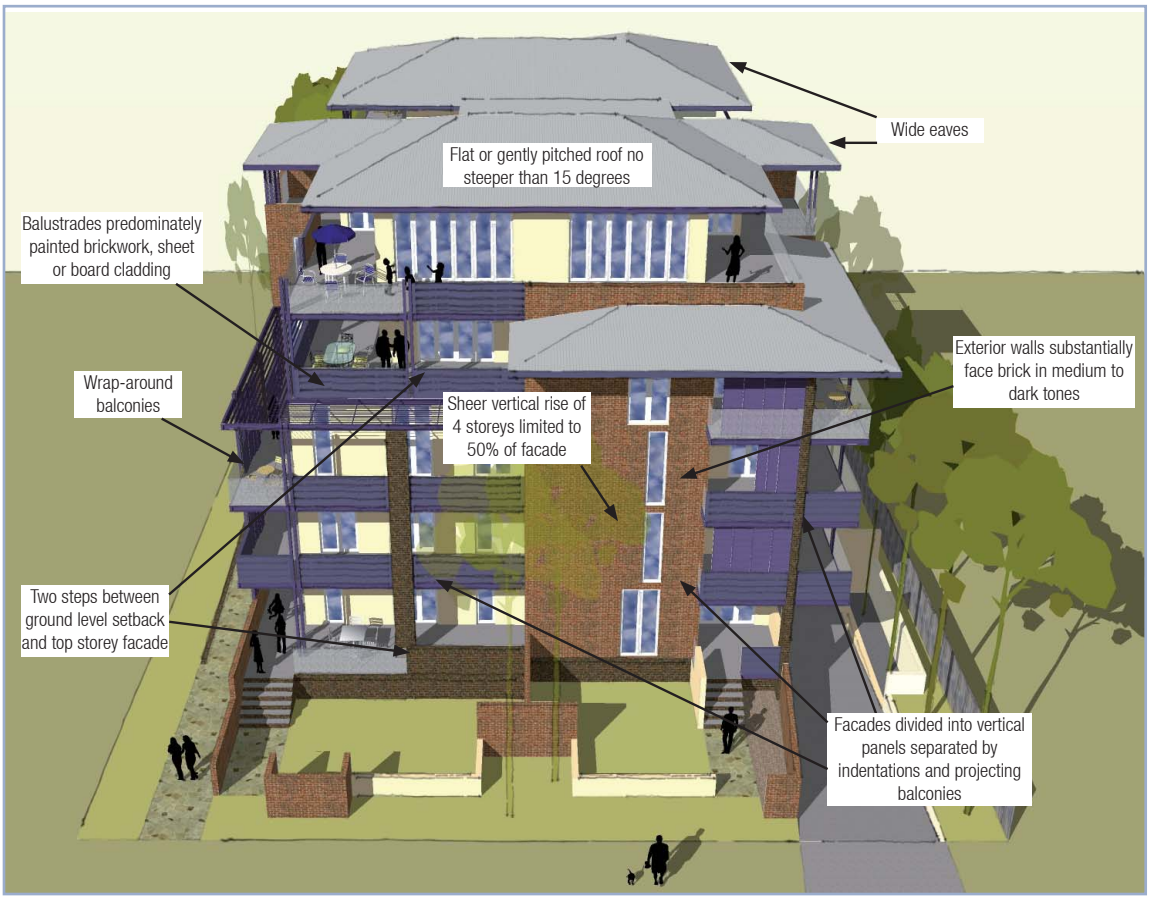


Figure 9.6(i): Articulation of facades in the Residential Area (I)

Commercial Area Floorplates

m. Residential floorplates should have a maximum dimension of 25 metres, measured perpendicular to the primary retail frontage and between opposing exterior walls at any point. Balconies and terraces may project beyond this maximum.

n. Residential floorplates should have a maximum dimension of 35 metres, measured parallel to the primary retail frontage and between opposing exterior walls at any point. Balconies and terraces may project beyond this maximum.

Commercial Area Separation

o. Building separation should comply with Part 2F Building Separation of the *SEPP 65 Design Quality of Apartment Development*, Apartment Design Guide.

p. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.

q. Where Key Principles Diagrams require separate buildings on the same site, buildings should be separated by open-air pedestrian walkways that are at least 6 metres wide at street level.

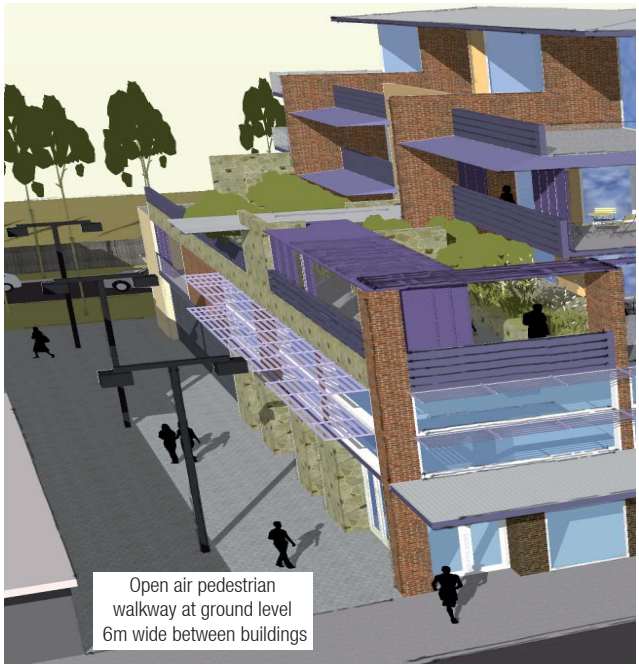


Figure 9.6(j): Separation of mixed use buildings on the same site.(E)

Notes:

For the purposes of the separation controls in Table 9.6.7(b), the first residential storey above a commercial podium is counted as the first storey for the purposes of the separation controls within the table.

Commercial Area Articulation

r. Podium facades should consist of brick, shopfront windows and building entrances.

s. Exterior walls on residential levels should be substantially face brick in medium to darker tones, although a proportion of walls may include painted brickwork and render.

t. Balconies should be framed behind the face of exterior walls or between masonry blade walls and should have balustrades of brickwork, painted masonry or steel strapping.

u. Facing primary and secondary streets, at least two steps should be provided between the podium facade and upper residential storeys along 50% of any facade.

v. Facing rear streets, laneways or pedestrian alleyways, at least 25% of any facade should be stepped to avoid a sheer vertical rise that is taller than three storeys (ie: up to 75% may have a sheer vertical rise of four storeys).

w. At street level, shop and office windows and building entrances should occupy 90% of the primary frontage, 30% of facades facing side streets or alleyways and 10% or rear facades.

x. Facades should be expressed as two or three distinct planes.

y. Continuous awnings should be provided along principal active street frontages.

z. Additional articulation of residential facades should be achieved by division of all facades into vertical panels that generally are not wider than 8 metres, with adjoining panels by steps of at least one metre, which would be achieved by:

- Indentations or projections in the alignment of exterior walls;
- Balconies that are indented behind and/or project from exterior walls; and/or
- Eaves, pergolas and awnings that project from exterior walls.

aa. Top storeys should be visually-recessive: exterior walls should employ light-weight cladding and extensive.

glazing (especially where top storey apartments incorporate mezzanine levels).

Note:

To achieve desired articulation the following is encouraged:

- Detailing of brickwork by string or header courses or by structural elements such as exposed slab edges and blade walls;
- Panels of curtain wall windows should be applied only to top storeys or ground floor shopfronts;
- Bay windows; and/or
- Windows should display vertical proportions and, except for top storeys, should be arranged as regular patterns of openings that are "cut" through brick walls.

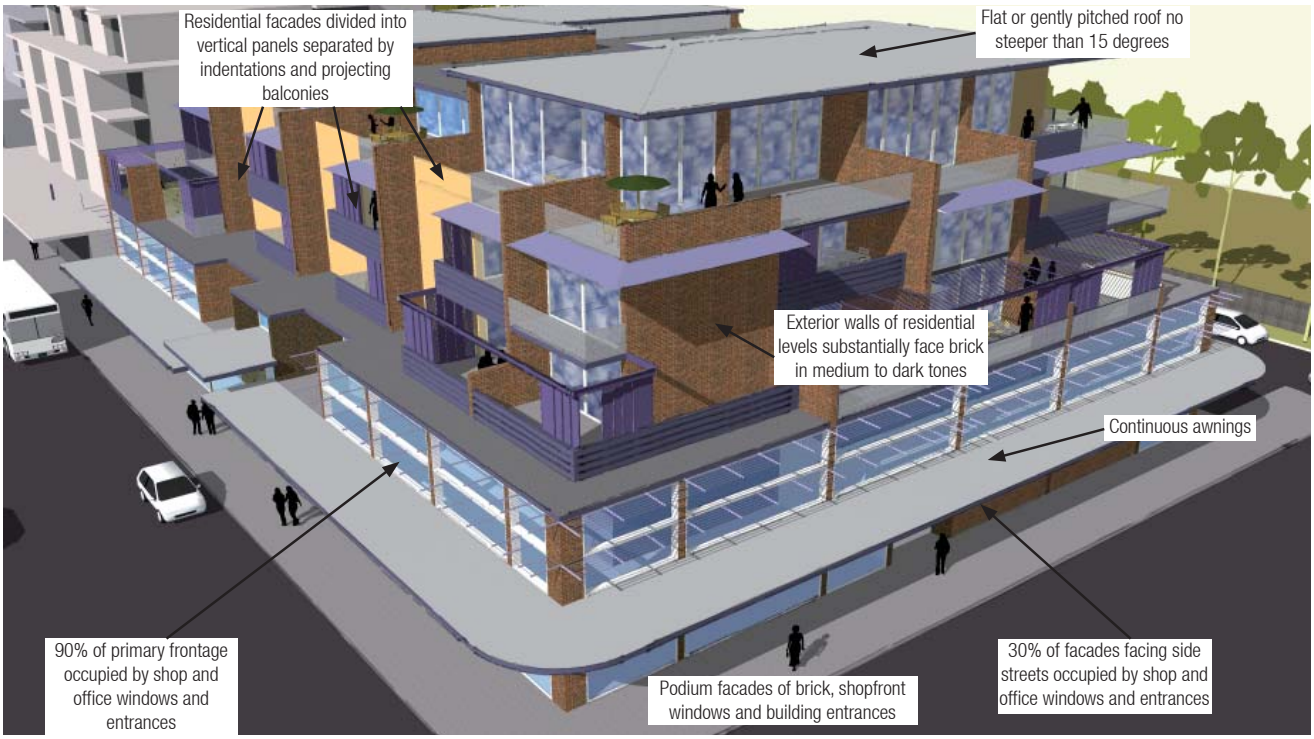


Figure 9.6(k): Articulation of mixed use building facades. (I)

9.6.8 Landscaping

Desired Outcome:

a. Development which incorporates and retains visually prominent trees or endangered bushland remnants located near front and rear boundaries and enhances neighbourhood canopy and habitat with corridors of locally indigenous trees.

