

Gateway Determination

Planning proposal (Department Ref: PP-2022-2602): The proposal involves an extension to the existing Hornsby RSL club, a hotel and serviced apartments, residential shop top housing, and will facilitate a 6 storey seniors housing development.

I, the Director North District, Metro Central 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 Hornsby Local Environmental Plan 2013 to increase the maximum building height for properties 2 and 4 High Street, Hornsby to 38.5 metres, and increase the maximum building height for properties 7 to 19 Ashley Street, Hornsby and 2 and 4 Webb Avenue, Hornsby ('Area 1') to 20.5 metres for seniors housing only should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - A further objective is required to describe the intended redevelopment proposal for this site. For example: *To facilitate an extension to the existing RSL club, a hotel and serviced apartments, and residential shop top housing at 2 to 4 High Street and a 6 storey seniors housing development for properties at 7 to 19 Ashley Street and 2 to 4 Webb Avenue.*
 - Clarify the land use mix as this affects the job and dwelling yield of the proposal.
 - Update plans to remove references in the Design Concept to land at William Street, Hornsby.
 - Update 2016 supporting studies to consider only the current planning proposal. This includes:
 - i. 2016 Atlas Architecture Design Concepts
 - ii. 2016 Atlas Architecture Urban Design Statement
 - iii. 2017 Archnex Designs Statement of Heritage Impact
 - Address additional FSR under Part 5, Clause 87 of the Housing SEPP 2021 for the senior's housing site at 7 to 19 Ashley Street in the proposal.
 - Provide shadow diagrams clearly labelling the existing shadow footprint and proposed potential shadow footprint. It is recommended that the shadow analysis is modelled including consideration of the adjacent Hornsby Town Centre site controls to accurately reflect solar access.
 - Address solar access and overshadowing and demonstrate that compliance with Apartment Design Guide standards can be achieved for proposed residential land uses.

- Identify the maximum number of car spaces needed to support the proposed seniors-housing and amend the proposal to incorporate this cap.
 - Provide an estimated timetable for the delivery of transport and infrastructure improvements relating to this proposal.
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 basic, 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 25 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).
3. Consultation is required with the following public authorities:
- Transport for NSW
 - Sydney Trains
 - NSW Police
 - Sydney Water
 - Endeavour Energy
 - NSW Rural Fire Service
- 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 25 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The planning proposal must be exhibited 3 months from the date of the Gateway determination.

7. The planning proposal must be reported to council for a final recommendation 6 months from the date of the Gateway determination.
8. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.

Dated 22nd day of August 2022.



Brendan Metcalfe
Director North District
Metro Central North
Department of Planning and Environment

Delegate of the Minister for Planning and Homes