

Hornsby Development Control Plan 2013

Proposed Integrated Seniors Living Precinct

3 Quarry Road, Dural (Lot 2A in DP 158064 and Lot 1 in DP 230172)

Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
Part 1 General			
Part 1C General Controls			
1C.1 Natural Environment			
1C.1.1 Biodiversity	General		
	<p>a. Development should seek to:</p> <ul style="list-style-type: none"> avoid potential adverse impact on biodiversity, if that impact cannot be avoided, minimise that impact, or if the impact cannot be minimised, to mitigate the impact. 	YES	<p>An Ecological Report has been prepared by Cumberland Ecology to assess the impact of the proposal on ecology, including both flora and fauna, and accompanies this report as Appendix G. In particular, an assessment has been undertaken to examine the impacts of the proposed development on the biodiversity values of the Site. It is noted the proposed development <u>does not</u> trigger the Biodiversity Offset Scheme (BOS) under the BC Act and therefore this FFA has been prepared to document the findings of an ecological investigation undertaken within the Site.</p> <p>The purpose of this FFA is to document the findings of ecological investigations completed across the Site and to assess the impacts of the proposed development on the biodiversity values present. Biodiversity values considered include threatened species and ecological communities protected under the NSW <i>Biodiversity Conservation Act 2016</i> (BC Act) and the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). Both a Flora Survey and Fauna Survey have been carried out across the Site as part of the ecological assessment. The findings and results of survey are</p>
	<p>b. A flora and fauna assessment is required for development that may impact on:</p> <ul style="list-style-type: none"> land mapped as Biodiversity on the HLEP Terrestrial Biodiversity Map, or native vegetation which is habitat for species listed in Schedule 1, 1A or 2 of the Threatened Species Conservation Act 1995. 		
	<p>c. Development should avoid the fragmentation of existing native vegetation.</p>		
	<p>d. Development should seek to retain unique environmental features of the site including:</p> <ul style="list-style-type: none"> rock, outcrops, wetlands and the like, watercourses, drainage lines and riparian land, groups of significant trees and vegetation, and mature hollow trees and other fauna habitat features on the site. 		

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	<p>e. Development should incorporate and maintain a buffer zone to significant flora and fauna. Development should not include buildings, structures and earthworks within the required buffer zoned prescribed in Table 1C.1.1 (a).</p> <table><tr><th>Significant Vegetation Type</th><th>Minimum Buffer Zone (metres)</th></tr><tr><td>Endangered ecological communities and regionally significant bushland (as mapped in the HLEP Terrestrial Biodiversity Map)</td><td>20m</td></tr><tr><td>Wetland or saltmarsh plant communities</td><td>20m</td></tr><tr><td>Populations of threatened flora species, habitat for threatened species, locally significant bushland, groups of remnant indigenous trees</td><td>10m</td></tr></table> <p>f. Notwithstanding the buffers presented in Table 1C.1.1(a) above, certain native vegetation that is habitat for species listed in the Threatened Species Conservation Act may require larger buffer zones in order to avoid potential adverse impacts on biodiversity.</p>	Significant Vegetation Type	Minimum Buffer Zone (metres)	Endangered ecological communities and regionally significant bushland (as mapped in the HLEP Terrestrial Biodiversity Map)	20m	Wetland or saltmarsh plant communities	20m	Populations of threatened flora species, habitat for threatened species, locally significant bushland, groups of remnant indigenous trees	10m		<p>identified below.</p> <p>The Ecological Report concludes the proposed development footprint and associated APZ comprises a total of 3.10 hectares of land, of which most, 2.2 hectares, comprises Exotic Dominated Grassland. The proposed will result in impacts to two native vegetation communities including scattered trees of the BC Act listed Sydney Turpentine-Ironbark Forest and the Blackbutt Gully. These vegetation communities comprise limited potential habitat for threatened fauna species. The proposed will impact on the identified species as follows:</p> <ul style="list-style-type: none">Sydney Turpentine-Ironbark Forest: 0.06ha to be cleared, and 0.07ha to be partially cleared within the APZ;Blackbutt Gully Forest: 0.06ha to be cleared and 0.10ha to be partially cleared within APZ. <p>Overall the ecological investigation undertaken for this assessment indicates that the anticipated impacts to threatened ecological communities and threatened species habitat are manageable and will not result in significant impacts. Notwithstanding this, a suite of mitigation measures are proposed to minimise the impacts on biodiversity values within the Site.</p> <p>The mitigation measures outlined for the project are as follows:</p> <ul style="list-style-type: none">Inductions;Access restrictions;Erosion, sedimentation and pollution control;Pre-clearing and clearing surveys;
Significant Vegetation Type	Minimum Buffer Zone (metres)										
Endangered ecological communities and regionally significant bushland (as mapped in the HLEP Terrestrial Biodiversity Map)	20m										
Wetland or saltmarsh plant communities	20m										
Populations of threatened flora species, habitat for threatened species, locally significant bushland, groups of remnant indigenous trees	10m										

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			<ul style="list-style-type: none"> ▪ Landscaping; ▪ Weed control measures; and ▪ General construction and operational measures. <p>The Ecological Report and Bushfire Report has been prepared in accordance with one another.</p> <p>Refer to Appendix G and Appendix H respectively for further detail.</p>
	Landscaping adjacent to bushland		
	g. Fencing adjoining bushland should be designed to allow for the movement of native fauna, and limit predation on native wildlife by domestic animals. The use of the barb wire fencing is not supported.	YES	<p>Fencing adjoining bushland to the north east will be design to allow for the movement of native fauna, whilst limiting predation on native wildlife by domestic animal.</p> <p>The fencing will be constructed of Australian Hardwood.</p>
	h. Where landscaping is proposed within the buffer zones it should comprise trees, shrubs, understorey and groundcover species indigenous to the adjoining vegetation community.	YES	Refer to Landscape Plan prepared by Sym Studio (Appendix D).
	Roadside Vegetation		
	i. Native vegetation along roadsides should be retained where possible as it provides fauna habitat, links bushland areas, and maintains the scenic qualities of the area.	YES	The proposed development will aim to minimise the removal of native vegetation along the roadside.
	j. Accessway crossings and utilities should be located and designed to minimise impacts on roadside vegetation.	YES	The location of the accessway crossings and utilities will be located and designed to minimise impact on any existing roadside vegetation.
	Land Adjoining Public Open Space		
	k. Development within or adjoining land zoned or reserved for public open space should address means to protect and	YES	The proposed development has been designed to either protect and minimise bushland disturbance.

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	minimise bushland disturbance.		
	I. Development should provide buffers for bushfire protection on private land, not on public land.	YES	<p>A Bushfire Impact Assessment has been prepared by RPS and accompanies this report as Appendix H. In accordance with the provisions of PBP 2006, the recommendations outlined within the report will substitute as appropriate actions to reduce the risk of damage and/or harm in the event of a bushfire event.</p> <p>In summary, the following recommendations have been generated to enable the proposed development to comply with PBP 2006:</p> <ul style="list-style-type: none">▪ The entire development site is to be managed as an inner protection area (IPA) as outlined with section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006 and the NSW Rural Fire Services' document 'Standards for Asset Protection Zones';○ Building G within the class 9c residential SFPP buildings shall comply with Sections 3 and 5 (BAL12.5)AS3959-2009 and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006';○ Building G within the class 9c residential SFPP buildings shall comply with Sections 3 and 5 (BAL12.5)AS3959-2009 and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006';

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Section	Control	Compliance	Comment	
	Wetlands, Salt Marsh, Seagrass Beds, Mangroves and Fish Habitats			
	m. Development proposals which may impact on fish habitats should have regard to gazetted Fish* Habitat Protection Plans.	n/a	Not applicable.	
	n. Development proposals should avoid impact on key aquatic habitats such as saltmarsh, seagrass beds and mangroves as a result of their key role in the ecology of estuarine ecosystems.	n/a	Not applicable.	
	Riparian Areas			
	o. Development should be designed and located to maintain an effective watercourse riparian zone comprising native vegetation. See planning controls for watercourses at Section 1C.1.3 of this DCP.	YES	Refer to discussion below.	
1C.1.2 Stormwater Management	Sediment and Erosion Control			
	a. Development should have appropriate controls to stabilise and retain soil and sediments during the construction phase, designed in accordance with Landcom’s Managing Urban Stormwater (2006) also known as The Blue Book and/or Council’s water management guidelines.	YES	The objectives of the erosion and sediment control for the development site are to ensure: <ul style="list-style-type: none">Adequate erosion and sediment control measures are applied prior to the commencement of construction and are maintained throughout construction; andConstruction site runoff is appropriately treated in accordance with the requirements of Hornsby Shire Council. As part of the works, the erosion and sedimentation control will be constructed in accordance with Council requirements and the NSW Department of Housing Manual, “Managing Urban Stormwater Soil & Construction” 2004 prior to any earthworks commencing on site. The Concept Sediment and erosion control measures are documented in Northrop’s Development Application drawing 172490-DA00-C03.11.	
	b. Applicants should submit a plan with the development application according to the level of sensitivity and amount of disturbed area on the site as outlined in Table 1C.1.2(a).			
	Development Scale			Submission Requirement (Refer to Council’s Water Sensitive Urban Design Guidelines)
	Less than 1,500m² of disturbed area			An Erosion and Sediment Control Plan (ESCP) prepared in accordance with Council’s water management guidelines for all environmentally sensitive sites such as steep land (>20%), or works in the vicinity of waterways or bushland.
1,500m² to 2,500m²	An Erosion and Sediment Control Plan (ESCP) prepared in accordance with the			