Prescriptive Measures:

Residential Area

a. Communal landscaping should be provided adjacent to the property boundaries to provide a landscape setting for the development.

b. Landscaped areas should adjoin property boundaries, in accordance with Table 9.6.8(a), and be designed to accommodate:

- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
- Trees that will reach a mature height of at least 6 to 7 metres in the side setbacks.

Table 9.6.8(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	7m wide
Secondary Boundary (on corner lots)	4m wide
Rear Boundary	7m wide
Side Boundary	4m wide

c. Landscaped areas should be provided between 2 or more buildings located on a development site, designed to:

- have a minimum total width of 8 metres,
- accommodate trees that will reach a mature height of at least 6 to 7 metres,
- provide a minimum soil depth of 1 metre,
- be located in a deep soil area or above a basement car park, and
- include a component of deep soil area (ie: no basement intrusions) that measures at least 7 metres by 7 metres (sufficient for at least one canopy tree).

d. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.

Residential Areas - Fencing

e. Within front setbacks, fences should not be higher than 1.2 metres.

f. Fencing enclosing private courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.

g. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.

h. Where communal open space is required, these spaces should include lawn areas surrounded by hedges of shrubs. Private terraces or balconies that adjoin communal areas should be screened by hedges and shrubs, or small trees where space permits.

Retention of Landscape Features

i. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback:

- in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP,
- 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and
- in accordance with the requirements of AS 4970 for significant trees to be retained.

Notes:

Landscaped area means a part of the site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Landscaped area between 2 buildings on a development site is able to be erected above a basement, notwithstanding the definition of landscaped area above, except where deep soil is specifically required.

The applicant is encouraged to incorporate species from Council's publication I*ndigenous Plants for the Bushland Shire and the Create a Native Garden* booklets at Council's website hornsby.nsw.gov.au. as part of the development.

Commercial Area

j. Landscaping should be included in building setback areas to complement the appearance of the building.

k. Setbacks from sensitive areas should be fully landscaped.

l. Primary and secondary retail frontages should be landscaped with tree-plantings combined with paving in accordance with the following:

- Trees should be planted as widely-spaced avenues along kerbsides, using a consistent range of species for each precinct or centre;
- Species should have elevated canopies and should achieve mature heights of at least 10 metres to 12 metres; and
- Pavements within each precinct should be of a consistent design, constructed of durable and non-slip modular units that are resistant to fading, discolouration and chipping, and that may readily be removed and replaced following future installation of in-ground services.

m. Above ground parking areas should be landscaped in accordance with the following:

- Trees should be planted as dual-avenues along laneways, new streets or forecourts; and
- A consistent range of species should be used for each village, with elevated canopies that would achieve mature heights of 10 metres to 12 metres.

n. Residential levels should be landscaped with native or exotic species in planter boxes watered by recycled grey water or stormwater to provide screening.

Commercial Area - Fencing

o. Fencing is discouraged in the primary and secondary boundary setbacks.

p. Allotments adjoining residential lands should be fenced with appropriate residential style fencing.

q. Fencing enclosing private residential courtyards may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency

9.6.9 Open Spaces

Desired Outcomes

a. Development that incorporates passive and active recreation areas with privacy and access to sunlight.

b. Communal open space comprising landscaped setbacks, landscaping between dwellings, and a principal communal open space area.

Prescriptive Measures

Private Open Space

a. Every dwelling should be provided with a principal private open space area in accordance with Table 9.6.9(a):

Table 9.6.9(a): Minimum Private Open Space

Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width
Studio	4m²	1m
1 bed unit	8m²	2m
2 bed unit	10m²	2m
3+ bed unit	12m²	2.4m
Ground and podium level	15m²	3m

b. Private open spaces should be designed as "outdoor rooms" that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.

c. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.

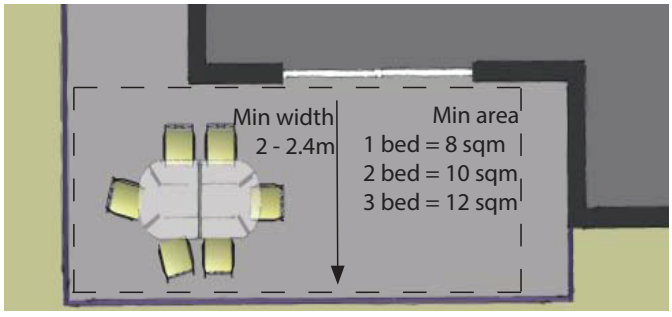


Figure 9.6(j): Private open space in a residential flat.(l)

Clothes Drying Area

d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.

Communal Open Space (Residential Area only)

e. Communal open space should be provided at ground level, equivalent to a minimum of 25 percent of the site area.

f. A principal communal open space area should be provided for each residential flat building of 10 or more dwellings as follows:

- be located at ground level,
- have a minimum area of 50m2,
- have a minimum dimension of 4 metres,
- be landscaped for active and/or passive recreation and encourage social interaction between residents,
- achieve a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter),
- be located to provide direct sight lines and convenient access from the building lobby, and
- be sited and designed to protect the amenity of adjacent dwellings.

9.6.10 Privacy and Security

Desired Outcome

a. Development designed to provide reasonable privacy to proposed and adjacent residential properties and high levels of security.

Prescriptive Measures

Privacy

a. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.

b. Balconies, terraces or bedroom windows near ground level should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.

c. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.

d. Open space areas should not be provided on the roof.

e. Balconies should incorporate operable louvres for privacy, shade and glare control.



Figure 9.6(m): Balconies should incorporate operable louvres. (E)

Security

f. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.

g. Private open spaces, living room windows, commercial unit windows and lobbies should be designed and oriented to overlook the street, laneways and communal open spaces on the site to provide high levels of safety and security.

h. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.

i. Where a mix of land uses are proposed, separate, secure access should be provided to lift lobbies, basements and communal storage areas.

Note:

All developments should comply with the minimum building setback and separation controls within this DCP which will assist in achieving the desired outcome for privacy.

A privacy screen means a screen that is at least 1.5m high, measured from the floor level, and has no individual opening more than 30mm wide, and has a total of all openings less than 30% of the surface area of the screen. A privacy screen required to protect an adjacent residence is to be fixed.

9.6.11 Sunlight and Ventilation

Desired Outcome

a. Development designed to provide reasonable solar access to living areas and open space areas.

b. Development designed to provide natural cross ventilation.

Prescriptive Measures

a. On 22 June, at least 70 percent of dwellings should receive 2 or more hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.

b. Every habitable room should have a window in an external wall with a total minimum flass area of not less than 10% of the floor area of the room.

c. A window should be visible from any point in a habitable room.

d. At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

Note:

SEPP - BASIX 2004 requires a BASIX certificate for new dwellings to facilitate energy efficient housing.

9.6.12 Housing choice

Desired Outcomes

a. A range of dwelling types that match the demographic diversity of Hornsby Shire and are accessible or may be adapted to meet the needs of people who have limited physical mobility.

Prescriptive Measures

a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.

b. For developments with 10 or more dwellings:

- At least 10% of proposed dwellings should be accessible housing, designed for people with impaired mobility.
- At least 20% of proposed dwellings should be Universal Design housing in accordance with the Livable Housing Guidelines (2012) silver level design features.
- Adaptable and Universal Design housing is to be equitably distributed through all types and sizes of dwellings.

Notes:

See Section 1C.2.2 of the DCP for more details on Universal Design and Adaptable Housing.

9.6.13 Vehicle Access and Parking

Desired Outcome

a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.

Prescriptive Measures

General

a. Direct access to main roads should be avoided.

b. Resident and visitor parking should be provided within basements.

Access (residential area)

c. Direct access to Beecroft Road should be avoided.

d. Access should be provided from Wongala Crescent and the driveway through the commercial centre car park.

e. If access is not available from Wongala Crescent, existing vehicle entrances from Chapman Avenue should be consolidated to provide access.

f. Driveways should be located at least 2 metres from any side boundary and flanked by continuous landscaped verges.

g. All ramps are to be designed as two way ramps in accordance with AS 2890.1 and AS 2890.2

h. All ramps are to be designed in accordance with the exits and entry widths of AS 2890.1 and AS 2890.2

Access (commercial area)

i. Access to garages and storage areas should be confined to side and rear facades, with access from main roads avoided.

j. Street level parking for shoppers should be provided in convenient proximity to primary retail frontages.

Ancillary Fixtures and Facilities

k. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.

Notes:

Refer to Part 1 'General' of the DCP for car parking and bicycle parking rates and ancillary general design requirements.

9.6.14 Public Domain and Traffic Management Works

Desired Outcomes

a. A public domain that encourages vitality around and within development precincts.

b. Traffic management works which provide for the safe and efficient movement of vehicles to, from and within precincts.

Prescriptive Measures

Pubic Domain

a. Development of the public domain should make each precinct an attractive place that encourages development and provides amenity for residents.

b. Embellishment of the public domain should include street furniture, new street plantings, and footpath improvements.

c. All active street frontages in mixed use developments should have fully paved verges.

d. Pedestrian linkages shown on the key development principles diagrams and town centre linkage diagrams (Annexure B) should be provided and reinforced as safe, accessible and vibrant pedestrian areas.

e. Mixed use development within centres should enhance the role of the public domain as a meeting and gathering place and should encourage active use of the public domain through active street frontages.

f. Where required, ground level walkways between mixed use buildings should be open air, attractive pedestrian thoroughfares which encourage activity.

g. Balconies should not be located on, or overhang the road reservation.

h. For development incorporating shopfront awnings, the awnings should be continuous and setback from the edge of the kerb in accordance with Council or the Roads and Maritime Services requirements.

