

## **PLANNING PROPOSAL PP/1/2022 – 7 CITY VIEW ROAD, PENNANT HILLS**

### **ADDENDUM TO PLANNING PROPOSAL**

The original Planning Proposal makes references to amendments to the Hornsby Local Environmental Plan 2013 including:

- Identifying 7 City View Road on the HLEP 2013 Additional Permitted Uses map
- Allowing 'residential flat building' and 'seniors housing' land uses as an additional permitted use on 7 City View Road
- Amending the HLEP 2013 Floor Space Ratio map to identify a new maximum floor space ratio of 2.7:1 at 7 City View Road

As per Council's resolution dated 13 July 2022, these amendments are no longer to be considered for the delivery of the outcomes sought by the Planning Proposal.

**Instead, a new Part 6 Additional Local Provision is proposed. The Additional Local Provision would permit residential flat buildings, seniors housing and an increased FSR, where the development would result in the provision of a minimum 0.5:1 floor space ratio for commercial uses.**

As per Department of Planning and Environment and Parliamentary Counsel's Office best practice, the wording of the Additional Local Provision would be developed as part of Post-Gateway activities.

# GYDE

# Planning Proposal

7 City View Road, Pennant Hills

submitted to Hornsby Council  
on behalf of EG



## Planning Proposal

---

### This report was prepared by:

**Executive Director:** David Ryan  
**Senior Associate:** Anthony Kazacos  
**Project Planner:** Chloe Boyd  
**Project:** 21071  
**Report Version:** Final

### Disclaimer

This report has been prepared by Gyde Consulting with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Gyde Consulting accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

Copyright © Gyde Consulting  
ABN 58 133 501 774

All Rights Reserved. No material may be reproduced without prior permission.

## TABLE OF CONTENTS

<b>1. Executive Summary .....</b>	<b>6</b>
<b>2. Site and Locality Details .....</b>	<b>12</b>
2.1. Local and District Context .....	12
2.2. Site Features and Existing Development .....	13
2.3. Surrounding Land Use Context .....	16
<b>3. Indicative Renewal Concept .....</b>	<b>21</b>
3.1. Urban Design Analysis .....	21
3.2. Key Design Moves .....	21
3.3. Building Envelope.....	22
3.4. Indicative Concept Plan.....	22
3.4.1. Landscape and Open Space Outcomes .....	24
3.4.2. Access and Parking .....	25
<b>4. Part 1 - Objectives and Intended Outcomes.....</b>	<b>27</b>
<b>5. Part 2 - Explanation of Provisions .....</b>	<b>28</b>
<b>6. Part 3 – Justification of Strategic and Site-Specific Merit.....</b>	<b>29</b>
<b>6.1. Section A - Need for a Planning Proposal.....</b>	<b>29</b>
6.1.1. Q1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?.....	29
6.1.2. Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way? .....	29
6.2. Section B - Relationship to Strategic Planning Framework .....	30
6.2.1. Q3 - Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?.....	30
6.2.2. Q4 - Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan? .....	39
6.2.3. Q5 - Is the planning proposal consistent with any other applicable State and regional studies or strategies? .....	45
6.2.4. Q6 – Is the planning proposal consistent with applicable SEPPs? .....	45
6.2.5. Q7 – Is the planning proposal consistent with the applicable Ministerial Directions (section 9.1 Directions)? .....	50
6.3. Section C - Environmental, Social and Economic Impact.....	54

6.3.1.	Q8 - 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? .....	54
6.3.2.	Q9 - Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?.....	57
6.3.3.	Q10 - Has the planning proposal adequately addressed any social and economic effects? .....	63
6.4.	Section D – Infrastructure (Local, State and Commonwealth).....	66
6.4.1.	Q11 - Is there adequate public infrastructure for the planning proposal? .....	66
6.5.	Section E – State and Commonwealth Interests .....	70
6.5.1.	Q12 - What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination? .....	70
<b>7.</b>	<b>Part 4 - Maps .....</b>	<b>71</b>
<b>8.</b>	<b>Part 5 –Consultation.....</b>	<b>72</b>
<b>9.</b>	<b>Part 6 - Project Timeline.....</b>	<b>74</b>
<b>10.</b>	<b>Conclusion .....</b>	<b>75</b>

## APPENDICES

APPENDIX	DOCUMENT	PREPARED BY
A	Architectural Statement and Plans	Fender Katsilidis
B	Arboricultural Impact Assessment	Travers Bushfire and Ecology
C	Biodiversity Assessment Report	Travers Bushfire and Ecology
D	Economic Assessment	HillPDA Consulting
E	Pre-DA Report for ESD Services	EMF Griffiths
F	Heritage Impact Statement	City Plan Heritage
G	Services Infrastructure Report	Northrop
H	Landscape Concept	Arcadia
I	Traffic and Transport Impact Assessment	Stantec
J	Urban Design Report	Hatch Roberts Day
K	Draft Site Specific DCP	GYDE Consulting
L	Voluntary Planning Agreement Offer	EG / Mills Oakley
M	Social Infrastructure Report	Elton Consulting / WSP
N	Community Engagement Report	Elton Consulting / WSP
O	Proposed LEP Maps	Hatch Roberts Day

## 1. EXECUTIVE SUMMARY

This Planning Proposal (PP) is being submitted to Hornsby Shire Council on behalf of the proponent, EG Funds Management Pty Limited (EG).

This PP explains the intended effect of, and justification for, the proposed amendment to the Hornsby Local Environmental Plan 2013 (HLEP). The amendment is a site specific LEP for 7 City View Road, Pennant Hills (the site). The PP has been prepared in accordance with Section 3.33 of *the Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guideline '*Local Environmental Plan Making Guideline (Dec 2021)*'.

