

Gateway Determination

Planning proposal (Department Ref: PP-2021-5934): *applying to land at 346-350 Old Northern Road, Castle Hill, seeking to amend The Hills Local Environmental Plan 2019 to include 'seniors housing' as an additional permitted use, and amend the maximum building height development and floor space ratio development standards.*

I, the Executive Director, Metro Central and North at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to *The Hills Local Environmental Plan 2019* to include 'seniors housing' as an additional permitted use in Schedule 1, increase the maximum building height development standard to range from 0m to 22m, and introduce a maximum floor space ratio development standard of 0.83:1 should proceed subject to the conditions below.

The LEP should be completed on or before 21 July 2023.

Gateway Conditions

1. Prior to public exhibition, the planning proposal is to be updated to include:
 - a. A detailed assessment of the consistency of the planning proposal with \:
 - i. Central City District Plan
 - ii. Local Strategic Planning Statement
 - iii. Local Housing Strategy
 - iv. Section 9.1 Local Planning Directions
 - b. Provide additional assessment and testing of the following:
 - i. The interface of buildings A, B, D, H and I and the relationship with Old Northern Road, with particular attention to demonstrating an appropriate setback to upper floors (above 2 storeys) to ensure the 2 storey 'street wall' is the predominant built form feature along Old Northern Road to maintain the character of the area.
 - ii. The interface of building E and the relationship with 51 Pioneer Place, with particular attention paid to the overall building height, the setback of upper floors (above 2 storeys), privacy, overshadowing and any mitigation measures to minimise impacts.
 - iii. Demonstrate that the proposed building setbacks to floors above the second floor (buildings A, B, D, E, H and I) are fit for purpose to provide an improved scale and visual appearance, reducing human scale, privacy and other impacts.
 - c. Provide a clear description in metres of the upper level storey setbacks for the built form elements above 2 storeys for all buildings in both text and map annotations.
 - d. Ensure consistency across documentation, particularly the planning proposal, revised masterplan and draft DCP, and with particular reference to the proposed

height and setback of buildings, upper level setbacks, the proposed development concept, significant trees to be retained, and all other matters.

- e. Update the shadow diagrams in the revised masterplan to more accurately depict the siting and scale of adjoining development to the south and generally.
- f. Individually identify and attach all technical reports and documents relevant to the planning proposal and exhibit these as individual accompanying documents.
- g. Updated project timeline to reflect the timeframe conditions of this determination.

The updated planning proposal is to be forwarded to the Department for review and endorsement.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 days; and
- (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within **3 months** following the date of the gateway determination.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- Transport for NSW
- NSW Environment and Heritage
- NSW Health
- Sydney Water Corporation
- Ausgrid
- Hornsby Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The planning proposal must be reported to council for a final recommendation within **6 months** of the date of the Gateway determination.

Dated 21st day of July 2022.

A handwritten signature in purple ink that reads "Alison McLaren".

Alison McLaren
Executive Director, Metro
Central & North
Planning and Land Use
Strategy
Department of Planning and
Environment

Delegate of the Minister for
Planning and Homes