

Draft amendments to the Hornsby Development Control Plan 2013			
Section	Title	Page	Details of Amendment
2.2.7	Secondary Dwelling	2-16	<ul style="list-style-type: none"> Amend reference to HLEP Clause 5.4 to Clause 5.5. Amend prescriptive measure (a) to increase maximum total floor area from 60m² to 120m².
4.1.1	Commercial Centres Hierarchy – Hornsby	4-5	<ul style="list-style-type: none"> Amend 4.1.1 heading to reference Hornsby LGA. Amend 'Major Centres' heading to 'Strategic Centres'. Replace 'Major Centres' paragraph with 'Strategic Centres' text from Hornsby ELS. Amend 'Town Centres' heading to 'Local Centres'. Replace 'Town Centres' paragraph with 'Local Centres' text from Hornsby ELS. Delete paragraph (d) referring to Epping Town Centre. Delete 'Stand Alone Shopping Centres' heading. Delete paragraph (e) referring to Carlingford. Amend 'Neighbourhood Centres' paragraph with 'Neighbourhood Centres' text from Hornsby ELS. Amend 'Villages and Small Villages' heading to 'Rural Village'. Amend 'Villages and Small Rural Villages' paragraph with 'Rural Villages' text from Hornsby ELS. Amend 'Enterprise Corridors' heading to 'Enterprise Corridors and Business Development Nodes'. Replace 'Enterprise Corridors' paragraph with 'Enterprise Corridors and Business Development Nodes' text from Hornsby ELS.
		4-6	<ul style="list-style-type: none"> Replace Figure 4.1(a) with hierarchy diagram from Hornsby ELS.
4.1.1	Commercial Centres Hierarchy – within the City of Parramatta LGA	4-5-a 4-6-a	<ul style="list-style-type: none"> Insert pages 4-5-a and 4-6-a for unchanged prescriptive measures and hierarchy diagram to continue applying for Parramatta LGA.
6.2.1	Residential Lands Subdivision	6-5	<ul style="list-style-type: none"> Amend 6.2.1 heading to reference Hornsby LGA.
		6-6	<ul style="list-style-type: none"> Amend paragraph (d) to include reference to measurement of lot width for battle-axe allotments. Amend Figure 6.2(b) to clarify that minimum lot width applies to battle-axe allotments. Amend Figure 6.2(b) caption to reference battle-axe allotments. Amend paragraph (f) to include reference to Figure 6.2(c).
		6-7	<ul style="list-style-type: none"> Amend Table 6.2(c) so that rear boundary setback is 3 metres.
6.2.1	Residential Lands Subdivision within the City of Parramatta LGA	6-5-a 6-6-a 6-7-a 6-8-a	<ul style="list-style-type: none"> Insert pages 6-5-a, 6-6-a, 6-7-a and 6-8-a for unchanged prescriptive measures to continue applying for the City of Parramatta LGA.
<p><i>HLEP = Hornsby Local Environmental Plan 2013</i> <i>HDPC = Hornsby Development Control Plan 2013</i> <i>LGA = Local government area</i> <i>Hornsby ELS = Hornsby Employment Lands Study</i></p>			
<p>HDPC amendments are indicated in the following pages: Deletions are in red text and strikethrough (i.e. delete) Additions are in green text (i.e. add)</p>			

2.2.7 Secondary Dwelling

HLEP Clause 5.45 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 ~~60~~ 120m², 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)

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:

Major Strategic 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.~~

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.

Town Local 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.~~

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 1,000m².

- d. ~~While Epping has a Town 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 a Town Centre and may have the potential to become a traditional Town Centre in the long term.~~

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.~~

d. Neighbourhood Centres provide a range of small-scale 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.

Villages and Small Rural 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.~~

e. Rural villages provide retail, commercial and employment opportunities for their local community. They typically provide under 2,000m² of retail space, may contain a small neighbourhood supermarket (under 1,000m²) and are zoned RU5 - Village.

Enterprise Corridors and Business Development Nodes

- 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 start-up offices, light industry, motor showrooms, building supplies and bulky good retail.~~

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.