### Proposed Site Renewal

The intended renewal of the site involves a mixed-use commercial and residential re-development that retains significant stands of existing vegetation, whilst incorporating a publicly accessible 'pocket park' and communal facilities. . The proposal capitalises on the slope of the site to provide a 7 storey, stepped building, which effortlessly blends in with its surroundings (refer to Figure 1). The building is proposed to include a mix of uses including residential, commercial, seniors living and community uses.

Figure 1: Indicative Concept (Source: Fender Katsalidis)





Figure 2: Indicative concept (Source: Fender Katsalidis).

**LEP Amendments**

To enable the redevelopment and associated public benefits to be delivered, the following amendments to the HLEP are required:

Table 1: Summary of LEP Amendments

Control	Existing	Proposed
Floor Space Ratio	1.5:1	2.7:1
Zone	B5 Business Development	No change proposed
Building Height	23.5 metres	No change proposed
Additional permitted use	N/A	'Residential flat buildings' and/or 'Seniors housing but only as part of a mixed-use re-development containing non-residential uses including office premises.

It is proposed to include residential flat buildings as an additional permitted use on the site but only as part of a mixed-use re-development containing non-residential uses including office premises, to overcome definitional limitations associated with the current definition of 'shop top housing' (a permitted use in the B5 Business Development zone) on a sloping site such as this. 'Shop top housing' is currently defined as *“one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities”*. The slope of the site has informed the proposed renewal concept and resulted in the provision of dwellings, commercial premises and community facilities over multiple levels. Introducing residential flat buildings as a permissible use (as part of a mixed-use development) will ensure the site can be renewed regardless of the impact of the slope of the site on the location of commercial premises in relation to dwellings.

Seniors housing is also proposed as an additional permitted use in order to avoid any doubt about the application of Part 5 of the Housing SEPP, as a consequence of the biodiversity mapping that applies to a small area of the site.

The proposed LEP amendments could facilitate a redevelopment with the following:

Table 2: Key Concept Statistics

Key Concept Statistics (indicative only)	
Residential	77 apartments
Seniors Housing	28 Independent Living Units
Commercial / Retail	3,448 sqm
Community Uses	571 sqm
Open Space	700 sqm (pocket park) 635sqm (communal level 3 terrace) 380sqm (level 6 occupants)

### Public Benefits

- Employment - the development has the potential to generate up to 280 jobs upon completion, which is an increase of 31 jobs when compared to the site's existing building (noting that the building has been vacant since 2018).
- Pocket Park – a new publicly accessible pocket park with a total area of 700sqm for the enjoyment of local residents and community (refer to Figure 3). The pocket park will also formalise an existing pedestrian 'desire line' through the site.
- Community Space – a new communal space is proposed to be located within the development, for the benefit of on-site residents in addition to use by local community groups for functions and gatherings.
- Green Star Building – the new development has the potential to be a Green Star building, demonstrating and including the latest environmentally sustainable design and construction techniques.

- Streetscape Improvements - including the potential construction of acoustic treatment to rail and Pennant Hills Road for improved amenity, pedestrian amenity improvements at the nearby City View Road and Pennant Hills Road intersection, and other civic improvements.
- Affordable Housing - approximately 5% of the future residential accommodation is proposed as affordable housing, with a focus on key workers such as emergency service personnel and teachers, nurses and senior residents.
- Diversity – the proposal will increase the diversity of dwelling stock in the LGA, which is currently dominated by detached dwellings.

The PP is accompanied by a Letter of Offer to enter into a Voluntary Planning Agreement (VPA) which includes the public benefits being offered to Council. The tenure of the publicly accessible spaces such as the pocket park will be the subject of future VPA related discussions with Council, including their possible dedication.



Figure 3: Indicative Pocket Park (Source: Fender Katsalidis)

**Strategic Merit**

The PP demonstrates strategic merit by aligning with several key strategies applicable to the site and surrounding local area. The proposal enables greater contribution to the housing supply of Hornsby LGA, retention of employment land and delivery of community spaces and publicly accessible open space. In relation to direct consistency with strategic documents:

- **Greater Sydney Region Plan (GSRP)** – the proposed concept is consistent with the applicable elements of the GSRP. This includes through the site’s proximity to ‘city-shaping infrastructure’ such as Northconnex and the North-West Rail Link, the vicinity of the site to employment hubs and Pennant Hills train station and the proposed public domain works which will improve walking and cycling

accessibility and provide improved streetscapes.

- **North District Plan (District Plan)** – the proposed concept is consistent with the planning priorities outlined in the District Plan. Pennant Hills is identified as a local centre in the District Plan, which act as the focal point of neighbourhoods. The proposed concept will reinforce the role of Pennant Hills as a local centre through the renewal of the site. Further, the District Plan identifies potential renewal opportunities along the Pennant Hills Road corridor, leveraging the investment made in NorthConnex. The Planning Proposal is entirely consistent in this regard.
- **Local Strategic Planning Statement (LSPS)** – the LSPS identifies that Pennant Hills town centre is in need of revitalisation and renewal. The proposal directly responds to this statement, as it seeks to renew a key site in the local area, potentially acting as a catalyst for the broader revitalisation within the Pennant Hills area, particularly around the town centre. The proposal is also consistent with numerous other priorities within the LSPS, including in relation to environmental, local character, high-quality design and promoting the '30-minute city'.
- **Local Housing Strategy (LHS)** – the proposed concept incorporates opportunities for diverse housing as well as increased housing supply and delivery. The introduction of residential flat buildings and seniors housing as uses to be provided alongside commercial, retail and publicly accessible open space will enable provision of housing to assist Hornsby LGA in meeting its housing targets to 2036. The site aligns with the typology of ideal housing locations identified in Objective 5 of the LHS, particularly given its proximity to Pennant Hills train station and the Pennant Hills town centre.
- **Employment Lands Study (ELS)** - the intent of the PP aligns with the recently adopted ELS, which states that B5 zoned land should be retained. The proposed concept seeks to maintain the current zoning, with the introduction of new land uses to allow for a mixed-use development that renews and enhances the site. The development provides a net increase in employment opportunities when compared to the site's existing buildings.

