

<b>ITEM-2</b>	<b>PLANNING PROPOSAL - 10, 12 AND 14 RED GABLES ROAD, BOX HILL (2/2019/PLP)</b>
<b>THEME:</b>	Shaping Growth.
<b>OUTCOME:</b>	5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.
<b>STRATEGY:</b>	5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.
<b>MEETING DATE:</b>	<b>13 NOVEMBER 2018</b> COUNCIL MEETING
<b>GROUP:</b>	<b>SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS</b>
<b>AUTHOR:</b>	<b>TOWN PLANNER</b> JONATHAN TOLENTINO
<b>RESPONSIBLE OFFICER:</b>	<b>MANAGER – FORWARD PLANNING</b> STEWART SEALE

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### EXECUTIVE SUMMARY

This report recommends that a planning proposal to amend the maximum floor space ratio and height of building controls applicable to the Box Hill North Town Centre (10, 12 and 14 Red Gables Road, Box Hill) under The Hills Local Environmental Plan 2012 (LEP 2012) be forwarded to the Department of Planning and Environment for Gateway Determination.

The proposal seeks to enable the inclusion of a new school on a portion of land within the Box Hill North Town Centre and redistribute the commercial and residential floor space 'entitlement' from this land to the remainder of the Town Centre. The proposal would amend LEP 2012 to increase the maximum floor space ratio from 1:1 to a range of 1:1 to 2:1 and increase the maximum building height from 16 metres (4-5 storeys) to a range of 16 metres to 27 metres (up to 8 storeys).

The current controls would permit approximately 64,000m<sup>2</sup> of gross floor area within the Town Centre (comprising residential, retail and commercial floor space - final composition subject to detailed design and development assessment). In comparison, the proposal would permit approximately 86,000m<sup>2</sup> of gross floor area within the Town Centre. Of the additional 22,000m<sup>2</sup> sought through the planning proposal, 20,000m<sup>2</sup> would be allocated for the purpose of a new K-12 private school and approximately 2,000m<sup>2</sup> would be allocated to additional development yield (likely to comprise 20-25 additional residential units). The proponent has advised that the future school would incorporate approximately 4,630m<sup>2</sup> of ground floor play space (46% of the school site area) and approximately 1,900m<sup>2</sup> of additional rooftop play space.

Amendments to the Box Hill North DCP (as it relates to the Box Hill North Town Centre) would also be required in association with the proposal. Should the planning proposal proceed, draft amendments to Part D Section 17 of The Hills DCP 2012 would be publicly exhibited with the proposal. Key amendments to the DCP include amendments to the Indicative Layout Plan for the Town Centre and inclusion of additional objectives and controls relating to the proposed new school (including specification of a minimum amount of outdoor play space).

The planning proposal is largely consistent with the applicable State and Local strategic planning framework and planned outcomes for the Box Hill North Precinct. The proposal would facilitate the provision of a new school to service growth within the Box Hill North and Box Hill Precincts and an improved urban design outcome, enabling greater variation and modulation of built form within the Town Centre. The minor increase in residential yield proposed (20-25 units) is negligible in the context of the nearly 5,000 dwellings anticipated within the Box Hill North Precinct and can be adequately catered for within the extensive local infrastructure network planned for the Precinct (to be delivered by the Developer under the existing Box Hill North VPA).

#### **APPLICANT**

Willowtree Planning Pty Ltd on behalf of Celestino Developments Pty Ltd

#### **OWNERS**

Celestino Developments Pty Ltd

#### **THE HILLS LOCAL ENVIRONMENTAL PLAN 2012**

	<b>Existing</b>	<b>Proposed by Proponent</b>
Zone:	B2 Local Centre	No change
Minimum Lot Size:	600m <sup>2</sup>	No change
Maximum Height:	16m	16m – 27m
Maximum Floor Space Ratio:	1:1	1:1 – 2:1

#### **POLITICAL DONATIONS**

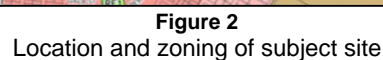
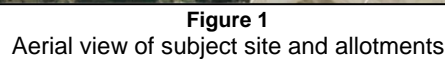
Nil disclosures by the Proponent.

#### **REPORT**

The purpose of this report is to consider the planning proposal to amend the maximum floor space ratio and building height under LEP 2012, as it relates to the Box Hill North Town Centre (10, 12 and 14 Red Gables Road, Box Hill).

#### **THE SITE**

The subject site is the Town Centre within the Box Hill North Precinct ('The Gables'). It is rectangular in shape and comprises portions of three (3) separate allotments. The land affected by the proposal has a total area of approximately 64,000m<sup>2</sup>.



## PLANNING PROPOSAL

To achieve these development outcomes, the proposal seeks to amend LEP 2012, as it applies to the Box Hill North Town Centre, to:

- Increase the maximum Floor Space Ratio from 1:1 to a range of 1:1 to 2:1; and
- Increase the maximum Height of Buildings from 16 metres (4-5 storeys) to range of 16 metres to 27 metres (up to 8 storeys).

The proposed amendments would permit approximately 86,000m<sup>2</sup> of gross floor area within the Town Centre, which would comprise 50,384m<sup>2</sup> of residential floor area, 15,590m<sup>2</sup> of commercial floor area and 20,000m<sup>2</sup> of floor area for the purpose of a school. In comparison to the current controls, the proposal would enable approximately 22,000m<sup>2</sup> of additional gross floor area, the majority of which (20,000m<sup>2</sup>) would be for the purpose of a new school. With respect to built form outcomes, the proposal would allow for buildings of up to 8 storeys in height on certain parts of the site, in comparison to the more uniform 4-5 storey outcome likely to result from the current controls.

Figures 3 and 4 below provide comparison between the existing controls and those sought through the planning proposal. Figures 5, 6 and 7 provide comparison between the current anticipated development outcomes and the potential outcomes facilitated by the planning proposal. Table 1 below provides a summary of the proposed development.

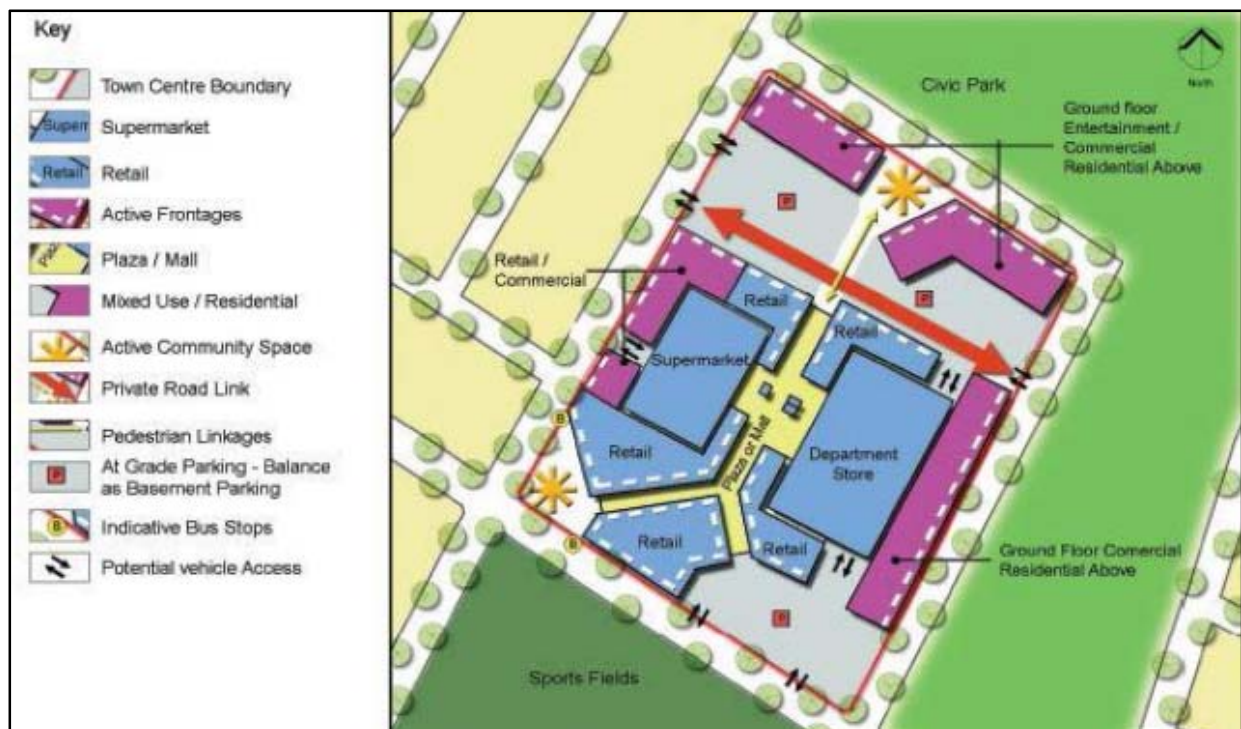


**Figure 3**  
Existing and proposed Floor Space Ratio Map



**Figure 4**  
Existing and proposed Height of Buildings Map



**Figure 5**

Existing Box Hill North Town Centre Indicative Layout Plan (The Hills DCP Part D Section 17)

**Figure 6**

Proposed Box Hill North Town Centre Indicative Layout Plan (Precinct borders drawn by Council Officers)

Precinct	Land Use	Site Area	GFA	FSR	Building Height (storeys)
E1	Mixed Use	14,500.6m <sup>2</sup>	14,294.9m <sup>2</sup>	1:1	4
E2	Mixed Use	8,707.9m <sup>2</sup>	16,461.9m <sup>2</sup>	1.89:1	8
E3	Mixed Use	6,822.7m <sup>2</sup>	8,049.6m <sup>2</sup>	1.18:1	5
E4	Mixed Use	16,523m <sup>2</sup>	27,168.2m <sup>2</sup>	1.64:1	8
E5	School	10,000m <sup>2</sup>	20,000m <sup>2</sup>	2:1	-
<b>Total</b>	-	63,671m <sup>2</sup>	85,974.6m <sup>2</sup>	1.35:1	1-8

**Table 1**

Proposed Development Summary (Submitted by Proponent)

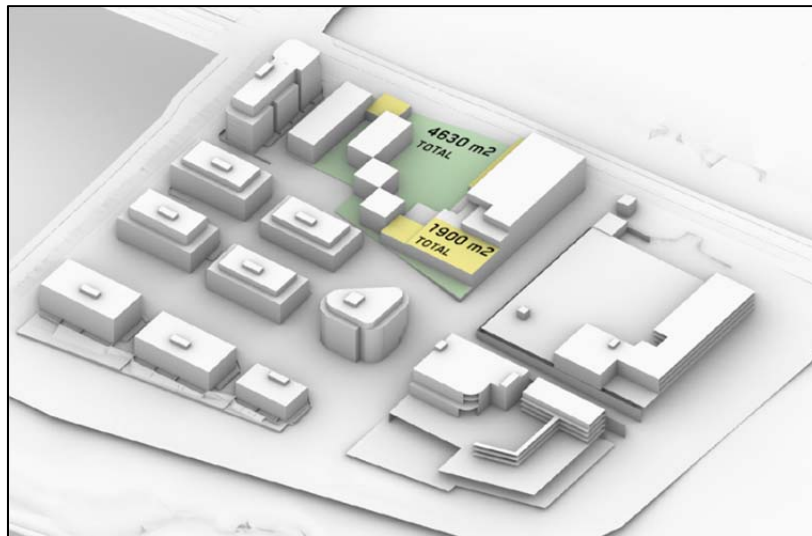
**Figure 7**

Box Hill North Town Centre Development Concept

It is noted that the proposed educational establishment within the Town Centre is currently permissible under State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (SEPP). Under the SEPP, all new schools are classified as State Significant Development (regardless of capital investment value) of which the Minister for Planning is the consent authority and supersedes local applicable planning controls.

Despite this, the planning proposal seeks to enable the redistribution of gross floor area within the Town Centre to ensure the achievement of planned development yields. Further, the proposal seeks to enable an improved built form outcome once the school is factored into the development concept.

The proponent has submitted a development concept illustrating the approximate amount of ground floor (4,630m<sup>2</sup>) and rooftop (1,900m<sup>2</sup>) play space within the proposed new school, as shown in Figure 8. Provisions to secure this minimum amount of play space within the proposed school site will be included through amendments to The Hills DCP Part D Section 17 Box Hill North.



**Figure 8**

Box Hill North Town Centre Development Concept identifying potential play space within School

### **MATTERS FOR CONSIDERATION**

The planning proposal requires consideration of the following matters:

- a) Strategic context;
- b) Increase in density and yield;
- c) Suitability of proposed built form;
- d) Traffic and accessibility;
- e) Additional residential yield and Local infrastructure;
- f) Local Planning Panel comments; and
- g) Development Control Plan amendments

#### **a) Strategic Context**

The planning proposal is largely consistent with the applicable State and Local strategic framework. The proposed amendments to the floor space ratio and height of building controls would facilitate a new school and a more appropriate and site-responsive built form outcome, having consideration to urban design and streetscape.

A detailed assessment of the proposal against the relevant strategic documents including the Greater Sydney Region Plan, Central City District Plan and Council's local strategic planning policies is provided in Attachment 2.

#### **b) Increase in density and yield**

In comparison to the current controls, the planning proposal would facilitate an additional 22,000m<sup>2</sup> of gross floor area within the Town Centre. This would permit approximately 20,000m<sup>2</sup> of educational floor space (for a school not anticipated under current controls) and an additional 2,000m<sup>2</sup> of residential floor space (which would result in an increase in residential yield within the Town Centre from approximately 545 (under current controls) to approximately 565-570 (under the proposal). The extent of commercial and retail floor space delivered under the planning proposal is likely to be similar to that anticipated under the current controls.

It is anticipated that the broader Box Hill North Precinct will accommodate approximately 4,600 new dwellings. Sub-Precinct E (which incorporates the Town Centre site as well as an adjoining area of medium and high density residential) is likely to accommodate a greater residential yield than originally anticipated through the Precinct Planning however the Proponent has advised that this additional yield will be largely offset as a result of lower than anticipated yields being achieved in remaining low density areas of the Precinct. When viewed in the context of precinct-wide growth anticipated, the additional 20-25 residential units enabled by this proposal are considered negligible.

While the additional 20,000m<sup>2</sup> of floor area for the purpose of school was not previously anticipated under the current controls or precinct planning, it represents a positive planning outcome for the Precinct. It will increase the provision of schools to service significant growth within the Precinct and Growth Areas within The Shire. In order to provide Council and the community with certainty that the new proposed new school (being a key justification for this planning proposal) is delivered, it is recommended that should Council proceed with the planning proposal, any finalisation of the amendments be subject to evidence that ownership of the school site has been transferred to the provider. It is also recommended that associated amendments to the DCP be made that require development outcomes within the Town Centre incorporate a new school.

The redistribution of gross floor area from the proposed school site to the remainder of the Town Centre will ensure that in addition to a new school, the residential, commercial and retail yields within the Town Centre are largely consistent with the outcomes anticipated through the Precinct Planning.

### c) Suitability of proposed built form

The current controls would be likely to result in a largely uniform 4-5 storey built form outcome across the entire Town Centre. In comparison, the planning proposal and associated development concept proposes a range of building heights across the Town Centre, ranging from two (2) to eight (8) storeys. Figure 8 below identifies areas in the Town Centre where the applicant would be seeking to breach the existing 5 storey height limit.