Note:

Main roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

Outdoor Dining

i. Outdoor dining areas should be located in areas with good amenity, landscape, outlook, solar access in winter, shading in summer and a compatible local traffic environment.

Note:

Outdoor dining proposed on Council land should comply with Council's Outdoor Dining Code.

Traffic Management Works

j. Traffic Management works should be undertaken in accordance with the traffic improvements identified in the key development principles diagrams.

k. Council or the relevant authority will undertake the necessary traffic management improvements located on public land and roads. Development should be designed to accommodate and complement the proposed traffic improvements or offer alternative traffic management solutions.

l. Development proposing alternative traffic management solutions should be accompanied by a comprehensive traffic assessment.

Note:

This DCP will inform Council's Civic Works Program and Street Tree Planting Program.

9.6.15 Key Development Principles

Desired Outcome

a. Orderly development that is consistent with the principles in the relevant Key Development Principles diagrams.

Prescriptive Measures

a. Development should be designed to embody the principles of the relevant precinct Key Development Principles diagram.

b. Pedestrian thoroughfares should be provided in accordance with the principles diagrams and/or Town Centre Linkage diagrams (see Annexure B).

c. Development in the vicinity of heritage items shown in the precinct diagrams should have regard to the Heritage provisions elsewhere in Part 9 of this DCP.

d. Development adjoining railway lines and arterial roads should incorporate appropriate measures to reduce the impact of road/rail noise vibration and disturbance.

e. Development should be stepped to follow contours as demonstrated in the relevant cross-section.

Note:

The Key Principles Diagrams are indicative only and are not to scale. Relevant setback, building form and landscaping controls are provided in Sections 9.6.6, 9.6.7 and 9.6.8 of the DCP.

Legend

The following symbols appear in the key principles diagrams



Significant trees

Prominent streetscape features *or* important bushland remnants which should be retained



Existing trees

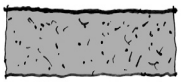
Trees located in a development precinct with no special significance and which may be removed *or* trees in surrounding areas

Note: removal of trees may require a permit under Council's *Tree Preservation Order*



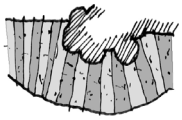
New trees

Trees that would enhance shopping streets *or* new laneways *or* residential podiums that are used for communal recreation



Setbacks with deep soil

Significant elements of neighbourhood character which allow the conservation of existing trees or accommodate new trees



Slopes steeper than 20%

Generally not suitable for development, particularly where they occur in conjunction with bushland which results in a severe bushfire risk



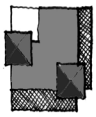
Existing buildings

Generally indicating buildings in neighbouring areas or other precincts *or* substantial existing buildings within a precinct



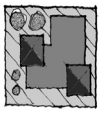
Future buildings

Indicative form of future buildings in commercial + shopping areas *or* higher-intensity residential developments that are taller than eight storeys



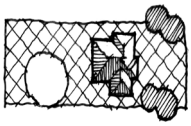
Future mixed-use buildings

Depicting the articulated form of apartment storeys above podium levels which display visible activities such as shops facing streets + walkways (shown dark hatched)



Future residential buildings

Depicting the articulated form of buildings with eight or more storeys, above podiums which accommodate communal areas



Heritage items

Typically buildings and sometimes the surrounding garden, as indicated by the *Hornsby Shire Heritage Inventory.* Cross-hatching indicates the *"sensitive interface area"* which is defined by this DCP.

Beecroft Heritage Precinct (residential area)

Key Development Principles Diagram

Strategy

Redevelopment should be predominantly five storey residential flat buildings in garden settings, serviced by basement parking.

Landscape setting

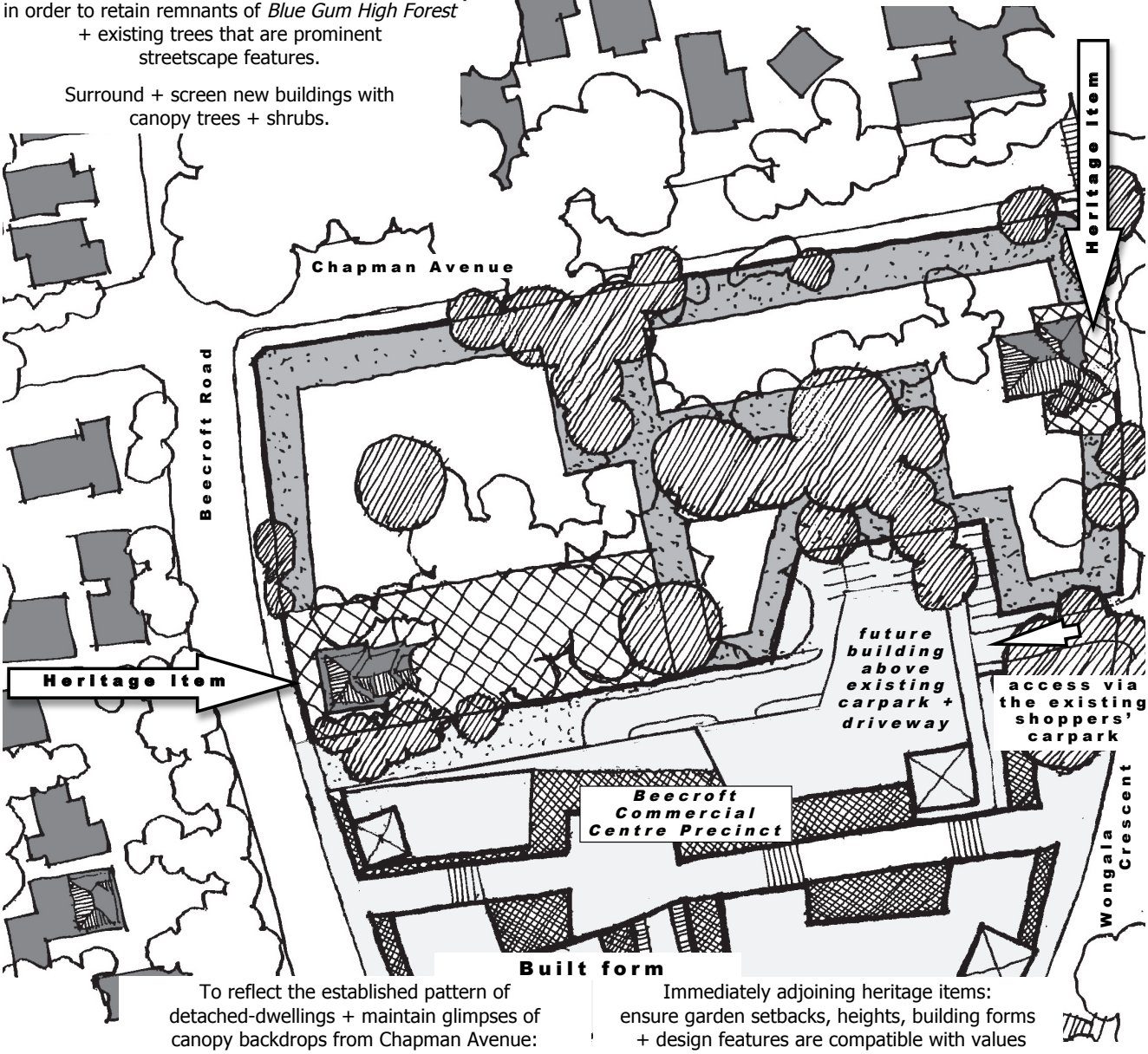
Provide broad setbacks along street frontages + rear boundaries, and locate communal open spaces in order to retain remnants of *Blue Gum High Forest* + existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Servicing

Promote access from Wongala Crescent + the driveway through the shoppers' carpark.

Only if access is not available from Wongala Crescent or that driveway, consolidate existing vehicle entrances from Chapman Avenue + Beecroft Road.



Built form

To reflect the established pattern of detached-dwellings + maintain glimpses of canopy backdrops from Chapman Avenue: limit the width of new facades that would be visible from any street and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees .

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings, as well as high levels of privacy.

Immediately adjoining heritage items: ensure garden setbacks, heights, building forms + design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Vary the profile of each building, and provide gently-pitched roofs with wide eaves.

Beecroft Heritage Precinct (commercial area)

Key Development Principles Diagram

Strategy

Redevelopment of up to five storeys should accommodate residential flats above offices, business + / or retail premises, serviced by basement parking.

Expand the existing public domain in order to encourage high levels of pedestrian activity plus a variety of new businesses + local employment.

Public frontages

To encourage new pedestrian + business activities in locations which are commercially-visible, sunny + protected from excessive traffic noise, divide commercial street blocks by broad outdoor walkways that follow pedestrian desire lines (either existing or likely) and provide new plazas in locations that are commercially-prominent

Maximise activity facing all streets, walkways, piazzas + squares by siting lower storeys without any setback from footpaths and accommodating a nearly-continuous mix of shopfronts, building entrances + balconies.

Servicing

Limit direct vehicle access from Beecroft Road.

For properties north of Hannah Street, provide access via a new laneway off Hannah Street + from the existing carpark which should be retained.

Retain the existing outdoor carpark next to the fire station.