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		Blue Book.		<p><i>Sediment Basin</i></p> <p>A concept sediment basin has been designed to capture site runoff during construction and have been located towards the eastern part of the site, in the lowest practical point. The construction of the basins will be done in stages to enable maximum runoff capture assisted by the diversion of swales to capture and direct runoff to the basins.</p> <p>To ensure the sediment basins are working effectively they are to be maintained throughout the construction works. Maintenance includes water to be removed by pumping to reach the minimum storage volume at the lower level of the settling zone. The settling zone will be identified by pegs to clearly show the level at which design storage capacity is available.</p> <p>The pumped water from the sediment basins will be reused to irrigate areas of hydromulch and for dust control during construction.</p> <p>Overflow weirs are to be provided to control overland flows for rainfall events in excess of the design criteria which is to cater for a storm event up to and including the 100 year ARI storm event.</p>
	More than 2,500m ² of disturbed area.	A Soil and Water Management Plan (SWMP) prepared in accordance with the Blue Book.		
Water Hydrology				
	c. An on-site stormwater management system that deals with detention, retention and discharge rates is required for all development involving external works to maintain environmental flow* rates in the receiving watercourses.	YES		<p>The proposed stormwater management strategy implements the use of an on-site detention to reduce the site discharge. The peak 100 year ARI post development discharges are restricted to 5 year ARI pre development discharges.</p> <p>A water quality treatment strategy proposed for the</p>
	d. An on-site detention (OSD) system, designed in accordance with the HSC Civil Works Specification, should be provided for the following types of development:			

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	<ul style="list-style-type: none">▪ Subdivision,▪ Single dwellings were required by covenant,▪ Two or more dwellings, or▪ Non-residential developments with external alterations.		Site has been designed to achieve the relevant controls.				
	e. Natural flow paths within a site and the discharge point from the Site should be retained and directed to its natural catchment.		The Site is incorporating two 1400w x 600h box culvert to convey overland flow and overflow from the existing site located on the upstream property. An inlet pit will be designed to capture maximum flow before discharging downstream via the twin culvert via junction pits and rock headwall.				
	f. Stormwater should be gravity drained to Council’s drainage system, which may require inter-allotment drainage, except for single dwellings on existing lots where inter-allotment drainage is not available.		The proposed box culvert is located below the basement Level 2 and Level 3 respectively.				
	g. Where an inter allotment drainage easement is required, proponents should negotiate the creation of easement/s over downstream properties for drainage purposes. A letter of consent from the owner/s of the downstream properties is to be submitted with the development application.						
	h. On non urban properties, development should not prevent or significantly alter water flows to adjoining properties or natural ecosystems. Flows from impervious areas should be dispersed on-site to minimise erosion and impacts on adjoining properties.						
	Water Quality						
	i. In urban areas, the following development types should be designed to achieve the water quality targets in Table 1C.1.2(b): <ul style="list-style-type: none">▪ Major redevelopment on sites greater than 2,000m²; and▪ Other development that increases the impermeable area on a site by more than 2,000m².	YES	A Civil Engineering and Stormwater Management Plan has been prepared by Northrop and accompanies this application as Appendix W .				
	<table><tr><th>Pollutant Type</th><th>Performance Reduction Loads</th><th>Target</th></tr><tr><td></td><td></td><td></td></tr></table>		Pollutant Type	Performance Reduction Loads	Target		
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	Gross Pollutants	90% reduction in the post development mean annual load of total gross floor pollutants.		downstream catchment that will remove nutrients such as nitrogen and phosphorous.
	Total Suspended Solids	80% reduction in the post development mean annual load of total suspended solids.		
	Total Phosphorous	60% reduction in the post development mean annual load of total phosphorous.		
	Total Nitrogen	45% reduction in the post development mean annual load of total nitrogen.		
	j. Medium and high density residential developments with a site area of between 1000m2 and 2000m2 should demonstrate that they achieve the water quality targets in Table 1C.1.2(b) above, or utilise one of the following deemed to comply solutions: <ul style="list-style-type: none"> 80% of the roof area of the development is to drain to a tank(s) that has a capacity of 3,000 litres per 100m2 of roof area of the development. The tank(s) is to be connected to the communal water system, and to all dwellings for toilet flushing and laundry, or provide a bioretention system(s) which is at least 1.5% of the total impervious area and drains all of the impervious areas. 		YES	Rainwater tanks will be located on-site and will collect a portion of roof water from the development which will pass through a first flush system prior to capture. The rainwater tank will be located adjacent to the on-site detention tank.
	k. In non urban areas, intensive rural activities should include water management systems designed to achieve water quality that complies with targets specific to aquatic ecosystem protection in south east Australian, lowland east flowing rivers that comply in accordance with Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000).		n/a	The proposed development is for a Integrated Seniors Housing Development and will not involve intensive rural activities.
	l. Chemical storage should be bunded and located away from watercourses, drainage lines or drainage pits which lead to the storm water system.		n/a	-

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Section	Control	Compliance	Comment
	Submission Requirements		
	m. Where development is required to address the water quality targets in Table 1C.1.2(b), a Water Sensitive Urban Design (WSUD) Strategy should be submitted that addresses water hydrology, water quality and water conservation.	YES	Refer to Appendix W .
	n. For an application requiring a WSUD Strategy, the application is to be accompanied by a Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or equivalent demonstrating compliance with the relevant prescriptive controls.	YES	MUSIC modelling has been carried out as par of this application (refer to Appendix W).
	o. The WSUD Strategy should include measures for access to and the maintenance of WSUD elements.	YES	Refer to Appendix W .
	p. Where WSUD facilities serve more than one property, these facilities should be held in strata or community title.	n/a	The proposed WSUD will not serve more than one property.
	q. A Water Cycle Management Plan (WCMP) should be submitted with an application for any intensive rural activity detailing how water will be sourced, stored, used, treated and recycled for use.	n/a	The proposed development is not for the purpose of intensive rural activity, therefore a Water Cycle Management Plan (WCMP) is not required.
1C.1.3 Watercourses	General		
	a. Existing natural drainage lines and water bodies on a site should be utilised as part of the major drainage network rather than piping stormwater flows.	YES	An open swale traverses the Site from west to east. This is not classified as a watercourse. The existing water body will be utilised as part of the major drainage network.
	b. All work should not cause bed and bank instability and any bank stabilisation measures should preferably use soft engineering techniques.	YES	The proposed works will not result in bed and bank instability and any bank stabilisation.
	c. Watercourses should be linked with other areas of indigenous vegetation, wildlife corridors and/or natural or visually important site features.	YES	The open swale connects to Trunks Creek. Landscaping treatment has been provided in the north eastern portion of the Site that is considered a

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			suitable treatment.
	d. Stormwater outlets proposed in the vicinity of a watercourse should: <ul style="list-style-type: none"> ▪ Point downstream for the final entry point of the structure; ▪ Be graded to the bed level of the stream, or just below any permanent water; and ▪ Be located to avoid existing native vegetation. 	YES	The stormwater catchment generally drains towards the centre of the Site, with the Site low point located at the eastern boundary.
	e. The environmental flow characteristics of downstream watercourses should be maintained.	YES	The environmental flow characteristics will be maintained.
	f. Watercourses should not be piped, filled, excavated, or relocated. In some instances, Council will permit these works to occur. In determining whether to retain or restore a watercourse, consideration should be given to the following: <ul style="list-style-type: none"> ▪ The sustainability of actual or potential biodiversity and habitat; ▪ The actual or potential ability of the watercourse to enhance water quality; ▪ The actual or potential visual/aesthetic character of the watercourse; ▪ The actual or potential recreational value of the watercourse; ▪ The effect on the watercourse of the existing and likely future development in the catchment; 	YES	The open swale is not classified as a watercourse, as it is not well defined throughout the Site. Natural features have been introduced to the landscape design which is considered suitable treatment.
	Riparian Areas		
	g. The design and location of any development should seek to maintain an effective riparian area and comply with best practice guidelines, that may require: <ul style="list-style-type: none"> ▪ A core riparian zone (CRZ) that is the land within and adjacent to the channel. The width of the CRZ from 	YES	The majority of the Site is comprised of exotic grassland which has limited value for native fauna species. The freed areas and the small drainage line within the Site provide some limited habitat for native fauna species; however these habitats are highly modified.