Figure 9

Proposed Box Hill North Town Centre building heights (Drawn by Council officer)



The proposed built form outcomes represent a superior urban design outcome, with greater variation and modulation in height and the ability to concentrate higher densities on key locations within the Town Centre (allowing for lower density and scale in other sections of the Town Centre). This will add greater interest to the final built form outcomes within the Town Centre and broader Precinct and enable a more site-specific response to building citing, massing and design.



**Figure 10**  
Proposed modulation of building heights (submitted by proponent)

The Box Hill North Precinct is a major land release precinct, which is still largely undeveloped (in terms of built form). While the majority of the Precinct will be characterised by predominately low to medium density residential character, there is merit in permitting a greater intensity and scale of built form within the Town Centre. It is considered that the proposed built form (including buildings up to 8 storeys in height) would not be unreasonable in the context of the Box Hill North Town Centre.

Given the site and adjoining land is currently undeveloped and given the Proponent controls the entire Town Centre and majority of adjoining land, there is ample opportunity for a master planned outcome to be achieved and for the individual development outcomes on each site to be coordinated to ensure that the proposed built form does not result in any adverse visual or amenity impacts relating to privacy or overshadowing.

The objectives for the Town Centre under The Hills DCP 2012 (Part D Section 17 Box Hill North) envisage higher density living positioned around a range of uses, public transport and open space with a high quality built form outcome placing emphasis on urban design and a walkable streetscape. The proposal to include a new school and subsequently redistribute floor space and built form within the Precinct would remain consistent with these objectives.

#### **d) Traffic and Accessibility**

A traffic statement prepared by Ason Group has been submitted in support of the planning proposal. The assessment finds that the proposed town centre development outcome would result in a total of 1,843 and 1,139 vehicle trips generated during the AM and PM peaks respectively.

The key traffic impacts associated with the proposal relate to AM peak period, where 64% of the anticipated vehicle trips are above and beyond that anticipated under the current controls, as they are generated by the proposed new school. In the PM peak, the proposal would likely result in a 6.5% increase in traffic (compared to current controls) with approximately 80 additional PM vehicle trips generated by the school and 50 additional PM vehicle trips generated in association with 20-25 additional residential units.

Having regard to the scale and extent of *planned* traffic infrastructure and upgrades that will be provided by the Developer (under the existing VPA), the traffic statement reaches the reasonable conclusion that the additional traffic resulting from this planning proposal can be accommodated by the surrounding road network. Should Council resolve to proceed with the planning proposal, it is anticipated that Transport for NSW and Roads and Maritime Services would be formally consulted. As both authorities were involved in the Precinct

Planning process, their comments would be sought with respect to the capacity of the planned local and regional road network and planned public transport (buses) to service the proposed new school.

**e) Additional Residential Yield and Local Infrastructure**

The major Developer (and Proponent for this Proposal) has entered into a VPA with Council, which requires the Developer to fund and deliver all local infrastructure required to support development of the Box Hill North Precinct. As detailed above, it is considered that the planned traffic infrastructure and upgrades to be delivered by the Developer through this VPA will be capable of accommodating the additional traffic likely to be generated by the school and additional residential yield permitted by the proposal.

With respect to open space and community facilities, the additional 20-25 units likely to be permitted by the proposal would not, in isolation, create the need for new local infrastructure facilities. It is noted that on average, 2000 additional dwellings within an area would typically generate the need for approximately:

- 1 new sports field;
- 1 local park;
- 1 netball court;
- 1 tennis court; and
- 40% of a local community centre.

Based on these rates, 25 additional residential units would generate the need for around 1% of each of the above facilities. It is noted that the existing VPA already includes provisions which deal with any variations in development yields and require the Developer to pay additional monetary contributions to Council with respect to any 'additional' dwellings within a sub-precinct, for Council to apply for the purpose of addressing any demand for additional infrastructure in the future. Under the current VPA, the Developer would be required to pay contributions to Council valued at approximately \$44,000 per additional unit.

It is considered that the existing VPA provides an adequate mechanism to ensure that any additional yield achieved on the Town Centre will make a fair and reasonable contribution to Council for the provision of additional (or augmentation of existing) local infrastructure required to support the additional yield.

**f) Local Planning Panel comments**

The Hills Local Planning Panel considered the Planning Proposal at its meeting of 17 October 2018. The Panel recommended that the Planning Proposal should proceed to Gateway Determination and that through this process, Council and the proponent:

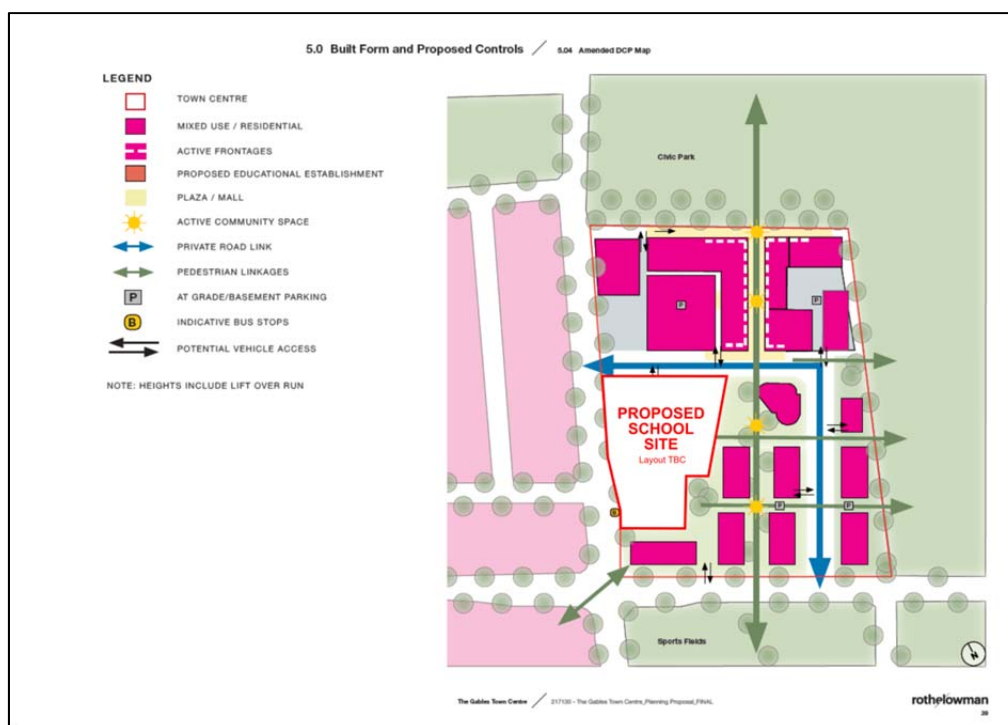
- Reconsider the relationship of the proposed building envelope for building 4F which proposes an 8 storey building adjacent to the proposed school site;
- Ensure that the existing concept Masterplan approval (1397/2015/JP) can be appropriately modified;
- Ensure that any early lot creation does not cause conflict with the future calculation of FSR relative to Clause 4.5(4) of The Hills LEP 2012; and
- Be satisfied that the land for the proposed school is appropriately secured prior to the finalisation of the planning proposal.

The minutes of the Local Planning Panel meeting are provided as Attachment 3.

### g) Development Control Plan amendments

Amendments to The Hills DCP (Part D Section 17 Box Hill North) would be required in association with the planning proposal, to reflect the anticipated outcomes as a result of changes to the applicable maximum floor space ratio and building height and changes to the layout of the future Town Centre. Proposed amendments to the DCP are listed below and included within Attachment 1 to this report.

Section	Box Hill North DCP Description	Existing Objective Control	Proposed Objective Control
1.3	Aim, Vision and Objectives of this Section	Objectives: <ul style="list-style-type: none"> <li>To create a mixed use Town Centre which has main street characters, is pedestrian friendly and offers high levels of amenity for residents, workers and visitors</li> </ul>	Objectives: <ul style="list-style-type: none"> <li>To create a mixed use Town Centre <b>(including a school)</b> which has main street characters, is pedestrian friendly and offers high levels of amenity for residents, workers and visitors</li> </ul>
		Objectives: <ul style="list-style-type: none"> <li>To accommodate <b>up to</b> 10,000m<sup>2</sup> of non-residential floor space principally within the Town Centre</li> </ul>	Objectives: <ul style="list-style-type: none"> <li>To accommodate <b>a minimum of</b> 10,000m<sup>2</sup> of non-residential floor space principally within the Town Centre</li> </ul>
2.3	Town Centre Development Controls	<ul style="list-style-type: none"> <li>A range of building heights (<b>up to 5 storeys, or 16 metres</b>) with a transition to surrounding residential areas.</li> </ul>	<ul style="list-style-type: none"> <li>A range of building heights (<b>up to 8 storeys, or 27 metres</b>) with a transition to surrounding residential areas.</li> </ul>
	Figures	<ul style="list-style-type: none"> <li>Amendments to include new provisions for: <ul style="list-style-type: none"> <li>A new K-12 school, occupying approximately 10,000m<sup>2</sup> of the Town Centre and providing approximately 20,000m<sup>2</sup> of educational gross floor area; and</li> <li>Requirement that the new school allocates a minimum of 45% of the school site area for the purpose of ground level play space and maximises the use of roof top space for additional play areas.</li> </ul> </li> </ul>	



**Figure 11**  
Proposed Box Hill North Town Centre Indicative Layout Plan

Should Council resolve to proceed with the planning proposal, it is recommended that the draft Development Control Plan amendments provided as Attachment 1 to this report, proceed to public exhibition concurrently with the planning proposal.

Should the planning proposal and draft Development Control Plan amendments proceed, this would trigger the need for amendments to the overarching concept/master plan approval for the Box Hill North Precinct (1397/2015/JP – issued in February 2016), which would be pursued by a way of Section 4.55 (formerly Section 96) modification application following the finalisation of the proposed amendments.

## IMPACTS

### Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

### Strategic Plan - Hills Future

The planning proposal seeks to promote better usage of existing land by enabling a mixed-use development outcome comprising a range of commercial, residential, educational and community land uses with an emphasis on urban design and a walkable streetscape.

## RECOMMENDATION

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to amend The Hills Local Environmental Plan 2012, as it relates to the Box Hill North Town Centre (10, 12 and 14 Red Gables Road, Box Hill), as follows:
  - a) Increase the maximum Height of Buildings from 16 metres to a range of 16 metres to 27 metres; and



- b) Increase the maximum Floor Space Ratio from 1:1 to a range of 1:1 to 2:1.
- 2. Amendments to The Hills Development Control Plan 2012 Part D Section 17 – Box Hill North Precinct, as detailed in Attachment 1, be exhibited concurrently with the planning proposal.

**ATTACHMENTS**

- 1. Draft The Hills Development Control Plan 2012 Part D Section 17 (35 pages)
- 2. Strategic Context (3 pages)
- 3. Local Planning Panel Minutes – 17 October 2018 (1 page)

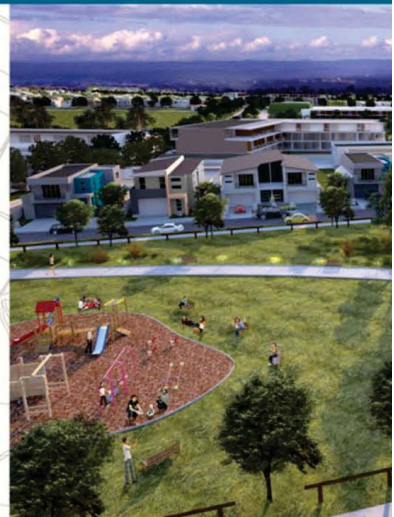
# The Hills Development Control Plan (DCP) 2012

[www.thehills.nsw.gov.au](http://www.thehills.nsw.gov.au)

ATTACHMENT 1

THE  
HILLS  
Sydney's Garden Shire

# DRAFT



**Part D Section 17**  
Box Hill North

# D17

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## **1. INTRODUCTION**

This section of the Development Control Plan should be read in conjunction with the following parts of The Hills Development Control Plan (DCP) 2012:

- Part A - Introduction
- Part B
  - Section 2 - Residential
  - Section 3 - Dual Occupancy
  - Section 4 - Multi-Dwelling Housing
  - Section 5 - Residential Flat Building
  - Section 6 - Business
- Part C
  - Section 1 - Parking
  - Section 2 - Signage
  - Section 3 - Landscaping
  - Section 4 - Heritage
  - Section 5 - Telecommunication Facilities
  - Section 6 – Flood Control Lots
- Appendix A - Waste Management Plan
- Appendix B - Water Sensitive Urban Design

Consideration should also be given to the plans and policies that apply to the Box Hill Release Area (which adjoins the subject Box Hill North Precinct), particularly in relation to road connectivity through the precincts.

In the event of any inconsistency between this section of the Development Control Plan and any other sections of the Development Control Plan, the provisions of this section shall prevail only to the extent of the inconsistency.

### **1.1 LAND TO WHICH THIS SECTION OF THE PLAN APPLIES**

The Plan applies to the area outlined in red, as shown in Figure 1 and referred to as Box Hill North.



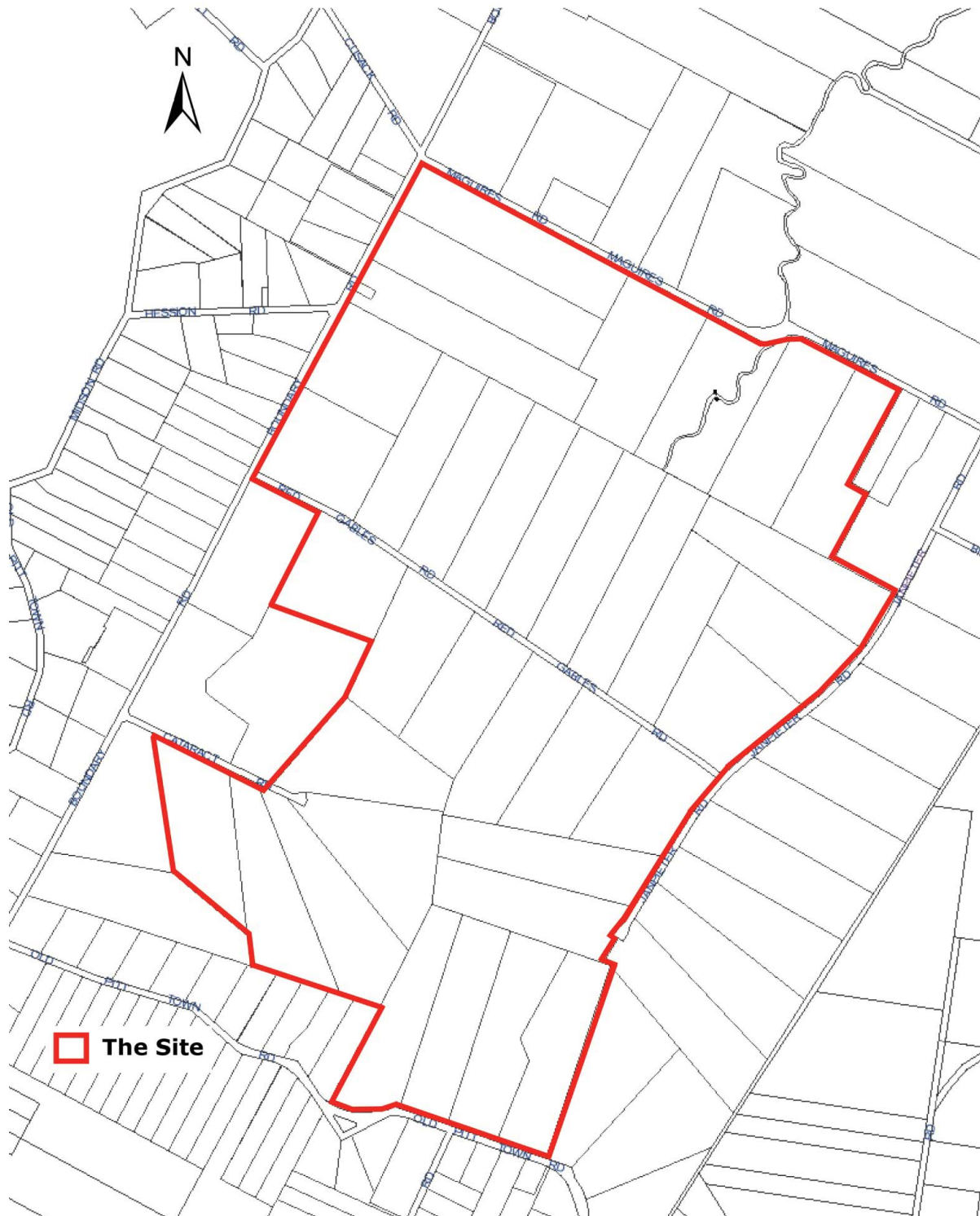


Figure 1 – Land to which this section of the DCP applies

## 1.2 THE PURPOSE OF THIS DCP

The purpose of this DCP is to:

- Communicate the planning, design and environmental objectives and controls against which The Hills Shire Council will assess future Development Applications;
- Promote high quality urban design outcomes within the context of environmental, social and economic sustainability;
- Ensure that development will not detrimentally affect the environment by ensuring that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development; and
- Provide safe and high quality environments for the residents, workers and visitors of Box Hill North.