Built form

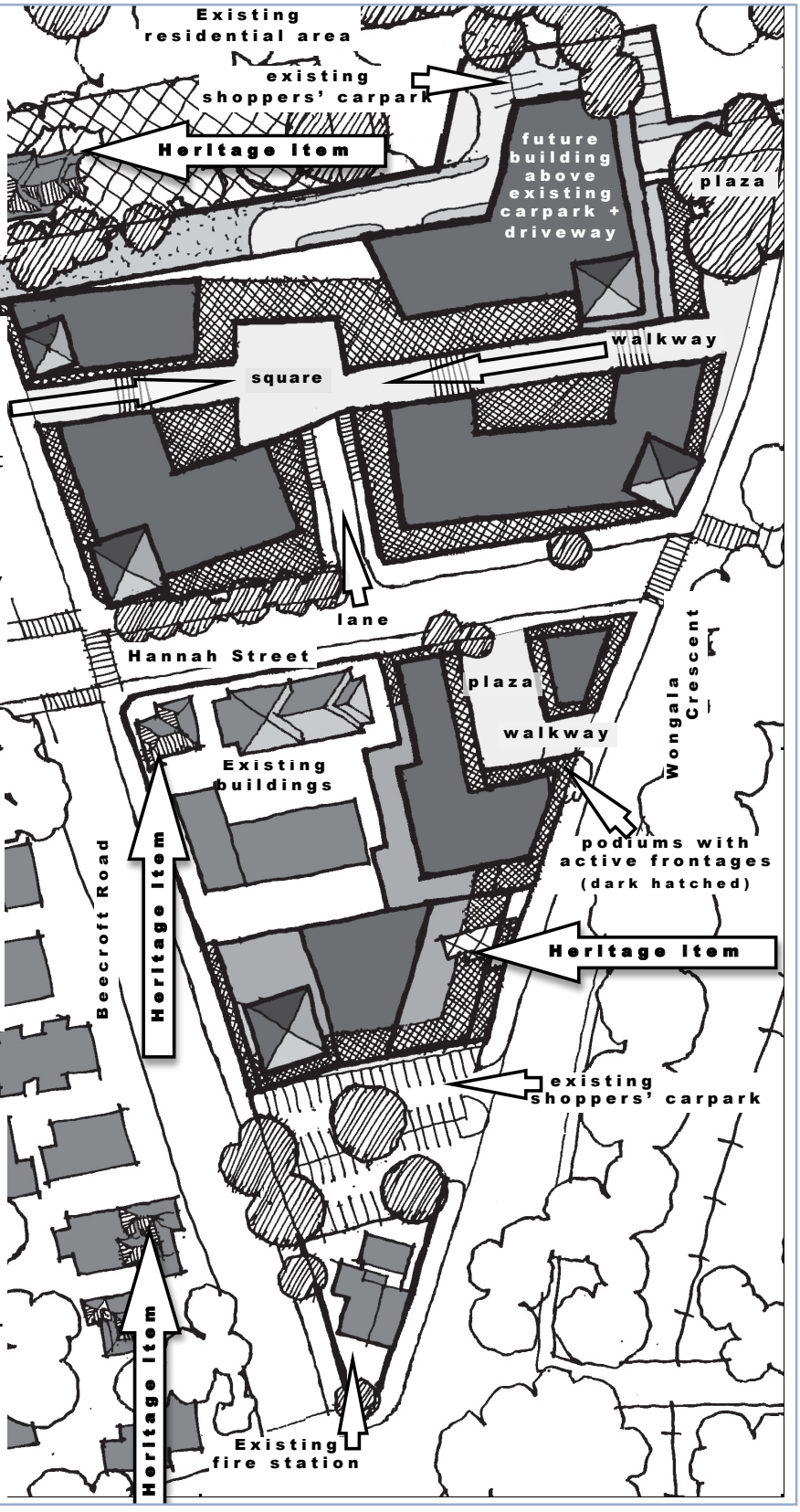
Provide a continuous podium up to two storeys high facing all streets, and shape each podium to address street corners.

Avoid extensive sheer vertical facades by setting upper storeys back from podiums.

Provide gently-pitched roof forms with eaves.

Design quality of facades should consider visibility from all quarters.

Siting and design of apartment storeys should provide at least two hours sunlight daily for living areas in 70% of new dwellings, as well as high levels of privacy.



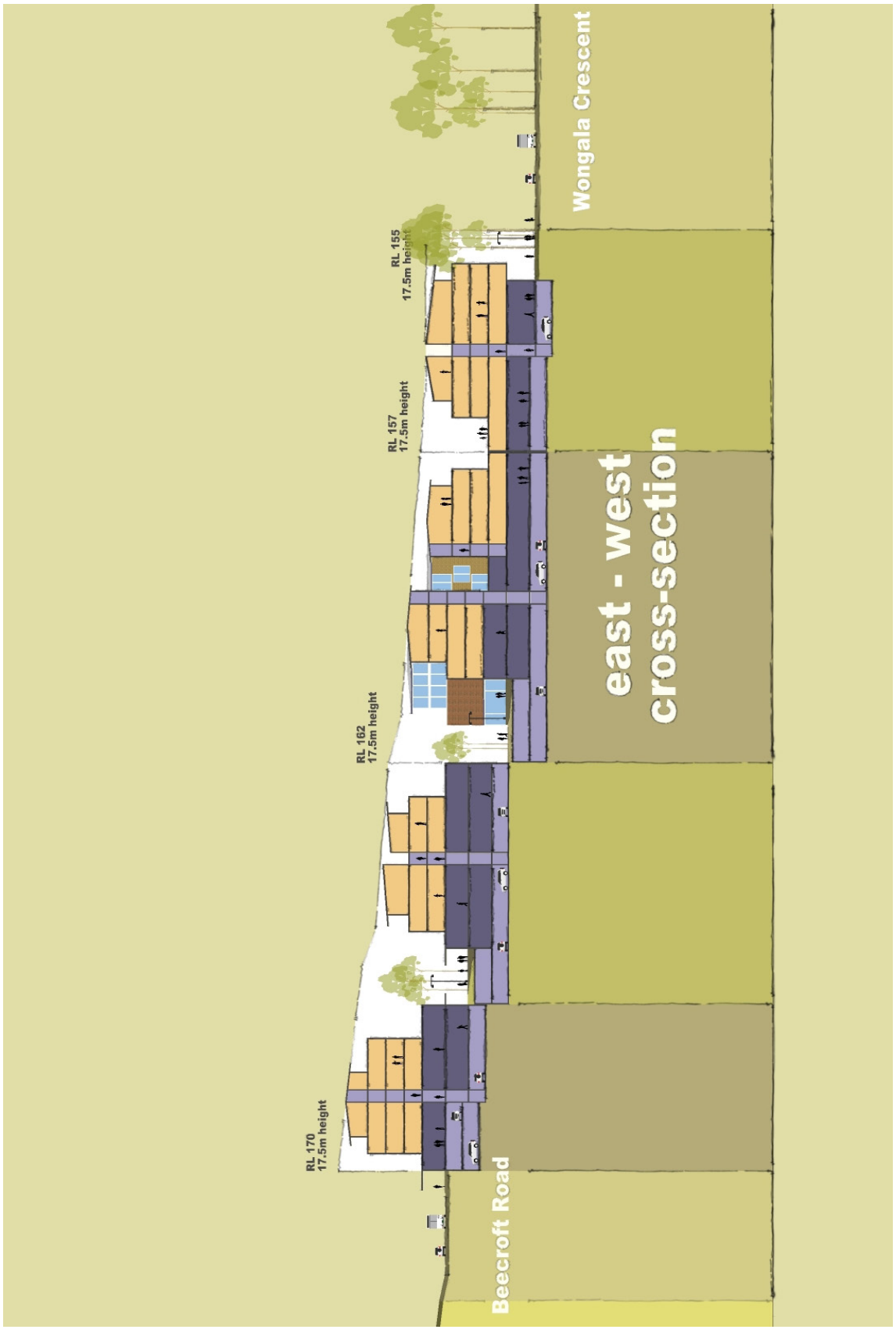
Beecroft Road Precinct (north-south)

Key Development Principles Diagram - Typical cross section



Beecroft Road Precinct (east - west)

Key Development Principles Diagram - typical cross section



HORNSBY
SHIRE COUNCIL



Annexures

Part 10

Part 10 Annexures

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Beecroft - Cheltenham Heritage Conservation Area Precinct Boundaries 10-XVIII

Annexure A

Glossary of Terms

Term	Glossary
AHD	Australian Height Datum
Asset Protection Zone (APZ)	An area surrounding a development managed to reduce the bush fire hazard to an acceptable level, top protect human life and property. The width of an APZ will vary with slope, vegetation and level of construction.
AS 1289	Australian Standard 1289.0 - Methods of testing soils for engineering purposes - General requirements and list of methods
AS 1428.1	Australian Standard AS 1428.1 - Design for access and mobility - General requirements for access - New building work.
AS 2890.1	Australian Standard 2890.1 - Parking facilities - Off-street car parking.
AS 2890.2	Australian Standard 2890.2 - Parking facilities - Off-street commercial vehicle facilities.
AS 2890.3	Australian Standard 2890.3 - Parking facilities - Bicycle parking facilities.
AS 2890.6	Australian Standard 2890.6 - Parking facilities - Off-street parking for people with disabilities.
AS 3798	Australian Standard 3798 - Guidelines on earthworks for commercial and residential developments.
AS 3959	Australian Standard 3595 - Construction of buildings in bushfire-prone areas
AS 4282	Australian Standard 4282 - Control of the Obtrusive Effects of Outdoor Lighting.
AS 4299	Australian Standard AS 4299 - Adaptable housing.
AS 4373	Australian Standard AS 4373 - Pruning of Amenity Trees.
AS 4970	Australian Standard 4970 Protection of Trees on Development Sites.
Building height (or height of building)	The vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.
Building Setback	The minimum distance that a wall, window or outer-most part of the building is required to be from a property boundary. It is measured as the horizontal distance between the proposed wall, window or outer most part of the building and the boundary.
Council	Hornsby Shire Council
DCP	Development Control Plan
EP&A Act	Environmental Planning and Assessment Act 1979
habitable room	is any room used for normal domestic activities, including living, dining, family lounge, bedrooms, study, kitchen, sun room and play room
HLEP	Hornsby Local Environmental Plan 2013