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	the banks of the stream is determined by assessing the importance and riparian function of the watercourse, and <ul style="list-style-type: none">A vegetated buffer (VB) that protects the environmental integrity of the CRZ, with a minimum width of 10 metres.		Habitat features recorded within the subject site include; <ul style="list-style-type: none">Log piles and woody debris;Hollow bearing trees and stags;Nectar-producing trees; andRiparian environments. Significant riparian areas are generally located off Site to the east. Further to the above, the entire development will be managed as an inner protection are (IPA).
	h. In addition, development should comply with any applicable Foreshore Building Line as prescribed by Clause 6.1 of the HLEP.		
	i. The riparian area should be fully vegetated with local native vegetation (trees, shrubs and groundcover species) at a density that would occur naturally. Species should be consistent with the existing native species present and Council's Riparian Species List.		
	j. A permanent physical barrier should be placed at the landward extent of the riparian area to prevent inadvertent damage to riparian vegetation where vehicle access to the riparian land, or mowing or slashing of vegetation may otherwise occur.		
	k. Any Bushfire Asset Protection Zone (APZ) should be measured from the asset to the outer edge of the vegetated buffer (VB). The APZ should contain managed land which should not be part of the CRZ or VB.		
	1C.2 Built Environment		
1C.2.1 Transport and Parking	General		
	a. Direct vehicular access to main roads should be avoided and/or access points consolidated.	YES	Primary access to the Site will be via Quarry Road. Separate entry and exit points are proposed to minimise impact on the road network.
	b. For development (other than single dwelling houses on existing lots), vehicle access and parking should be designed to allow vehicles to enter and exit the site in a forward direction.	YES	Access to and from the Site has been designed to allow vehicles to enter and exit the Site in a forward direction.

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	c. Design and dimensions of car parks, loading areas and driveways should comply with AS2890.1 and AS2890.2.	YES	The proposed basement car park, loading areas and driveways have been designed in accordance with AS2890.1 and AS2890.2. Refer to Appendix E .
	d. Planning and design layout of parking areas for people with disabilities should be in accordance with AS2890.6 and AS1428.1.	YES	The proposed parking will comply with AS/NZS 2890.6:2009 Off Street Parking for People with Disabilities and AS1428.1.
	e. Planning and design layout of loading and manouvering areas should be provided in accordance with AS2890.2 and: <ul style="list-style-type: none"> preferably be located to the side or rear of buildings, screened from view from local and main roads, and located so that vehicles do not stand on any public road, footway, laneway or service road. 	YES	Two on-site loading areas for loading/ unloading and waste collection are proposed within basement one, with one loading area provided to the southwest of the Site, servicing the ILUs while the other loading area is proposed underneath the RACF building. The loading areas are proposed to be located adjacent to the access ramps via Quarry Road and Vineys Road to allow for convenient deliveries. The loading and waste collection areas have been designed to accommodate up to 10.24m Council's garbage truck and the Australian Standard 8.8 metre medium rigid vehicle (MRV). A vertical clearance of 4.5m will be achieved. Refer to Appendix E for further details.
	f. Planning and design layout of bicycle parking (rails, racks or lockers) should be designed in accordance with AS2890.3.	NO	No bicycle parking space has been provided as part of this application.
	Service Vehicles		
	k. On site loading and unloading areas for non-residential developments should be provided in accordance with the RTA Guide to Traffic Generating Development (2002).	n/a	Not applicable
	l. The on site loading and unloading area in a non residential development should incorporate provision for 1 car space and 1 motor cycle space for use by couriers, sited in a convenient	n/a	Not applicable.

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	location. Larger developments may require more.		
	m. On site pick up and manouvering areas for waste collection vehicles should be provided in accordance with the waste collection provisions at Section 1C.2.3 of the DCP	YES	The proposed loading areas for waste collection has been prepared in accordance with Section 1C.2.3 of the HDCP 2013. Refer to discussions below and Appendix J for further detail.
	n. On site parking for a removalist vehicle should be provided for a residential development with more than 20 dwellings that adjoins a public road where kerb side parking for removalist vehicles is difficult or restricted. Parking for a removalist vehicle should be designed to accommodate at least a small rigid vehicle (SRV), and preferably a medium rigid vehicle (MRV) as defined by AS2890.2.	YES	Adequate clearance has been provided to accommodate a removalist truck.
	Car Parking		
	o. Car parking should be provided on site in accordance with the minimum parking rates in Tables 1C.2.1(c) and 1C.2.1(d). Parking spaces are for cars, unless otherwise specified. The minimum parking rates in Tables 1C.2.1(d) should apply for development within Epping Town Centre Core. Where the land use is not specified in Table 1C.2.1(d), the relevant rate in Table 1C.2.1(c) will apply.	YES	The proposed development is to provide a total of 383 car parking spaces over three basement levels, with 337 car parking spaces dedicated to the ILUs and 46 car parking spaces dedicated to the RACF. The number of parking spaces proposed has been designed having regard to the deemed to satisfy provisions set out in Clause 48 and Clause 50 of SEPP HSPD, which are applicable to the proposed development. In accordance with the rates provided in SEPP HSPD, the following rates are applied: Independent Living Units: <ul style="list-style-type: none">0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or1 car space for each 5 dwellings where the development application is made by, or made by a person jointly with, a
	<table><tr><td>Seniors Housing</td><td>Per SEPP (Housing for Seniors or People with a Disability) 2004</td></tr></table>		
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			<p>social housing provider.</p> <p>Residential Aged Care Facility:</p> <ul style="list-style-type: none">▪ 1 space per 10 beds in the RACF;▪ 1 space per 2 employees;▪ 1 space suitable for an ambulance. <p>The proposed development would require a minimum of 213 car parking spaces for ILUs and a minimum of a minimum 22 spaces, including one ambulance space for the RACF to be in accordance with both SEPP HSPD and the Roads and Maritime Guide parking requirements. This equates to a minimum of 237 car parking spaces.</p> <p>Therefore, it is apparent the proposed development will be compliant with the requirements of SEPP HSPD and the proposed on-site parking provision will be suitable and appropriate for the proposed development. Further, two ambulance spaces will be provided on basement level one with accesses via Quarry Road and Vineys Road.</p>
	p. The parking rate for sites located within the Epping Town Centre Core referred to in Table 1C.2.1(d) and paragraphs 1C.2.1(y)-(ak) refers to residential, educational and business development sites that fall within those areas identified as "Town Centre Core" on Figure 4.6(a) in Part 4 - Business. Where a development site falls partly within the Epping Town Centre Core, the parking rate for the Town Centre Core is to apply to the whole development.	n/a	Not applicable.
	q. The car parking rate for sites less than (<) 800 metres from a railway station in Table 1C.2.1 (c) is a radial distance from the main pedestrian entry. Where a development site falls partly within the 800 metre radius, the parking rate for "sites <800m" is to apply to the whole development.	n/a	Not applicable.

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	r. A Car Parking Demand Assessment should be provided for: <ul style="list-style-type: none"> any significant variation proposed to the minimum parking rates prescribed in Table 1C.2.1(c) or 1C.2.1(d), land uses not specified in Table 1C.2.1(c) or 1C.2.1(d), or intensive traffic generating developments. 	YES	Refer to above and Appendix E for further detail
	s. Before granting approval to depart from on-site parking rates specified in Tables 1C.2.1(c) or 1C.2.1(d), Council will consider the Car Parking Demand Assessment and any other relevant planning consideration.	-	Noted.
	t. A Car Parking Demand Assessment should address at minimum the following matters: <ul style="list-style-type: none"> any relevant parking policy, the availability of alternative car parking in the locality of the land, including: <ul style="list-style-type: none"> efficiencies gained from the consolidation of shared car parking spaces on the same site, public car parks intended to serve the land, extent of existing on-street parking in non-residential zones, extent of existing on-street parking in residential zones, the practicality of providing car parking on the site, particularly for constrained development sites, any car parking deficiency associated with the existing use of the site, local traffic management in the locality of the site, the impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas, access to or provision of alternative transport modes to and from the land, and 	YES	Refer to Appendix E .