## 1.3 AIM, VISION AND OBJECTIVES OF THIS SECTION OF THE DCP

### Aim

The aim of this section of the Development Control Plan is to identify the built form parameters for Box Hill North and to facilitate the development of residential, open space, recreation, retail and commercial uses within the site. This section will identify Council's objectives for development within Box Hill North and provide relevant controls to ensure the vision and objectives are achieved.

### Vision

To create a high quality, integrated and ecologically sustainable urban environment integrated with good public transport accessibility, open space, community facilities and employment opportunities.

### Objectives

The objectives for development within Box Hill North in addition to those specified in Part A of this DCP are:

- (i) *To focus business and community activities in and around the Town Centre with a mix of retail, commercial and community uses.*
- (ii) *To create a mixed use Town Centre (including a school) which has main street characters, is*

*pedestrian friendly and offers high levels of amenity for residents, workers and visitors.*

- (iii) *To accommodate ~~up to~~ a minimum of 10,000m<sup>2</sup> of non-residential floor space principally within the Town Centre.*
- (iv) *Accommodate approximately 4,000 dwellings within a range of housing products and densities.*
- (v) *Promote innovative housing types/design.*
- (vi) *Encourage walking and cycling and use of public transport.*
- (vii) *Provide a hierarchy of roads and paths with links to the surrounding area.*
- (viii) *Create safe and walkable neighbourhoods.*
- (ix) *Provide community and social infrastructure including schools, local parks, district sporting fields that provide for a range of facilities and opportunities.*
- (x) *Accommodate water sensitive urban design measures, including the use of recycled water and integrated options for water supply, wastewater and stormwater servicing.*
- (xi) *Protect and rehabilitate waterways and riparian corridors as natural systems.*

## 2. INDICATIVE LAYOUT PLAN

The Indicative Layout Plan illustrates the broad level development outcomes for Box Hill North, and outlines the development footprint, land uses, open space, key transport linkages and location of community facilities and the proposed primary school.

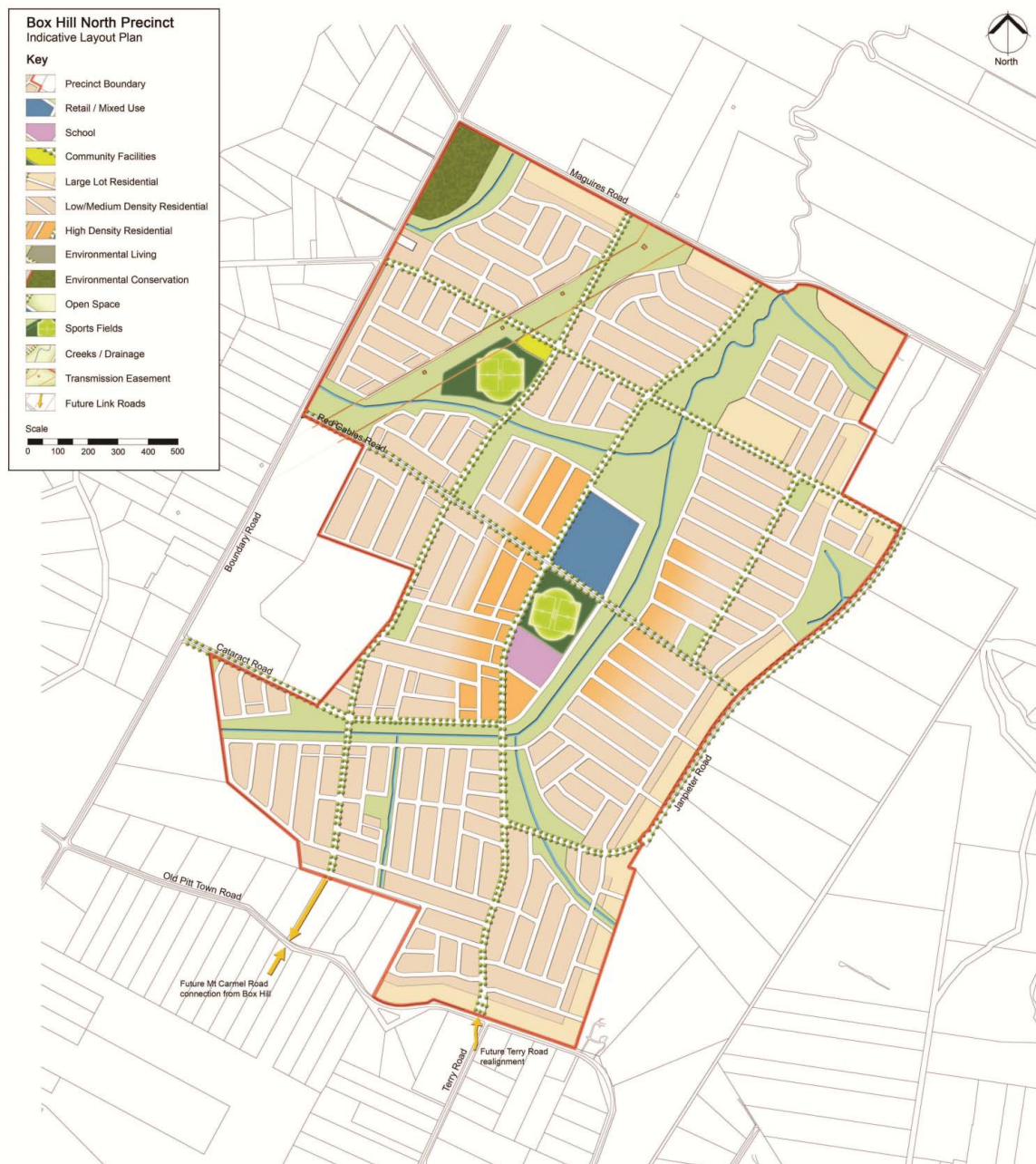
### Objective

- (i) *To ensure development of Box Hill North is undertaken in a coordinated manner generally consistent with the structure of the Box Hill North Indicative Layout Plan in Figure 2.*

### Development Controls

- a) All development is to be undertaken generally in accordance with the Indicative Layout Plan in Figure 2 subject to compliance with the objectives and development controls set out in this Development Control Plan.

- b) Where variation from the Indicative Layout Plan is proposed, the applicant is to justify in writing indicating how the development is meeting the intention of the objectives of the relevant control and/or is generally consistent with the Indicative Layout Plan, the vision and development objectives for the area and the objectives and controls in Section 1.3 of this part of the DCP.



**Figure 2 – Box Hill North Indicative Layout Plan**

## 2.1 SITE ANALYSIS

### OBJECTIVES

- (i) *To encourage a comprehensive approach to site planning, design and assessment of development.*
- (ii) *To facilitate assessment of how future buildings relate to their immediate surroundings and to each other.*
- (iii) *To facilitate development of a design that minimises the negative impacts on the amenity of adjoining development.*
- (iv) *To ensure development is compatible with land capability*
- (v) *To minimise adverse impacts on the environment.*

### DEVELOPMENT CONTROLS

- a) Where variation is proposed from the Development Control Plan the applicant is to demonstrate that the proposed development is consistent with the vision and development objectives for the area and the objectives and controls in Section 1.2 of this part of the Development Control Plan.
- b) Development should be designed to respect site characteristics such as topography, drainage, soil, landscapes, flora, fauna, salinity and bushfire hazard.
- c) Watercourses should be protected from further degradation and their environmental function is to be improved to mimic natural systems. Disturbance to existing natural vegetation and landforms is to be minimised and disturbance to natural watercourses, wetlands and overland flow paths should be avoided.
- d) Development on land adjoining bushland reserves should incorporate measures (such as setbacks and buffers) to prevent any impact on the reserves.
- e) Development should be sited on the area of land requiring minimal earthworks.
- f) Development should be sited away from steep slopes (particularly those containing natural vegetation) so that, where possible, these features can be kept in a natural state.

## 2.2 DEVELOPER CONTRIBUTIONS

Applicants should refer to Council's Section 94 Contribution Plan No.16.

## 2.3 TOWN CENTRE

Indicative layouts of the Box Hill North Town Centre are shown at Figure 3 & 4. The Town Centre is the key activity centre within Box Hill North. This section outlines the objectives and design principles relating to the Local Town Centre.

### OBJECTIVES

- (i) *To create a compact, vibrant, safe and prosperous town centre.*
- (ii) *To ensure an appropriate supply, distribution and mix of land uses within the town centre.*
- (iii) *To encourage higher density living around transport, open space and service nodes.*
- (iv) *To ensure development within the town centre is compatible with an integrated access network that encourages walking, cycling and the use of public transport.*
- (v) *To ensure that the detailed design of the town centre is coordinated, and achieves a high quality urban design.*
- (vi) *To provide a range of retail, commercial, entertainment, recreation and community uses.*
- (vii) *Consider the needs of health and aged care providers, facilities for young people, civic and emergency services within the Town Centre.*
- (viii) *To ensure that pedestrian streetscapes are provided through the Town Centre which are of a high amenity and provide effective pedestrian and cycle connections, and minimise walking distances.*

### DEVELOPMENT CONTROLS

- a) The future design for the Box Hill North Town Centre is to incorporate the following key requirements:
  - Street level activation is required in the core of the Town Centre, in particular, fronting the main street and open space.
  - Concentrate small retail uses along and fronting key streets/plazas.



- The street layout is to emphasise sight lines to local landscape features, parks, places of key cultural significance, civic buildings and public open space.
- A range of building heights (up to 5 8 storeys, or 46m 27m) with a transition to surrounding residential areas.
- A range of higher density housing is to be provided within the town centre, including apartments, terraces, multi-unit housing and small lot housing.
- A new K-12 school, occupying approximately 10,000m<sup>2</sup> of the Town Centre and providing approximately 20,000m<sup>2</sup> of educational gross floor area.
- Within the new school, a minimum of 45% of the site area shall be provided for the purpose of ground level play space. The use of roof top space for additional play areas shall be maximised.
- All large format retail premises and decked parking areas, visible from prominent public areas, are to be sleaved with active uses. Blank walls visible from the public domain are to be limited.
- Bicycle parking shall be provided in accordance with Council's requirements as set out in Part C Section 1 - Parking of The Hills Shire Council Development Control Plan.

## DEVELOPMENT CONTROLS

- a) Street Network is generally to be in accordance with Figure 54.
- b) Street design is to be in accordance with the indicative street cross sections at Figure 54 and Table 1. Alternative street designs may be permitted on a case by case basis if they preserve the functional objectives and requirements of the design standards.

## 2.4 STREET NETWORK

### OBJECTIVES

- (i) To provide for the safe and efficient circulation of pedestrians, bicycles and motor traffic and on street parking requirements.
- (ii) To provide a hierarchy of streets with good connectivity that utilises features and landmarks to enhance way-finding for pedestrians, buses, and private vehicles.
- (iii) To minimise vehicular usage by enhancing pedestrian and bicycle connections to the Town Centre, schools and parks.
- (iv) To ensure connectivity with Box Hill Release Area.