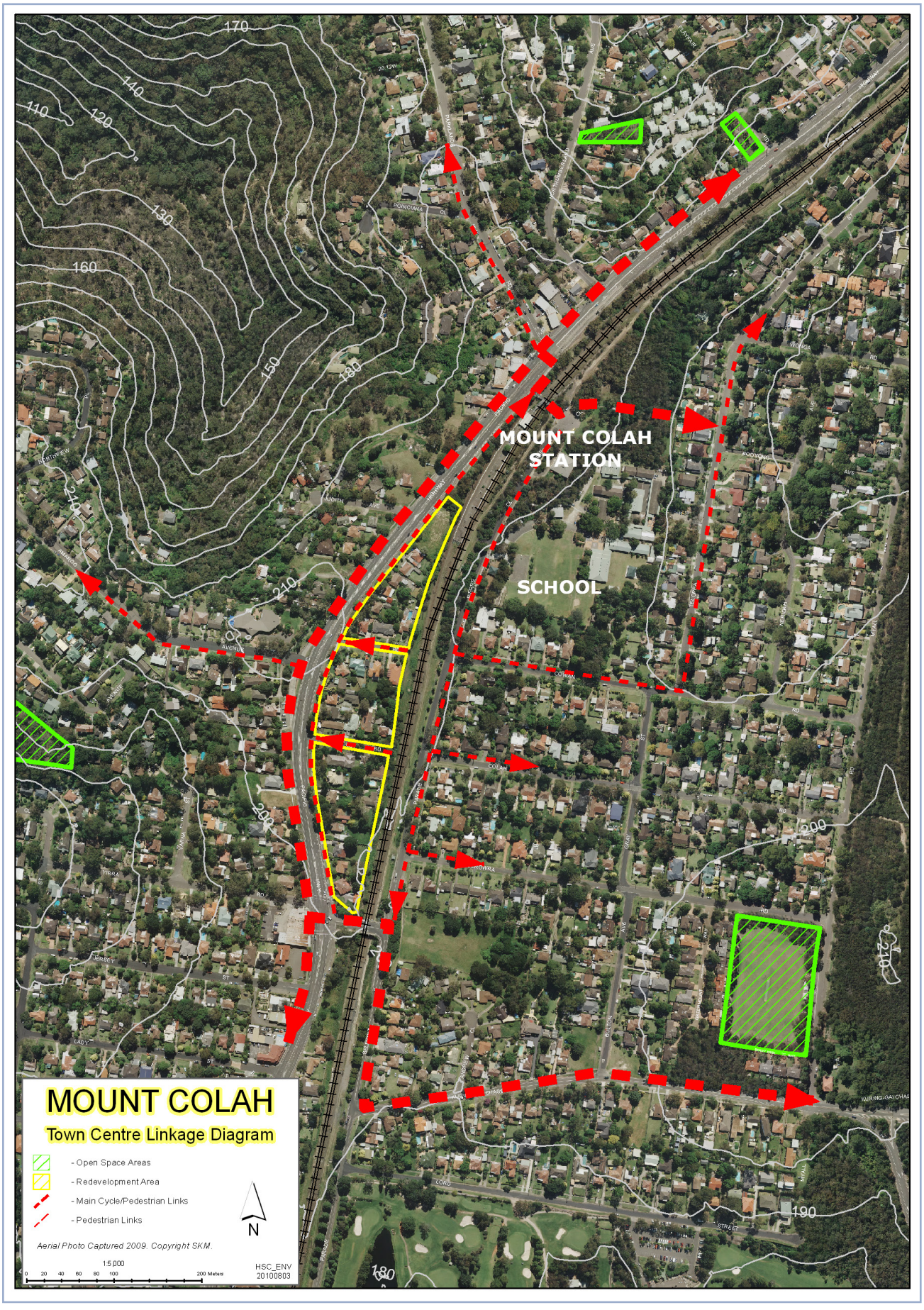
Glossary of Terms

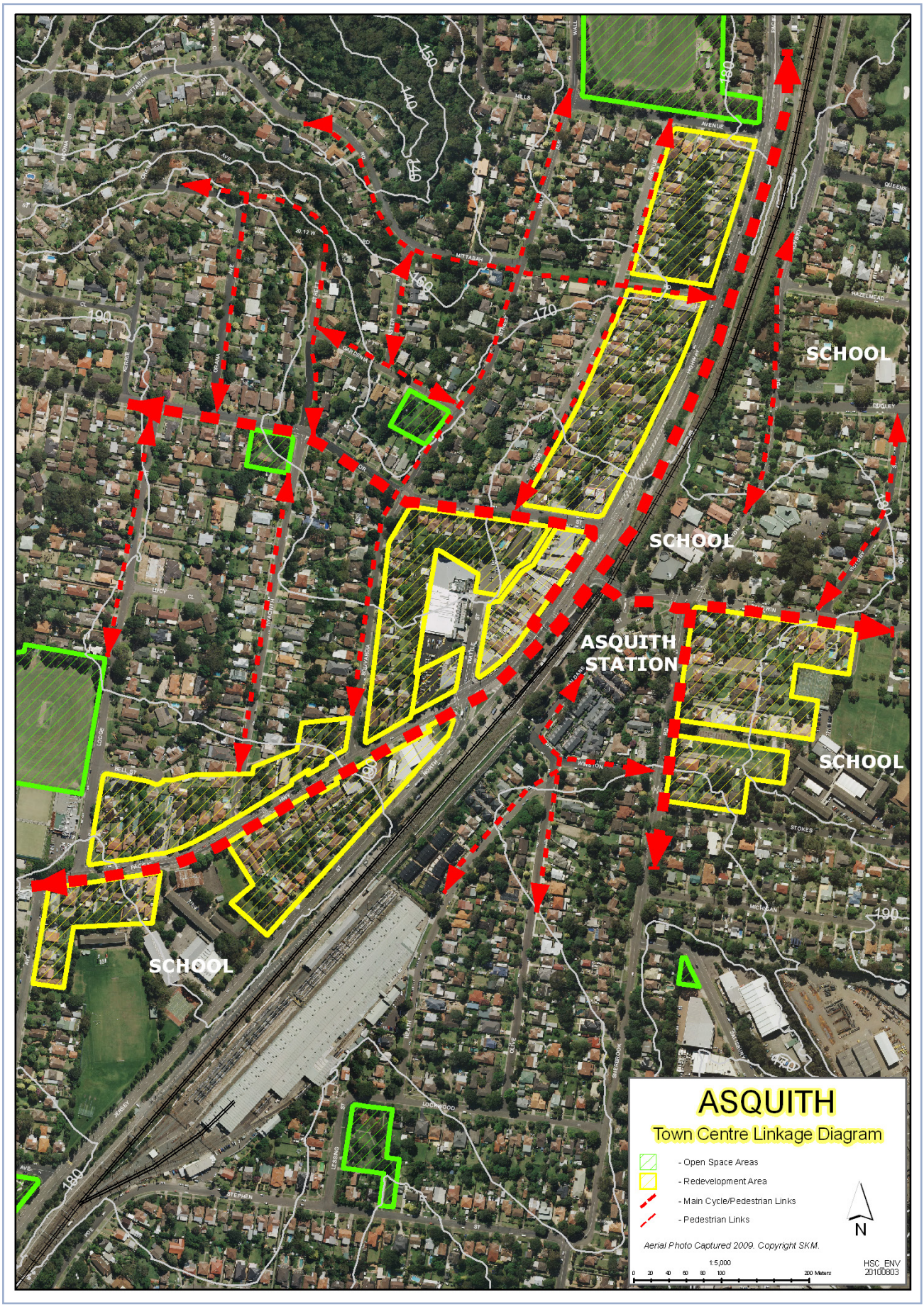
Term	Glossary
LEP	Local Environmental Plan
lot size (or site area)	In relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding: ■ any land on which the development is not permitted under an environmental planning instrument, and ■ if a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.
primary frontage	The shorter street frontage on a corner allotment
rear boundary	Is ordinarily located parallel to and/or opposite the primary frontage
SEPP	State Environmental Planning Policy
site coverage	The proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage: (a) any basement, and (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary, and (c) any eaves, and (d) unenclosed balconies, decks, pergolas and the like.
storey	A space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include: (a) a space that contains only a lift shaft, stairway or meter room, or (b) a mezzanine, or (c) an attic.
stormwater management system	A management system for the operational phase of a development to satisfactorily manage water hydrology, and in some circumstances water quality and water conservation. This may include a range of measures, for example, an on site detention (OSD) system, water quality devices such as swales, water conservation measures such as rainwater tanks, and/or an inter allotment drainage system.
Water Sensitive Urban Design (WSUD)	means Water Sensitive Urban Design as described in the publication *Evaluating Options for Water Sensitive Urban Design – A National Guide* (2009) by the Joint Steering Committee for Water Sensitive Cities (JSCWSC).