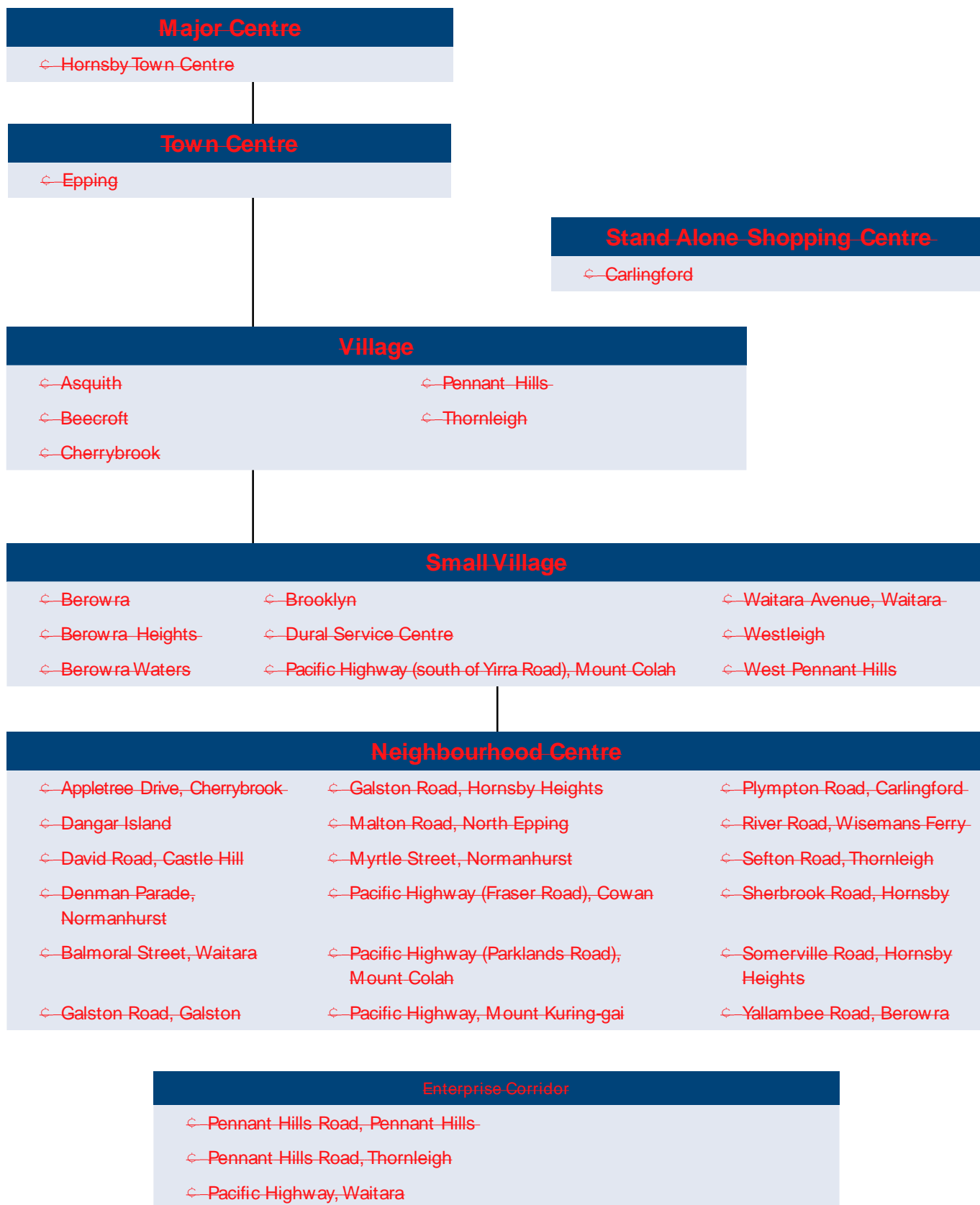


Figure 4.1(a): Commercial Centres Hierarchy.(C)