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	<ul style="list-style-type: none"> the character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome. 		
	u. The minimum number of car parking spaces is to be rounded up to the nearest whole number if it is not a whole number.	YES	Refer to above and Appendix E for further detail.
	v. Stacked parking spaces may be provided if reserved for use by a particular dwelling, commercial unit or the like.	n/a	The proposed development does not include stacked parking spaces.
	w. Shade trees should be provided in open parking areas at the ratio of 1 shade tree for every 6 spaces.	n/a	Basement car parking is proposed as part of the proposed development.
Motor Cycle Parking (excluding Epping Town Centre Core)			
	x. In all buildings that provide on site parking: <ul style="list-style-type: none"> 1 space suitable for motor cycles should be provided per 50 car parking spaces, or part thereof. motorcycle parking should be available as part of the common property for use by residents and visitors. 	NO	The proposed development does not include dedicated motorcycle parking.
Carshare			
	z. Parking carshare spaces are encouraged for: <ul style="list-style-type: none"> any residential development containing more than 25 residential units, or any employment generating development with a floor space of 5,000m², and is located within 800 metre radial catchment of a railway station, or within a transit node centre that is serviced by a strategic bus corridor. 	NO	Car Share is not proposed as part of this application.
	A car share parking proposal should be		
	aa. supported by a parking study to be submitted with the Development Application.	NO	Car Share is not proposed as part of this application.
Storage Areas with Car Parking Areas			
	dd. Where storage space is provided adjacent to car parking areas	YES	Storage areas have been provided within the

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	or within designated car parking spaces, it should not impede or reduce the area allocated for car parking requirements as set out in the AS 2890 Parking Facilities series, including parking for bicycles and motor cycles. ee.		basement, fronting each residential parking space. The designated parking spaces will continue to be compliant with the relevant car parking requirements as prescribed under AS 2890 Parking Facilities.
	Parking for people with disabilities		
	ff. Car parking for people with disabilities should be provided on-site in accordance with the parking rates in Table 1C.2.1(f):	YES	The proposed parking for people with disabilities will comply with AS/NZS 2890.6:2009 Off Street Parking for People with Disabilities.
	Bicycle parking and associated facilities		
	gg. Bicycle parking and facilities should be provided on site in accordance with the minimum rates in Table 1C.2.1(g).	NO	No bicycle parking space has been provided as part of this application.
	hh. Secure and safe bicycle parking should be separated from motor vehicles.	NO	No bicycle parking space has been provided as part of this application.
1C.2.2 Accessible Design	General		
	a. All new building work should comply with the accessibility provisions of the Building Code of Australia (BCA) and the Disability (Access to Premises - Buildings) Standards 2010 where required.	YES	An Access Report has been prepared by BCA Logic and accompanies this application as Appendix M .
	b. Continuous unobstructed paths of travel should be provided from public footpaths, accessible car parking, and setdown areas to public building entrances. Paths of travel should be designed in accordance with the Disability (Access to Premises - Buildings) Standards 2010.	YES	A continuous path of travel will be provided from public footpaths, accessible car parking and setdown areas to public building entrances and dwellings. The proposed development has been designed in accordance with AS 1428.1.
	c. Accessways for pedestrians and for vehicles are to be separated.	YES	Accessways for pedestrians and for vehicles will be separated.
	Seniors Housing		
	d. Access is to be provided in accordance with the requirements of SEPP (Housing for Seniors or People with a Disability) 2004.	YES	The proposed development has been prepared in accordance with SEPP HSPD.

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment	
Part 2 Rural				
2.1 Rural Buildings				
2.1.1 Scale	Height <p>a. Site with the following maximum building heights under Clause 4.3 of HLEP should comply with the maximum number of storeys in Table 2.1.1 (a)</p>		SATISFACTORY <p>The Height of Buildings Map Sheet HOB_024 of the HLEP 2013 identifies the Site has a prescribed maximum height of 10.5m. This control conflicts with that of the SEPP Seniors for the proposed development which prescribes a maximum building height of 8m. Despite this, as supported by legal advice prepared by Mills Oakley Lawyers, as the Site is located on land that is not zoned for residential purposes, the maximum building height control under the SEPP Seniors is not applicable. Legal Advice prepared by Mills Oakley concludes:</p> <ul style="list-style-type: none">The 8m height control contained in Clause (4) of SEPP Seniors does not apply to the proposed redevelopment as the Site is not located in a "residential zone";{The proposed development} is not required to comply with the development standards contained in Clause 48-50 of SEPP Seniors. <p>The proposed built form and height has been carefully considered and designed to harmonise and enhance the desired future character of the area. The proposed building forms of the ILUs and RACF have been strongly defined by the desire to reinforce the architectural style in the area with large verandas,</p>	
	HLEP Area	Maximum Building Height (m)		Maximum Storeys (excluding basement carparking)
	K	10.5m		2 storeys + attic

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Section	Control	Compliance	Comment
			pitched roofs and local materials like sandstone and timber.
	b. Buildings should respond to the topography of the site by minimising earthworks (cut and fill)	YES	The proposed development responds to the topography of the Site, minimising the need for earthworks, other than that required for the basement car park.
	c. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.	YES	The Site is not located adjacent to a heritage item. Nevertheless, the proposal has provided a built form that modulates to the topography of the land, with the bulk of the development centrally located in the Site.
	Roof Design		
	d. To ensure conformity with the landscape and protection of the scenic quality of the area, roof pitch and design should: <ul style="list-style-type: none"> ▪ sit below the dominant tree canopy, and ▪ not detract from natural ridgelines, and ▪ consider the slope of land. 	YES	The proposed development includes a pitched roof with a maximum pitch of 20 degrees. It is considered the proposed roof will conform with surrounding development and will be reflective of the desired and future character.
	e. The roof should have a maximum pitch of 35 degrees, except if a steeper roof pitch is more consistent with the existing character of the locality.	YES	The proposed roof form has a pitch of 20 degrees, consistent with the existing character of the locality.
	f. Any attic levels is to be contained wholly within the roofspace.	n/a	The proposed development does not contain attic levels.
	g. The external walls of the building should not extend above the attic floor level.	YES	The external walls of the building will not extend beyond the top floor.

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment												
	Site Coverage														
	<div>h. The maximum site coverage of all buildings on the property should comply with Table 2.1.1(b) as follows:</div> <table><tr><th>Lot Size</th><th>Maximum Site Coverage (% if total lot size)</th></tr><tr><td>Up to 899m²</td><td>50%</td></tr><tr><td>900m² to 1499m²</td><td>40%</td></tr><tr><td>1500m² to 3999m²</td><td>30%</td></tr><tr><td>4000m² or larger</td><td>on merit, based on-site constraints</td></tr></table>	Lot Size	Maximum Site Coverage (% if total lot size)	Up to 899m ²	50%	900m ² to 1499m ²	40%	1500m ² to 3999m ²	30%	4000m ² or larger	on merit, based on-site constraints	YES	There is no prescribed density control for the Site. The proposed development density is consistent with the approved Site Compatibility Certificate (SCC) issued by the Department of Planning and Environment (DoPE). The design and configuration of the buildings on the Site provide an appropriate response for the Site and ensures the proposed dwellings have adequate light ventilation, privacy and amenity. In essence, the proposal is considered appropriate in terms of density, and achieving a scale, bulk and height appropriate to the existing and desired future character of the area and surrounding buildings.		
Lot Size	Maximum Site Coverage (% if total lot size)														
Up to 899m ²	50%														
900m ² to 1499m ²	40%														
1500m ² to 3999m ²	30%														
4000m ² or larger	on merit, based on-site constraints														
2.1.2 Setback	<div>a. All building and structures should comply with the minimum boundary setbacks in Table 2.1.2(a)</div> <table><tr><th>Property Boundary</th><th>Lots < 4000m²</th><th>Lots > 4000m²</th></tr><tr><td>Waterfront Setback</td><td colspan="2">See Clause 6.1 of HLEP and Foreshore Building Line Map</td></tr><tr><td>Front boundary (primary frontage)</td><td>10m or the average of the front setbacks of the nearest two neighbouring houses, whichever is greater</td><td>15m to local roads and 30m to designated roads</td></tr><tr><td>Secondary boundary (on corner lots)</td><td>5m</td><td>10m</td></tr></table>	Property Boundary	Lots < 4000m ²	Lots > 4000m ²	Waterfront Setback	See Clause 6.1 of HLEP and Foreshore Building Line Map		Front boundary (primary frontage)	10m or the average of the front setbacks of the nearest two neighbouring houses, whichever is greater	15m to local roads and 30m to designated roads	Secondary boundary (on corner lots)	5m	10m	YES	<div>The proposed development has adopted the setback controls of rural buildings to reflect the existing and surrounding character.</div> <div>The proposed development provides the following setbacks, in accordance with the provisions of HDCP 2013:</div> <div><ul style="list-style-type: none">Front Setback (primary): 15m setback;Front Setback (secondary): 15m setback;Side Setback (south-eastern): 20m setback;Side Setback (north-western) 10m weighted setback.</div> <div>The proposed setbacks ensure that privacy, amenity and solar access is fully maintained to surrounding</div>
Property Boundary	Lots < 4000m ²	Lots > 4000m ²													
Waterfront Setback	See Clause 6.1 of HLEP and Foreshore Building Line Map														
Front boundary (primary frontage)	10m or the average of the front setbacks of the nearest two neighbouring houses, whichever is greater	15m to local roads and 30m to designated roads													
Secondary boundary (on corner lots)	5m	10m													