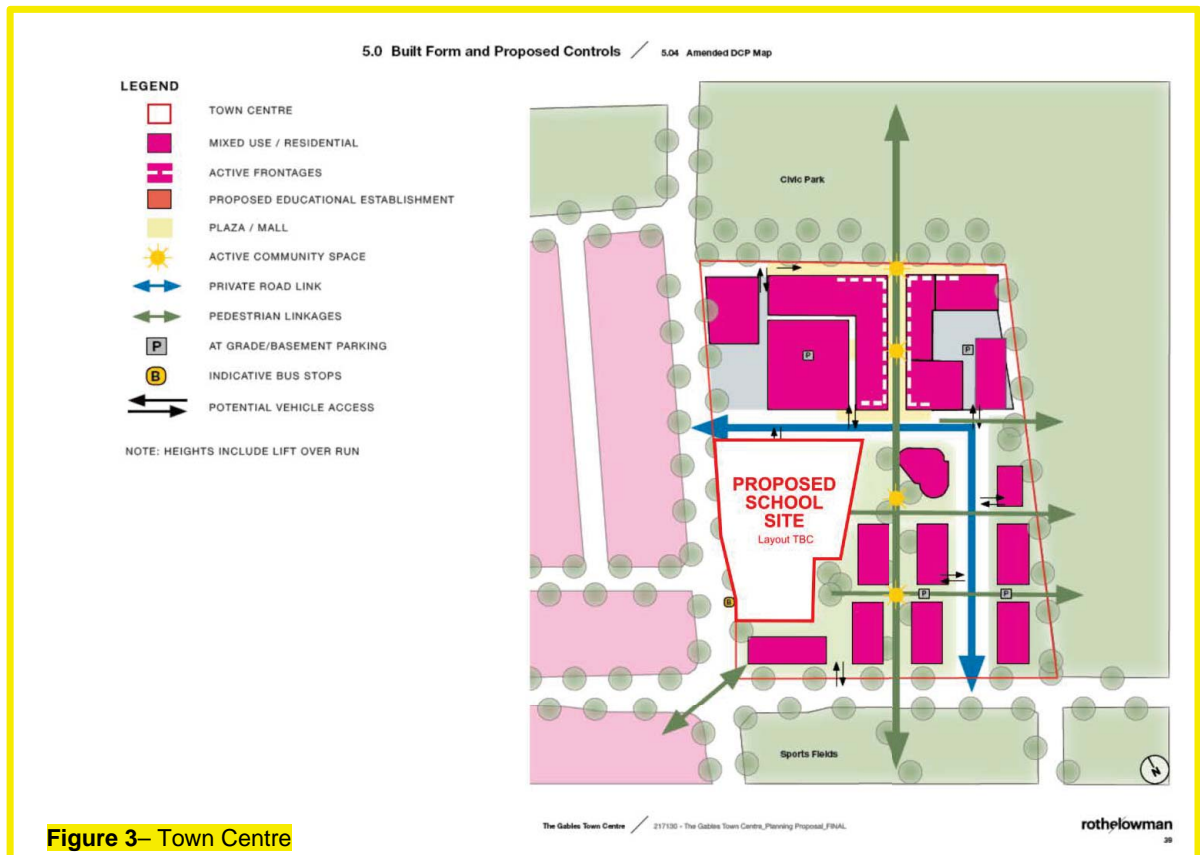
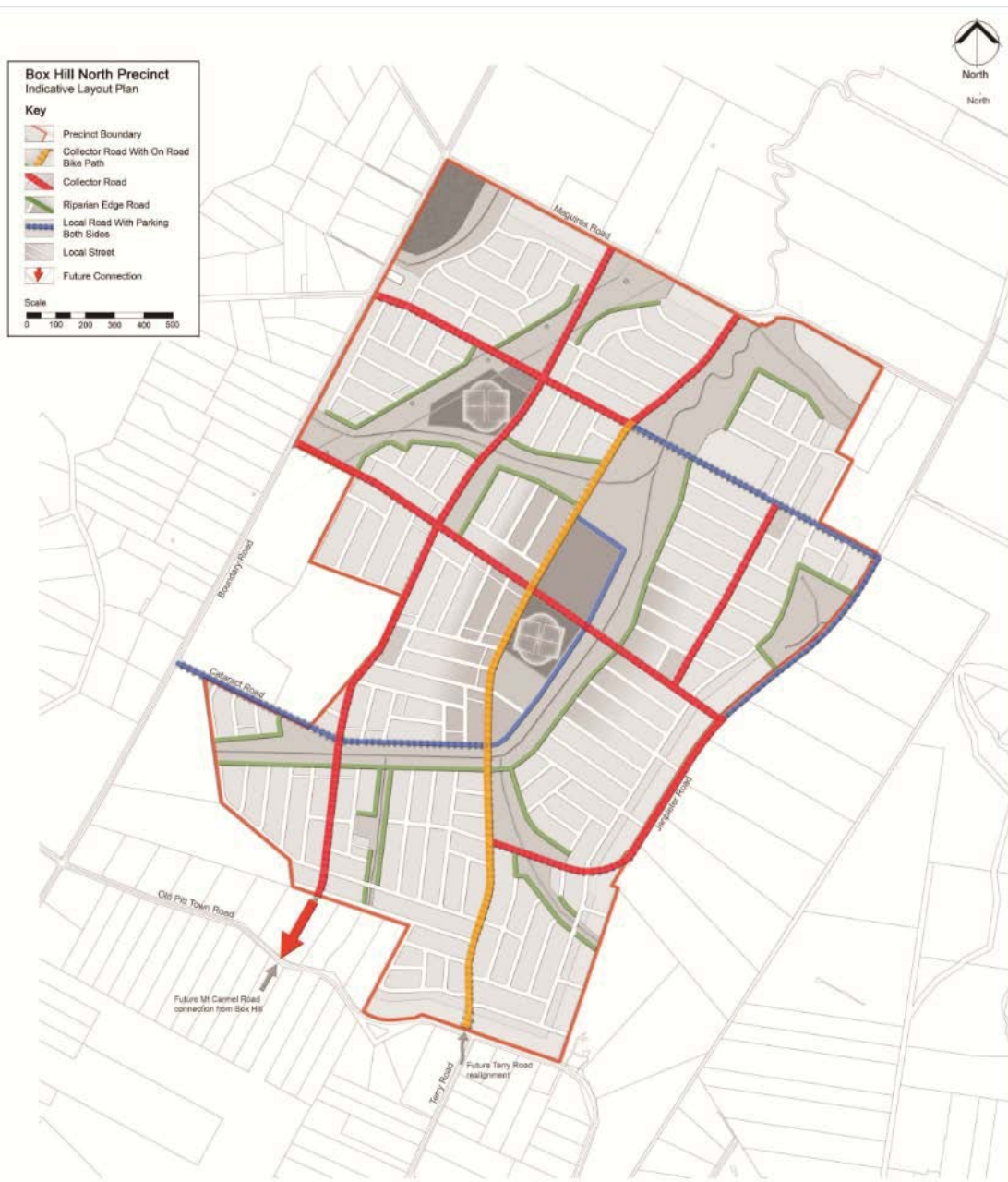
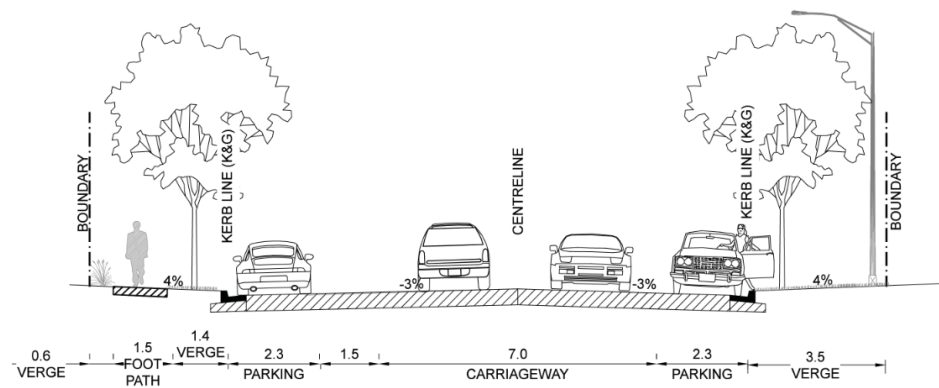


Figure 3– Town Centre

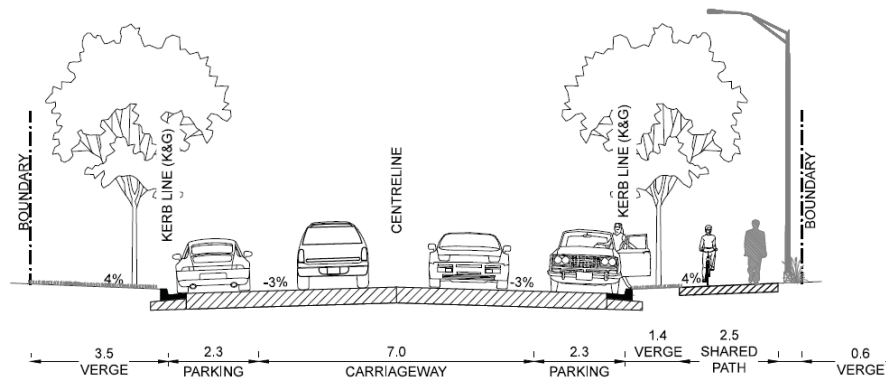


**Figure 54** – Indicative Street Layout

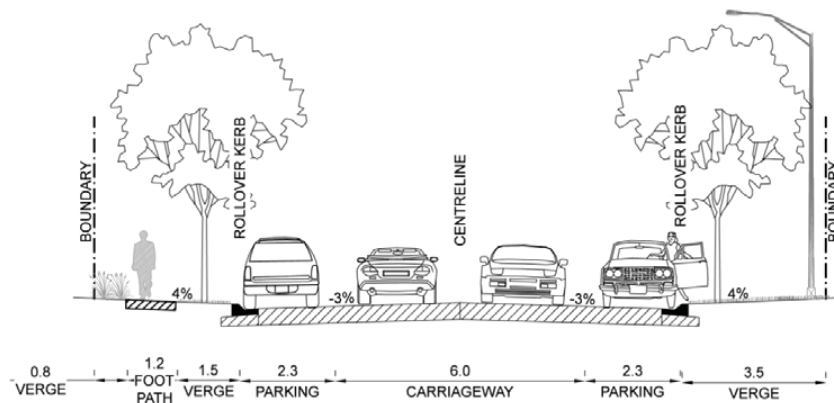




Typical Collector Road



Typical Collector Road with Shared Path



Typical Local Road with Parking on One Side



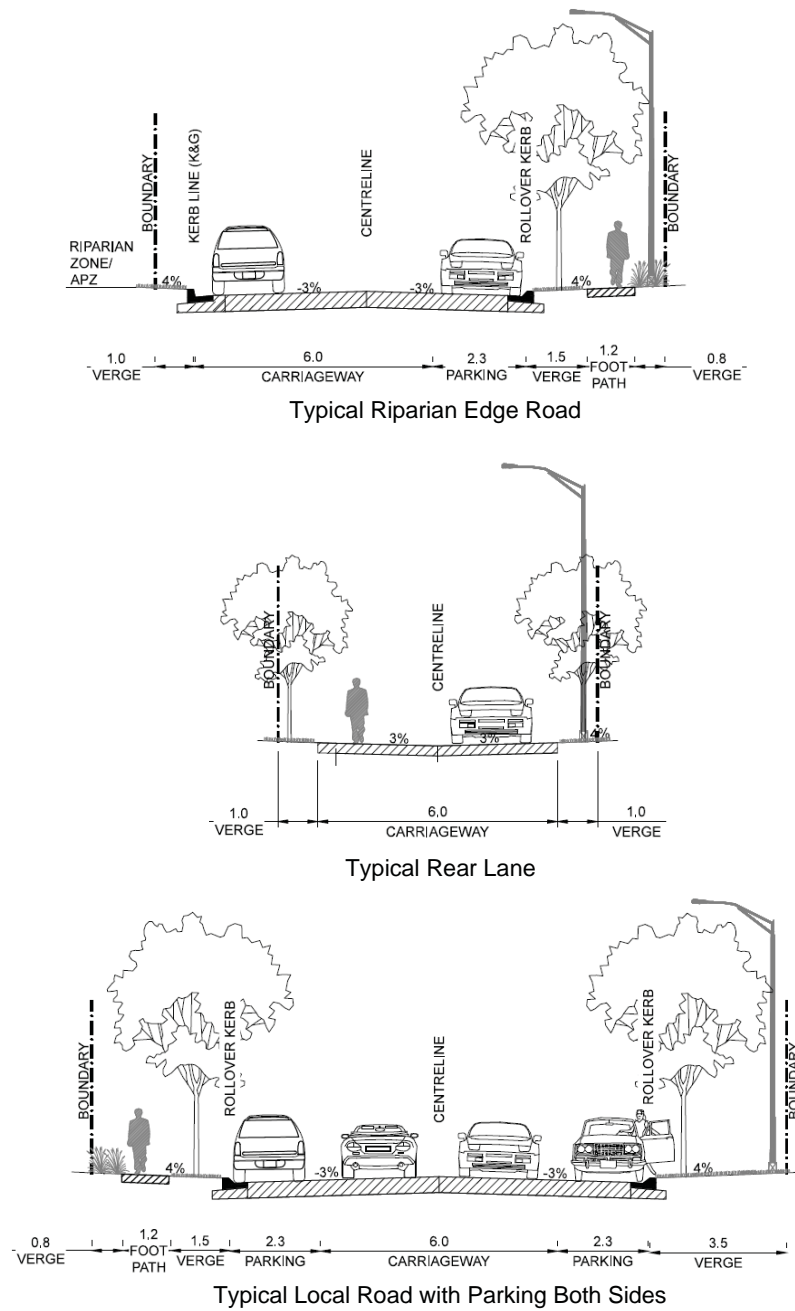


Figure 65 – Road hierarchy

**Table 1** – Street Types

No	Street Type	Carriageway Width (metres)	Verge Widths	Road Reserve	Footpath Required
1a	Collector Road	7 metres	3.5 metres	20.1 metres	1.5 metres one side
1b	Collector Road with Shared Path	7 metres	3.5 metres	11.6 metres	2.5 metres
2a	Local Road with Parking on Both Sides	6 metres	3.5 metres	10.6 metres	1.2 metres
2b	Local Road with Parking on One Side	6 metres	3.5 metres	8.3 metres	1.2 metres
3	Riparian Edge Road	6 metres	1 metre	8.3 metres	1.2 metres

## 2.5 LOCAL ROAD HIERARCHY

### OBJECTIVES

(i) *The road network is to be based on a hierarchy of three local road/street types, as shown in Figure 54, and includes:*

- *Collector Road: is a road that collects traffic from access streets and carries higher volumes of traffic. A reasonable level of amenity and safety is to be maintained by restricting vehicle speeds through traffic-calming devices and intersection design;*
- *Local Road: provide local residential access with shared traffic and pedestrian use; and*
- *Riparian Edge Road: adjoins a riparian corridor on one side with property access and footpath on opposite side only.*

(ii) *The specific objectives of locating roads adjacent to open space, riparian corridors and other public areas are:*

- *To facilitate the orientation of lots and dwellings to front the open space and drainage areas.*
- *To enhance the outlook, setting and amenity of subdivisions adjoining open space, drainage areas and other public areas.*
- *To increase pedestrian accessibility to those public areas.*
- *To provide an acceptable level of access, safety and convenience for all street and road users within the release area, while ensuring acceptable levels of amenity, and minimising the negative impact of traffic.*
- *To provide a legible and permeable movement network for pedestrians and cyclists along streets and paths to points of attraction within and adjoining any development.*
- *To provide a suitable interface between the riparian corridors and urban development to minimise edge effects.*
- *To provide a bushfire asset protection zone between urban development and the riparian corridors.*

### DEVELOPMENT CONTROLS

- a) Internal intersections are to be T-junctions, roundabouts or controlled by other appropriate

traffic management treatments to slow and control traffic.

- b) For roads that cross natural drainage lines, the construction of bridges with raised approaches is preferred to culverts in order to maintain stream corridor function. Any works in or within 40 metres of a watercourse, or alterations to, natural drainage systems will require the necessary approvals of the Office of Water as well as consideration of the Fisheries Management Act 1944 for dredging or reclamation works.
- c) Roads constructed across waterways are to be designed and constructed with reference to the Department of Primary Industries preferred waterway crossing design documented in "Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossing" (NSW Fisheries 2003) and the NSW Office of Water (2012) controlled activities guidelines for watercourse crossing on waterfront land.
- d) Where culverts are required to be constructed across natural drainage lines:
- Light wells are to be provided in the centre of the road;
  - Natural bases and a combination of elevated dry cells and recessed wet cells are to be incorporated into the design to facilitate the movement of aquatic, riparian and terrestrial fauna.
- e) Wherever shown on the Indicative Layout Plan and wherever else possible, roads are to be located along and adjacent to public open space, or other public lands. Where roads front open space, or riparian corridor land, the costs associated with their construction is the responsibility of the developer.
- f) Driveway access is to be avoided within 30 metres of signalised intersections.
- g) Street networks are to conform to the requirements set out in Table 1: Street Types.

