

PLANNING PROPOSAL

HORNSBY WEST PRECINCT



June 2011

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BACKGROUND

The State Government's *Metropolitan Plan for Sydney 2036* updates the *Metropolitan Strategy* and integrates it with the *Metropolitan Transport Plan* to provide a framework for the sustainable growth of Sydney over the next 25 years. The *Plan* proposes the growth and renewal of centres and identifies a hierarchy of centres including Major Centres and Specialised Centres, and includes future directions to inform their planning.

Hornsby Town Centre is identified in the *Metropolitan Plan* as a Major Centre and future directions outlined in the *Plan* include:

- Provide for increased employment in retail and office uses;
- Provide for residential development within walking catchment of the Centre;
- Investigate opportunities for better pedestrian links between eastern and western sides of the Centre;
- Revitalise the traditional Centre to the west of the station; and
- Investigate development opportunities to the west of the station.

The *Metropolitan Plan* updates the housing and employment capacity targets for each subregion, requiring 29,000 new dwellings and 15,000 new jobs to be provided within the North Subregion (Hornsby and Ku-ring-gai Local Government Areas). This is an increase of 8,000 dwellings and 1,500 jobs from the *Metropolitan Strategy*.

At its meeting on 6 April 2011, Council considered a report outlining the existing controls and vision for the Hornsby Town Centre and specifically, for a particular area within the Town Centre known as the West Precinct or "Hornsby Westside". The report also presented opportunities and constraints to future development within the West Precinct and options for a review of planning controls. Council resolved to undertake a review of controls for the West Precinct to promote future development in the form of both commercial and residential development, to assist meet Council's revised employment and residential targets contained within the *Metropolitan Plan*.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

To increase residential and employment development opportunities within the Hornsby West Precinct which contribute to the achievement of the revised housing and employment targets identified under the *Metropolitan Plan for Sydney 2036* while also reinforcing the role of the Hornsby Town Centre as the major town centre with adequate employment opportunities.

PART 2 - EXPLANATION OF THE PROVISIONS

Amendment of the *Hornsby Shire Local Environmental Plan 1994 (HSLEP)* or *Hornsby Comprehensive Local Environmental Plan* (depending on the timing of the progression of the *Planning Proposal*) by:

1. Increasing height and floor space ratio controls for land within the Hornsby West Precinct (see map at Appendix A) to permit high density mixed use residential and commercial development.

Although it is premature to pre-empt the findings of the review of planning controls, Council has received a number of enquiries and submissions from land owners within the Precinct suggesting that heights of up to 12 storeys should be facilitated to encourage amalgamation and promote economically feasible development. A significant increase in height limits would also likely be required to fund necessary improvements to the public domain and to provide a substantial contribution to the achievement of Council's dwelling and employment obligations under the *Metropolitan Plan*.

2. Including a requirement for a minimum floor space ratio of 2:1 for employment generating development within a residential/mixed use building in the Hornsby West Precinct.

PART 3 - JUSTIFICATION

Section A - Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

No. However, the *Metropolitan Plan* identifies the Hornsby Town Centre as a Major Centre and includes a number of directions including investigation of development opportunities within the West Precinct. Furthermore, the *Metropolitan Plan* identifies revised employment and dwelling targets for the North Subregion that could (in part) be addressed by increasing development opportunities within the Precinct.

Furthermore, the Hornsby Town Centre has been the subject of considerable study and analysis by Council and consultants concerning opportunities and constraints for development and land management. The studies undertaken, or that are currently being undertaken, address many of the issues relevant to the progression of the *Planning Proposal* for the West Precinct. Specifically, such studies include:

- *Kuring-gai and Hornsby Subregional Employment Study 2008;*
- *Hornsby Shire Housing Strategy 2010;*

- *Hornsby Town Centre Car Parking Study*, currently being prepared by Council's Traffic and Road Safety Branch;
- Traffic Modelling for the *Hornsby Quarry Landfill Proposal*, currently being prepared by consultants for Council; and
- *Coronation Street Economic Feasibility Study*.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The Planning Proposal is the best means of achieving the intended outcome of investigating and enabling increased residential and employment development opportunities within the Hornsby West Precinct. The *HSLEP* specifies maximum floor space ratios which can only be amended by means of progression of a planning proposal.