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control			Compliance	Comment						
	<table><tr><td>Side Boundary</td><td>5m</td><td>10m</td></tr><tr><td>Rear boundary</td><td>10m</td><td>15m</td></tr></table>			Side Boundary	5m	10m	Rear boundary	10m	15m		properties and internally within the development. Furthermore, the substantial landscaping, both existing and proposed, will provide a significant buffer between the adjoining land uses.
	Side Boundary	5m	10m								
	Rear boundary	10m	15m								
	b. The above setback controls also apply to structures, including crop netter and green houses.			n/a	Not applicable.						
	Sites with more than one frontage										
	c. For buildings with a corner frontage <ul style="list-style-type: none">front and rear boundary setbacks apply to the shorter street frontage (the primary frontage), andside boundary setbacks apply to the longer of the two street frontages (the secondary boundary).			n/a	Not applicable.						
	d. For a lot that adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.			YES	A 10m setback has been proposed for Quarry Road (primary) and Vineys Road (secondary).						
	Setbacks to Landscape Features										
	e. The setback of buildings from the property boundary may need to be increased to maintain landscape features, as detailed in Section 2.1.3 of this DCP.			YES	The proposed development will be significantly landscaped around its edge and is consistent with the surrounding character						
	Land Use Separation										
f. Despite the setbacks in Table 2.1.1(a), a proposed sensitive landuse located adjacent to an existing intensive rural activity, may need an increased boundary setback to minimise potential landuse conflict and comply with the Landuse Separation provisions in Section 2.2 of this DCP.			YES	Refer to discussion below.							
Setback Encroachments											
g. The following minor structures are able to encroach into the prescribed setbacks: <ul style="list-style-type: none">A driveway between the on-site car parking area and a public road,			YES	Minor encroachments into the setback may occur, however it will not result in undue impacts on the amenity of adjoining properties and future residents.							

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment
	<ul style="list-style-type: none"> ▪ Stair to the ground floor of the dwelling, ▪ Fences, ▪ A rural outbuilding on a designated road, with a maximum total floor area of 200m² is able to encroach within 20 metres of the primary frontage on a designated road, ▪ An inground swimming pool is able to encroach within 1 metres of the side or rear boundary, measured to the water line, ▪ A dam with a wall height less of 3 metres is able to encroach to within 5 metres of any boundary, and ▪ A roadside stall with a maximum area of 20m² may be located on-site adjacent to the front property boundary. 		
2.1.3 Landscaping	General		
	a. Landscaping should maintain the natural features, topography and vegetation on the Site.	YES	<p>The proposed development has been designed to respond and retain the existing natural features of the Site, including topography and vegetation were possible.</p> <p>Due to the fact the site is identified as Bushfire Prone Land, removal of the existing vegetation in the north eastern corner, adjoining the proposed Wellness Centre, is required to accommodate the APZ Zone.</p> <p>A comprehensive Landscape Plan accompanies this application as Appendix D.</p>
	b. Setback areas should be landscaped.	YES	Setback areas are landscaped. Please refer to Appendix D .
	c. Vehicle crossing should be located to preserve natural vegetation which contributes to the visual amenity of the area.	YES	The vehicle crossings have been positioned as to preserve natural vegetation, contributing to the visual amenity.
	d. Intensive rural activities, should provide a landscape buffer to	n/a	The proposed development is not for the purpose of

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment
	boundaries with a minimum width of 5 metres.		intensive rural activities.
Retention of Landscape Features			
	e. Buildings, driveways and service trenches should have a minimum setback: <ul style="list-style-type: none"> in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP, 10 to 20 metres significant bushland as prescribed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and In accordance with the requirements of AS4970 from significant trees to be retained. 	YES	Refer to above discussion.
Fences and Gates			
	f. Frontages/streetscapes should not contain excessively urban features such as formal gates and high fences.	YES	A sandstone wall is located on the primary street frontage to identify the primary entrance to the Site. The material selection has been proposed to reflect that of the surrounding character, and has been carried out throughout the Site.
	g. Fences should be open style and constructed of materials such as timber or post and wire, with a maximum height of 1.8 metres.	YES	All fences along the Site boundary will be 1.8m and constructed of Australian Hardwood.
	h. Any masonry gate entry feature should not extend more than 3 metres either side of the driveway entrance.	YES	No masonry gate is proposed.
	i. High, solid fences constructed as sound barriers should be avoided. On main roads alternative measures of reducing traffic noise should be explored, such as double glazing, internal layout, earth mounds and vegetation, rather than high solid fences.	YES	No high solid fences constructed as sound barriers are proposed as part of this application. Alternative measures will be adopted in order to mitigate noise levels. Refer to Appendix K .

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Table 1 Assessment of Hornsby Development Control Plan 2013							
Section	Control	Compliance	Comment				
2.1.4 Open Space	Principal Private Open Space						
	a. A dwelling house should be provided with private open space that incorporates a principal private open space area in accordance with Table 2.1.4 (a)	YES	The proposal is compliant with the minimum private open space provisions of the DCP as they relate to residential accommodation. The design of the Seniors Housing development achieves a high level of amenity to private open spaces for each individual dwelling. Specifically, it is noted that: <ul style="list-style-type: none">All ground floor dwellings have private open space greater the 15sqm.Dwellings have been designed to ensure private open space is located directly from living areas, allowing for an extension of internal living areas.All private open space has been designed to achieve adequate solar access.				
	<table><tr><th>Minimum Principal Area</th><th>Minimum Dimension of Principal Area</th></tr><tr><td>24m²</td><td>3m</td></tr></table>			Minimum Principal Area	Minimum Dimension of Principal Area	24m ²	3m
	Minimum Principal Area			Minimum Dimension of Principal Area			
	24m ²			3m			
	b. The principal private open space area should be sited behind the front building line and be directly accessible from the living area of the dwelling.						
	c. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area.						
Clothes Drying Area							
d. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public areas.	YES	Adequate external areas will be provided for clothes drying.					
2.1.5 Vehicle Access and Parking	a. Car Parking for dwelling houses should be provided behind the front building line.	YES	The proposed parking will be positioned behind the front building line.				
	b. A paved driveway should be provided between the required on-site parking area and a public road.	YES	The primary path of access will be paved providing access from the on-site parking to the public road.				
	c. A driveway should be setback a minimum of 2 metres from side boundaries to provide for landscaping between the driveway and the side boundary.	YES	The driveways have been setback from the side boundary in order to accommodate a landscape screen along the site boundary.				
2.1.6 Design Details	Building Form						
	a. Buildings should be sited to maintain the continuity of, and minimise the disturbance to, agriculturally productive land.	YES	The proposal has been designed to sensitively relate to the spatial characteristics of the existing				

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	b. Buildings should consist of simple forms and planes.		built and natural environment. This is also true of the visual impact of the built form, which is secondary to the existing and future landscaping, enhancing the existing streetscape and promoting a scale a density in keeping with the height of the natural environment. Furthermore, and in keeping with the DCP, the design of the development also achieves the objective of providing high quality buildings designed and built for the natural context and any natural hazards.
	c. Extensive blank or unarticulated walls to street frontages are discouraged.		
	d. Buildings and structures should respond to the topography of the Site by minimising earthworks (cut and fill).		
	e. On steeply sloping sites, split level and/or pole or pier construction of buildings is encouraged.		
	f. Buildings, structures and driveways should be located to retain natural vegetation and follow the natural contours of the land.		
	g. Parking areas and driveways should not dominate the streetscape.		
	Colours and Materials		
	h. Building materials of dwelling houses should contribute to the rural character, including stone masonry, brickwork or timber construction with tile, slate or metal roofing.		The selection of materials and finishes for the seniors housing development area of a high quality and have been specifically chosen to ensure the development contributes positively to the character of the local context. The proposed built form is characterised by high-end finishes including sandstone, timber frame, aluminium timber louvres. A materials and finishes schedule has been submitted with the Development Application and is set out within the Architectural Drawings in Appendix A .
	i. Building colours should be harmonious with the surrounding natural environment.		
	Storage Areas		
j. Outdoor storage areas should be located behind the front building setback and screened from view from adjoining sensitive areas.	n/a	Due to the nature of the proposed development, all storage areas will be located within the basement.	
k. Above ground liquid storage facilities, including chemicals and waste, should be in a covered bunded area that is constructed of impervious materials.	n/a	Storage of liquid, including chemicals and waste, is not proposed as part of this application.	
Undercrofts (Steep Sites)			

