

DRAFT

Hornsby Development Control Plan 2024

Part 7 Community



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Tracked changes are used to show the differences between the Hornsby DCP 2013 and the draft Hornsby DCP 2024.

For accessibility, **ORANGE** is used for additions and **BLUE STRIKETHROUGH** text is used for deletions.

Introduction

This Part of the DCP applies to all land within the Hornsby local government area and provides specific controls for community related land uses 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 [State Environmental Planning Policy \(Transport and Infrastructure\) 2021 \(Transport and Infrastructure SEPP\)](#) and the [Child care planning guideline \(Department of Planning and Environment 2021\)](#) [Hornsby Child Care Planning Review \(2006\)](#). Although Council's preferred controls remain in this DCP, the provisions of the Child care planning guideline take precedence over this DCP other than for building height, side and rear setbacks and car parking rates. Proponents should consider the Transport and Infrastructure SEPP and the Child care planning guidelines in conjunctions with this section of the DCP when preparing development applications for child care centres. ~~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

- Community uses with a site area that contributes to the achievement of desired urban design outcomes.
- 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

- The development site width of a school should not be less than 60 metres in urban areas, measured at the primary street frontage.
- 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.
- 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

- 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.

- 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 [General](#) of the DCP.

Separation from Intensive, Offensive or Hazardous Land uses

- Community uses should not be sited in close proximity to significant noise, dust or odour generating uses.
- Within the rural areas of the Shire, community facilities should comply with the minimum separations between intensive rural land uses and sensitive land uses as detailed in Section 2.2 of the DCP.
- Community uses in industrial areas should not be located within 100 metres of hazardous chemicals of a quantity requiring a notification to [SafeWork Workcover](#) NSW, as measured from the location of the hazardous chemicals to the nearest point of the site.

Notes:

[SafeWork Workcover](#) notification for the storage of hazardous chemicals is covered by the [Work Health and Safety Regulation 2017](#) ~~OHS Regulation 2001~~, Explosives Act 2003 and the Protection from Harmful Radiation Act 1990. [To apply for necessary site search/s for details on notifications received on hazardous chemicals, applicants should contact SafeWork on 13 10 50 or visit \[www.safework.nsw.gov.au/notify-safework/dangerous-goods-notifications\]\(http://www.safework.nsw.gov.au/notify-safework/dangerous-goods-notifications\). 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 [Fire and Rescue NSW's 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

- 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 HDPC should be read in conjunction with the SEPP.

7.1.2 Scale

Desired Outcomes

- Development with a height, scale and intensity that is compatible with the character of the area.
- Child care centres that incorporate best practice design and address the local demand for child care places.

Prescriptive Measures

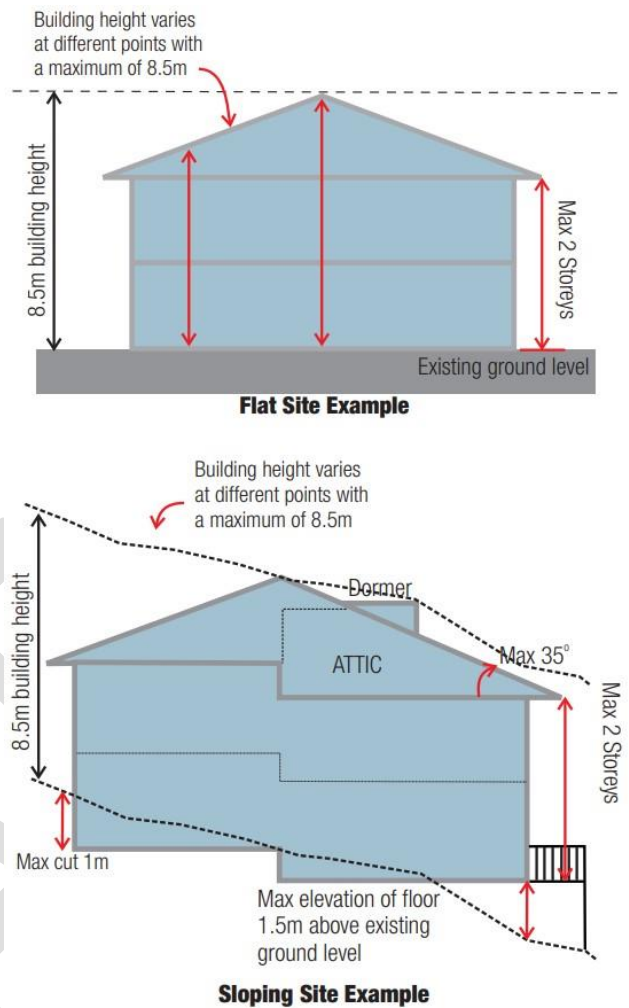
General

- The maximum floor space ratio shall be in accordance with the HLEP Floor Space Ratio Map.
- The maximum building height shall be in accordance with the HLEP Height of Buildings Map.
- The scale of buildings should be in accordance with Table 7.1.2-a7.1.2(a).