### Site Specific Merit

The PP demonstrates site-specific merit, with the unique elements and location of the site informing the development of the proposed concept. In relation to the suitability of the site for the proposed concept:

- The site is not subject to significant environmental constraints or hazards, such as bushfire or flooding. This means the location of the proposed concept is not placing new homes or workplaces in high-risk, hazard-affected areas.
- The presence of Blue Gum High Forest is a valued part of the site and it has been carefully considered throughout the development of the proposed concept. A Biodiversity Assessment Report confirms the proposed development will not have a significant impact on any threatened species, populations or TECs.
- The proposed concept has also carefully considered neighbouring land uses, including the surrounding low-density residential, commercial and hotel uses. The proposed concept will not detrimentally impact the local area, given the proposed uses already largely occur in the local area. No adverse shadowing impacts to the surrounding low-density locality to the south of the site will occur and privacy impacts have been managed through the proposed built form.

- The site is well-serviced and there is sufficient infrastructure available to accommodate the proposed concept. Any augmentation required has been identified in the Services Infrastructure Report provided as part of this PP.

This PP demonstrates strategic and site-specific merit and addresses all relevant considerations under the *Local Environmental Plan Making Guidelines (Dec 2021)*. The proposed concept is consistent with State, Regional and Local planning policies and the relevant Section 9.1 Ministerial Directions.

## 2. SITE AND LOCALITY DETAILS

### 2.1. Local and District Context

The site is located at 7 City View Road, within the suburb of Pennant Hills, approximately 25km north-west from the Sydney Central Business District (CBD). The site is located within the Local Government Area (LGA) of Hornsby and within the jurisdiction of Hornsby Shire Council. A location plan of the site is shown in Figure 4.

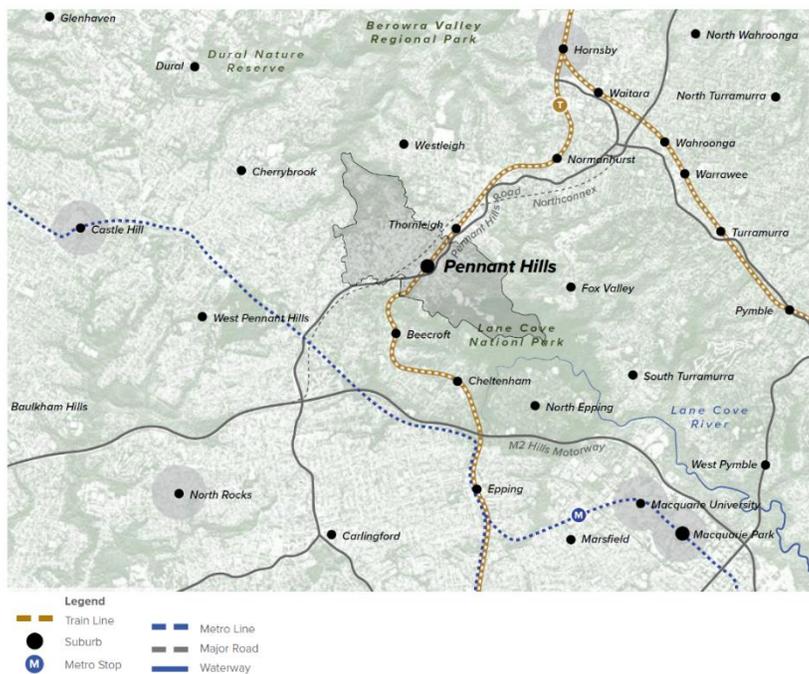


Figure 4: Regional context map (Source: Hatch Roberts Day).

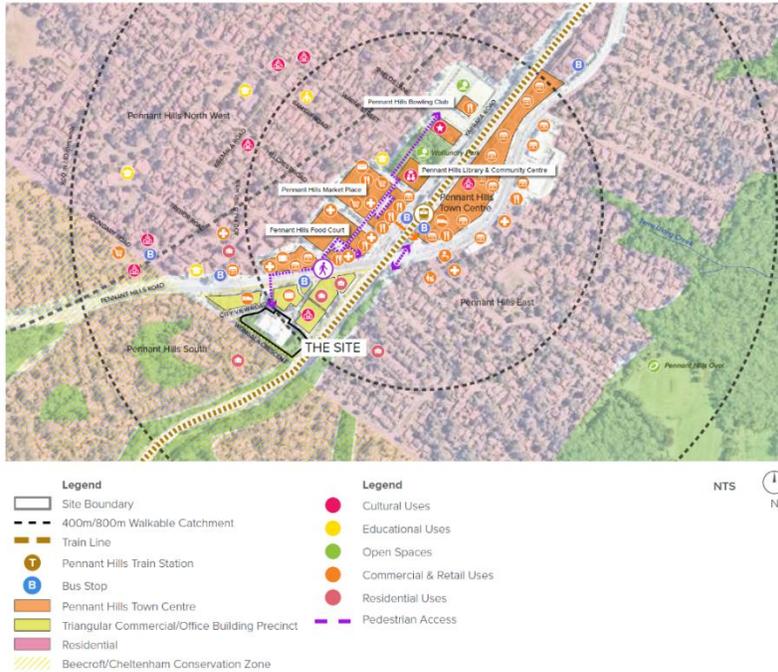


Figure 5: Local context map (Source: Hatch Roberts Day).