Strategic Centre		
Hornsby Town Centre		
Local Centres		
Thornleigh Village	Asquith Village	Galston Road Village
Cherrybrook Village	West Pennant Hills Village	Westleigh Village
Pennant Hills Village	Berowra Village	Pacific Highway Mount Kuring-Gai
Berowra Heights Village	Dural Service Centre	Waitara Village
Beecroft Village		
Neighbourhood Centre		
Appletree Drive, Cherrybrook	Galston Road, Hornsby Heights	Pacific Highway, Cowan
Dangar Island	Malton Road, North Epping	Parklands Road, Mount Colah
David Road, Castle Hill	Myrtle Street, Normanhurst	Wisemans Ferry
Denman Parade, Normanhurst	Mount Colah Village	Sefton Road, Thornleigh
Balmoral Street, Waitara		Yallambee Road, Berowra
Brooklyn Village		
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 - Hornsby 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 a Town 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 a Town 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 start-up offices, light industry, motor showrooms, building supplies and bulky good retail.

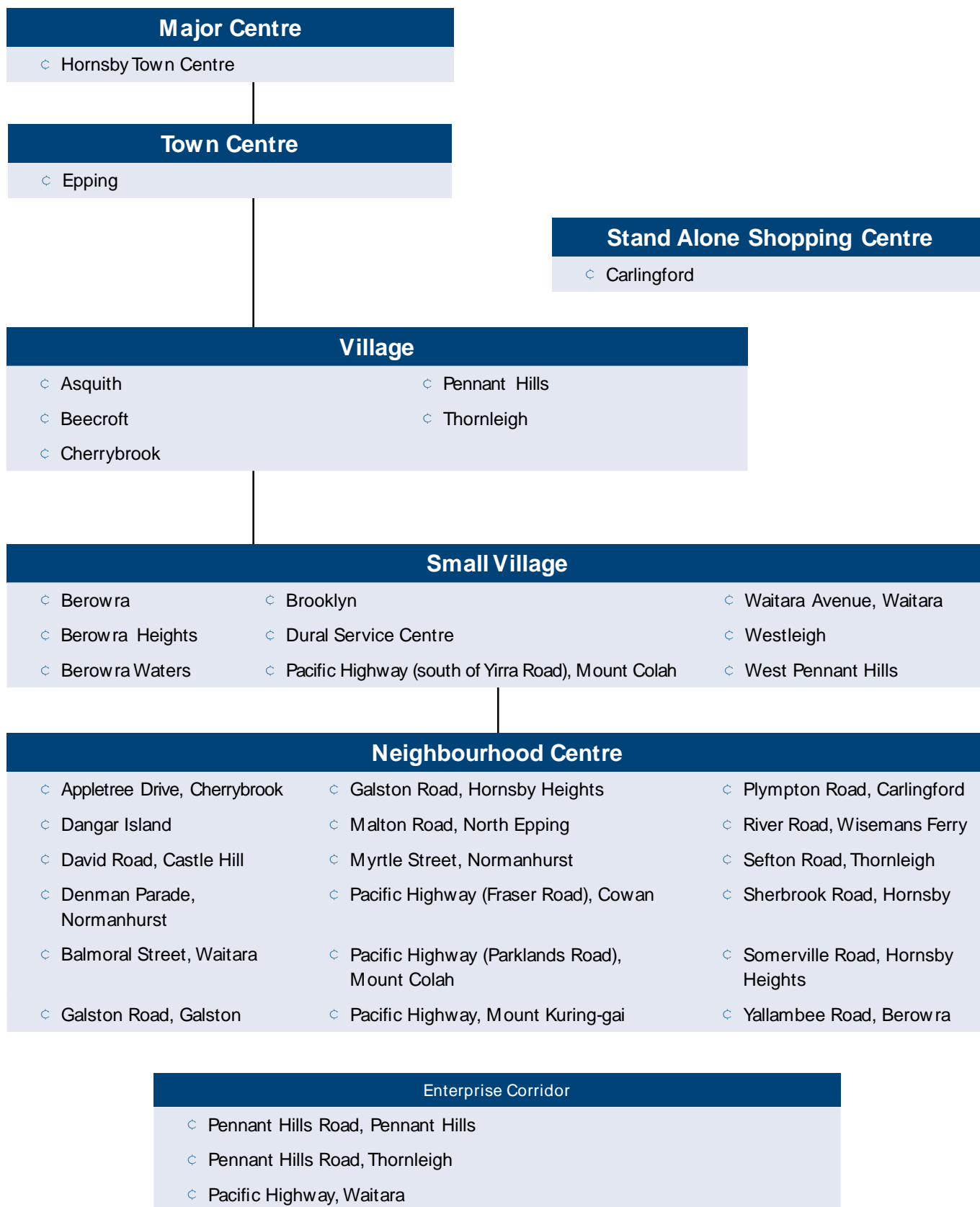


Figure 4.1(a): Commercial Centres Hierarchy.(C)

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	500m ²
M	600m ²

- 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.