Annexure B

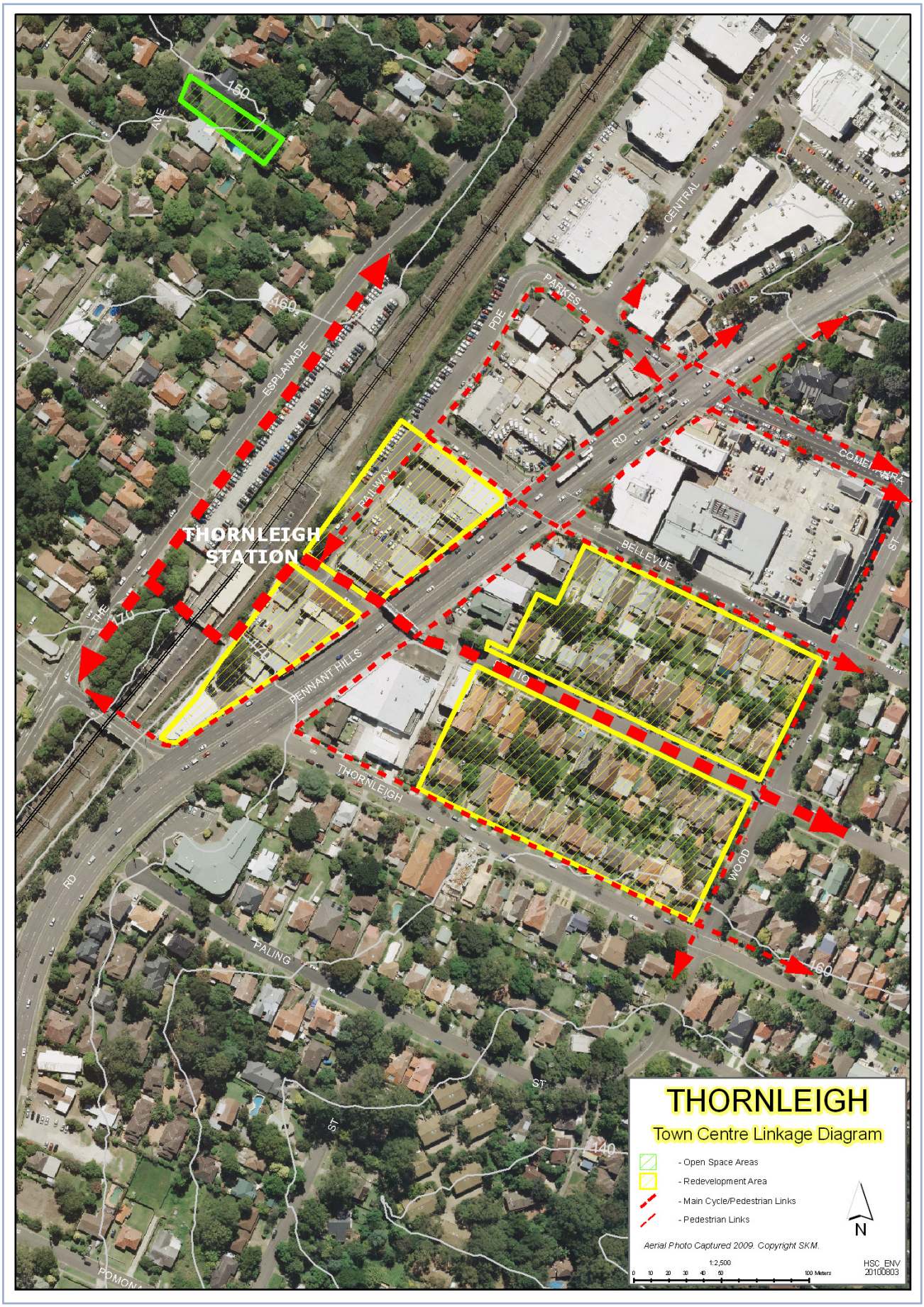
Town Centre Linkage Diagrams

The following provides Town Centre Linkage diagrams for the Housing Strategy precincts adopted in September 2011 and the Epping Town Centre Urban Activation Precinct finalised by the State Government in March 2014.

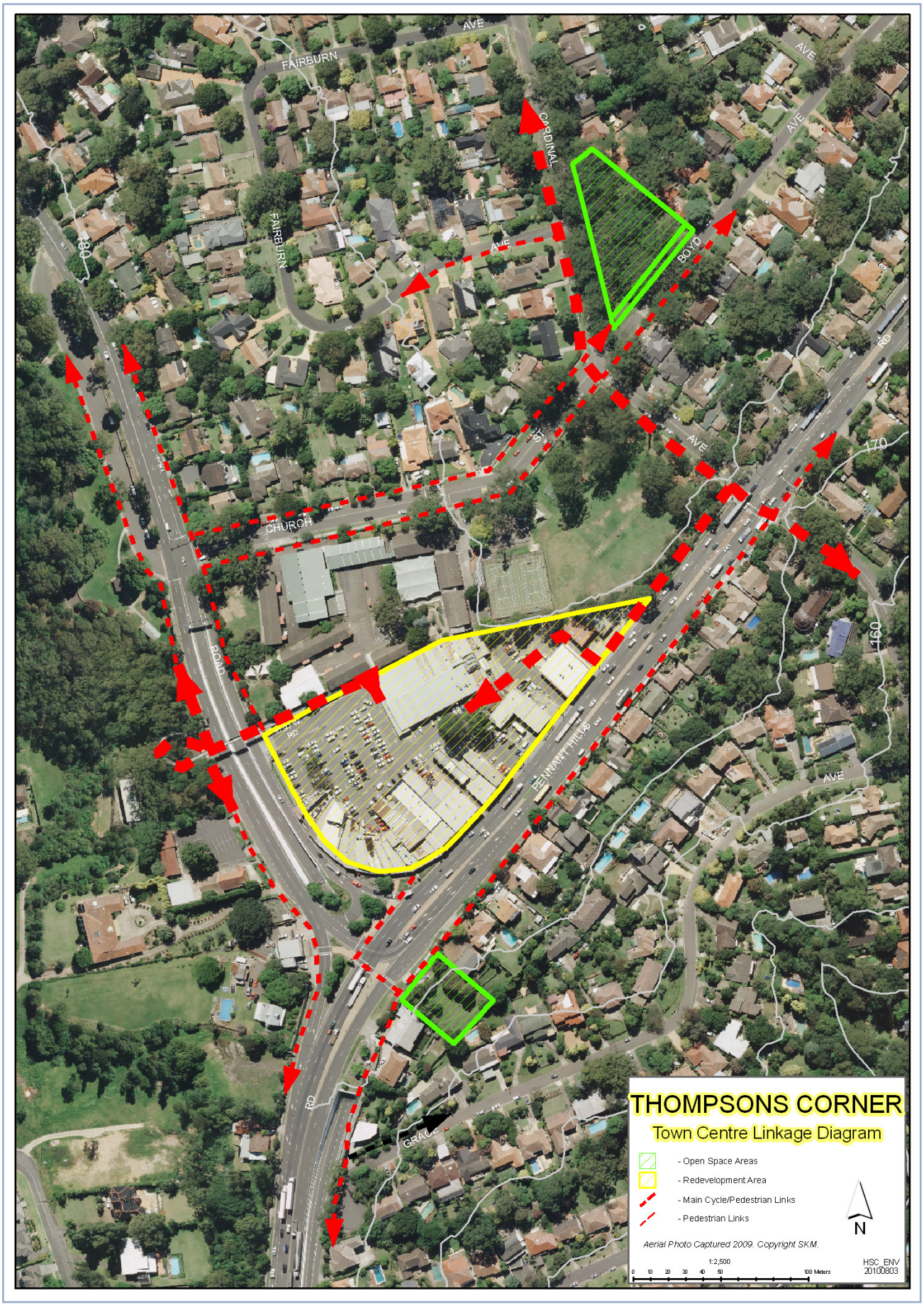

MOUNT COLAH STATION
SCHOOL
MOUNT COLAH
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
N
Aerial Photo Captured 2009. Copyright SKM.
1:5,000
HSC_ENV
20100803

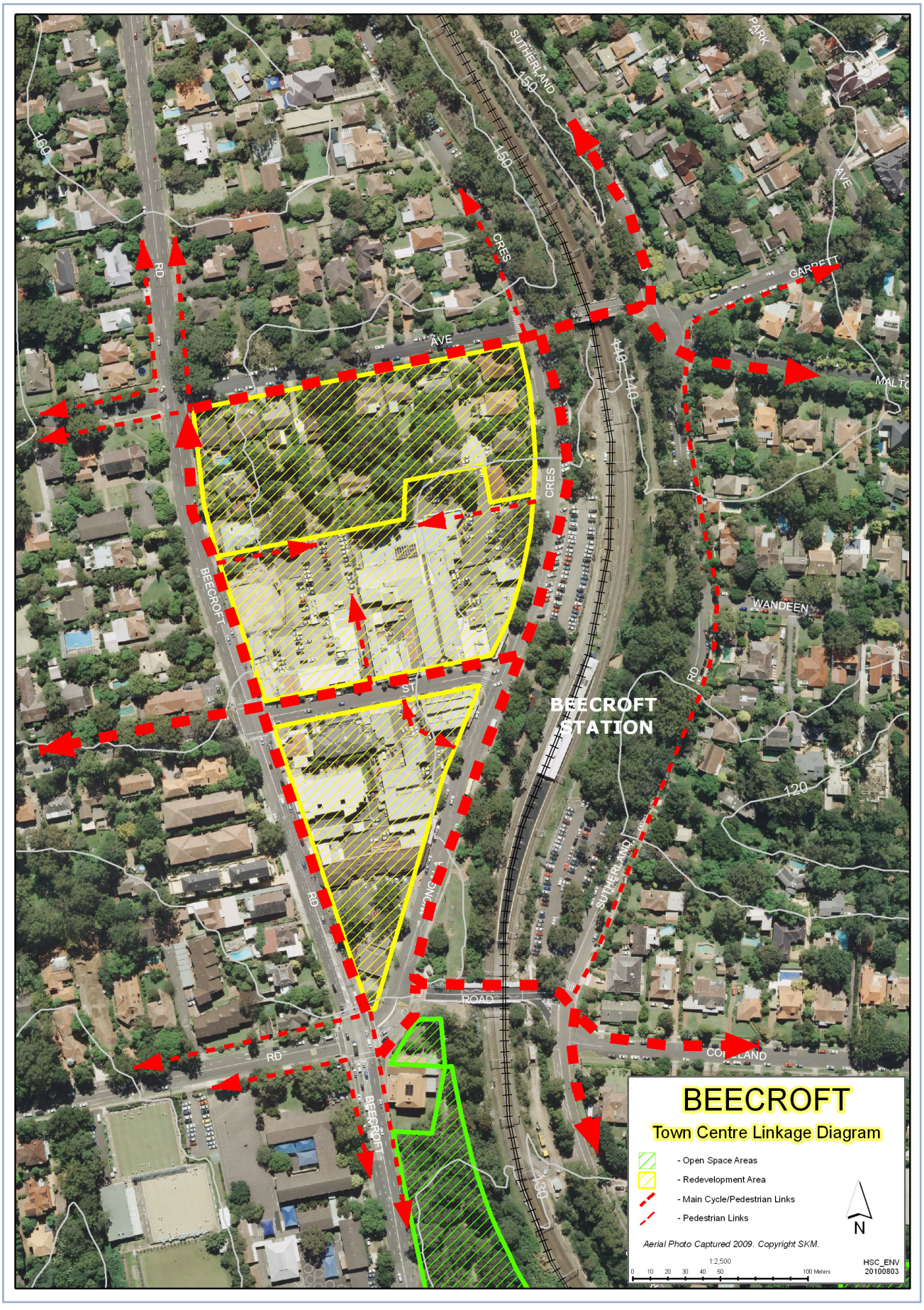

SCHOOL
SCHOOL
ASQUITH
STATION
SCHOOL
SCHOOL
ASQUITH
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
N
Aerial Photo Captured 2009. Copyright SKM.
1:5,000
0 20 40 60 80 100 200 Meters
HSC_ENV
20100803