3. *Is there a net community benefit?*

Yes. The *Planning Proposal* will deliver a net community benefit by:

- providing additional residential and commercial development close to an established commercial centre and major transport hub therefore promoting a concentrated and more sustainable urban form;
- preserving the character of existing residential areas, potentially productive agricultural and environmentally sensitive land in the Shire by providing housing opportunities within the Hornsby Town Centre;
- Maintaining the commercial core on the eastern side of the Town Centre and providing additional employment opportunities within the West Precinct;
- promoting the redevelopment of undercapitalised sites and revitalising the traditional "Old Town Centre" centre to the West of the Station; and
- providing funding through developer contributions towards improvements to the public domain including streetscape works and traffic control measures.

Section B - Relationship to strategic planning framework

4. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes. The *Planning Proposal* is consistent with the objectives of the *Metropolitan Strategy*, *draft North Subregional Strategy (NSS)* and the *Metropolitan Plan for Sydney 2036*.

The following actions and directions from the *NSS* and the *Metropolitan Plan* are of particular relevance:

Metropolitan Plan for Sydney

- Provide for increased employment in retail and office uses;
- Provide for residential development within walking catchment of the Centre;
- Investigate opportunities for better pedestrian links between eastern and western sides of the Centre;
- Revitalise the traditional Centre to the west of the station; and
- Investigate development opportunities to the west of the station.

Draft North Subregional Strategy

- Plan for increased housing capacity targets in existing areas; and
- Focus residential development around major centres, town centres, village centres and neighbourhood centres.

5. *Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?*

Yes. The *Planning Proposal* is consistent with Council's *Management Plan 2009/10 – 2011/12*. The *Management Plan* outlines that Council's Strategic Direction in looking to the future will focus on sustainability, community wellbeing and the provision of quality infrastructure, services and facilities. The *Plan* identifies that work will continue on strategies to meet State Government dwelling and job targets.

6. *Is the planning proposal consistent with applicable state environmental planning policies?*

Yes. The *Planning Proposal* is consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs. See Appendix B for details.

7. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

Yes. The *Planning Proposal* is consistent with applicable s117 Ministerial Directions, it being noted that the following Directions are relevant:

- 1.1 - Business and Industrial zones;
- 2.3 - Heritage Conservation;
- 3.1 - Residential zones;
- 3.4 - Integrating Land Use and Transport;
- 4.4 - Planning for Bushfire Protection; and
- 7.1 - Implementation of the Metropolitan Plan for Sydney 2036.

See Appendix C for details.

Section C - Environmental, social and economic impact

- 8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

It is unlikely that critical habitat or threatened species or ecological communities or their habitats will be adversely affected by the proposal. The majority of the Hornsby West Precinct has been developed and existing commercial buildings and car parks cover entire sites.

- 9. *Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?***

As discussed above, the Hornsby West Precinct is almost fully developed with commercial buildings. Eight properties in the north western corner of the precinct are identified as bushfire prone land. The bushfire prone land will be addressed in accordance with Local Planning Directions and consultation with the Rural Fire Service. There are a number of heritage items within the precinct and part of the precinct is located within a Heritage Conservation Area. The heritage items and conservation area will be considered and protected where necessary as part of any future development.

Council has resolved to engage an urban design consultant, traffic consultant and economic development consultant to assist review and manage the likely effects of the Proposal. Studies to be undertaken to justify the Proposal include, at a minimum, the following:

- *Transport Capacity Analysis and Scoping:* Traffic modelling and car parking analysis.
- *Opportunities and Constraints Analysis:* Including land ownership, heritage, urban design, building type and condition, economic feasibility, services and utilities, visual environment, public domain and open space.
- *Urban Structure Plan:* Identification of appropriate building footprints, envelopes and zonings.