Table 7.1.2-a7.1.2(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 and 3.5 of the DCP.
Business Zones (Zones E1, E2, E3 and MU1)	Apply the scale controls that would otherwise apply to Commercial development in Part 4 of the DCP.
Industrial Zones (Zone E4)	Apply height and site coverage controls that would otherwise apply to Industrial development in Part 5 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-a7.1(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-b7.1.2(b).

Table 7.1.2-b7.1.2(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 <ul style="list-style-type: none"> ▪ 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 Employment and Mixed Use 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 old’s or where other children’s services are integrated into the development.

- 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-c7.1.2(c): Floorspace of child care centres – R2 zone

Lot Size	Maximum Floor Area
Up to 899m ²	380m ²
900m ² or larger	430m ²

Notes:

Children’s Services are governed by the National Quality Framework and/ or Children (Education and Care Services) Supplementary Provisions Regulation 2012-2019 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 Table 7.1.2-c7.1.2(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.

- f. Any application to increase the number of children within an existing child care centre should comply with the above table.

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 7.1.3(a):

Table 7.1.3-a 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 (Zones E1, E2, E3 and MU1)	Apply setback controls that would otherwise apply to Commercial development in Part 4 of the DCP.
Industrial Zones (Zone E4)	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 1.3.3.1 4C-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 1.3.1.14C-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-a7.1.4(a): Minimum Landscaped Area

Lot Size	Minimum Landscaped Area (% of the lot size)
Up to 900m ²	30%
901m ² to 1500m ²	40%
1501m ² 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 1.3.1.31C.1.3 of this DCP,
 - 10-20 metres to significant bushland as detailed in the ‘Biodiversity’ element in Section 1.3.1.11C.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-b7.1.4(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 Zones	Apply fencing controls for Dwelling Houses in Part 3.1 of the DCP.
R3 Medium Density Zones	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 (Zones E1, E2, E3 and MU1)	Apply fencing controls that would otherwise apply to Commercial development in Part 4 of the DCP.
Industrial Zones (Zone E4)	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 land use.

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 plant species indigenous to Hornsby Shire as part of the development. Refer to Council’s website www.hornsby.nsw.gov.au 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 land uses.

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 2 years, and children aged 2 or more years, and
 - have a maximum grade of 1 in 8.
- c. Child care centres should provide unencumbered outdoor play space per child in accordance with Table 7.1.5-a-7.1.5(a).

Table 7.1.5-a-7.1.5(a): Child care centre outdoor play space by location

HLEP Zone	Minimum Place 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 Error! Reference source not found. 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:

Child care planning guidelines (Department of Planning, Industry and Environment 2021).

[Guidelines to shade \(NSW Cancer Council 2013\).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 4685 and AS 4486.1: 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 AS 4422: Playground Surfacing.

Educational Establishments

- h. Recreation space should be provided on-site at a minimum rate of 20m² 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 1.3.2.14C.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 1.3.2.14C.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 [Transport for NSW 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. Child care centres should provide unencumbered indoor play space per child in accordance with Table 7.1.8-a-7.1.8(a).

Table 7.1.8-a-7.1.8(a): Child care centre indoor play space by Location

HLEP Zone	Minimum Place 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 passageway 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 1428.1 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, highchairs, 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.
- b. Development in heritage conservation areas that contributes positively to the area's heritage significance and character, and avoids intrusive elements.

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 3 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.
- c. Development for Seniors Housing in heritage conservation areas should be consistent with the applicable desired outcomes and development controls in Part 9 Heritage of the DCP.

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 Housing 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 land uses.

Prescriptive Measures

- a. The facility should be consistent with the ~~Communications Alliance Ltd codes~~ ~~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 ~~Communications Alliance Ltd code~~ ~~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:

~~The Communications Alliance Ltd~~ ~~(i) The ACIF Code (now called Communications Alliance Ltd) C564:2004-2020 Industry Code Mobile Phone Base Station Deployment~~ ~~Deployment of Mobile Phone Network Infrastructure~~ (see www.commsalliance.com.au).

~~(iii) The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Prediction Methodology for predicted levels of electromagnetic energy (EME) (see www.arpansa.gov.au).~~

~~The Australian Communications and Media Authority 'Apply to install a network facility' page (See www.acma.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 land uses 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-a7.5(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 predominant land use 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-a7.5(a): Location of Health Services Facility Precinct: (C)



7.5.1 Scale

Desired Outcome

- 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 7.5.1(a).

Table 7.5.1-a 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 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 7.5.2(a):

Table 7.5.2-a 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 plant species indigenous to Hornsby Shire as part of the development. Refer to Council's website www.hornsby.nsw.gov.au 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 1.3.2.1+C.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.