

Draft amendments to the Hornsby Development Control Plan 2013

The following draft amendments to the Hornsby Development Control Plan 2013 (Hornsby DCP) are proposed alongside the Byles Creek Planning Proposal. The intent of these amendments is to align the existing controls in the Hornsby DCP with the proposed amendments to the Hornsby Local Environmental Plan 2013.

Draft amendments to the Hornsby Development Control Plan 2013			
Section	Title	Page	Details of Amendment
1C.1.3	Watercourses	1-32	<ul style="list-style-type: none"> Under the 1C.1.3 heading, insert explanatory text referencing the Riparian Land local provision in the HLEP. Insert new prescriptive measure (g) for development on riparian land. Amend prescriptive measure (h) to reference the HLEP Riparian Land Map.
		1-33	<ul style="list-style-type: none"> Under Notes, amend reference to State guidelines for development on waterfront land.
3.1	Dwelling Houses	3-7	<ul style="list-style-type: none"> Under the 3.1 heading, amend explanatory text to reference C4 zoned land in Beecroft and Pennant Hills.
8.1	River Settlement Land	8-5	<ul style="list-style-type: none"> Under the 8.1 heading, amend explanatory text to exclude C4 zoned land in Beecroft and Pennant Hills.
HLEP = Hornsby Local Environmental Plan 2013			
HDCP = Hornsby Development Control Plan 2013			
HDCP amendments are indicated in the following pages:			
Deletions are in red text and strikethrough (i.e. delete)			
Additions are in green text (i.e. add)			

1C.1.3 Watercourses

HLEP Clause 6.X contains provisions for development located wholly or partially within land identified as Riparian Land on the Riparian Land Map. The following controls apply to land that is or adjoins a watercourse, including land affected by the HLEP provisions.

Desired Outcomes

- a. Watercourses such as creeks and rivers are retained and enhanced to promote the improvement, and protection of the environment.
- b. Native riparian vegetation areas are retained and enhanced, and degraded riparian areas are rehabilitated.

Prescriptive Measures

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.
- b. All work should not cause bed and bank instability and any bank stabilisation measures should preferably use soft engineering techniques.
- c. Watercourses should be linked with other areas of indigenous vegetation, wildlife corridors and/or natural or visually important site features.
- d. Stormwater outlets proposed in the vicinity of a watercourse should:
 - 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.
- e. The environmental flow characteristics of downstream watercourses should 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:

- 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,
- The effect on the catchment and existing development of any treatment to the watercourse,
- The influence of previously altered sections on the watercourse,
- The actual or potential influence of the watercourse on public health and safety, and
- The mitigation of flooding and the hazard to property.

Riparian Areas

- g. The design and location of any development on land identified in the HLEP Riparian Land Map should seek to maintain an effective riparian area and comply with best practice guidelines in accordance with the buffers illustrated on the Riparian Land Map.
- h. The design and location of any development, not identified in the HLEP Riparian Land Map, should seek to maintain an effective riparian area and comply with best practice guidelines, that may require:
 - A core riparian zone (CRZ) that is the land within and adjacent to the channel. The width of the CRZ from the banks of the stream is determined by assessing the importance and riparian function of the watercourse, and
 - A vegetated buffer (VB) that protects the environmental integrity of the CRZ, with a minimum width of 10 metres.
- i. In addition, development should comply with any applicable Foreshore Building Line as prescribed by Clause 6.5 of the HLEP.
- j. 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.

- k. 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.
- l. 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.

Notes:

A **watercourse** includes a 'river' as defined in accordance with the *Water Management Act 2000*.

A **riparian area** is a zone of vegetation in and around the banks of a watercourse, lake or estuary. This vegetation stabilises the banks and riverbed and acts as a buffer restricting exotic species from entering the river. This is an essential element in retaining good water quality within a catchment area.

For further information refer to the NSW [Department of Water](http://www.water.nsw.gov.au) 'Guidelines for controlled activities Riparian Corridors on waterfront land' available at www.water.nsw.gov.au.

Development within 40 metres of a watercourse may require a licence under the *Water Management Act 2000*.

For further information on planting in a riparian zone refer to Council's Riparian Species List available at website hornsby.nsw.gov.au.

3.1 Dwelling Houses

This section provides controls for erecting, and undertaking alterations and additions to, dwelling house and ancillary structures within the R2 Low Density Residential Zone and for properties within the C4 Environmental Living Zone in Beecroft and Pennant Hills.

3.1.1 Scale

Desired Outcome

- a. Development with a height, bulk and scale that is compatible with a low density residential environment.

Prescriptive Measures

Height

- 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 3.1.1(a).

All other desired outcomes and prescriptive measures under Part 3.1 of the HDCP remain the same.

8.1 River Settlement Land

The following section provides controls for the development of land zoned C3 Environmental Management, C4 Environmental Living (excluding Beecroft and Pennant Hills), IN4 Working Waterfront and SP3 Tourist (Brooklyn).

8.1.1 Desired Future Character

Desired Outcome

- a. Development that contributes to the desired future character of the area.

Prescriptive Measures

- a. Development applications should demonstrate compatibility with the following statement of desired character:

All other desired outcomes and prescriptive measures under Part 8.1 of the HDCP remain the same.