## 2.2. Site Features and Existing Development

The site is legally described as Lot 3 in Deposited Plan 732565 and has an area of approximately 6,476sqm. A detailed site plan is shown in Figure 6.

The site is currently occupied by a 3-5 storey commercial office building including above ground car parking (refer to Figure 7). The building is currently vacant and is surrounded by mature trees and vegetation (refer to Figure 8-Figure 12). The lot has frontages to City View Road to the north-west and Wongala Crescent to the south-west. It also adjoins the T1 North Shore, Northern & Western train line to the south-east. Building heights are perceived differently due to the sloping topography of the site, which falls substantially from north-west to south-east away from Pennant Hills Road (refer to Figure 8).



Figure 6: Site Analysis of the subject property (Source: Fender Katsalidis).



Figure 7: Commercial office building on the site, viewed from City View Road (Source: Google).



Figure 8: View of the site from the top of Boundary Road/Wongala Crescent (Source: Google).



Figure 9: View of the site from City View Rd, near the intersection with Boundary Road (Source: Google).



Figure 10: Wongala Crescent, looking north (Source: Google)



Figure 11: Vegetation along Wongala Crescent (Source: Google)



Figure 12: View of the rear of the site and adjacent rail corridor (Source: Google).

### 2.3. Surrounding Land Use Context

The site is situated within, and forms an integral part of, the Pennant Hills Local Centre. A range of uses and densities of development are located in the vicinity of the site. The site is within close proximity to Pennant Hills Road, which comprises a variety of different building forms. The site is located within the City View Road Precinct, being a triangular shaped area, which is part of the Pennants Hills Centre, bounded by the Main Northern Railway corridor, Pennant Hills Road and Boundary Road, and has a distinctive physical and land use character. It is intensely developed with several larger scale buildings, including a seven-storey commercial office building occupied by Catholic Care - Diocese of Broken Bay, an eight-storey residential flat building, a five-storey hotel, a 7-9-storey (approx.) commercial building occupied by various commercial tenancies, and a Telstra substation (see Figure 13). To the north-east of the site (within a 5-10 minute walk) is located the Pennant Hills Rail Station, the adjacent bus interchange and a diverse range of retail and medical services, in addition to a community centre and library adjacent the station (refer to Figure 5).

Opposite the site, on the opposite side of the train line and to the south and west of the site are single detached residential dwellings, also within the suburb of Pennant Hills.



Figure 13: Surrounding context of the site. Source: Fender Katsalidis.



Figure 14: View of Pennant Hills Road, to the north of the site (Source: Google).



Figure 15: Pennant Hills train station (Source: Google).



Figure 16: Single detached dwellings opposite the site (at left), with the bushland at the site's western boundary evident at right (Source: Google).

### Existing Planning Provisions

The Hornsby Local Environmental Plan 2013 is the relevant Environmental Planning Instrument (EPI) applicable to the site. The following controls are relevant to the subject site.

**Land use zoning:** B5 Business Development (refer to Figure 17). An extract of the land use table for the B5 zone is provided in Table 3 below. The land uses identified in the development concept are permissible with consent under the B5 Business Development zone, including shop-top housing, commercial and office premises (as innominate uses) and food and drink premises. The introduction of residential flat buildings and seniors housing as additional permitted uses as part of the mixed-use development will overcome any definitional limitations associated with the definition of 'shop top housing' (as discussed in Section 1).

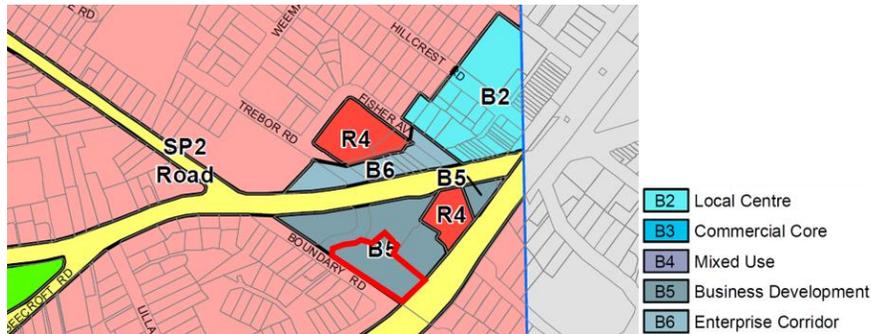


Figure 17: Land use zoning, site highlighted in red (Source: NSW Legislation).

Table 3: Permissible uses in B5 zone.

<p>Permissible with consent <b>(emphasis added)</b></p>	<p>Centre-based child care facilities; <b>Food and drink premises</b>; Garden centres; Group homes; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Respite day care centres; Roads; <b>Shop top housing</b>; Specialised retail premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water reticulation systems; <b>Any other development not specified in item 2 or 4</b></p>
---	--

Floor Space Ratio: 1.5:1 (refer to Figure 18).

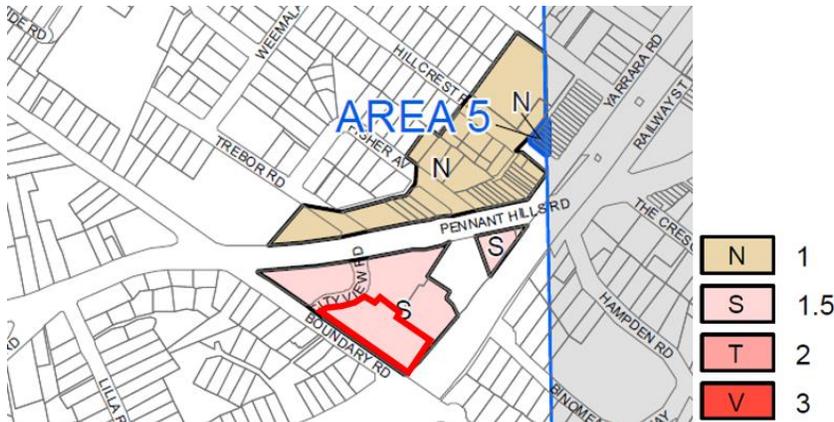


Figure 18: Floor Space Ratio, site highlighted in red (Source: NSW Legislation).