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment
	l. Undercroft spaces with a vertical height at any point of more than 1.5 metres above existing ground level should not be enclosed.	n/a	Due to the nature of the proposed development, it is considered this control does not apply to the proposed development.
	m. Undercrofts, including any plumbing or rainwater tanks located within, should be painted in dark recessive colours.		
	n. Supports to habitable platforms above undercrofts should be setback a minimum of 2 metres from the leading platform edge to reduce the overall bulk and scale of the undercroft area.		
2.2 Rural Land Uses			
2.2.1 Intensive Plant Agriculture	General		
	a. Site Planning should provide adequate area for: <ul style="list-style-type: none">▪ Landscaping buffers,▪ Dams and/or water tanks,▪ Waste water treatment,▪ Water quality treatment,▪ Driveways and parking areas, and▪ Dwelling houses and ancillary facilities.	YES	The proposed development has considered the existing rural characteristics of the Site and the surrounding locality.
	b. Any portion of a site with a slope greater than 10% should not be used for intensive plant agriculture.	n/a	The proposed development will not be used for intensive plant agriculture.
	Land Use Separation		
	c. Intensive plant agriculture should be sited to limit the potential for landuse conflicts with neighbouring sensitive land uses.	YES	Appropriate setbacks have been incorporated in order to minimise the potential for land use contact.
	d. Structures should be screened by the use of crops or landscape buffers.	YES	A line of vegetation and new screen planting complements the existing vegetation along the boundaries and will help screen the development to the neighbouring properties.
	e. The distance between intensive plant agriculture and an adjoining dwelling house should conform to the minimum requirements in Table 2.2.1 (a).	YES	The Site adjoins The Green Gallery which is categorised as an intensive plant agriculture. As such, a 20m setback is proposed along the south-western boundary to provide adequate separation. In addition,

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Table 1 Assessment of Hornsby Development Control Plan 2013				
Section	Control		Compliance	Comment
	Land Use in a Rural Zone	Separation to Intensive Plant Agriculture (metres)		a line of vegetation runs parallel to the boundary to provide a vegetation buffer between the proposed development and the adjoining intensive plant agriculture.
	Any dwelling (whether on a neighbouring property) (with no vegetation buffer)	50m		
	Any dwelling (whether on a neighbouring property) (with a vegetation buffer)	20m		
	Notes: Intensive plant agriculture means any of the following: (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops), (b) horticulture, (c) turf farming, (d) viticulture.			
Part 3 Residential				
3.3 Residential Flat Buildings (3 Storeys)				
3.3.1 Desired Future Character	a. Development applications should demonstrate compatibility with the following statement of desired character: Desired Future Character Statement The locality is characterised by 3 storey residential flat buildings in a landscaped setting. The buildings have low pitched or flat roofs with wide eaves. Development footprints are limited in scale and located to achieve setbacks to boundaries incorporating soft landscaping. Where more than one building is provided on-site, the buildings are separated by garden areas. The established tree canopy is complemented by new trees and shrubs throughout the landscaped area. Car parking is provided on-site and integrally designed into the building in the form of basement parking. A high standard of architectural and urban design quality is achieved. Contemporary buildings utilise facade modulation and incorporate shade elements, such as pergolas, verandahs and the like. Developments		YES	The proposal has been designed to sensitively relate to the spatial characteristics of the existing built and natural environment. This is also true of the visual impact of the built form, which is secondary to the existing and future landscaping, enhancing the existing streetscape and promoting a scale a density in keeping with the height of the natural environment. Furthermore, and in keeping with the DCP, the design of the development also achieves the objective of providing high quality buildings designed and built for the natural context and any natural hazards.

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	incorporate a mix of dwelling sizes to provide housing choice. Developments embody active living principles including prioritised pedestrian and cyclist entrances to buildings, connectivity to the public domain and bicycle parking and storage.		
3.3.2 Design Quality SEPP 65	a. Development applications should be accompanied by a design verification from a qualified designer, including a statement that: <ul style="list-style-type: none"> ▪ <i>He or she designed, or directed the design of the development;</i> ▪ <i>That the design quality principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Apartment Design Quality of Residential Apartment Development are achieved, and</i> ▪ <i>The design is consistent with the objectives of the Apartment Design Guide.</i> 	YES	A SEPP 65 Assessment has been prepared by Marchese Partners and accompanies this application as Appendix R .
3.3.3 Site Requirements	a. The minimum site width should be 30 metres measured at the primary street frontage.	YES	The Site has a primary street frontage of 94m to Quarry Road, and a secondary street frontage of 85m to Vineys Road. The Site has a depth of 225m.
	b. Where a development proposal results in an adjoining site within the precinct with no street frontage or a primary street frontage of less than 30 metres, proponents should demonstrate that orderly and economic development of the site can be achieved under this DCP.	n/a	The proposed development will not impact on the development of the adjoining properties.
	c. Where a property is likely to be isolated by a proposed development and it cannot be demonstrated that the site can be developed to its full potential, applicants should provide documentary evidence that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.	n/a	The proposed development will not result in the isolation of adjoining lots.
3.3.4 Height	Storeys		
	a. Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in Table 3.3.4(a).		The Height of Buildings Map Sheet HOB_024 of the HLEP 2013 identifies the Site has a prescribed maximum height of 10.5m. This control conflicts with

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control			Compliance	Comment
	<i>HLEP Area</i>	<i>Maximum Building Height (m)</i>	<i>Maximum Storeys (excluding basement carparking)</i>		<p>that of the SEPP Seniors for the proposed development which prescribes a maximum building height of 8m. Despite this, as supported by legal advice prepared by Mills Oakley Lawyers, as the Site is located on land that is not zoned for residential purposes, the maximum building height control under the SEPP Seniors is not applicable. Legal Advice prepared by Mills Oakley concludes:</p> <ul style="list-style-type: none"> ▪ <i>The 8m height control contained in Clause (4) of SEPP Seniors does not apply to the proposed redevelopment as the Site is not located in a "residential zone";</i> ▪ <i>{The proposed development} is not required to comply with the development standards contained in Clause 48-50 of SEPP Seniors.</i> <p>The proposed built form and height has been carefully considered and designed to harmonise and enhance the desired future character of the area. The proposed building forms of the ILUs and RACF have been strongly defined by the desire to reinforce the architectural style in the area with large verandas, pitched roofs and local materials like sandstone and timber.</p>
	<i>M</i>	<i>12</i>	<i>3 Storeys</i>		
	b. Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.			YES	The basement car park will not protrude more than 1 metre above the existing ground level.
	c. For development involving parking in an undercroft, the floor level of the lowest residential storey should be a maximum of 1.5 metres above natural ground level.			n/a	No undercroft parking is proposed as part of this development application.
	d. A transition in building height should be provided at sensitive interface areas adjacent to heritage items.			YES	Although the Site does is not adjacent to heritage items, the design incorporates a consistent 3 storeys to all buildings, and allows for the modulation of the buildings allowing them to adjust to the natural

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Proposed Integrated Seniors Living Precinct

3 Quarry Road, Dural (Lot 2A in DP 158064 and Lot 1 in DP 230172)

Table 1 Assessment of Hornsby Development Control Plan 2013															
Section	Control	Compliance	Comment												
			ground level.												
	e. To protect the amenity of future residents the finished floor level of ground floor apartments should be at or above the natural ground level.	YES	All ground floor apartments are at or above the natural ground level.												
	f. Top most storeys, including those with mezzanine levels, should be visually recessive with a setback from the storeys below and lightweight in design.	SATISFACTORY	The proposed development has been articulated with a deep recess along their lengths. The separation between buildings will break up the bulk of the development and will help the buildings sit well within the existing landform.												
	Roof Design														
	g. Low pitched or flat roofs with wide eaves are encouraged for compatibility with streetscape character and sun control.	YES	The proposed development has been design with a low pitched roof to be compatibility with the surrounding character.												
	h. Flat roofs that are surrounded by parapets should be avoided except when used as a minor design feature.	n/a	The proposed development will not include a flat roof.												
	i. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.	YES	Plant material has been incorporated into the proposed built form to minimise visual intrusiveness and will result in an integrated building design.												
3.3.5 Setbacks	<div>a. The minimum setbacks of all buildings and structures should comply with Table 3.3.5(a).</div> <table><tr><td>Setback</td><td>Minimum Setback</td></tr><tr><td>Front Boundary</td><td>9m, which can be reduced to 6m for a maximum of 1/3 of the building width;</td></tr><tr><td>Side Boundary (includes balconies)</td><td>6m, which can be reduced to 3m for a maximum of 1/3 of the building width;</td></tr><tr><td>Rear Boundary</td><td>6m</td></tr><tr><td>Basement Parking Setback</td><td>6m from front boundary, and 4m from side and rear boundaries to allow for deep soil landscaping</td></tr><tr><td>Top storey where mezzanine proposed</td><td>6m addition setback for exterior walls of the top storey, measured from the</td></tr></table>	Setback	Minimum Setback	Front Boundary	9m, which can be reduced to 6m for a maximum of 1/3 of the building width;	Side Boundary (includes balconies)	6m, which can be reduced to 3m for a maximum of 1/3 of the building width;	Rear Boundary	6m	Basement Parking Setback	6m from front boundary, and 4m from side and rear boundaries to allow for deep soil landscaping	Top storey where mezzanine proposed	6m addition setback for exterior walls of the top storey, measured from the	YES	<div>The proposed development achieves the setback requirements for rural zoned land, as addressed above.</div> <div>The setback controls for rural zoned land are more rigorous than that prescribed under residential flat buildings.</div>
Setback	Minimum Setback														
Front Boundary	9m, which can be reduced to 6m for a maximum of 1/3 of the building width;														
Side Boundary (includes balconies)	6m, which can be reduced to 3m for a maximum of 1/3 of the building width;														
Rear Boundary	6m														
Basement Parking Setback	6m from front boundary, and 4m from side and rear boundaries to allow for deep soil landscaping														
Top storey where mezzanine proposed	6m addition setback for exterior walls of the top storey, measured from the														