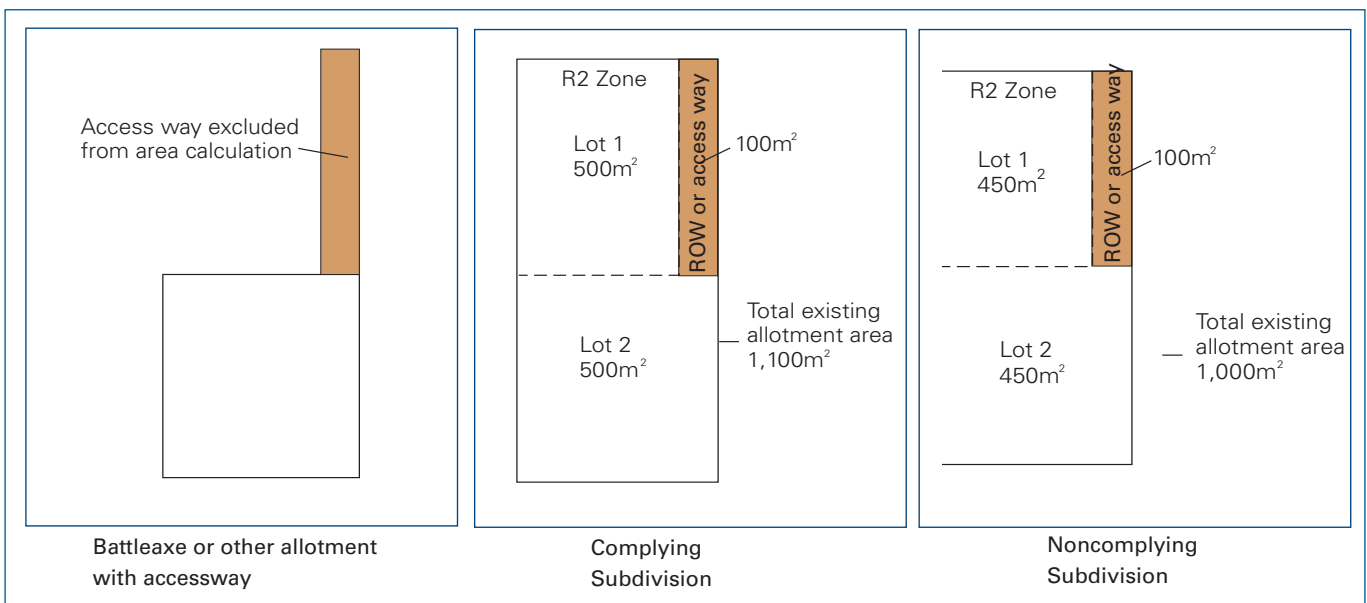


Figure 6.2(a) - Illustration of lot size controls in the R2 zone, within area I on the HLEP Lot Size Map.(I)

Lot Shape

- d. Lot design should maintain a minimum lot width that is compatible with the subdivision pattern, **measured at the building line adjacent to the primary street frontage**, as detailed in Table 6.2(b). **In accordance with Figure 6.2(b), lot width is measured at:**
 - n The building line adjacent to the primary street frontage, or
 - n 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	500m ²	12m
M	600m ²	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.