## 2.6 ROAD DESIGN AND CONSTRUCTION

### OBJECTIVES

- (i) *To ensure sufficient carriageway and verge widths are provided to allow streets to perform their designated functions within the street*

*network and to accommodate public utilities and drainage systems.*

- (ii) To encourage the use of street by pedestrians and cyclists, and to allow cars, buses and other users to proceed safely without unacceptable inconvenience or delay.*
- (iii) To provide street geometry that is consistent with the needs of the street function, physical land characteristics and safety.*
- (iv) To encourage efficient and orderly development by providing for partial and temporary road construction.*

## DEVELOPMENT CONTROLS

- (a) No retaining walls are to be constructed along the edge of roads fronting future or existing public open space, drainage areas or riparian corridor land.
- (b) On access streets there will be only light traffic and the travelled way should allow for unobstructed movement in one lane as well as passing opportunities.
- (c) The design of the carriageway is to discourage motorists from travelling above the intended speed by reflecting the functions of the street in the network. In particular the width and horizontal and vertical alignment is not to be conducive to excessive speeds.
- (d) Roundabouts, street cross falls, longitudinal gradient, vehicle-turning movements and sight distances are to comply with Council's Design Guidelines Subdivisions/Developments (June 1997).
- (e) Construction of roads and footpath/cycle paths fronting Open Space or Trunk Drainage are at the developer's expense.
- (f) Street trees are to be provided in all subdivisions and will be required to be planted at the time of subdivision construction. Street trees will be protected with tree guards and a 12 month bond will be imposed for each tree.
- (g) All collector roads are to be planted with a consistent species of tree in order to provide a boulevard treatment of the streetscape.
- (h) All plans documenting proposed street tree planting must indicate the location of Sydney Water sewer and water pipes including where they enter a public road reservation. No planting of street trees is permitted within 1.5 metres of a Sydney Water pipe.

- (i) Landscape works in roundabout islands may include low-maintenance groundcover planting and native grasses with a mature height of up to 0.5 metres as well as clear-stemmed tree planting to maximise sight distances. A metered water supply point and subsurface drainage is required in all small island planter beds.
- (j) Road verges provide opportunities for unifying the appearance and landscape character of the area and should be provided as a continuous design feature along the length of the arterial road.

## 2.7 PUBLIC TRANSPORT

### OBJECTIVES

- (i) To encourage public transport use through the provision of integrated bus, pedestrian and cycle routes.*
- (ii) To stage bus services in line with the development.*
- (iii) To locate public transport stops close to key nodes, community facilities, schools and medium density residential development.*
- (iv) To ensure clear, safe pedestrian and bicycle links to all public transport stops.*
- (v) Provide dedicated cycle routes and facilities, and a highly permeable and safe pedestrian network.*

### DEVELOPMENT CONTROLS

- (a) Provide local bus routes (short, medium and long term) determined by Transport for NSW and Council.
- (b) Provide adequate provision for bus turning at intersections of Boundary Road with Red Gables Road and Cataract Road.
- (c) Bus stops are to be:
  - easily accessible and located close to major trip attractors;
  - provided on-street and not within indented bays;
  - generally at separation distances of around 400m;
  - well connected with cycling and walking paths and crossing points of major roads, and positioned to ensure a high level of personal safety and security.

- (d) Bus shelters are to be provided at key and installed at the subdivision construction stage by the developer to the satisfaction of Council.
- (e) All roads that are accommodating buses are required to have the following:
- Corresponding bus stops (bus stops on both sides of the street);
  - A 3 metre wide kerbside parking lane in each direction to allow for buses to serve bus stops without implementing movements of other vehicle/buses in a travel lane;
  - Travel lanes on these roads should be 3.5 metres wide to adequately and safely accommodate buses.
- accordance with AS 1428 (Part 1 to 4 Design for access and mobility).

## 2.8 PEDESTRIAN AND CYCLE NETWORK

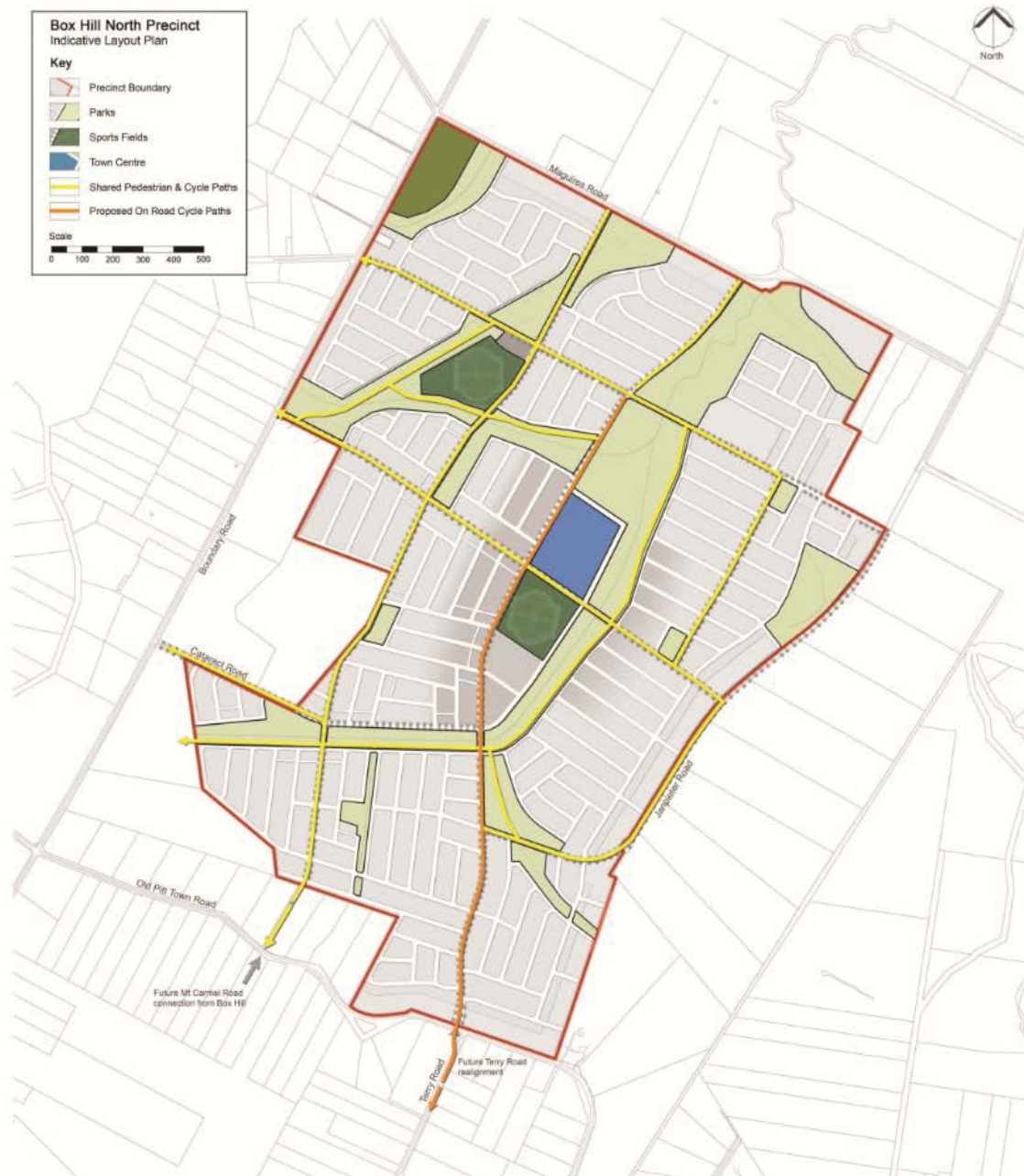
### OBJECTIVES

- (i) *To provide a clear pedestrian and cycle network that provides links between all key activities, community facilities, open space areas and the Town Centre.*
- (ii) *To create an interconnected pedestrian and cycle network comprising streets and paths that are safe, legible, and comfortable.*
- (iii) *To ensure a high level of pedestrian and cycle accessibility which is well lit, safe and clearly defined within the Town Centre.*
- (iv) *To provide an efficient and safe network of pedestrian and cycleway paths for the use of the community, within and beyond the site.*

### DEVELOPMENT CONTROLS

- (a) Pedestrian and cycle routes are to be provided in accordance with Figure 76. Alternate configurations can be provided subject to consistency with the objectives.
- (b) A shared cycle / pedestrian path is to be a minimum width of 2.5m.
- (c) Pedestrian and cycle paths are to be provided as part of the open space and recreation areas.
- (d) Pedestrian and cycle ways, as well as pedestrian refuge islands should be designed so that they are fully accessible by all users in terms of access points and gradients, in





**Figure 78** – Indicative Pedestrian and Cycle Network

## 2.9 PUBLIC DOMAIN

### OBJECTIVES

- (i) *To provide places and spaces that are acceptable to all, accommodate a range of activities for residents and visitors and are capable of responding to changes in demand and future needs.*
- (ii) *To incorporate environmentally sensitive areas such as riparian land, bushland, and archeologically sensitive sites into the open space network and provide appropriate protection and management mechanisms.*
- (iii) *To establish open spaces that promote local character and identity as an interconnected network of open space comprising parks, squares and streets.*
- (iv) *To ensure that public domain elements such as street trees, paving, street furniture, lighting and signage contribute to a consistent street character.*

### DEVELOPMENT CONTROLS

- (a) Link the open spaces using streets, riparian corridors, pedestrian paths and cycle ways.
- (b) Orient development surrounding open space towards the public domain to maximise opportunities for casual surveillance
- (c) Provide perimeter streets to all parks on at least three sides. Where a street frontage is not provided the development must front the park to provide casual surveillance.
- (d) Public domain elements such as street trees, paving, street furniture, lighting and signage are to be consistent and create local character.
- (e) Incorporate public art in open space areas. Where appropriate artwork should serve a dual role (e.g. as play equipment for children, informal seating or a marker for a meeting place).

## 2.10 SPECIAL CONTROLS

### Riparian Corridors

- Riparian corridors and conservation areas are to provide opportunities for pedestrian and cycle ways, fitness trails and additional open space in a manner that maintains the environmental significance of these areas and

is consistent with the Office of Water Controlled Activity Guidelines (2012). A range of themed elements such as boardwalks, eco-pathways, and educational tracks should be utilised in appropriate locations (i.e. within the outer 50 percent of the Vegetated Riparian Zone at locations which cause minimal harm).

- Riparian corridors are to be protected for environmental conservation purposes and enhanced with species from the local native vegetation community.

### Vegetated Management Plan - (VMP)

Any subdivision within land identified as Riparian Corridor Protection Area (Figure 87), or residential subdivision on land adjacent to such an area will be required to be accompanied by a Vegetation Management Plan and integrated with the required Landscape Plan, Bushfire Assessment, and Sedimentation & Erosion Control Plan.

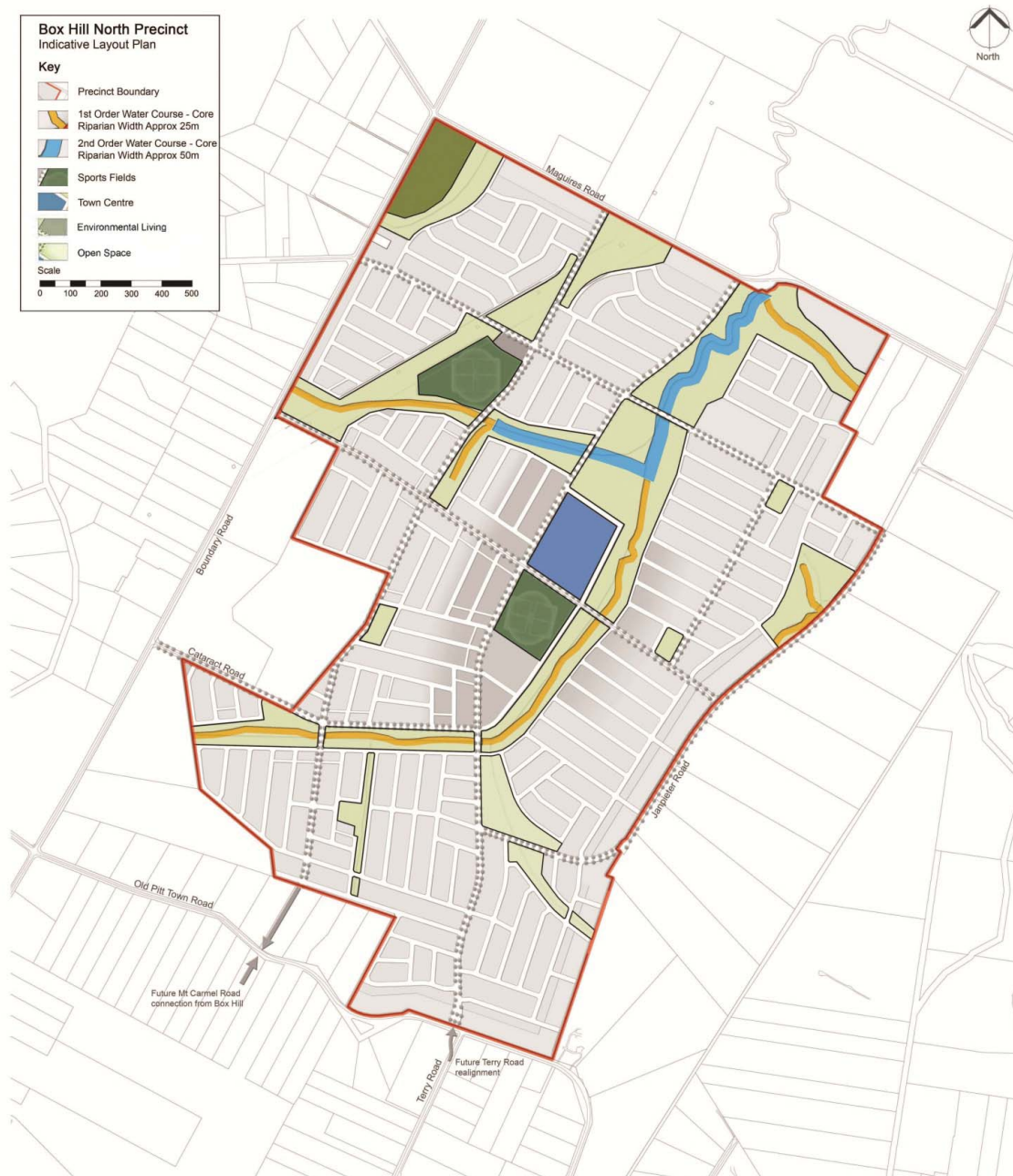
The recommendations of the Vegetation Management Plan will be imposed as conditions of any consent that may be issued.

### Watercourses

- The watercourses on the site are to be rehabilitated to mimic natural systems from the local area.
- Any new road crossings or the upgrade of existing road crossings are consistent with the Office of Water's Controlled activities guidelines for watercourse crossings on waterfront land and NSW DPI policy and guidelines for fish friendly waterway crossings for Class 1 and 2 waterways.

### Detention Basins

- Office of Water requirements for detention basins as outlined in the 2012 Controlled Activity guidelines are to be incorporated into any proposals.
- Any proposed online basins need to be dry and vegetated.



**Figure 87** – Riparian Corridor Protection Areas

**Signage, Street Furniture, Lighting and Public Art**

- Signage, street furniture and lighting is to be consistent with DCP 2012 Part C Sections 2 and 3 Signage and Landscaping.

**Utilities**

- Gas and water services may be located in a shared trench on one side of the street and electricity, power and telephone located in a shared trench on the other side of the street.
- All development shall incorporate underground electricity reticulation and telecommunications.
- Any existing aboveground electricity reticulation services shall be relocated underground with the exception of main transmission lines.
- Utilities and services are to be supplied and constructed in accordance with the requirements of the relevant authority.
- Development is to have a water supply for fire fighting purposes in accordance with the NSW Rural Fire Service's Planning for Bushfire Protection 2006(as amended).