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	<div></div> <i>walls of the lowest storey.</i>		
Sites with more than one frontage			
	b. For buildings with a corner frontage: <ul style="list-style-type: none"> Front boundary setbacks apply to all street frontages, and Side boundary setbacks to apply to all other boundaries. 	n/a	Not applicable.
	c. For a lot that adjoins parallel roads, the front boundary setback control applies to both the primary frontage and the parallel road boundary.	YES	In line with the rural residential controls, a 10m setback has been proposed for both the primary frontage to Quarry Road and the secondary frontage to Vineys Road.
Setback Encroachments			
	d. Balconies are able to encroach to within 6 metres of the front boundaries provided there is no impact on the achievement of daylight access, visual privacy, and acoustic privacy.	YES	Balconies will not encroach into the front setback.
	e. The following minor structures are able to encroach into the prescribed setbacks: <ul style="list-style-type: none"> Driveways or basement ramps up to 6 metres wide, with deep soil verges at least 2 metres wide adjacent to the side boundary, Ground level terraces above basement ramps, Stairs to private terraces on the ground floor, Pedestrian ramps to building lobbies at the ground level with deep soil verges at least 2 metres wide adjacent to the side boundary, Fences, and Garbage stores, letter boxes, meter enclosures, 	YES	Refer to accompanying Architectural Drawings in Appendix A.

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Proposed Integrated Seniors Living Precinct

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	electricity kiosks, emergency fire exits and fire hydrants provided that they are located at least 2 metres from the front boundary and screened by plantings.		
	f. The following structures are able to encroach into the prescribed rear boundary setbacks: <ul style="list-style-type: none"> Ground level light weight verandahs and pergolas are permitted to encroach to a minimum setback of 4 metres to the boundary. 	-	Refer to accompanying Architectural Drawings in Appendix A.
3.3.6 Building Form and Separation	Floorplates		
	a. Floorplates should have a maximum dimension of 35 metres measured in a perpendicular direction between opposing exterior walls at any point. Balconies, terraces and ground floor lobbies may project beyond this maximum.	YES	The proposed building footprint complies with that proposed under the approved Site Compatibility Certificate.
	Separation		
	b. Building separation should comply with Part 2F Building Separation of the SEPP 65 Design Quality of Apartment Development, Apartment Design Guide.	YES	The proposal has been designed having regard to the Design Quality Principles in Schedule 1 of SEPP 65, as well as ADG requirements including setbacks and separation
	c. For properties with a boundary interface with a lower density zone, an additional 3 metre building separation should be provided.	n/a	-
	d. On large sites where the floorplate control requires more than one building, adjoining buildings should be separated by a minimum of 9 metres.	YES	Adequate building separation has been provided, exceeding the minimum 9 metre requirement.
	Articulation		
	e. Articulation should be achieved by dividing all facades into vertical panels. Wall planes of buildings should not exceed the following lengths in Table 3.3.6(b) without an offset of at least 1 metre and a corresponding change in roof form:	YES	The residential buildings have been articulated with a deep recess along their lengths, providing legibility to the building entries and interest and variation to the common areas. The separation between buildings will break up the bulk of the development and will help

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Table 1 Assessment of Hornsby Development Control Plan 2013										
Section	Control		Compliance	Comment						
	<table><tr><th>Façade</th><th>Residential Flat Buildings</th></tr><tr><td>For facades that face a street</td><td>8m</td></tr><tr><td>All other facades</td><td>12m</td></tr></table>		Façade	Residential Flat Buildings	For facades that face a street	8m	All other facades	12m		the buildings sit well with the existing landform. The proposed development will be significantly landscaped around its edge and will be consistent with the urban character of the area. The completed development will sit comfortably within the site and will form an appropriate scale to suit the local character of the catchment area.
	Façade	Residential Flat Buildings								
	For facades that face a street	8m								
	All other facades	12m								
	f. Buildings should include structural elements such as sunshades, balconies and verandahs that provide variety in the built form		YES	The built form plays with contrast as a way of providing articulation to the simple facades. The facades comprise solid earthy balconies which are contrasted with the sandstone wall texture. The depths of the balconies are emphasised especially at the corners where they wrap around and break down the corners of the building. Further, the use of different sun shading devices to the various facades have given a dramatic and varied character.						
	g. To maintain the design integrity of buildings, the enclosure of existing balconies should not occur.		YES	Balconies will not be enclosed.						
	Materials and Finishes									
h. Facades should incorporate a mix of compatible materials such as face or rendered brickwork and contrasting areas of light weight structures such as wrap around balconies with operable louvres.		YES	In line with the desire to minimise the visual bulk, the buildings includes finishes such as timber that will blend with the vegetated screening.							
i. Balconies should appear as open structures with lightweight balustrades. Solid masonry walls should be minimised.		YES	Balustrades will appears as open structures and will not incorporate solid masonry walls.							
3.3.7 Landscaping	General									

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment										
	a. Communal landscaping should be provided adjacent to the property boundaries to provide a landscape setting for the development.		The proposed development will be significantly landscaped around its edge and will be consistent with the urban character of the area. The completed development will sit comfortably within the site and will form an appropriate scale to suit the local character of the catchment area.										
	b. Landscaped areas should adjoin property boundaries, in accordance with Table 3.3.7(a), and be designed to accommodate: <ul style="list-style-type: none">Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, andTrees that will reach a mature heights of at least 6 to 7 metres in the side setbacks.		The proposed site plan incorporates substantial areas of landscaping in both the private and common areas of the development.										
	<table><tr><th>Setback</th><th>Property Boundary Landscaped Area (deep soil)</th></tr><tr><td>Front Boundary</td><td>6m wide</td></tr><tr><td>Secondary Boundary (on corner lots)</td><td>As per side setbacks</td></tr><tr><td>Side Boundary</td><td>4m wide, which can be reduced to 3m for a maximum of 1/3 of the building width.</td></tr><tr><td>Rear Boundary</td><td>4m</td></tr></table>		Setback	Property Boundary Landscaped Area (deep soil)	Front Boundary	6m wide	Secondary Boundary (on corner lots)	As per side setbacks	Side Boundary	4m wide, which can be reduced to 3m for a maximum of 1/3 of the building width.	Rear Boundary	4m	Planted areas have been maximised throughout the site and within the common areas of the development, providing a high level of planting for the development in this precinct. The proposal allows for 11,836m2 of landscaped area, being 39.5% of the site, of which 9,014m2 or 76% is deep soil area.
	Setback		Property Boundary Landscaped Area (deep soil)										
	Front Boundary		6m wide										
	Secondary Boundary (on corner lots)		As per side setbacks										
Side Boundary	4m wide, which can be reduced to 3m for a maximum of 1/3 of the building width.												
Rear Boundary	4m												
c. Driveways should be flanked by continuous landscaped area verges at least 2 metres wide.	Overall the development is proposed to be well landscaped to enhance the overall appearance and amenity of the development.												
d. In addition to the boundary setbacks at 3.3.7(a), landscaped areas should be provided between 2 or more buildings located on a development site, designed to: <ul style="list-style-type: none">Have a minimum total width of 7 metres,Accommodate trees that will reach a mature height of at least 6 or 7 metres,													

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	<ul style="list-style-type: none"> Provide a minimum soil depth of 1 metre, Be located in a deep soil area or above a basement car park, and Include a component of deep soil area (ie: no basement intrusions) that measures at least 7 metres by 7 metres (sufficient for at least one canopy tree planted 3.5 metres from a building foundation). 		
	Retention of Landscape Features		
	e. The proposed building, ancillary structures, driveways, drainage and service trenches should be setback: <ul style="list-style-type: none"> in accordance with the 'Watercourses' element in Section 1C.1.3 of this DCP, 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1C.1.1 of this DCP, and in accordance with the requirements of AS 4970 for significant trees to be retained. 	YES	Refer to Section 1C.1.3 .
	Fencing		
	f. Within front setbacks, fences should not be higher than 1.2 metres.	YES	The front setback has been designed to create a clear sense of arrival of entry into the site. A low lying stone wall provides a clear delineation between public and private.
	g. Fencing enclosing private courtyards behind the front building line may be up to 1.8 metres high if constructed from lightweight materials with the design allowing at least 50 percent openings/ transparency.	YES	Adequate privacy will be provided to each ground floor unit. They screening will not obscure views.
3.3.8 Open Space	h. Side and rear boundary fences should be a maximum of 1.8 metres high, sited behind the front building line.	YES	The Side boundary fences are a maximum of 1.8m, sited behind the front building line.
	Private Open Space		
	a. Every dwelling should be provided with a principal private open space area in accordance with Table 3.3.8(a):	YES	The proposal is compliant with the minimum private open space provisions of the DCP as they relate to residential accommodation.