- 10. *How has the planning proposal adequately addressed any social and economic effects?***

Council received advice from a demographic consultant during the preparation of the *Hornsby Shire Housing Strategy*. The demographic advice identifies that the population of Hornsby Shire is ageing, over 60% of low and moderate income households are in housing stress, and there is demand from young and older age groups for smaller format, higher density dwellings. There is also a need to provide

additional employment opportunities for residents close to home and adjoining a major transport hub.

In 2010, Council commissioned a consultant study to review the current planning controls and investigate the feasibility of development in relation to specific Council owned land within the West Precinct, being property Nos. 1-11 Coronation Street, Hornsby. The study concludes that heritage constraints and car parking requirements are the major factors impacting on the economic feasibility of development. Economic effects will be further considered through the engagement of an economic development consultant to undertake feasibility analysis.

Section D - State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

Yes. The precinct is bisected by the Pacific Highway, which has historically been a State Road under the care and control of the Roads and Traffic Authority (RTA). However, in 2005 a modification to the road hierarchy was implemented leading to a swap in the care and control of the Pacific Highway and George Street, Hornsby. The reclassification of George Street as the State Arterial Road through Hornsby presents an opportunity to increase development within the West precinct while also reinforcing the pedestrian network and formalising pedestrian links to connect public spaces and retail/commercial activities. In considering additional development within the West Precinct, traffic modelling would be required to assess the impacts of increased traffic generation and any traffic improvement works which may be required.

12. What are the views of State and Commonwealth public authorities consulted in accordance within this gateway determination?

Consultation will occur with relevant public authorities identified as part of the gateway determination.

PART 4 - COMMUNITY CONSULTATION

Council is committed to undertaking comprehensive community consultation as part of the progression of the Planning Proposal. At a minimum, consultation will include:

Public Authorities

Notification letters and a copy of the Planning Proposal will be sent to relevant public authorities.

Advertisement in local newspapers

An advertisement will be placed in local newspapers identify the purpose of the Planning Proposal and where the Planning Proposal can be viewed.

Advertisement on the Council website

The Planning Proposal will be exhibited on the Council website (www.hornsby.nsw.gov.au/onexhibition) under On Exhibition – Town Planning. Council's libraries have access to the website.

Letters to affected and adjoining property owners

A letter will be sent to affected and adjoining property owners advising of the exhibition of the Proposal and inviting submissions.

Letters to community and industry groups

A letter will be sent to the following community and industry groups advising of the exhibition of the Proposal and inviting submissions:

- Hornsby Shire Historical Society Inc
- Hornsby Shire Residents' and Ratepayers' Association Inc
- Hornsby and District Chamber of Commerce
- Housing Industry Association
- Royal Australian Institute of Architects
- Urban Development Institute of Australia
- Real Estate Institute of Australia

Displays at the Council Administration Building and local libraries

The Planning Proposal will be displayed at the Council Administration Centre, 296 Pacific Highway, Hornsby and the following libraries:

Hornsby Library
Berowra Library
Galston Library

Pennant Hills Library
Epping Library

Referrals to other Divisions/Branches

A copy of the Planning Proposal will be forwarded to relevant Divisions/Branches of Council for comment.

Review of Consultation Strategy

Where submissions warrant, the consultation strategy may be reviewed to extend the exhibition period and/or the methods of consultation. This may occur where a submission provides reasonable justification for a request for an extension to the exhibition period or where Council is of the opinion an amendment to the consultation strategy would facilitate greater feedback on the draft Plan.

Following the exhibition period, a report on submissions will be presented to Council for its consideration.