**Transmission Easement**

- Adequate space is to be provided around each transmission tower to ensure there is a safe working platform to facilitate the use of cranes and elevated work platforms for conducting repairs and maintenance.
- Continuity of vehicular access along the easement must be preserved without hindrance from changes to ground levels or the construction of culverts.
- Written consent shall be obtained from Transgrid for any proposed development within the easement.
- Vegetation within the easement must not be capable of growing beyond a height of 4 metres at full maturity.

**2.11 STORMWATER MANAGEMENT****OBJECTIVES**

- (i) *To control stormwater runoff and discharge impacts on adjoining properties and into natural drainage systems before, during and after construction.*
- (ii) *To prevent flood damage to the built and natural environment, inundation of dwellings and stormwater damage to properties.*
- (iii) *To ensure that proposed development does not adversely affect the operational capacity of the downstream stormwater system.*
- (iv) *To encourage reuse, recycling and harvesting of stormwater to reduce demand on potable water supply.*
- (v) *To encourage and create an urban form where risks to life and property, as a result of either minor or major flooding, are minimised.*
- (vi) *To maximise opportunities for a best practice Water Sensitive Urban Design approach at the individual lot, overall development and regional scales.*
- (vii) *To reduce the impacts typically associated with urbanisation on receiving waterways, including a reduction in streamflow erosion potential.*
- (viii) *The WSUD strategy prepared for all development is to take into account water quality and stream erosivity objectives, together with attenuating flow rates and runoff volumes to acceptable levels following urban development.*

**DEVELOPMENT CONTROLS**

- (i) Water Sensitive Urban Design (WSUD) elements are to be designed and constructed in accordance with the following publications:
  - a. Australian Runoff Quality (Engineers Australia 2005).
  - b. Water Sensitive Urban Design Technical Guidelines for Western Sydney (NSW Government Stormwater Trust and UPRCT, May 2004).
- (ii) Discharge points are to be controlled and treated to prevent soil erosion, and may require energy dissipating devices on steeper topography, to Council's requirements.
- (iii) The minor drainage system minimum design standard is to capture and convey flows produced by a 10-year Average Recurrence Interval (ARI) design storm.
- (iv) Drainage reserves or local drainage links are required to discharge gap flows (the difference between the 100 year ARI storm event and half design pipe flow, allowing for blockage) from all ARI runoffs to the generally accepted maximum of the 100-year ARI storm event.



- (v) Local drainage links within subdivisions are to be a minimum of 5 metres in width designed in accordance with details available from Council. The developer is required to dedicate to Council at no cost, the land, all associated drainage works, erosion control planting, pathways and tree planting. Details are to be submitted with the engineering designs.
- (vi) Drainage facilities are to be of a standard acceptable to Council.
- (vii) All drainage pits shall have access from the ground surface. Buried junction pits shall not be permitted.
- (viii) All pipes to be dedicated to Council are to be located within public land.
- (ix) All residential, employment and commercial developments will be required to provide rainwater tanks in accordance with the requirements of the publication "Box Hill North Precinct Water Cycle & Flood Management Strategy Report", J Wyndham Prince, July 2013.
- (x) The natural form, characteristics and function of waterways, including riparian land, are to be retained, restored, protected and enhanced wherever possible.
- (xi) Constructed waterways, including riparian land, are to replicate as close as possible the form, characteristics and function of existing waterways at that location.
- (xii) Waterway rehabilitation and construction works are to apply 'Best Practice' combination of soft and hard engineering techniques establishing a water sensitive, geomorphically stable, diverse and functional waterway corridor that addresses urban influences and considers the immediate waterway corridor and aquatic systems both upstream and downstream of a subject site.

As a minimum, waterway design and construction ought follow the principles and guidelines in the Constructed Wetlands Manual (Department of Land and Water Conservation, NSW 1998) and A Rehabilitation Manual for Australian Streams (Cooperative Research Centre for Catchment Hydrology, 2000).

- (xiii) Soil and Water Management Plans are to be submitted with all residential subdivisions and are to be designed in accordance with The Hills Shire Council's 'Works Specification, Subdivision/Development' and the Department of Housing manual, 'Managing Urban Stormwater: Soils and Construction'.

- (xiv) During the construction phase of development, the relevant Stormwater Management Objectives for New Development as set out in the most up to date revision of "Managing Urban Stormwater: Soils and Construction" (NSW Department of Housing) must be complied with.

## 2.12 BUSHFIRE HAZARD MANAGEMENT

### OBJECTIVES

- (i) *To reduce the risk to life and property in areas of bushfire risk.*
- (ii) *In determining Development Applications, Council will have regard to any likely bushfire hazard.*

### DEVELOPMENT CONTROLS

- (a) Proposed public road within the subdivision will need to comply with the access requirements within section 4.1.3 of Planning for Bushfire Protection 2006.
- (a) A traffic report should be prepared which addresses the ability for emergency services to access the precinct whilst residents are evacuating the area, taking into account the additional traffic generated by the proposed development.
- (b) Development subject to bushfire risk will be required to address the requirements of the NSW Rural Fire Service Guidelines entitled "Planning for Bushfire Protection 2006."
- (c) Development applications on bush fire prone land within the precinct shall be supported by a bushfire assessment report which considers the provisions of Planning for Bush Fire Protection 2006.

## 2.13 CUT AND FILL

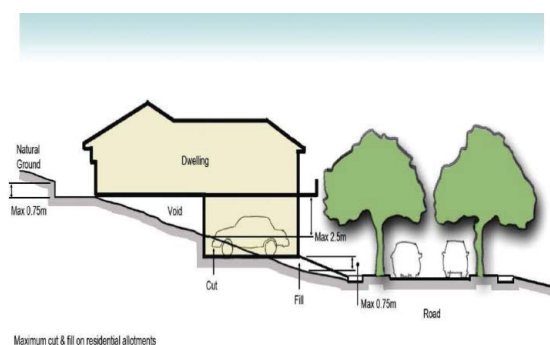
### OBJECTIVES

- (i) *To minimise incidence of cut and fill and alterations in natural ground levels.*
- (ii) *To ensure that dwellings are designed with regard to site conditions and minimise the impact on landform.*
- (iii) *To lessen the visual impact of retaining walls on allotment boundaries.*



**DEVELOPMENT CONTROLS**

- (a) Cut and fill principles are illustrated in Figure 98.
- (b) Cut and fill of land is to be minimised under the following numeric controls:
  - maximum depth of any cut in the slope is 1 m, and
  - maximum height of any fill of the slope is 1 m.
- (c) Side boundary retaining walls for development on cross slopes should retain a cut no higher than 1 metre.
- (d) Where the retaining of land is greater than 1 m in height, retaining walls should be tiered with a minimum distance of 600mm between walls and suitably landscaped.
- (e) Embankments should have a maximum grade of 1:4 and be suitably landscaped to prevent erosion.



**Figure 98** - Cut and fill principles

**2.14 ABORIGINAL HERITAGE**

Council shall require all subdivision development applications to include an Aboriginal Cultural/Archaeological Assessment including consultation and mitigation to comply with relevant legislation and associated requirements. The heritage assessment shall be prepared by a suitably qualified person.

Where the Aboriginal Assessment identifies a site as significant, submission of a letter from the relevant Aboriginal Lands Council is required expressing support or recommendations for the subdivision proposal.

**3. RESIDENTIAL DEVELOPMENT****3.1 HOUSING TYPES AND DESIGN PRINCIPLES**

A mix of housing types that range from residential flat buildings to large lot residential dwellings are to be provided within Box Hill North to facilitate housing diversity and choice and to meet the requirements of people with different housing needs. Generally, higher residential densities are to be located in the vicinity of the Town Centre and in areas with high visual or landscape amenity and proximity to facilities. Low density residential development is to be located along ridges and steeper slopes.

**3.2 MINIMUM SUBDIVISION SIZE FOR R2 LOW DENSITY RESIDENTIAL - LARGE LOTS****OBJECTIVES**

- (i) To provide lots of a size conducive to residential living, having regard to any development constraints or environmental qualities of that land.
- (ii) To ensure lots have sufficient area to provide adequate access, open space, a sufficient building platform and attractive presentation to the street.

**DEVELOPMENT CONTROLS**

- (a) Minimum lot size: 2000 m<sup>2</sup>
- (b) Minimum depth: 60 metres
- (c) Minimum frontage: 30 metres
- (d) Minimum front setback: 10 metres
- (e) Minimum side setback: 5 metres

**3.2.1 BUILDING PLATFORM****OBJECTIVE**

- (i) To ensure lots have a suitable area for the erection of a dwelling and associated structures, free of constraints or restrictions.

**DEVELOPMENT CONTROLS**

- (a) The lot must be capable of providing a building platform of at least 20 metres by 15 metres clear of any restrictions or building line setbacks. The building platform shall be sited in an accessible and practical location suitable for residential building construction.
- (b) Suitable graded vehicle access shall be provided from a public road to the identified building platform in accordance with Councils minimum driveway requirements.

**3.3 ENVIRONMENTAL LIVING****OBJECTIVE**

- (i) *To ensure that future development is designed and managed in a manner which respects the natural attributes of the environmental living zoned land area in Box Hill North.*

**DEVELOPMENT CONTROLS*****Integrated Development Application***

- A single integrated Development Application for the whole of the environmental living zone land area is to be submitted to Council. The development is to be accompanied by a detailed site analysis plan. Environmental living design principles are illustrated in Figure 409.

***Development Envelopes***

- A Development Envelope Plan is to be prepared for each individual lot within the environmental living zone land area. The plan is to set out the broad parameters such as the building envelope, maximum building height and any individual characteristics of individual lots.
- The footprint of any building and related structures (including out buildings, storage sheds and courtyards) must be sited wholly within the Development Envelope Plan for individual lots.

***Services***

- Building services (including drainage and utilities) are to be underground. Trenching is not permitted within the drip line of existing trees to minimize impact. Site plans are to show service trench location in relation to existing trees.

***Tree Retention and Removal***

- In the area of individual lots outside the Development Envelope, no native trees or native understorey vegetation is to be removed or lopped unless:
  - Removal of native trees or native understorey vegetation is to be undertaken as part of an ongoing program of vegetation/ fuel management (if required); or
  - Individual native trees can be demonstrated to be a clear risk to personnel safety and or property, or
  - Removal of native trees and understorey is essential to the provision of access to a lot.
  - Prior to any such removal of native trees you must obtain approval of Council in accordance with their Tree Preservation Policy.

***Clothes Drying***

- Outdoor clothes drying areas are to be located within the Development Envelope for an individual lot and located to the side or rear of the dwelling and adequately screened.
- There will be no clothes drying on balconies of units within residential flat buildings.

***Waste Minimisation and Recycling***

- Garbage storage and recycling facilities are to be provided within the Development Envelope for an individual lot. The area is to be adequately screened.

***Rainwater Tanks***

- Rainwater tanks are to be located within the Development Envelope for each lot and located adjacent to the dwelling or integrated into the design of the dwelling where possible.

***Outbuildings***

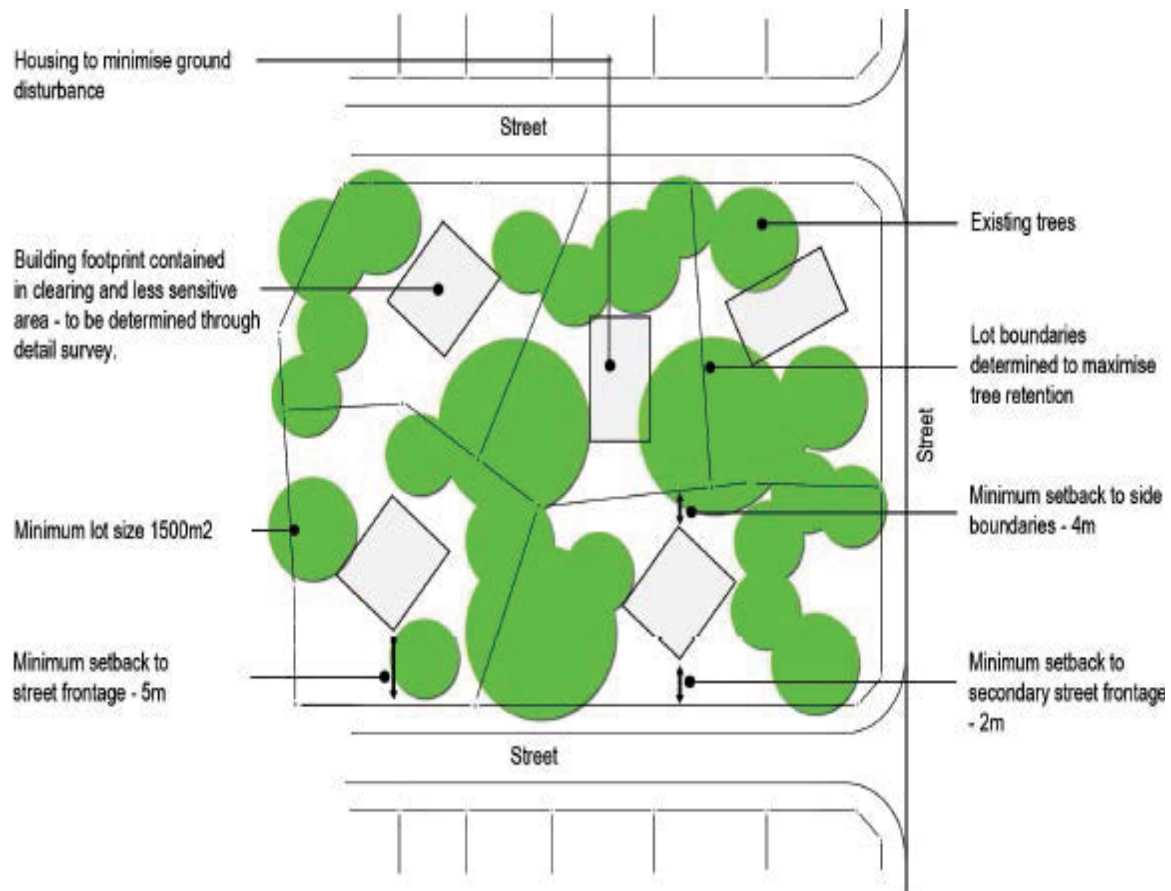
- Any additional storage or work spaces are to be located within your development envelope and generally to the rear of a dwelling

***Swimming pools and tennis courts***

- If a swimming pool or tennis court is proposed it must be located within the Development Envelope for an individual lot and to the rear or side of the dwelling only.

***Existing Vegetation and Natural Ground Conditions***

- If the siting of a dwelling requires the removal of trees, similar species are required to be planted elsewhere within the lot.
- Landscaping is to incorporate native grasses, understorey and ground cover vegetation and consistent with any bushfire fuel management requirements.
- Suitable Plant Species Endemic or suitable native plant species selected from the approved plant species list are to be used for revegetation of disturbed areas both outside of and within individual Development Envelopes.
- Non-invasive exotic species are only permitted within Development Envelopes and must be contained within defined edges (e.g. timber, steel or masonry edging).