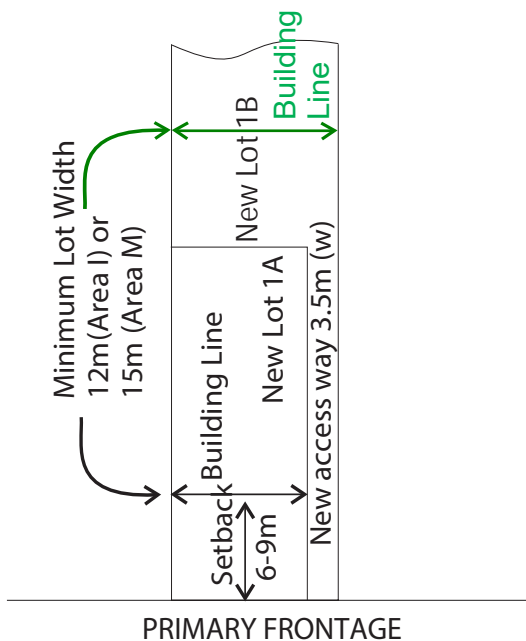


Figure 6.2(b): Minimum lot width required **at the primary street frontage boundary** for all allotments.(l)

- 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.

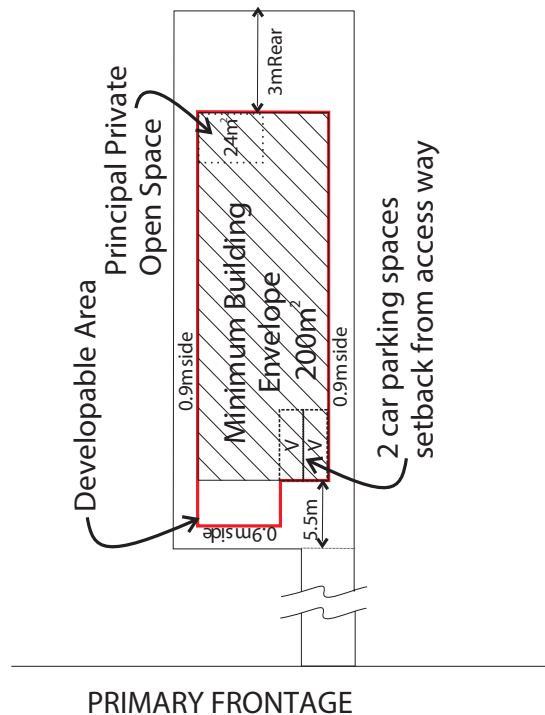


Figure 6.2(c): Proposed subdivision plans should identify a potential developable area for each new lot.(l)

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: <ul style="list-style-type: none"> ○ 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

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.



Figure 6.2 (d): Setbacks on battle-axe lots.(l)

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 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.

6.2 Urban Subdivision

6.2.1 Residential Lands Subdivision City of Parramatta @ 5

The following provides controls for subdivision in the R2 Low Density Residential Zone.

Desired Outcomes

- Subdivision design should maintain appropriately shaped lots to accommodate a dwelling and associated development that is compatible with a low density residential environment.
- 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

- 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	500m ²
M	600m ²

- 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.
- 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.