Appendix A

Location Map



LOCATION MAP – HORNSBY WEST PRECINCT

Appendix B

State Environmental Planning Policy Checklist

HORNSBY WESTSIDE PLANNING PROPOSAL

State Environmental Planning Policies		
SEPP Title	Compliance	Comment
1. Development Standards	N/A	
1. Development Standards (Amend No. 1)	Draft	
2. Minimum Standards for Residential Flat Development	Repealed	
3. Castlereagh Liquid Waste Disposal Depot	Repealed	
4. Development Without Consent and Miscellaneous Complying Development	N/A	
5. Housing for Older People or People with a Disability	Repealed	
6. Number of Storeys in a Building	N/A	
7. Port Kembla Coal Loader	Repealed	
8. Surplus Public Land	Repealed	
9. Group Homes	Repealed	
10. Retention of Low-Cost Rental Accommodation	Repealed	
11. Traffic Generating Developments	Repealed	
12. Public Housing (Dwelling Houses)	Repealed	
13. Sydney Heliport	Repealed	
14. Coastal Wetlands	N/A	
15. Rural Land - Sharing Communities	N/A	
15. Multiple Occupancy of Rural Land	Repealed	
16. Tertiary Institutions	Repealed	
17. Design of Building in Certain Business Centres	Not Made	
18. Public Housing	Not Made	
19. Bushland in Urban Areas	N/A	
20. Minimum Standards for Residential Flat Development	Repealed	
21. Moveable Dwellings	N/A	
22. Shops and Commercial Premises	N/A	
23.	Not Allocated	
24. State Roads	Not Made	
25. Residential Allotment Sizes	Repealed	
26. Littoral Rainforests	N/A	
27. Prison Sites	Repealed	
28. Town Houses and Villa Houses	Repealed	
29. Western Sydney Recreational Area	N/A	
30. Intensive Agriculture	N/A	
31. Sydney (Kingsford Smith) Airport	Repealed	
32. Urban Consolidation (Redevelopment of Urban Land)	N/A	
33. Hazardous and Offensive Development	N/A	
34. Major Employment Generating Industrial Development	Repealed	
35. Maintenance Dredging of Tidal Waterways	Repealed	
36. Manufactured Home Estates	N/A	
37. Continued Mines and Extractive Industries	Repealed	
38. Olympic Games and Related Development Proposals	Repealed	
39. Spit Island Bird Habitat	N/A	
40. Sewerage Works	Not Made	
41. Casino/Entertainment Complex	N/A	
42. Multiple Occupancy and Rural Land (Repeal)	Repealed	
43. New Southern Railway	Repealed	
44. Koala Habitat Protection	N/A	
45. Permissibility of Mining	Repealed	
46. Protection and Management of Native	Repealed	

Vegetation		
47. Moore Park Showground	N/A	
48. Major Putrescible Landfill sites	Repealed	
49. Tourism Accommodation in Private Homes	Draft	
50. Canal Estates	N/A	
51. Eastern Distributor	Repealed	
52. Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
53. Metropolitan Residential Development	N/A	
54. Northside Storage Tunnel	Repealed	
55. Remediation of Land	Yes	The Planning Proposal is consistent with SEPP 55. The Planning Proposal does not propose to rezone land or introduce new land uses. The Proposal aims to allow increased residential and employment development in an existing business zone. Any potential contamination would be considered at the Development Application stage.
56. Sydney Harbour Foreshores and Tributaries	Repealed	
57. Not Made	N/A	
58. Protecting Sydney's Water Supply	Repealed	
59. Central Western Sydney Economic and Employment Area	N/A	
60. Exempt and Complying Development	N/A	
61. Exempt and Complying Development for White Bay and Glebe Island Ports	N/A	
62. Sustainable Aquaculture	N/A	
63. Major Transport Projects	Repealed	
64. Advertising and Signage	N/A	
65. Design Quality of Residential Flat Development	Yes	The Planning Proposal is consistent with SEPP 65. Any development controls or masterplans arising from the planning proposal will include provisions to ensure the achievement of design quality in accordance with the design quality principles from the SEPP and have regard to the publication <i>Residential Flat Design Code</i> (Department of Planning, September 2002.)
66. Integration of Land Use and Transport	Draft	
67. Macquarie Generation Industrial Development	Repealed	
68. Not Allocated		
69. Major Electricity Supply Projects	Repealed	
70. Affordable Housing (Revised Schemes)	N/A	
71. Coastal Protection	N/A	
72. Linear Telecommunications Development – Broadband	Repealed	
73. Kosciusko Ski Resorts	N/A	
74. Newcastle Port and Employment Lands	N/A	
SEPP 2004. Housing for Seniors or People with a Disability	N/A	
SEPP 2004. Building Sustainability Index: BASIX	N/A	
SEPP 2004. ARTC Rail Infrastructure	Repealed	
SEPP 2004. Sydney Metropolitan Water Supply	Repealed	
SEPP 2005. Development on Kurnell Peninsula	N/A	
SEPP 2005. Major Development	N/A	
SEPP 2006. Sydney Region Growth Centres	N/A	
SEPP 2007. Mining, Petroleum Production and Extractive Industries	N/A	
SEPP 2007. Temporary Structures	N/A	
SEPP 2007. Infrastructure	N/A	
SEPP 2007. Kosciuszko National Park –	N/A	