**Height of Building:** 23.5 metres (refer to Figure 19).

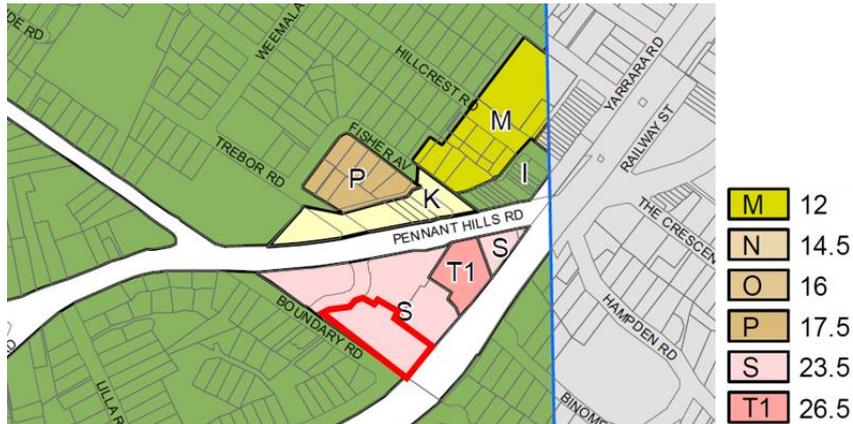


Figure 19: Height of building, site highlighted in red (Source: NSW Legislation)

**Terrestrial Biodiversity:** part of the site is zoned “biodiversity” (refer to Figure 20).



Figure 20: Terrestrial biodiversity, site highlighted in red (Source: NSW Legislation).

**Heritage:** the site is not a heritage item nor within a heritage conservation area (refer to Figure 21). However, the site is directly opposite the “Beecroft-Cheltenham Heritage Conservation Area” to the west. The HCA extends from the adjacent suburb Beecroft and terminates at Boundary Road. Part of this area comprises a historic subdivision which was used to fund the development of the railway line. It also contains a number of Victorian, Federation, Arts and Crafts, Inter-War and Post-War era buildings throughout the conservation area. The site is also adjacent to “bushland” to the south, which is a landscape heritage item that encompasses the rail corridor and certain vegetation within it.



Figure 21: Heritage, site highlighted in black (Source: NSW Legislation)

### 3. INDICATIVE RENEWAL CONCEPT

#### 3.1. Urban Design Analysis

The Urban Design report at Appendix J provides an urban design analysis of the proposed concept. It identifies the vision for City View Place as being the creation of a context-responsive, green, mixed-use development, that will deliver a place for people that evolves the best attributes of Pennant Hills into the 21st century. Ultimately, the proposed concept seeks to revive an underutilised site, lacking activation and usable elements of public domain into a precinct delivering a range of community benefits, including new open space, seniors living, business space and a communal centre.

The Urban Design report undertook a detailed Place Assessment, which found that the proposal for City View Road delivers on the key urban design performance metrics identified within policy relevant to the site. Through measures such as providing new dwellings within walking distance of the nearby train station, including for seniors, delivering a new community facility and park, and retaining a large proportion of the trees on-site, the proposal demonstrates strong alignment with local and regional-level policies.

#### 3.2. Key Design Moves

Six key 'design moves' have informed the proposal for the site, as outlined in the Urban Design Report at Appendix J. These are described below:

- a. *Retain significant vegetation and promote green spaces*  
This includes retaining the majority of existing trees, introducing new tree plantings and increased landscaping and communal gardens.
- b. *Enhance pedestrian permeability and activation*  
The incorporation of two, new through-site links and the continuation of the pedestrian footpath around the site boundary will deliver this design move.
- c. *Respond sympathetically with the topography of the site*  
The stepped design of the built form reflects the topography of the site; the overall design promotes access to views and the creation of communal open spaces.
- d. *Layering of uses in a vertical form to promote a truly integrated mixed-use development*  
The proposal provides a genuine mixed-use development concept by integrating uses such as seniors living, a multi-purpose community space, living and working spaces, a 'business incubator' space and a café.
- e. *Provide a sensitive transition in scale, form and land use to both the commercial and residential precinct.*  
The scale of the proposal provides a sense of the missing middle typology, by providing an alternative situated between taller residential and commercial buildings and the low-rise residential dwellings in the surrounding area.

- f. *Minimise overshadowing to nearby residential properties.*

The sympathetic development concept facilitates access to natural light for neighbouring properties.

A Place Assessment of the development concept using the Seven Essential Elements of Great Places was undertaken. This outlined that the proposal delivers on the key performance metrics within policy relevant to the site.

### 3.3. Building Envelope

The extensive tree canopy within part of the site and adjacent road reserves and rail corridor vegetation in the local area forms a key part of its character and identity. The proposed concept has recognised this through a sympathetic design that is set back from the valuable Blue Gum High Forest to the north-west of the site. Strong setbacks from City View Road and Boundary Road/Wongala Crescent have also informed the design and generally reflect the existing building setbacks.

Importantly, the proposal utilises the existing vegetation to maintain the leafy ambience of the locality.

### 3.4. Indicative Concept Plan

An indicative concept plan, prepared by Fender Katsalidis, is provided at Appendix A, which demonstrates the intended outcome of the proposed LEP amendments.