**Figure 409** – Environmental Living Design Principles

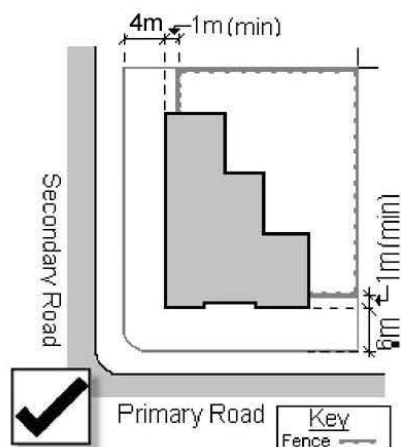
**3.3.1 CORNER LOTS****OBJECTIVES**

- (i) *To ensure that dwellings sited on corner lots take advantage of their visually prominent location whereby the design addresses both street frontages.*
- (ii) *To ensure that the dwelling façade along the secondary street frontage provides architectural relief to the streetscape.*

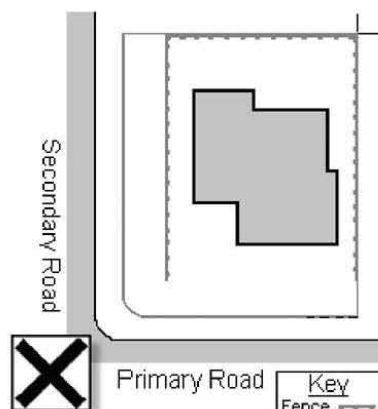
**DEVELOPMENT CONTROLS**

- (i) On corner lots a minimum of three of the following design elements are to be included along the secondary frontage:
  - Verandahs;
  - Gables;
  - Vertical elements to reduce the horizontal emphasis of the façade;
  - Entry feature or portico;
  - Balcony/window boxes or similar elements;
  - Landscaping/fencing compatible with the frontage status of the elevation; and
  - Windows.
- (ii) The following features are not to occur along either façade:
  - Blank walls without relief;
  - Windows or doors of utility rooms exposed to view; and
  - Hot water services, air conditioning machinery or similar utility installations.
- (iii) Fencing on each road frontage boundary will be limited to a maximum of 25% of the length of that boundary. Any such fencing will be located a minimum of 1 metre behind the closest wall of the building to that boundary (See Figure 4410).





**SET BACKS FOR CONER SITES  
AND STREET FRONTAGE TREATMENT**



**DESIGN ADDRESSES ONLY ONE  
FRONTAGE WITH SURROUNDING  
HIGH FENCES**



**VERTICAL ELEMENT THAT  
HELPS TO DEFINE THE CORNER**



**DESIGN SUCCESSFULLY ADDRESSES  
BOTH STREET FRONTAGES**



**DESIGN SUCCESSFULLY ADDRESSES  
BOTH STREET FRONTAGES**



**FAILS TO ADDRESS THE SECONDARY  
STREET FRONTAGE WITH BLANK WALL  
AND HOT WATER SERVICE LOCATED  
ALONG THE SECONDARY STREET  
FACADE**

**Figure 4410** – Corner lots

### 3.4 RESIDENTIAL AMENITY, SOLAR ACCESS AND PRIVACY

#### OBJECTIVES

- (i) *To provide a high level of residential amenity with opportunities for outdoor recreation and relaxation within the property.*
- (ii) *To enhance the spatial quality, outlook, and usability of private open space, including outdoor clothes drying.*
- (iii) *To facilitate solar access to the living areas and private open spaces.*
- (iv) *To minimise overshadowing of neighbouring dwellings and their private open space.*
- (v) *To minimise the direct overlooking of internal and external living areas through site layout and building layout, location of windows and balconies, design of windows and use of screening devices.*
- (vi) *To ensure that buildings are sited and designed so as to provide for solar access and both visual and acoustic privacy.*

#### DEVELOPMENT CONTROLS

##### Solar Access and Cooling

- o Dwelling design should:
  - o include a living room or the like with a northern aspect,
  - o ensure daylight access to habitable rooms and private open space, particularly in winter – use skylights, clerestory windows and fanlights to supplement daylight access,
  - o incorporate cross ventilation,
  - o incorporate shading and glare control, particularly in summer i.e. - using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvers and planting,
  - o provide external horizontal shading to north-facing windows,
  - o provide vertical shading to east or west windows.
  - o provide an area with good solar access for outdoor clothes drying.

##### Privacy

- o The siting of windows of habitable rooms on the first floor shall minimise overlooking to the private open space of neighbouring properties.
- o Direct overlooking of main habitable areas and private open spaces of adjacent dwellings is to be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscape treatments.
- o Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 3m of the property boundary are to:
  - o be obscured by fencing, screens or appropriate landscaping,
  - o be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window; or
  - o have fixed obscure glazing in any part of the window below 1.5m above floor level.
- o A new balcony, deck, patio, pergola, terrace or verandah and any alterations to an existing balcony, deck, patio, pergola, terrace or verandah must have a privacy screen if it:
  - o has a setback of less than 3m from a side or rear boundary,
  - o has a floor area more than 3m<sup>2</sup>, and
  - o has a floor level more than 1m above ground existing ground level.
- o A detached deck, patio, pergola, terrace or additions or alterations to an existing deck, patio, pergola, or terrace must not have a floor level that is more than 600mm above existing ground level.

### 3.5 FORMS, ROOFS AND FEATURE ELEMENTS

#### OBJECTIVES

- (i) *To create an attractive and cohesive streetscape (refer to Figure 4211).*
- (ii) *To ensure that buildings are designed to enhance the desired future built form character of the neighbourhood.*

#### DEVELOPMENT CONTROLS

##### Porches and entries

- Should form an integral part of the dwelling, create a clear and visible entry area and where possible provide shelter for people entering the house.
- On corner lots, the main entry should ideally be on the long side of the lot to avoid a blank face to that street.
- Where possible, aerials, satellite dishes, water tanks, air conditioning units and solar hot water units should not generally be visible from the street or other public spaces.
- Careful attention is required to ensure optimum orientation for solar collectors, while avoiding the potential of such items being viewed as roof clutter.

***Verandahs and pergolas***

- Be provided to all elevations that are exposed to western and northern sun.
- Appear as an extension of the house.
- Be made of durable materials such as timber or metal.

***Balconies and terraces***

- Should provide usable external living areas for upper levels of the home.
- Provide additional opportunities for outlook to the street and garden, improving safety by encouraging passive surveillance.

***Roof eaves and sun shading***

- Sunscreens and awnings, particularly on the northern and western elevations are encouraged.
- Eaves of at least 450mm (to the fascia) are required on all pitched roofs except where roof portion is zero lotted. However, where practical, 600mm eaves should be considered to achieve an increased degree of shading to windows and for enhanced aesthetic appeal.
- Where flat roofs are proposed, alternative shading devices are required.
- Eaves are not mandatory on garages where they are located on the southern side of the main house.

***Materials and proportions***

- Durability, detailing, appearance and diversity should be considered when selecting materials to ensure a high quality appearance over time.
- Variety and individuality are important, and considered materials selection creates a harmonious balance on the facades of the house.
- Well-balanced proportions are also important for improving the appearance of the dwelling, helping to relate various elements such as doors, windows and entries.

***Aerials and other clutter***

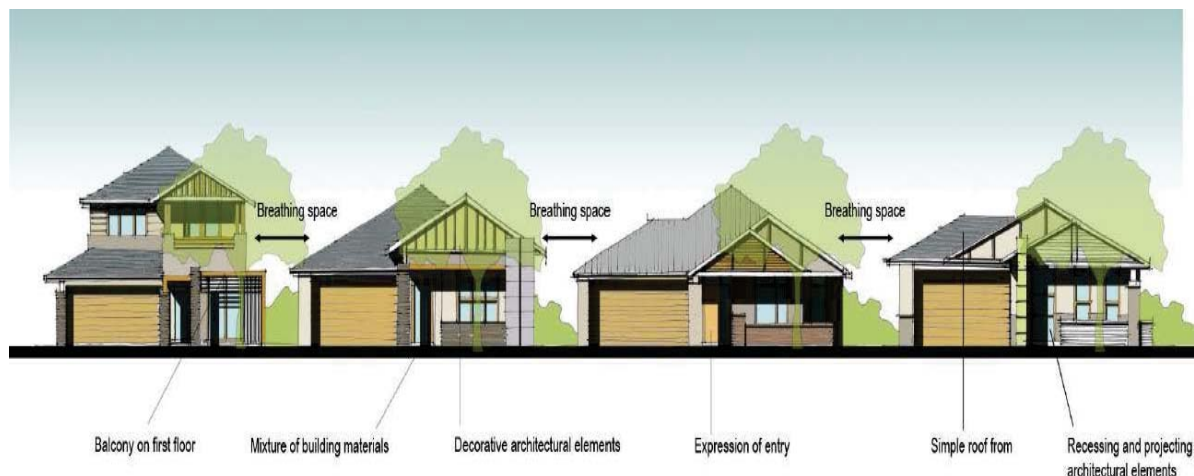


Figure 4211 - Streetscape Elevation

### 3.6 FENCING

#### OBJECTIVES

- (i) To enhance the quality of the streetscape through consistent and co-ordinated front fencing.
- (ii) To define the public and private domain and provide a sense of enclosure to the front yard.
- (iii) To ensure boundary fencing is of a high quality and compliments the streetscape.

#### DEVELOPMENT CONTROLS

- (a) Side and rear fencing are to be a maximum of 1.8 m high and located not forward of the front building line.
- (b) On corner lots the preferred outcome is for the dwelling to front both street frontages providing a better overall streetscape presentation. Where fencing to the secondary street frontage is proposed, it is not to exceed 1.8 m high for more than one third of the length of the secondary road frontage, if relevant.
- (c) On corner lots the front fencing style is to be continued along the secondary street frontage to at least 1 m behind the building line of the dwelling.
- (d) Where a dwelling is located adjacent to open space, the design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space. Fencing that adjoins open space

is to permit casual surveillance. Colorbond or timber paling or lapped/capped fencing can only be used internally between dwelling lots.

- (e) Where cut is proposed on the boundary of a lot, retaining walls are to be constructed with side fence posts integrated with its construction (relevant construction details are required with retaining wall approval). Otherwise retaining walls must be located a minimum of 450mm from the side or rear boundary of the lot containing the cut.

### 3.7 GARAGES AND CAR PORTS

#### OBJECTIVES

- (i) To provide safe and secure parking for residents and visitors.
- (ii) To reduce the visual impact of garages, carports, and parking areas on the streetscape and improve dwelling presentation.
- (iii) To ensure the design of garages do not dominate the frontage of the house.
- (iv) To encourage the use of studios over garages to provide surveillance, work from home or residential accommodation opportunities.

#### DEVELOPMENT CONTROLS

- (a) Garage doors are to be set back a minimum of
  - 1m from the front facade of the home
  - 5.5m from the front boundary.
- (b) Garage doors are to be:

- less than 50% of the width of the house
  - no wider than 6m
  - a maximum height of 2.4m.
- (c) Double garages are only permitted on lots that are 12m wide or greater.
- (d) Single fronted tandem garages with one space behind the other are permitted.
- (e) Triple garages are only permitted on large residential lots with a minimum lot size of 2000m<sup>2</sup>.
- (f) Garages located on corner lots should be accessed from the secondary street (unless solar orientation would be compromised).
- (g) Driveways should be a minimum of 1.5m from street trees.
- (h) Landscaping is to be provided between the driveway and side fences.

### 3.8 STREET TREES

#### OBJECTIVES

- (i) *Be consistently used to distinguish between public and private spaces and between different classes of street within the street hierarchy;*
- (ii) *Minimise risk to utilities and services;*
- (iii) *Be durable and suited to the street environment and, wherever appropriate, include endemic species;*
- (iv) *Maintain adequate lines of sight for vehicles and pedestrians, especially around driveways and street corners;*
- (v) *Provide appropriate shade; and*
- (vi) *Provide an attractive and interesting landscape character without blocking the potential for street surveillance.*

#### CONTROLS

- (a) Trees should include endemic species; however suitability to the surrounding infrastructure should be paramount.
- (b) All trees shall be sourced from a "NATSPEC" accredited nursery.
- (c) Trees species should be selected that will not cause future damage to Council and private infrastructure eg: drainage culverts and private driveways.
- (d) Street trees must be in accordance with Councils preferred planting list.

- (e) Where nature strips have a footpath street trees should be planted in the centre, between the rear of kerb and the edge of footpath.
- (f) Street trees are not to be planted within 9m from road corner or within 3m of a driveway. (Refer figure 4312 below).
- (g) Street trees are to be planted away from street lighting and utilities such as storm water outlets and drainage culverts. (Refer figure 4312 below).
- (h) Street trees should be spaced approximately every 6 metres.

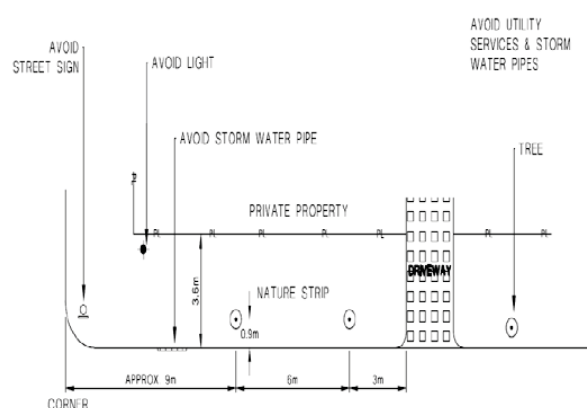


Figure 4312 – Location of street trees

#### Footpaths

##### Local Roads

- Footpaths are required to be constructed on one side of the street only. On the side of the street where footpaths are constructed one tree per lot is to be planted in the centre of the lot frontage. Where there are no footpaths in the street two trees per lot spaced at 6 metre intervals are required.
- Footpaths to be 1.2m in width.

##### Collector/Sub-Arterial Roads

- Footpaths are required to be provided on both sides of the street.
- Footpaths are to be 1.5m in width.