Alpine Resorts		
SEPP 2008. Rural Lands	N/A	
SEPP 2008. Exempt and Complying Development Codes	N/A	
SEPP 2009. Western Sydney Parklands	N/A	
SEPP 2009. Affordable Rental Housing	N/A	
SEPP 2009. Western Sydney Employment Area	N/A	
Sydney Regional Plans (deemed SEPPs)		
SREP 1. Dual Occupancy	Repealed	
SREP 2. Dual Occupancy	Repealed	
SREP 3. Kurnell Peninsula	Repealed	
SREP 4. Homebush Bay	Repealed	
SREP 5. Chatswood Town Centre	N/A	
SREP 6. Gosford Coastal Areas	Repealed	
SREP 7. Multi-Unit Housing – Surplus Government Sites	Repealed	
SREP 8. Central Coast Plateau Areas	N/A	
SREP 9. Extractive Industry (No. 2)	N/A	
SREP 10. Blue Mountains Regional Open Space	Repealed	
SREP 11. Penrith Lakes Scheme	N/A	
SREP 12. Dual Occupancy	Repealed	
SREP 13. Mulgoa Valley	N/A	
SREP 14. Eastern Beaches	Repealed	
SREP 15. Terrey Hills	Repealed	
SREP 16. Walsh Bay	N/A	
SREP 17. Kurnell Peninsula	N/A	
SREP 18. Public Transport Corridor	N/A	
SREP 19. Rouse Hill Development Area	N/A	
SREP 20. Hawkesbury Nepean River (No. 2 – 1997)	Yes	The Planning Proposal is for land within the West Precinct of Hornsby Town Centre and does not involve environmentally sensitive areas in the Hawkesbury-Nepean catchment (including the river, riparian land, escarpments and other scenic areas, national parks, wetlands, and significant floral and faunal habitats). The proposal complements the vision, goal, key principles and action plan of the <i>Metropolitan Strategy</i>.
SREP 21. Warringah Urban Release Area	Repealed	
SREP 22. Parramatta River	Repealed	
SREP 23. Sydney and Middle Harbours	Repealed	
SREP 24. Homebush Bay Area	N/A	
SREP 25. Orchard Hills	N/A	
SREP 26. City West	N/A	
SREP 27. Wollondilly Regional Open Space	Repealed	
SREP 28. Parramatta	N/A	
SREP 29. Rhodes Peninsula	N/A	
SREP 30. St Marys	N/A	
SREP 31. Regional Parklands	Repealed	
SREP 33. Cooks Cove	N/A	
SREP 2005. Sydney Harbour Catchment	N/A	