The indicative design of the proposal will provide a mixed-use development situated amongst the existing vegetation of the site, incorporating a pocket park and opportunities for work, play and living. The proposal capitalises on the slope of the site to provide a 7 storey, stepped building, which effortlessly blends in with its surroundings. The proposed building has been set back from City View Road to provide an enhanced pocket park for the community. Most levels combine two uses and include residential units across nine levels, commercial floor space across two floors, community space across one floor and seniors living across three floors (refer to Figure 22).

Based on the indicative section below, the re-development concept is generally consistent with the existing 23.5 metre building height control. However, it is noted that given the relatively steep topography, parts of the stepped building form occur slightly above, but also some distance below, the 23.5m height plane. Accordingly, this is considered a very minor departure to the height standard, causing no undue environmental impact and could ordinarily be addressed via a Clause 4.6 variation requests at the Development Application stage.

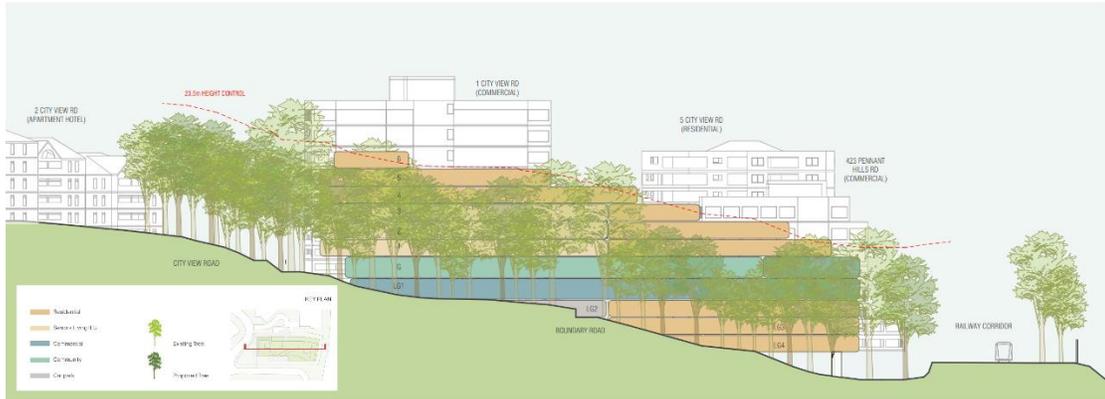


Figure 22: Indicative section (Source: Fender Katsalidis)



Figure 23: Renders of the proposed renewal concept, demonstrating the intended outcomes of the site (Source: Fender Katsalidis).



Figure 24: Aerial site render (Source: Fender Katsalidis).

#### 3.4.1. Landscape and Open Space Outcomes

The landscape concept for the site has been driven by the question ‘what makes a great outdoor space’? Seven elements of a great outdoor space are identified, these being:

- Atmosphere
- People
- Access
- Equality
- Environment
- Wildlife
- Comfort

These elements have informed a landscape concept that incorporates publicly accessible open space, through the provision of a ‘pocket park’ at the north-western end, bounded by the City View Road and Boundary Road frontages. This park integrates with the Blue Gum High Forest located in the western part of the site,

which will be regenerated and protected as part of the proposed concept. The various uses of the site encourage people to linger and spend time at the site at different times of the day, enhancing the safety and useability of the park by the public, as well as workers and residents of the building.

The proposal will also include substantial new plantings around the site including within the proposed pocket park, as part of the surrounding streetscape and integrated with the built form. The proposed built form will include a combination of natural materials (such as timber) and plantings on the terraces of the building (Figure 23) to further complement the woodland character of the site.

### 3.4.2. Access and Parking

The proposed concept has considered both pedestrian and vehicular access to the site and incorporated both in a way that encourages pedestrian usage of the site and enhances pedestrian/cyclist access to areas beyond the site (such as Pennant Hills Station). This includes a through-site link from Boundary Road/Wongala Crescent to City View Road, providing a quicker, safer route to footpaths connected to Pennant Hills Station.

Vehicular access will be provided from the existing spur road from City View Road, retaining the existing access. Car parking will be provided across a three-level basement car park from this access point. Access for services is proposed to be located on Boundary Road/Wongala Crescent, with a new service access proposed that will enable servicing of the site by 12.5m Heavy Rigid Vehicles, as noted in the Hornsby DCP. It is noted this access point is restricted to larger service vehicles only and, therefore, its use will be infrequent.

Table 4 provides a summary of the indicative development statistics which could be associated with the proposed concept plan (subject to variation with further detailed design development at DA stage).

*Table 4: Summary of Development Statistics*

Key Concept Statistics (indicative)	
Residential	77 apartments
Seniors Housing	28 Independent Living Units
Commercial / Retail	3,448sqm
Community Uses	571sqm
Pocket Park	700sqm

To ensure the key design principles (that have informed the re-development concept) are realised at the Development Application (DA) stage, a site-specific Development Control Plan (DCP) has been prepared and accompanies this PP at Appendix K. The draft document has established several key design principles to be

adhered to at the DA stage. Further, more detailed revision of the DCP can occur in conjunction with Council post-lodgement, with the intention to finalise the document during assessment of the PP.

---

## 4. PART 1 - OBJECTIVES AND INTENDED OUTCOMES

### Objective

This Planning Proposal seeks to facilitate the renewal of the site for a genuine mixed-use outcome including residential as well as commercial (office) and community uses. It also proposes a number of public benefits including open space in the form of a 'pocket park', a pedestrian thoroughfare, publicly available communal space, affordable housing and other civic amenity improvements.

It also seeks to implement a site-specific development control framework ensuring renewal of an exemplary standard and achievement of design excellence particularly with regards to architectural and landscape design in addition to environmental sustainability.