HORNSBY
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
N
Aerial Photo Captured 2009. Copyright SKM.
1:5,000
HSC_ENV
20100803
SHOPS
SHOPS
SCHOOL
WAITARA
STATION

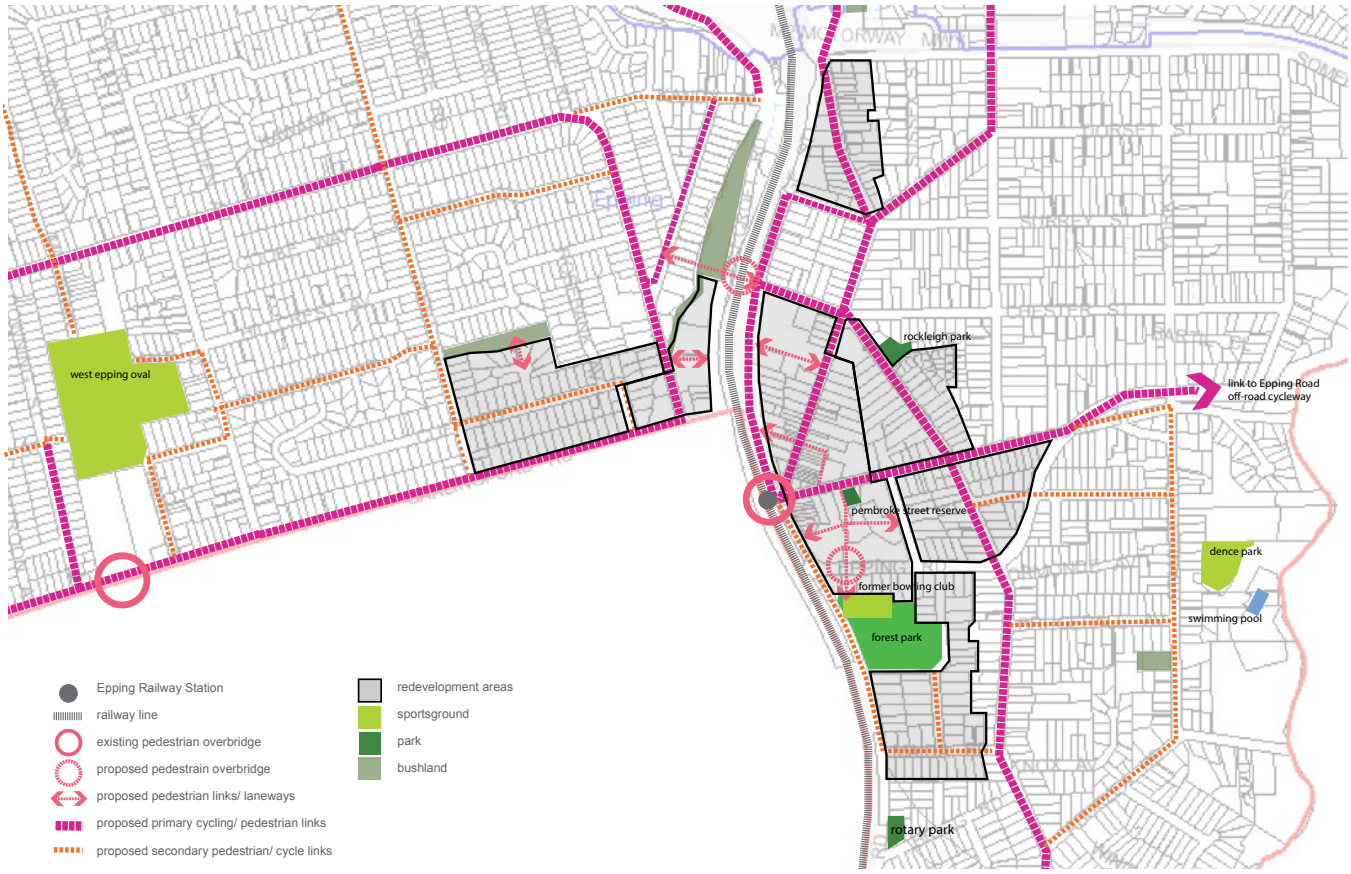

THORNLEIGH
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
N
Aerial Photo Captured 2009. Copyright SKM.
1:2,500
0 10 20 30 40 50 100 Meters
HSC_ENV
20100803
THORNLEIGH STATION
RAILWAY
ESPLANADE
PDE
PARKES
CENTRAL
AVE
RD
COMENARRA
BELLEVUE
ST
PENNANT HILLS
THORNLEIGH
WOOD
PALING
POMONA
150
160
170
140


PENNANT HILLS
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
Aerial Photo Captured 2009. Copyright SKM.
PENNANT HILLS STATION
WILLIS
RAILWAY
YARRARA
FISHER
WEEMALA
GREYCLIFFE
TREBOR
RD
AVE
160
170
180


THOMPSONS CORNER
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
Aerial Photo Captured 2009. Copyright SKM.
1:2,500
0 10 20 30 40 50 100 Meters
HSC_ENV
20100803
N
FAIRBURN
AVE
CARDINAL
BOYD
CHURCH
ROAD
PENNANT HILLS
RD
170
160
180


BEECROFT
Town Centre Linkage Diagram
- Open Space Areas
- Redevelopment Area
- Main Cycle/Pedestrian Links
- Pedestrian Links
Aerial Photo Captured 2009. Copyright SKM.
1:2,500
0 10 20 30 40 50 100 Meters
HSC_ENV
20100803
N
BEECROFT STATION
SUTHERLAND
CRES
AVE
RD
BEECROFT
ST
WANDEEN
GARRETT
PARK
ROAD
CORELAND
MALTO
150
160
140
120
130

Epping Town Centre Linkage Diagram



Annexure C

Designated, State and Regional Roads in Hornsby Shire

Designated Roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. The following tables provide a list of designated roads in urban and rural areas in Hornsby Shire:

URBAN - DESIGNATED ROADS				
RMS Road No.	Road Name	From	To	Classified or Unclassified
139	Beecroft Road	Pennant Hills Road	Epping Road	Classified
366	Belmont Parade	Pacific Highway	Ku-ring-gai Chase Road	Classified
332	Berowra Waters Road	Pacific Highway	Berowra Creek	Classified
139	Blaxland Road	Epping Road	Council Boundary	Classified
656	Boundary Road	Pennant Hills Road	New Line Road	Classified
10	Bridge Road	Jersey Street North/ Peats Ferry Road	George Street	Classified
161	Bridge Road	Peats Ferry Road	Galston Road	Classified
373	Carlingford Road	Pennant Hills Road	Beecroft Road	Classified
156	Castle Hill Road	Pennant Hills Road	Old Northern Road	Classified
2043	Edgeworth David Avenue	Pacific Highway	Council Boundary	Classified
373	Epping Road	Blaxland Road	Council Boundary	Classified
161	Galston Road	Peats Ferry Road	Galston Gorge	Classified
10	George Street (Hornsby)	Bridge Road	Galston Gorge	Classified
10	Jersey Street North	Pacific Highway	Bridge Road	Classified
366	Ku-ring-gai Chase Road	Belmont Parade	Myall Road	Classified
656	New Line Road	Boundary Road	Old Northern Road	Classified
10	Pacific Highway	Hawkesbury River	Jersey Street North	Classified
2103	Peats Ferry Road	Galston Road	Jersey Street North	Classified
13	Pennant Hills Road	Pacific Highway	Keeler Street	Classified

RURAL - DESIGNATED ROADS				
RMS Road No.	Road Name	From	To	Classified or Unclassified
332	Arcadia Road	Gribbenmount Road	Calabash Road	Classified
332	Bay Road	Calabash Road	Berowra Creek	Classified
N/A	Bayfield Road	Gribbenmount Road	Blacks Road	Unclassified (Local)
N/A	Blacks Road	Arcadia Road (entire length)	Arcadia Road (entire length)	Unclassified (Local)
161	Galston Road	Galston Gorge	Old Northern Road	Classified
N/A	Hastings Road	Old Northern Road	New Line Road	Unclassified (Local)
548	Mid-Dural Road	Galston Road	Old Northern Road	Classified
160	Old Northern Road	Castle Hill Road	Wisemans Ferry	Classified