Appendix C

Local Planning Directions (s117) Checklist

**SCHEDULE OF SECTION 117 DIRECTIONS
HORNSBY WEST PRECINCT PLANNING PROPOSAL**

Ministerial Directions (s117)		
S117 Direction Title & Summary	Compliance	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones A planning proposal shall encourage employment growth in suitable locations, protect employment lands and support the viability of "identified strategic centres". A planning proposal shall retain the areas and locations of existing business and industrial zones. A planning proposal shall not reduce the total potential floor space area for employment uses and related public services in business zones. A planning proposal shall not reduce the total potential floor space area for industrial uses in industrial zones. A planning proposal shall ensure that proposed new employment areas are in accordance with an approved strategy.	Yes	The Hornsby West Precinct, which is the subject of this Planning Proposal, is zoned Business F (Town Centre). The land is not proposed to be rezoned. Rather, provisions will be inserted to allow increased residential and employment generating development. The Planning Proposal will not reduce the total potential floor space area for employment uses. It is proposed that the revised planning controls include a requirement that the minimum floor space ratio of employment generating development within a residential/mixed use development be 2:1. This is consistent with the current base floor space ratio permitted in the Business F (Town Centre) zone under the <i>HSLEP</i>.
1.2 Rural Zones A planning proposal shall not rezone rural land for urban purposes, including residential, business or industrial purposes. A planning proposal shall not contain provisions which will increase the permissible density of rural zoned land. A planning proposal shall not include provisions that control access from traffic generating developments to classified roads in rural zones.	N/A	
1.3 Mining, Petroleum Production and Extractive Industries Council shall consult the Director-General of the Department of Primary Industries (DPI) to identify any resources of coal, petroleum and extractive materials of State or regional significance and existing mines or extractive industries occurring in the area subject to the draft LEP. Council shall seek advice from the Director-General of the DPI on the development potential of the identified resources. Council shall consider any likely	N/A	

conflict between the development of existing mines or extractive industries, or identified resources and other land uses. Where a planning proposal prohibits or restricts development of identified resources or is likely to conflict with other land uses, Council shall consult with the Director-General of the DPI concerning the draft LEP and provide a copy of any comments received to the Director-General of the Department of Planning.		
1.4 Oyster Aquaculture Council shall ensure the planning proposal is consistent with the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i>. Council shall identify any Priority Oyster Aquaculture Areas (POAA) and oyster aquaculture leases outside such an area to which the planning proposal would apply. Council shall identify any proposed land uses which could adversely impact on a POAA and oyster aquaculture leases outside such an area. Council shall consider any likely incompatibilities between oyster aquaculture and other land uses and evaluate ameliorative measures. Where a planning proposal could result in an impact on a POAA and oyster aquaculture leases outside such an area, Council shall consult the Director-General of the Department of Primary Industries (DPI) concerning the draft LEP and provide a copy of any comments received to the Director-General of the Department of Planning.	N/A	
2. Environment and Heritage		
2.1 Environmental Protection Zones A planning proposal shall include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to environmental protection zoned land or land identified for environmental protection purposes shall not reduce the protection standards that apply to the land.	N/A	
2.2 Coastal Protection A planning proposal shall be consistent with the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i>, the	N/A	

<i>Coastal Design Guidelines 2003 and the NSW Coastline Management Manual 1990.</i>		
2.3 Heritage Conservation A planning proposal shall contain provisions to facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance. A planning proposal shall contain provisions that facilitate the conservation of areas, places, landscapes and objects identified of being of Aboriginal heritage significance.	Yes	There are a number of heritage items within the Hornsby West Precinct and part of the precinct is located within a Heritage Conservation Area. The planning proposal will potentially result in the loss of some heritage qualities including heritage items and streetscapes. However, an urban design analysis will be undertaken as part of the preparation of the planning proposal to (in part) identify the opportunity to retain heritage items and/or heritage facades which ensure significant heritage values within the precinct are conserved.
2.4 Recreation Vehicle Areas Planning proposals shall not zone or enable land to be developed for a recreational vehicle area where the land is in an Environmental Protection Zone, is a beach or dune, or in other areas unless the council has taken into consideration relevant guidelines listed in the Direction.	N/A	
3. Housing Infrastructure and Urban Development		
3.1 Residential Zones A planning proposal shall include housing provisions that broaden the choice of building types and housing locations, make more efficient use of existing infrastructure and services, reduce urban sprawl and be of good design. A planning proposal shall contain a requirement that residential development is not permitted until land is adequately services with water and sewerage. Planning proposals shall not contain provisions which reduce the permissible density on residential zoned lands.	Yes	The planning proposal includes housing provisions that broaden the choice of housing type and location in Hornsby Shire. The location of the proposed new dwellings takes advantage of existing investments in infrastructure (including transport, water and sewerage) and social facilities with the Hornsby West Precinct being located at a major transport hub. The Planning Proposal will not reduce the permissible residential density of land.
3.2 Caravan Parks and Manufactured Home Estates Planning proposals shall retain existing zones of land or utilise an appropriate zone under the standard Instrument to permit caravan parks in LEPs When preparing planning proposals, Council shall consider the categories of land and principles in SEPP No. 36 to determine suitable zones, locations and provisions for Manufactured Home Estates.	N/A	
3.3 Home Occupations Planning proposals shall permit home occupations to be carried out in dwelling houses without the need for development consent.	N/A	Direction applies to all councils that do not have a principal Local Environmental Plan or a draft LEP, prepared pursuant to the standard instrument under section 33A of the EP&A Act 1979.