### Intended Outcomes

- To provide housing choice which responds to the needs of the local community, potentially including compact dwellings and seniors housing in close proximity to services and infrastructure, and affordable housing to accommodate key workers.
- To maintain sustainable employment in the Pennant Hills Local Centre, by revitalising an existing, vacant commercial premises and retaining office premises in any site re-development.
- To provide significant public benefits, including a new publicly accessible pocket park and communal space for the benefit of the local community.
- To retain existing mature and significant vegetation where possible; and
- To facilitate a high-quality architectural design outcome, incorporating the principles of ecological sustainable development.

## 5. PART 2 - EXPLANATION OF PROVISIONS

The Planning Proposal proposes the following modifications to the Hornsby Local Environmental Plan 2013 (HLEP):

Table 5: Summary of LEP Amendments

Control	Existing	Proposed
Floor Space Ratio	1.5:1	2.7:1
Building Height	23.5 metres	Nil change proposed
Additional permitted use via an amendment to Schedule 1	N/A	'Residential flat buildings' and/or 'Seniors Housing' but only as part of a mixed-use redevelopment containing non-residential uses including office premises.

\*Note: It is proposed to include RFBs as an additional permitted use on the site, to overcome definitional limitations associated with the current definition of “shop top housing” (a permitted use in the zone) on a sloping site such as this. This approach will manage issues around the provision of housing above the ground floor; the indicative design demonstrates the complexity of this in relation to the topography of the site. The proposed re-development concept (as facilitated by this PP) will deliver a similar typology to shop-top housing, however commercial office uses and communal spaces will be delivered on the lower-mid levels as opposed to confined to the ground floor. Seniors housing is proposed as an additional permitted use in order to avoid any doubt about the application of Part 5 of the Housing SEPP, as consequence of the biodiversity mapping that applies to a small area of the site.

It is proposed to introduce the additional permitted uses via an amendment to Schedule 1 of the HLEP. Example wording of the amendment has been provided below.

Table 6: Proposed Schedule 1 Amendment

Example Provision
<p><i>Use of certain land at Pennant Hills</i></p> <p><i>(1) This clause applies to land identified as 'Area x' on the Additional Permitted Uses Map being Lot 3 DP732565, 7 City View Road, Pennant Hills.</i></p> <p><i>(2) Development for the purposes of a residential flat building and/or seniors housing is permitted with consent but only as part of a mixed-use development containing non-residential uses including office premises.</i></p>

## 6. PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

### 6.1. Section A - Need for a Planning Proposal

6.1.1. Q1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The PP is considered to be consistent with and/or will enact specific recommendations from the following strategic documents (each of which is explored in further detail below):

- Hornsby Employment Land Study
- Hornsby Local Strategic Planning Statement
- Hornsby Local Housing Strategy

6.1.2. Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

#### **Option 1 – No action**

The first option is to undertake no action in relation to the site. This would not achieve the objectives and intended outcomes, given the site has been vacant for a number of years and requires renewal to provide value to the local area and the broader Pennant Hills town centre. The building is also significantly outdated and requires substantial upgrade works, which are unfeasible with current market conditions. As such, this option was discounted.

#### **Option 2 – Renew the site under current controls**

The second option is to renew the site under the current development controls. However, there is a misalignment between the permissible height of buildings and permissible floor space ratio (FSR) controls applying to the site, meaning that a poor development outcome would result. This would be compounded by the reliance on the existing definition of shop-top housing, which could produce poor mixed use design outcomes on the site, whereby commercial or health services facilities occupy the ground floor(s). The existing site slope and established residential amenity particularly along the Boundary Road frontage does not lend itself to activated ground plane commercial (retail & business) frontages in these locations. . As such, this option was discounted. The current range of permissible uses on the site has been demonstrated by market conditions over an extended period to be no longer conducive to promoting viable redevelopment.

#### **Option 3 – Lodge DA with Clause 4.6 variation request**

The third option is to lodge a Development Application (DA) with Council to renew the site, with an accompanying Clause 4.6 Variation Request to vary the applicable FSR control. This would attempt to balance the misalignment between the height of buildings and FSR controls. However, this would represent an extent of variation to a standard that would be better determined through a Part 3 process than a Part 4 process under the Act. Also, the DA would remain subject to the complications arising from the definition of shop top housing on the sloping site, potentially produce subpar outcomes for the renewal of the site.

**Option 4 – Site Specific Planning Proposal**

The fourth option is to lodge a site-specific Planning Proposal (PP) to enable the renewal of the site. The PP is the most transparent means of achieving the desired outcomes to facilitate the economic redevelopment of the land and provide public benefit. The PP enables the discrepancy between the height of buildings and FSR controls to be amended in a more strategic way through Part 3 rather than Part 4 of the Act; it also enables the introduction of other specific land uses that would permit the development of a well-designed mixed-use building that responds to its immediate and surrounding context. With shop top housing already permissible, the proposed introduction of residential flat buildings and seniors housing does not introduce residential development to the area – it simply refines the options available to renew the site given the limitations of the shop top housing definition. Therefore, Option 4 is considered to be the preferred option and a PP is required to facilitate the permissibility of the proposed development.