## SPECIES LIST FOR STREET TREES BOX HILL NORTH

**Cumberland Plain Woodland – Larger mature size**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
<i>Eucalyptus crebra</i>	Narrow-Leaved Ironbark	x		
<i>Eucalyptus eugenioides</i>	Thin-Leaved Stringybark	x		
<i>Eucalyptus fibrosa</i>	Broad-Leaved Stringybark	x		
<i>Eucalyptus moluccana</i>	Grey Box	x		
<i>Eucalyptus tereticornis</i>	Forest Red Gum	x		

**Cumberland Plain Woodland – Small mature size**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
<i>Melaleuca decora</i>	Feather Honey Myrtle		x	x

**Eucalypt River Flat Forest – Larger mature size**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
<i>Angophora subvelutina</i>	Narrow-Leaved Ironbark	x		
<i>Angophora floribunda</i>	Thin-Leaved Stringybark	x		
<i>Eucalyptus elata</i>	River Peppermint	x		
<i>Eucalyptus moluccana</i>	Grey Box	x		
<i>Eucalyptus tereticornis</i>	Forest Red Gum	x		
<i>Eucalyptus ovata</i>	Swamp Gum	x		
<i>Eucalyptus longifolia</i>	Woollybutt	x		
<i>Eucalyptus amplifolia</i>	Cabbage Gum	x		
<i>Eucalyptus botryoides</i>	Bangalay	x		
<i>Casuarina cunnninghamiana</i>	River She Oak	x		
<i>Casuarina glauca</i>	Swamp Oak	x		

**Eucalypt River Flat Forest – Medium mature size**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
<i>Melia azedarach</i>	White Cedar (Deciduous)		x	x
<i>Melaleuca styphelioides</i>	Prickly Paperbark		x	x
<i>Melaleuca decora</i>	Feather Honey Myrtle		x	x
<i>Acmena smithii</i>	Lilly Pilly (not CVs)		x	x

**Eucalypt River Flat Forest – Small mature size**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
<i>Tristanopsis laurina</i>	Water Gum	x		
<i>Callistemon salignus</i>	White Bottlebrush	x		
<i>Livistona australis</i>	Cabbage Tree Palm	x		
<i>Melaleuca lineariifolia</i>	Snow in Summer	x		
<i>Leptospermum polygalifolia</i>	Tantoon	x		
<i>Backhousia myrtifolia</i>	Grey Myrtle	x		

**Non –locally indigenous native trees**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
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<b>Medium Size</b>				
<i>Callitris collumnaris</i>	White Cypress Pine		x	x
<i>Callitris rhomboidea</i>	Port Jackson Pine		x	x
<i>Brachychiton populneum</i>	Kurrajong		x	x
<i>Glochidion ferdinandii</i>	Cheese Tree		x	x
<i>Lophostemon confertus</i>	Queensland brushbox		x	x
<i>Backhousia myrtifolia</i>		x		
<i>Cupaniopsis anacardiodes</i>		x		
<i>Elaeocarpus eumundii</i>		x		
<i>Elaeocarpus reticulatus</i>		x		
<i>Melaleuca Revolution Series</i>		x		
<b>Small Size</b>				
<i>Syzygium luehmannii</i>	Riberry		x	x
<i>Backhousia citriodora</i>	Lemon Myrtle		x	x
<i>Waterhousia floribunda</i>	Watergum		x	x
<i>Tristaniaopsis laurina</i> 'Luscious'			x	x
<i>Callistemon 'Kings Park Special'</i>		x		
<i>Callistemon viminalis</i>		x		
<i>Ceratopetalum gummiferum</i>			x	x

**Non Native Trees**

Tree Species	Common Name	No Footpath	Footpaths	Cycleway
<b>Medium Size</b>				
<i>Pyrus calleryana</i> 'Capital'	Fastigate Ornamental Pear	x		
<i>Quercus palustris</i> 'Pringreen' Green Pillar®	Fastigate Pin Oak	x		
<i>Ulmus parvifolia</i> 'Todd' ♂	Chinese Weeping elm	x		
<i>Fraxinus pennsylvanica</i> 'Urbidell' - Urbanite™	Ash		x	x
<i>Calodendrum capense</i>	Cape Chestnut		x	x
<i>Fraxinus Raywood</i>	Claret Ash	x		
<i>Fraxinus angustifolia</i> 'Raywood'	Claret Ash	x		
<i>Acer platanoides</i> 'Crimson Sentry'		x		
<i>Acer x freemanii</i> 'Jeffersred'		x		
<i>Agonis flexuosa</i> 'Burgundy'	Willow Myrtle	x		
<i>Backhousia citriodora</i>		x		
<i>Brachychiton populneus</i>		x		
<i>Fraxinus pennsylvanica</i> 'Lednaw' - Aerial™		x		
<i>Glochidion ferdinandi</i>		x		
<i>Jacaranda mimosifolia</i>			x	x
<i>Lophostemon confertus</i>		x		
<i>Nyssa sylvatica</i>		x		
<i>Pistacia chinensis</i>		x		
<i>Prunus cerasifera</i> 'Nigra'			x	x
<i>Prunus cerasifera</i> 'Oakville Crimson Spire'			x	x
<i>Pyrus calleryana</i>			x	x
<i>Pyrus salicifolia</i>			x	x
<i>Quercus rubra</i>			x	x

<i>Syncarpia glomulifera</i>			x	x
<i>Syzygium luehmannii</i>			x	x
<i>Ulmus parvifolia</i> 'Todd'		x		
<i>Waterhousea floribunda</i>			x	x
<i>Zelkova serrata</i>				
<i>Acer rubrum</i> 'October Glory'				
<i>Magnolia</i> × <i>soulangeana</i>		x		
<i>Magnolia grandiflora</i>			x	x
<b>Small Size</b>				
<i>Acer campestre</i> 'Elsrijk'	Field maple		x	x
<i>Fraxinus griffithii</i>	Ash		x	x
<i>Acer platanoides</i> 'Globosum'			x	x
<i>Acer rubrum</i>	October Glory		x	x
<i>Lagerstroemia</i>	Crepe Myrtle		x	x
<i>Prunus</i> × <i>blireana</i>	Flowering plum		x	x
<i>Prunus</i> × <i>blireana</i>			x	x
<i>Fraxinus griffithii</i>		x		
<i>Lagerstroemia indica</i> × <i>L. fauriei</i>		x		
<i>Michelia doltsopa</i>		x		

**STRATEGIC CONTEXT****▪ Greater Sydney Region Plan**

The relevant objectives of the Greater Sydney Region Plan are Objectives 6, 7 and 10.

The Plan seeks to deliver services and infrastructure that meet the surrounding community's needs through the provision of schools and other community service facilities in walkable, mixed-use places co-located with social infrastructure and local services (Objective 6). To achieve this, the Plan places emphasis on the provision of services for both existing and planned new neighbourhoods. The Plan aims to ensure that new communities are provided with the necessary social infrastructure to support sustainable intergenerational development (Strategy 6.1).

The Plan advocates for well-planned neighbourhoods that promote active and socially connected lifestyles (Objective 7). With an emphasis on education facilities, sportsgrounds, co-working spaces, and an active street life, the planning proposal would enable development of the site as a place that supports an active, resilient and socially connected community (Strategy 7.1).

Objective 10 of the Plan seeks to provide ongoing housing supply and a range of housing types in locations to create liveable neighbourhoods and support Sydney's overall growing population. The planning proposal would contribute to achieving the Central City District 20-year housing targets for the Box Hill North Precinct.

Given the above, the planning proposal is consistent with the delivery of social infrastructure that would support a development focused on community whilst delivering on housing targets for the Box Hill North Precinct.

**▪ Central City District Plan**

The relevant planning priorities of the Central City District Plan are Planning Priorities C3, C4, C5, C10 and C17.

The Plan anticipates increasing demand on existing services and infrastructure leading to a need for the delivery of new co-located activities such as schools, libraries, community and cultural facilities, parks and recreation spaces (Planning Priority C3). The NSW Department of Education estimates that an extra 89,630 students will need to be accommodated in both government and non-government schools in the Central City District by 2036. The planning proposal seeks to potentially address some of this shortfall within the Box Hill North Precinct through the provision of a co-located educational establishment integrated into the town centre.

Planning Priority C4 emphasises healthy, creative, culturally rich and socially connected communities through the delivery of walkable places at a human scale with an active street life. A further emphasis is placed on the co-location of schools and social facilities to support the growing population. The planning proposal has been designed with an emphasis on co-locating these uses and the creation of place through an internal pedestrian and cycling network with ground level retail facilities.

The Plan emphasises the provision of housing supply, choice and affordability, with access to jobs, services and public transport (Planning Priority C5). With respect to the housing targets outlined for The Hills (8,550 – 0-5 year housing target from 2016-2021), the planning proposal would deliver approximately 20-25 additional dwellings beyond that originally anticipated as part of the Box Hill North Precinct Plan. While the proposal would result in

positive amenity outcomes such as the co-location of jobs and schools and an integrated and designed streetscape, there must be consideration of the level of public transport to service the precinct and market suitability of apartments on the fringe of Sydney.

The successful evolution of centres is imperative for the growth of the Central City District. The proposed town centre would serve as a local centre to access everyday goods and services and co-locate local facilities and infrastructure for the Precinct (Planning Priority C10). Action 37 illustrates the directive for centres to provide a range of activities, create vibrant places and quality public realm, balance the movement of people, and improve the walkability within and to centres, among others. The planning proposal would result in a site-responsive built form that responds to the initiatives outlined in Action 37.

The key considerations for public open space as stated by Planning Priority C17 are quality, quantity and distribution. Within the context of high density development, the provision of public open space is to be located within close proximity of the town centre (within 200 metres). Public open space is to be located within the immediate proximity of the town centre, being to the north and south. Given this, the proposed co-located educational establishment would benefit from location within the Town Centre given the proximity of planned open space to the north and sporting fields to the south, in addition to the planned walking and cycling links.

The planning proposal is consistent with the Plan given the co-location of the educational establishment within a local centre that contributes to housing targets for the Central City District. Through a site-responsive built form and street design, in addition to open space located within close proximity of the Town Centre, the proposal aligns with priorities C3, C4, C5, C10 and C17.

▪ **The Hills Local Strategy**

The Local Strategy is the principal document for communicating the future planning of the Shire and includes long term objectives on seven key areas of direction. The relevant Directions are the Centres Direction, Employment Lands Direction and Integrated Transport Direction.

The Centres Direction

The Centres Direction aims to create vibrant, accessible centres that meet the needs of the community, are attractive to visit and improve the functioning and viability of existing centres through revitalisation and redevelopment. The Direction also aims to encourage a range of transport options to support the vital role and connectivity of centres.

The planning proposal is consistent with this Direction as it would facilitate the provision of a new educational establishment within the Town Centre for the Box Hill North precinct and create a vibrant, site-responsive centre with an emphasis on the walkable pedestrian scale.

The Employment Lands Direction

The Employment Lands Direction aims to accommodate the growth of a modern economy by ensuring that future development and planning provides increased employment opportunities. The Direction also aims to promote growth in local business and enhance the attractiveness of the Shire for new businesses and visitors through appropriate infrastructure and services. The proposal would not detract from the extent of employment opportunities already anticipated within the Box Hill North Town Centre.

Integrated Transport Direction

The objectives of the Integrated Transport Direction are to align land use planning with major transport and infrastructure to facilitate a cohesive transport network, assist movements at a



regional level and connect local destinations. The Direction also seeks to improve the attractiveness of sustainable travel options and guide the delivery of new transport through a range of facilities and services.

The proposed location of the new school within the town centre would ensure that the school is easily accessible and co-located with other services and uses. The school will be able to rely on the planned local road network and traffic improvements and upgrades already secured through the VPA with the Developer for the broader Box Hill North Precinct.

▪ **Ministerial Direction 1.1 Business and Industrial Zones**

This Direction seeks to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified centres. A planning proposal must retain the areas and locations of existing business zones and not reduce the total potential floor space area for employment uses and related public services in business zones. The planning proposal would not decrease the potential for commercial and retail floor space and would support the vitality of the future Box Hill North Town Centre.

▪ **Ministerial Direction 3.4 Integrating Land Use and Transport**

The objectives of this Direction are to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) Improve access to housing, jobs and services by walking, cycling and public transport;
- b) Increase the choice of available transport and reduce dependence on cars;
- c) Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car;
- d) Support the efficient and viable operation of public transport services; and
- e) Provide for the efficient movement of freight.

Through the co-location of uses, the planning proposal would encourage improved access to housing, jobs and services (including the proposed new school) by walking and cycling.

**ITEM 3:**                                **DA 998/2018/ZD FURTHER REPORT – SUBDIVISION CREATING SIX COMMUNITY TITLE RURAL RESIDENTIAL LOTS AND ONE ASSOCIATION LOT (MAXIMUM LOT YIELD) – LOT 2 DP 787301, NO. 4096 OLD NORTHERN ROAD, MAROOTA**

**SPEAKERS:**

Nil

**DECISION:**

The application is approved subject to the conditions contained in the Council officer's report. The Hills Local Planning Panel approves a variation to the minimum lot size provisions for community title subdivision under Clause 4.1AA(3A) of The Hills LEP 2012 ("The Plan") as it is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of the Plan and the proposed development would be in the public interest because it is consistent with the objectives of the development standard and zone.

**REASON:**

The Panel generally agrees with the Council officer's report.

**VOTING:**

Unanimous

**ITEM 4:**                                **PLANNING PROPOSAL – 10-14 RED GABLES ROAD, BOX HILL (2/2019/PLP)**

**SPEAKERS:**

Nil

**DECISION & REASONS:**

The Panel having considered the staff report supports Option 1 for the Planning Proposal request to proceed to Gateway determination as recommended.

The Panel's advice is that Council in discussion with the proponent:

- Reconsider the relationship of the proposed building envelope for building 4F which proposes an 8 storey building adjacent to the proposed school site.
- Ensure that the existing concept Masterplan approval (1397/2015/JP) can be appropriately modified.
- Ensure that any early lot creation does not cause conflict with future calculation of FSR relative to Clause 4.5(4) of The Hills LEP 2012.
- Be satisfied that the land for the proposed school is appropriately secured prior to the finalisation of the planning proposal.

**VOTING:**

Unanimous

**ITEM-1 CONFIRMATION OF MINUTES**

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR COLLINS OAM THAT the Minutes of the Ordinary Meeting of Council held on 23 October 2018 be confirmed.

THE MOTION WAS PUT AND CARRIED.

**660 RESOLUTION**

The Minutes of the Ordinary Meeting of Council held on 23 October 2018 be confirmed.

**APOLOGIES**

A MOTION WAS MOVED BY COUNCILLOR RUSSO AND SECONDED BY COUNCILLOR HASELDEN THAT the apologies from Councillors De Masi and Hay OAM be accepted and leave of absence granted.

THE MOTION WAS PUT AND CARRIED.

**661 RESOLUTION**

The apologies from Councillors De Masi and Hay OAM be accepted and leave of absence granted.

**PETITIONS**

**662 RE-OPENING - WARWICK PARADE, CASTLE HILL**

Councillor Uno tabled a petition from around 100 concerned residents regarding the re-opening of Warwick Parade, Castle Hill. The residents have requested that the process be thorough before implementation.

**COMMUNITY FORUM**

*There were no addresses to Council during Community Forum.*

**ITEM-2 PLANNING PROPOSAL - 10, 12 AND 14 RED GABLES ROAD, BOX HILL (2/2019/PLP)**

A MOTION WAS MOVED BY COUNCILLOR DR GANGEMI AND SECONDED BY COUNCILLOR PRESTON THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**663 RESOLUTION**

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to amend The Hills Local Environmental Plan 2012, as it relates to the Box Hill North Town Centre (10, 12 and 14 Red Gables Road, Box Hill), as follows:

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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 13 November 2018**

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- a) Increase the maximum Height of Buildings from 16 metres to a range of 16 metres to 27 metres; and
  - b) Increase the maximum Floor Space Ratio from 1:1 to a range of 1:1 to 2:1.
2. Amendments to The Hills Development Control Plan 2012 Part D Section 17 – Box Hill North Precinct, as detailed in Attachment 1, be exhibited concurrently with the planning proposal.

*Being a planning matter, the Mayor called for a division to record the votes on this matter*

**VOTING FOR THE MOTION**

Mayor Dr M R Byrne  
Clr A N Haselden  
Clr R A Preston  
Clr Dr P J Gangemi  
Clr B L Collins OAM  
Clr R Jethi  
Clr J Jackson  
Clr M G Thomas  
Clr E M Russo  
Clr R M Tracey  
Clr S P Uno

**VOTING AGAINST THE MOTION**

None

**MEETING ABSENT**

Clr F P De Masi  
Clr A J Hay OAM

**ITEM-3**

**POST EXHIBITION - PLANNING PROPOSAL - 328-334  
ANNANGROVE ROAD, ROUSE HILL (8/2018/PLP)**

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR COLLINS OAM THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**664 RESOLUTION**

The planning proposal applicable to land at 328-334 Annangrove Road, Rouse Hill be progressed to finalisation to amend The Hills Local Environmental Plan 2012 to:

- a. Amend Schedule 1 to include 'Specialised Retail Premises' as an additional permitted use; and
- b. Identify the subject site on the Additional Permitted Uses Map.