

**DRAFT LOCAL ENVIRONMENTAL PLAN AMENDMENTS
CASTLE HILL NORTH**

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CLAUSE 4.4 FLOOR SPACE RATIO

4.4 Floor space ratio

(1) *The objectives of this clause are as follows:*

- (a) *to ensure development is compatible with the bulk, scale and character of existing and future surrounding development.*
- (b) *to provide for a built form that is compatible with the role of town and major centres.*
- (c) *to limit residential flat building development that is inconsistent with the demographic profile of the Hills Shire.*

(2) *The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.*

4.4A Floor space ratio incentive for housing mix

(1) *The objectives of this clause are as follows:*

- (a) *to ensure the provision of a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets.*
- (b) *to provide opportunities for suitable housing density that is compatible with the future character of the surrounding area.*
- (c) *to promote development that accommodates the needs of larger households, being a likely future residential use.*

(2) *Despite clause 4.4, development consent may be granted for development that exceeds the floor space ratio shown on the Floor Space Ratio Map but no greater than the floor space ratio shown on the Floor Space Ratio Incentive Map only if:*

- (a) *no more than 25% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development are studio or 1 bedroom dwellings, or both, and*
- (b) *at least 10% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development are 3 or more bedroom dwellings, and*
- (c) *the development comprises the following:*
 - i. *Type 1 apartments—up to 30% of the total number of dwellings (to the nearest whole number of dwellings), and*
 - ii. *Type 2 apartments—up to 30% of the total number of dwellings (to the nearest whole number of dwellings), and*

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- iii. Type 3 apartments, and
- (d) the following minimum number of car parking spaces are provided in the development:
 - i. for each 1 bedroom dwelling—1 car parking space, and
 - ii. for each 2 or more bedroom dwelling—1 car parking space, and
 - iii. for every 4 dwellings—1 car parking space, in addition to the car parking spaces required for the individual dwelling.

(3) In this clause:

Type 1 apartment means:

- (a) a studio or 1 bedroom apartment with an internal floor area of at least 50m² but less than 65m², or
- (b) a 2 bedroom apartment with an internal floor area of at least 70m² but less than 90m², or
- (c) a 3 or more bedroom apartment with an internal floor area of at least 95m² but less than 120m².

Type 2 apartment means:

- (a) a studio or 1 bedroom apartment with an internal floor area of at least 65m² but less than 75m², or
- (b) a 2 bedroom apartment with an internal floor area of at least 90m² but less than 110m², or
- (c) a 3 or more bedroom apartment with an internal floor area of at least 120m² but less than 135m².

Type 3 apartment means:

- (a) a studio or 1 bedroom apartment with a minimum internal floor area of 75m², or
- (b) a 2 bedroom apartment with a minimum internal floor area of 110m², or
- (c) a 3 or more bedroom apartment with a minimum internal floor area of 135m².

internal floor area does not include the floor area of any balcony.

4.4B Additional floor space ratio incentive for key sites

1. The objectives of this clause are as follows:
 - (a) to promote development that does not isolate sites that will contribute to an improved built form outcome.
 - (b) to ensure the provision of quality public domain and improved pedestrian and cycle connections within centres.
 - (c) to facilitate development that is sympathetic to the character of heritage items.
2. This clause applies to land identified as Areas G, H, I, J, K and L on the Key Sites Map.
3. Despite clause 4.4 and 4.4A, development consent may be granted for development on land to which this clause applies that exceeds the floor space ratio shown on the Floor Space Ratio Incentive Map only if:
 - (a) The development complies with all of the requirements in clause 4.4A;

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- (b) *The development is for the entire area identified as a Key Site on the Key Sites Map;*
- (c) *The maximum floor space ratio, for development on land where the proposed development is permitted, does not exceed the floor space ratio allowed by the Floor Space Ratio Incentive Map by more than 20%; and*
- (d) *The development in an area shown in Column 1 of the table to this subclause meets the specifications shown opposite the area in Column 2.*

<i>Column 1 Area on the <u>Key Sites Map</u></i>	<i>Column 2 Specifications relating to the Area</i>
<i>Area G</i>	<i>The proposed development includes publicly accessible common open space with a minimum width of 5 metres adjacent to Larool Crescent Reserve east of the site.</i>
<i>Area H</i>	<i>The proposed development includes publicly accessible common open space with a minimum width of 5 metres adjacent to Larool Crescent Reserve west of the site.</i>
<i>Area I</i>	<i>The proposed development includes a publicly accessible through site pedestrian link with a minimum width of 10 metres to connect Larool Crescent to Les Shore Place.</i> <i>The proposed development includes active frontages to Pennant Street at the ground level as shown in The Hills DCP.</i>
<i>Area J</i>	<i>The proposed development includes active frontages to Pennant Street at the ground level as shown in the Hills DCP.</i>
<i>Area K</i>	<i>The proposed development includes a publicly accessible through site pedestrian link with a minimum width of 10 metres to connect Barrawarn Place north of the site to Larool Crescent Reserve south of the site.</i> <i>The proposed development concentrates height to the central part of the site.</i>
<i>Area L</i>	<i>The proposed development provides a sensitive response to the heritage item Garthowen House as established in The Hills DCP.</i> <i>The proposed development concentrates height to the western portion of the site.</i>

The Hills DCP means The Hills Development Control Plan as in force at the commencement of this Plan.

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CLAUSE 7.7 DESIGN EXCELLENCE

7.7 Design excellence

- (1) *The objective of this clause is to deliver the highest standard of architectural and urban design.*
- ~~(2) *This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as "Area A" on the Height of Buildings Map.*~~
- (2) *This clause applies to any development, comprising residential floor space, which contains a building with a height of 25 metres or more.*
- (3) *Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.*
- (4) *In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:*
 - (a) *whether a high standard of architectural design, materials and detailing as established in The Hills DCP is achieved,*
 - (b) *whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,*
 - (c) *whether the building displays the desired character established in The Hills DCP,*
 - (d) *whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resources, energy and water efficiency established in The Hills DCP,*
 - (e) *whether satisfactory arrangements have been made to ensure that the proposed design is carried through to the completion of the development concerned,*
 - (f) *whether the configuration and design of communal access and communal recreational areas within the residential elements of development incorporate exemplary and innovative treatments and will promote a socially effective urban village atmosphere.*
- ~~(5) *Development consent must not be granted to the following development on land to which this Plan applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development:*~~
 - ~~(a) *development in respect of a building that is, or will be, higher than 45 metres or 13 storeys (or both) in height,*~~
 - ~~(b) *development having a capital value of more than \$5,000,000,*~~
 - ~~(c) *development for which the applicant has chosen to have such a competition.*~~
- ~~(6) *Subclause (5) does not apply if the Council certifies in writing that the development is one for which an architectural design competition is not required.*~~
- (5) *In determining whether to grant consent to the development application, the consent authority is to take into account the recommendations of the Design Excellence Panel ~~results of the architectural design competition.~~*
- (6) *In this clause:*

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***Design Excellence Panel** means an independent Panel established by The Hills Shire Council to provide recommendations on whether development, to which this clause applies, exhibits "Design Excellence".*

***The Hills DCP** means The Hills Development Control Plan as in force at the commencement of this Plan.*