3.4 Integrating Land Use and Transport A planning proposal shall locate zones for urban purposes in areas in accordance with the identified guidelines and policies to reduce travel demand, including the number of trips generated by development and the distances travelled.	Yes	The planning proposal is seeks to provide additional housing and employment in an area serviced by public transport. The proposal is consistent with <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001) and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001) as it encourages the use of public transport, walking and cycling.
3.4 Development Near Licensed Aerodromes For a planning proposal affecting land in the vicinity of a licensed aerodrome, the Council shall consult with the Department of Commonwealth responsible for aerodromes and the lessee of the aerodrome. A draft LEP shall take into consideration the Obstacle Limitation Surface (OLS) and for land affected by the OLS permit development compatible with the operation of an aerodrome and prepare appropriate development standards. A planning proposal shall not rezone land for certain purposes listed in the direction where the Australian Noise Exposure Forecast (ANEF) exceeds the levels specified in the direction. Draft LEPs which rezone lands for such purposes shall include a provision regarding interior noise levels.	N/A	
4. Hazard and Risk		
4.1 Acid Sulfate Soils Council shall consider the <i>Acid Sulfate Soils Planning Guidelines</i> adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Risk Maps prepared by the Department of Natural Resources. Planning proposals that regulate works in acid sulfate soils shall be consistent with the Acid Sulfate Soils Model LEP or such other provisions provided by the Director-General of the Department of Planning. Council shall not prepare a planning proposal that intensifies land uses on land having a probability of containing acid sulfate soils unless an acid sulfate soils study has been considered	N/A	
4.2 Mine Subsidence and Unstable Land Where the land is subject to mine subsidence, council shall consult the	N/A	Direction applies to all councils that contain a mine subsidence district proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961 or that contain unstable land.

Mine Subsidence Board to ascertain if the Board has any objection to the Plan and the appropriateness of the development for the potential level of subsidence. A planning proposal shall not permit development on unstable land.		Clarification was sought from the Department of Planning in late 2005 as to the meaning of 'unstable land'. A formal response has not been received. However, a Department representative advised by email 29 November 2005 that unstable land is land that is subject to land slip because of slope and soil/ geological conditions.
4.3 Flood Prone Land A planning proposal shall include provisions that give effect to the <i>NSW Flood Prone Land Policy</i> and are consistent with the <i>Floodplain Development Manual 2005</i>. A draft LEP shall not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. A planning proposal shall not permit development in floodway areas, permit development that will significantly impact on other properties, permit a significant increase in development, result in a substantial increase in the need for government spending on flood mitigation, permit specified development without the need for consent. A planning proposal shall not impose flood related development controls above the flood planning level for residential development. In preparing a planning proposal, Council shall not determine a flood level inconsistent with the <i>Floodplain Development Manual 2005</i>.	N/A	
4.4 Planning for Bushfire Protection Council shall consult with the Commissioner of the NSW Rural Fire Service in the preparation of any planning proposal following receipt of a gateway determination and prior to undertaking community consultation and take into account any comments made. A planning proposal shall have regard to Planning for Bushfire Protection 2006, avoid permitting inappropriate development in hazardous areas and ensure that hazard reduction is not prohibited in the asset protection zone (APZ). A planning proposal, where development is proposed, shall comply with specified provisions to minimise bushfire hazard risk, as appropriate.	N/A	Approximately eight properties in the north western corner of the precinct are identified as bushfire prone land. In accordance with this Direction, the Commissioner of the Rural Fire Service will be consulted following receipt of gateway determination and prior to community consultation.