State and Regional Roads

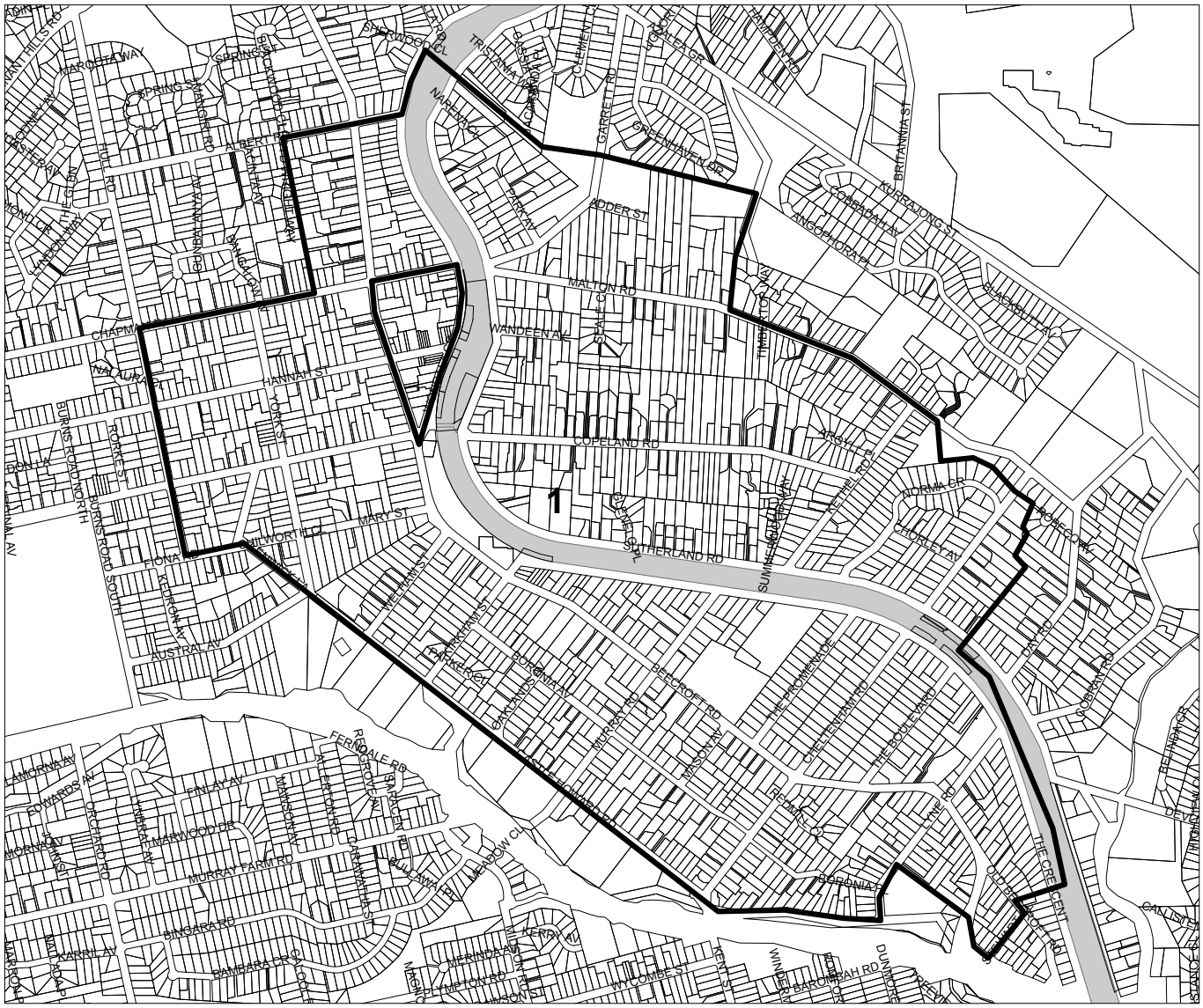
State and Regional Roads are roads that require concurrence with the NSW Roads and Maritime Services (RMS). The following tables provide a list of State and Regional main roads for Hornsby Shire as of September 2016:

STATE ROADS				
RMS Road No.	Road Name	From	To	Classified or Unclassified
139	Beecroft Road	Pennant Hills Road	Epping Road	Classified
366	Belmont Parade	Pacific Highway	Ku-ring-gai Chase Road	Classified
139	Blaxland Road	Epping Road	Council Boundary	Classified
656	Boundary Road	Pennant Hills Road	New Line Road	Classified
10	Bridge Road	Jersey Street North	George Street	Classified
161	Bridge Road	Peats Ferry Road	Jersey Street North	Classified
373	Carlingford Road	Pennant Hills Road	Beecroft Road	Classified
156	Castle Hill Road	Pennant Hills Road	Old Northern Road	Classified
373	Epping Road	Blaxland Road	Council Boundary	Classified
161	Galston Road	Peats Ferry Road	Old Northern Road	Classified
10	George Street	Bridge Road	Peats Ferry Road	Classified
10	Jersey Street North	Pacific Highway	Bridge Road	Classified
366	Ku-ring-gai Chase Road	Belmont Parade	Myall Road	Classified
548	Mid-Dural Road	Galston Road	Old Northern Road	Classified
656	New Line Road	Boundary Road	Old Northern Road	Classified
160	Old Northern Road	Castle Hill Road	Wisemans Ferry	Classified
10	Pacific Highway	Hawkesbury River	Jersey Street North	Classified
10	Pacific Highway	George Street	Isis Street/ M1 Motorway	Classified
161	Peats Ferry Road	Galston Road	Bridge Road	Classified
13	Pennant Hills Road	Pacific Highway	Keeler Street	Classified

REGIONAL ROADS				
RMS Road No.	Road Name	From	To	Classified or Unclassified
332	Berowra Waters Road	Pacific Highway	Berowra Creek	Classified
332	Bay Road	Berowra Creek	Calabash Road	Classified
332	Arcadia Road	Calabash Road	Galston Road	Classified
2103	Peats Ferry Road	Galston Road	Jersey Street North	Classified
2043	Edgeworth David Avenue	Pacific Highway	Council Boundary	Classified
7240	Copeland Road	Pennant Hills Road	Beecroft Road	Unclassified
7241	Stevens Street	Yarrara Road	Bellamy Street	Unclassified
7241	Bellamy Street	Stevens Street	Boundary Road	Unclassified
7242	New Line Road	Castle Hill Road	Boundary Road	Unclassified
7243	College Crescent	Pacific Highway	Clarke Road	Unclassified
7243	Clarke Road	College Crescent	Malsbury Road	Unclassified
7243	Malsbury Road	Clarke Road	Milson Parade	Unclassified
7243	Milson Parade	Malsbury Road	Sefton Road	Unclassified
7243	Sefton Road	Dartford Road	Chilvers Road	Unclassified
7243	Chilvers Road	Sefton Road	Duffy Avenue	Unclassified
7243	The Esplanade	Duffy Avenue	Wells Street	Unclassified
7243	Yarrara Road	Wells Street	Pennant Hills Road	Unclassified
7244	The Comenarra Parkway	Pennant Hills Road	Lane Cove River	Unclassified
7245	Royston Parade	Ku-ring-gai Chase Road	Baldwin Avenue	Unclassified
7245	Sherbrook Road	Baldwin Avenue	Edgeworth David Avenue	Unclassified
7482	County Drive	Castle Hill Road	Newline Road	Unclassified
7483	Duffy Avenue	Pennant Hills Road	The Esplanade	Unclassified

Annexure D

Beecroft - Cheltenham Heritage Conservation Area Precinct Boundaries



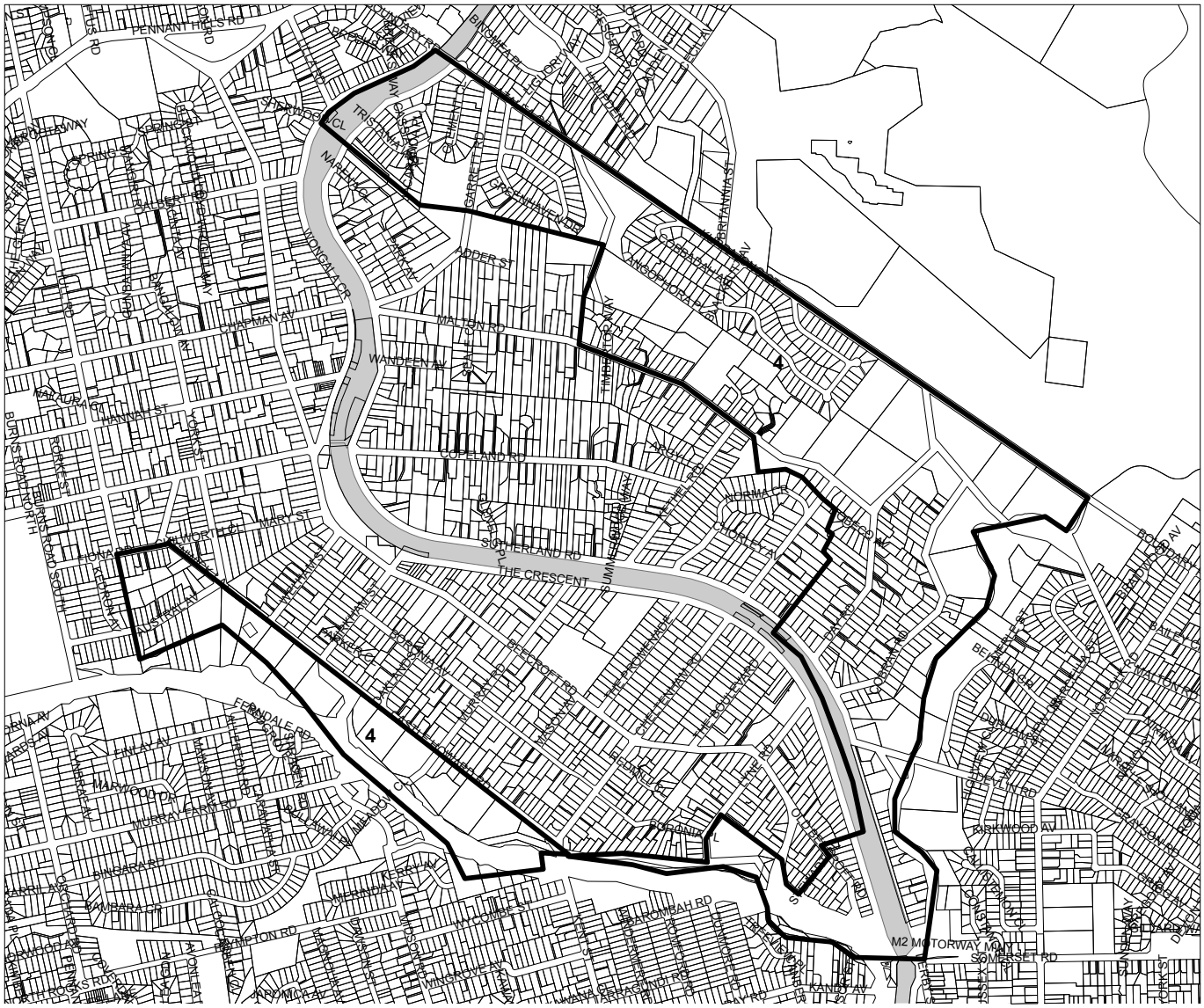
Beecroft - Cheltenham Heritage Conservation Area: Precinct 2 - Beecroft North



Beecroft - Cheltenham Heritage Conservation Area: Precinct 2 - Beecroft North



Beecroft - Cheltenham Heritage Conservation Area: Precinct 3 - Northern Triangle



Beecroft - Cheltenham Heritage Conservation Area: Precinct 4 -The Gullies



Beecroft - Cheltenham Heritage Conservation Area: Precinct 5
- Beecroft Village