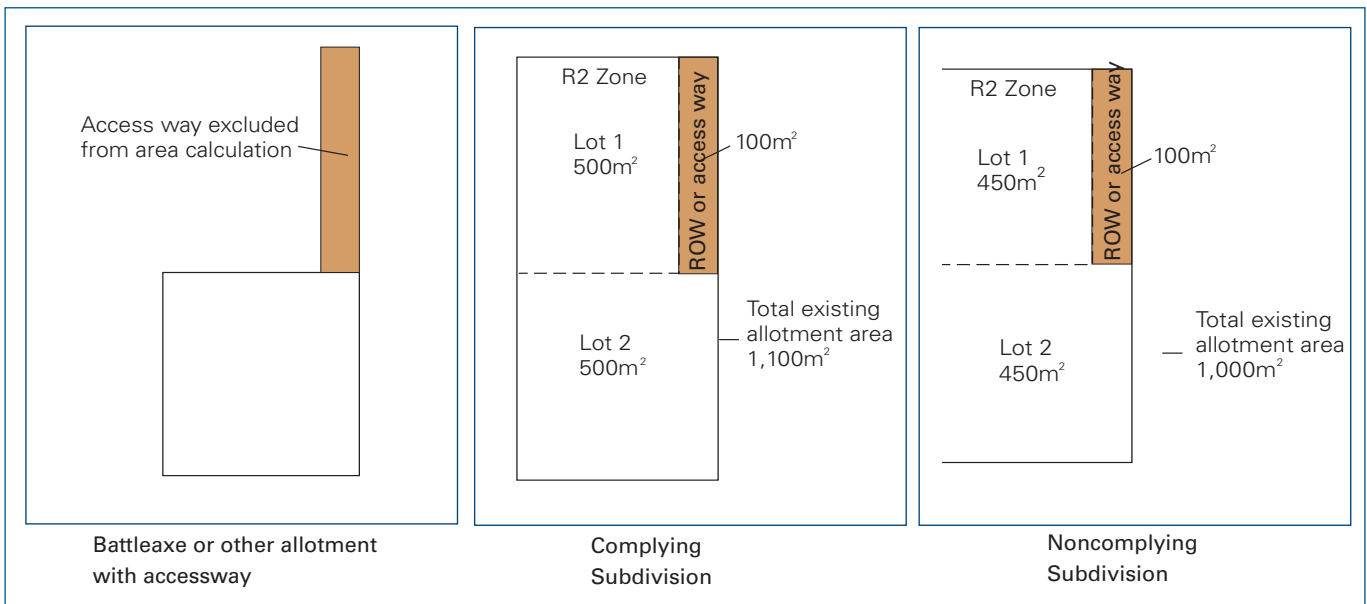


Figure 6.2(a) - Illustration of lot size controls in the R2 zone, within area I on the HLEP Lot Size Map.(I)

Lot Shape

d. Lot design should maintain a minimum lot width that is compatible with the subdivision pattern, 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	500m ²	12m
M	600m ²	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.

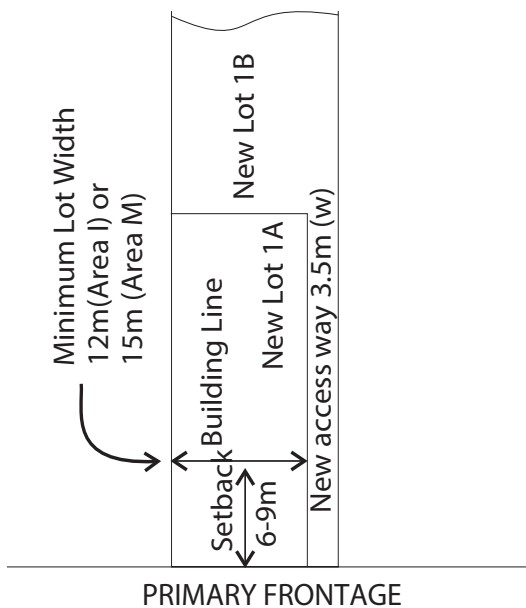


Figure 6.2(b): Minimum lot width required at the primary street frontage boundary.(I)

f. 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

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.

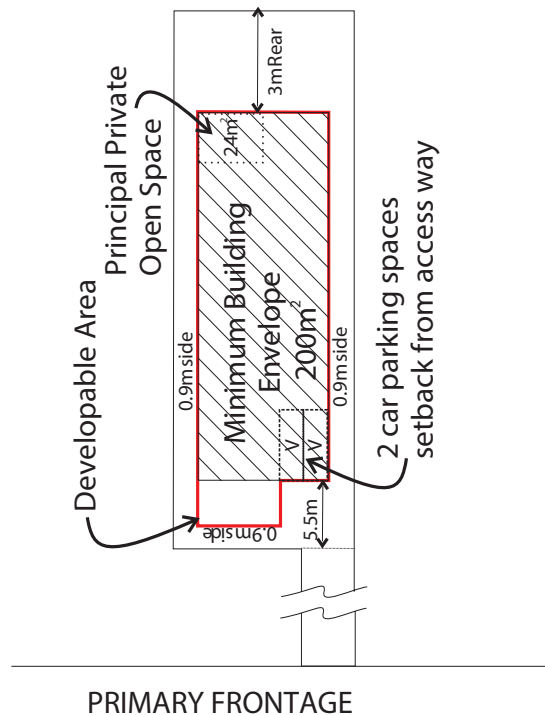


Figure 6.2(c): Proposed subdivision plans should identify a potential developable area for each new lot.(I)

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: <ul style="list-style-type: none"> 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
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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.



Figure 6.2 (d): Setbacks on battle-axe lots.(l)

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 599m ²	20%
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- 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.