5. Regional Planning		
5.1 Implementation of Regional Strategies A planning proposal shall be consistent with a regional strategy released by the Minister for Planning.	N/A	
5.2 Sydney Drinking Water Catchments A planning proposal shall be prepared in accordance with the general principle that water quality within the hydrological catchment must be protected and in accordance with specified principles. When preparing a planning proposal that applies to land within a hydrological catchment, Council, shall consider any strategic land and water capability assessment, or a settlement or rural residential strategy, consult the Sydney Catchment Authority (SCA) under Section 62 of the EP&A Act and zone SCA land in accordance with the specified zones from the Standard Instrument.	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast A planning proposal shall not rezone land identified as "State Significant Farmland", "Regionally Significant Farmland" or "Significant non-contiguous farmland" for urban or rural residential purposes.	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast A planning proposal that applies to land "within town" shall provide that new commercial or retail development shall be concentrated within distinct centres rather than spread along the Pacific Highway. A draft LEP that applies to land "out of town" shall provide that new commercial or retail development shall not be established near the Pacific Highway. Development with frontage to the Pacific Highway shall consider the impact the development has on the safety and efficiency of the Highway. A planning proposal shall permit a highway service centre beside the Pacific Highway where they are located close to the town bypassed, the local economy is considered and there is adequate separation from other service centres.	N/A	

A planning proposal shall limit the uses permitted in highway service centres to those specified in the Direction.		
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)) Council shall not prepare a planning proposal that is inconsistent with relevant agreements and strategies that apply to the area.	N/A	
5.6 Sydney to Canberra Corridor A planning proposal shall include provisions that give effect to, and are consistent with, the publication entitled <i>The Sydney to Canberra Corridor Strategy 1995</i>.	N/A	
5.7 Central Coast A planning proposal shall be consistent with the Gosford-Wyong Structure Plan except as amended by the Sydney Regional Environmental Plan No. 6 – Gosford Coastal Areas.	N/A	
5.8 Sydney Second Airport: Badgerys Creek Planning proposals shall not contain provisions that enable development which could hinder the potential for development of a Second Sydney Airport.	N/A	
6. Local Plan Making		
6.1 Approval and Referral Requirements A planning proposal shall minimise provisions requiring concurrence, consultation or referral of development applications to a Minister or public authority. A planning proposal shall not identify development as designated development unless Council can satisfy the Director-General that such is warranted.	N/A	
6.2 Reserving Land for Public Purposes A planning proposal shall not create, alter or reduce existing reservations or zonings of land for public open space without the approval of the relevant public authority and the Director General. When a Minister or public authority requests a Council to reserve land for a public purpose, include provisions relating to the use of land reserved for a public purpose, rezone and/or remove a reservation, the council shall accede to the request.	N/A	
6.3 Site Specific Provisions	N/A	

A planning proposal that amends another LEP to allow a particular development to be carried out shall either: * allow that land use to be carried out in the zone; or * rezone the site to an existing zone without imposing any additional development standards or requirements applying to that zone; or * allow that land use on the land without imposing any development standards in addition to those already contained in the principal LEP being amended.		
7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036 A planning proposal shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036, published in December 2010 ("the Metropolitan Plan")	Yes	The Planning Proposal is consistent with the Metropolitan Plan. The future directions outlined in the Plan for the Hornsby Town Centre include: - Provide for increased employment in retail and office uses; - Provide for residential development within walking catchment of the Centre; - Investigate opportunities for better pedestrian links between eastern and western sides of the Centre; - Revitalise the traditional Centre to the west of the station; and - Investigate development opportunities to the west of the station.