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control			Compliance	Comment																		
	<table><tr><th>Dwelling Type</th><th>Minimum Principal Private Open Space Area</th><th>Minimum Width</th></tr><tr><td>Studio</td><td>4m²</td><td>1m</td></tr><tr><td>1 bed unit</td><td>8m²</td><td>2m</td></tr><tr><td>2 bed unit</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bed unit</td><td>12m²</td><td>2.4m</td></tr><tr><td>Ground or Podium Level</td><td>15m²</td><td>3m</td></tr></table>			Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width	Studio	4m ²	1m	1 bed unit	8m ²	2m	2 bed unit	10m ²	2m	3+ bed unit	12m ²	2.4m	Ground or Podium Level	15m ²	3m		<p>The design of the Seniors Housing development achieves a high level of amenity to private open spaces for each individual dwelling. Specifically, it is noted that:</p> <ul style="list-style-type: none">All ground floor dwellings have private open space greater the 15sqm.Dwellings have been designed to ensure private open space is located directly from living areas, allowing for an extension of internal living areas.All private open space has been designed to achieve adequate solar access.
	Dwelling Type	Minimum Principal Private Open Space Area	Minimum Width																				
	Studio	4m ²	1m																				
	1 bed unit	8m ²	2m																				
	2 bed unit	10m ²	2m																				
	3+ bed unit	12m ²	2.4m																				
Ground or Podium Level	15m ²	3m																					
b. Private open spaces should be designed as 'outdoor rooms' that adjoin interior living areas, with L-shaped or irregular floorplans that would accommodate a number of outdoor activities plus extensive screening to provide privacy and shade.																							
c. Roof terraces or balconies are not permitted.			YES	The proposed development does not include roof terraces or balconies.																			
d. Enclosure of private open space areas as 'wintergardens' should be avoided. Wintergardens may be considered where the elevation of a building fronts Epping Road or a rail corridor.			YES	No wintergardens are proposed as part of this application.																			
Clothes Drying Area																							
e. Each dwelling should have an external air clothes drying area that is separate from the principal private open space area. This facility is to be screened from public places and communal areas.			YES	Each dwelling will provide adequate space for an external air clothes drying area.																			
Communal Open Space																							
f. A principal communal open space area should be provided for each residential flat building of 10 or more dwellings as follows: <ul style="list-style-type: none">Be located at ground level;Have minimum area of 50m²;Have a minimum dimension of 4 metres;			YES	The communal areas and garden have been carefully designed to provide large accessible outdoor spaces that can be enjoyed throughout the year by residents and their visiting friends and family.																			

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment
	<ul style="list-style-type: none"> Be landscaped for active and/or passive recreation and encourage social interaction between residents; Achieve a minimum 50% direct sunlight to the principle useable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter); Be located to provide direct sight lines and convenient access from the building lobby; and Be sited and designed to protect the amenity of adjacent dwellings. 		
3.3.9 Privacy and Security	Privacy		
	a. Orient dwellings living rooms and principal private open space areas primarily towards the front and rear of the site to promote privacy to dwellings.	YES	A significant landscape setback has been provided between the proposed buildings and adjoining residences. Furthermore, the proposed units will achieve good levels of internal privacy through their orientation, separation and screening devices to the balconies where required.
	b. Balconies, terraces or bedroom windows near ground level should be screened or separated from the street and active communal areas by landscaping to protect the privacy of dwelling occupants.	YES	The design and configuration of
	c. Common lobbies that face a side boundary should be screened to prevent overlooking and the transfer of noise across side boundaries.	YES	All common lobbies will face inwards so to minimise overlooking and acoustic impacts on adjoining properties.
	d. Open space areas should not be provided on the roof.	YES	No open space areas will be provided on the roof.
	Security		
	e. Identify safe, clear and direct pedestrian and cyclist entrance to the building/s from the primary street frontage.	YES	A CPTED Assessment has been undertaken and provided as Appendix V .
	f. Private open spaces, living room windows and lobbies should be designed and oriented to overlook the street and communal open spaces on the site.		

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	g. Communal hallways, including access to entrance foyers, should be limited in length and desirably provide windows, so that hallways may overlook the street or communal areas.		
3.3.10 Sunlight and Ventilation	Sunlight Access		
	a. On 22 June, at least 70 percent of dwellings should receive 2 hours of unobstructed sunlight access to at least half of the dwellings principal living room windows and principal private open space area between 9am and 3pm.	YES	A Shadow Analysis has been undertaken and is included within the Architectural Drawings (Appendix A). This analysis demonstrates that there will be no overshadowing impact on any nearby residence. Therefore, the impact of the proposed development on adjoining properties is acceptable in terms of ensuring solar access and natural light. Furthermore, the proposed development will achieve in excess of the required criteria for dwellings achieving a minimum of 3 hours solar access and natural light.
	b. Principal communal open space should receive a minimum 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).		
	c. Every habitable room should have a window and external wall with a total minimum glass area of not less than 10% of the floor area of the room.		
	d. A window should be visible from any point in a habitable room.		
	Natural Cross Ventilation		
	e. At least 60% of dwellings should have dual aspect and natural cross ventilation.	YES	The proposed development will achieve the cross-ventilation SEPP requirements and the ADG design criteria.
3.3.11 Housing Choice	a. Development should include a mix of 1, 2 and 3 bedroom dwellings. For developments with 10 or more dwellings, at least 10 percent of each dwelling type should be provided.	SATISFACTORY	The proposed ILU development provides a mix of dwellings, comprising of the following: <ul style="list-style-type: none"> Two Bedroom: 27% Two Bedroom and Studio: 23% Three Bedroom: 50%
	b. For developments with 10 or more dwellings: <ul style="list-style-type: none"> At least 10% of proposed dwellings should be 	SATISFACTORY	All dwellings are proposed to be designed to be adaptable in accordance with the provisions of

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Table 1 | Assessment of Hornsby Development Control Plan 2013

Section	Control	Compliance	Comment
	<p>Adaptable Housing, designed to meet the needs of residents as they age.</p> <ul style="list-style-type: none"> At least 20% of proposed dwellings should be Universal Design Housing in accordance with the Livable Housing Guidelines (2012) silver level design features. Adaptable Housing and Universal Design Housing is to be equitably distributed through all types and sizes of dwellings. 		AS4299:1995 Adaptable Housing.
3.3.12 Vehicle Access and Parking	General		
	a. Direct access to main roads should be avoided.	YES	Primary access to and from the Site is via Quarry Road.
	b. Driveways should be located at least 2 metres from any side boundary and flanked by continuous landscaped verges.	YES	<p>The proposed driveways to the basement car park will be located 2 metres from the side boundary and flanked with continuous landscape verges.</p> <p>An emergency services path is provided around the perimeter of the Site. Landscaping will be provided along the boundary to provide screening for adjoining properties.</p>
	c. Resident and visitor parking should be provided within basements.	YES	<p>Resident and visitor parking will be primarily located in the basement car park.</p> <p>A strip of visitor parking is proposed along the south eastern boundary, within the 20m setback.</p>
	d. Any undercroft carparking should be screened and not be located in a dwelling facade that faces a primary or secondary street frontage.	YES	No undercroft parking is proposed as part of this development application.
	e. Driveways and garage entrances should not visually dominate any street or facade that face a communal area upon the site.	YES	The proposed driveways have been integrated into the overall design to minimise visual dominance.

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Table 1 Assessment of Hornsby Development Control Plan 2013			
Section	Control	Compliance	Comment
	f. Parking for service and delivery vehicles should be integrated with the design of driveways and landscaped verges and not visually dominate any street frontage.	YES	Loading docks are provided within the basement car parking and will not be visually dominate from any street frontage.
	Ancillary Fixtures and Facilities		
	g. Separate dedicated and secure storage areas for each dwelling should be provided in basement car parks suitable to accommodate larger items such as sporting equipment.	YES	Storage areas have been provided within the basement, fronting each residential parking space.