**6.2. Section B - Relationship to Strategic Planning Framework**

- 6.2.1. Q3 - Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

**The Greater Sydney Region Plan 2036**

The Greater Sydney Commission released the Greater Sydney Region Plan in March 2018, which outlines a series of actions to coordinate the growth of Sydney. Of particular note, the Region Plan identifies the following locational criteria for urban renewal investigation opportunities:

Table 7: Consistency with the Greater Sydney Region Plan

Location Criteria	Comment
<p>Alignment with investment in regional and district infrastructure which acknowledges the catalytic impacts of infrastructure such as Sydney Metro Northwest and Sydney Metro City &amp; Southwest, NorthConnex, WestConnex, CBD and South East Light Rail, Parramatta Light Rail, Northern Beaches Hospital.</p> <p>Other possible future investments such as Western Harbour Tunnel and Beaches Link and Sydney Metro West and opportunities created by enhancements to existing infrastructure such as upgrades to schools, open space including sporting facilities and transport.</p>	<p>There is significant “city shaping” infrastructure within a short walking distance of the site, being the Pennant Hills Rail Station and bus interchange. Further, recently constructed infrastructure close to the site is expected to improve the site’s accessibility and connectivity with the Greater Sydney Metropolitan Area. This includes the opening of Northconnex, with the tunnel’s alignment located directly to the north of the site. Also, the North-West Rail Link is located several kilometres from the site, with the nearest metro stations being Cherrybrook, which will offer direct and frequent metro services to Chatswood, Macquarie Park and Norwest.</p>
<p>Accessibility to jobs, noting close to half of Greater Sydney’s jobs are generated in strategic centres.</p>	<p>The site is in the vicinity of several Strategic Centres and major employment hubs, including Hornsby,</p>

	Epping and Macquarie Park, which can be accessed from the site within under 30 minutes.
Accessibility to regional transport, noting that high frequency transport services can create efficient connections to local transport services and expand the catchment area of people who can access regional transport.	The site is within a short walkable distance (under 10 minutes) to the Pennant Hills rail station and bus interchange. The rail station provides frequent train services to major centres within the Sydney metropolitan area offering direct and frequent services to the Chatswood CBD.
Catchment areas within walking distance (up to 10 minutes) of centres with rail, light rail or regional bus transport.	The site is 500 metres (or 7 minutes) from the Pennant Hills train station, which is situated on the main northern line, providing direct heavy rail access to key centres including Hornsby, Epping, Macquarie Park in addition to the Sydney CBD.
Efficient interchanges with a comprehensive walking and cycling network.	The proposal includes improved streetscapes and public domain areas which will provide opportunities for improved walking and through-site pedestrian access. In addition, cycle access would be accommodated in any detailed design, along with end of trip facilities.
Areas of high social housing concentration where there is good access to services, transport and jobs.	Not applicable. The Pennant Hills Centre does not comprise high levels of social housing.
Distance from special land uses such as ports and airports.	Not applicable. The site is not near any ports or airports.

**The North District Plan 2036**

The North District Plan has been prepared to give effect to the Greater Sydney Region Plan. The plan has identified Pennant Hills as a local centre (refer to Figure 25). Local centres are the focal point of neighbourhoods and where they are a focus for public transport, they are an important part of a 30-minute city.

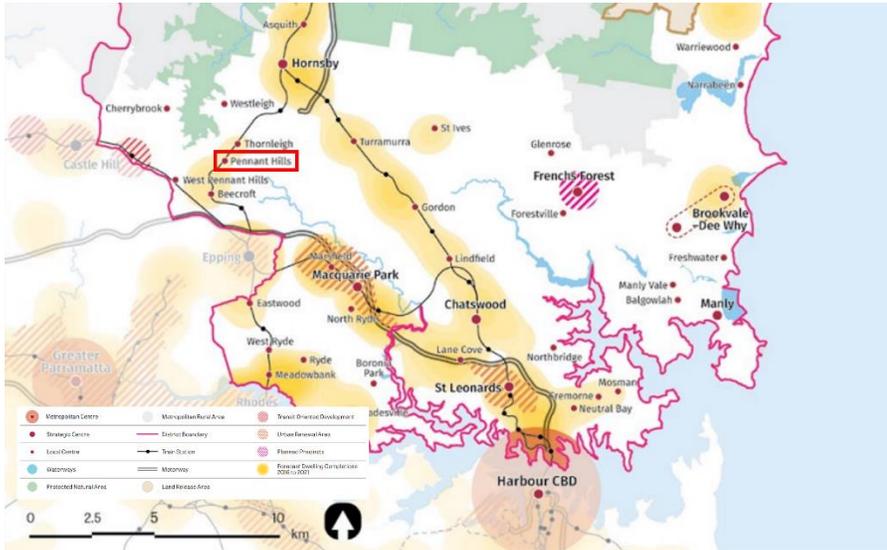


Figure 25: North District Plan, Pennant Hills outlined in red (Source: North District Plan).

Consistency with the plan's planning priorities, objectives and actions is demonstrated in Table 8 below.

Table 8: Consistency with North District Plan

Planning Priorities	Greater Sydney Region Plan objectives	Actions	Comments	Consistent
Planning Priority N1. Planning for a city supported infrastructure by	Infrastructure aligns with forecast growth-growth infrastructure compact. Infrastructure adapts to meet future needs. Objective 4 Infrastructure use is optimised.	Align forecast growth with infrastructure. Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and flexible regulations to allow decentralised utilities.	The envisaged site renewal or re-development incorporates the principles of a Transit Oriented Development. It proposes a high-density mixed-use development, close to the Pennant Hills train station, providing direct services to the major centres and employment hubs.	Yes
Planning Priority N3. Providing services and social infrastructure to meet people's changing needs.	Services and infrastructure meet communities' changing needs.	Deliver social infrastructure that reflects the needs of the community now and in the future. Optimise the use of available public land for social infrastructure.	The indicative concept provides new social infrastructure such as new public domain areas and improved streetscapes. The PP also proposes a mixed-use development, incorporating non-residential floorspace. This will provide employment in the Pennant Hills centre.	Yes
Planning Priority N4. Fostering healthy, creative, culturally rich and socially connected communities	Communities are healthy, resilient and socially connected. Greater Sydney's communities are culturally rich with diverse neighbourhoods	Deliver healthy, safe, and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities. Facilitate opportunities for creative and artistic expression and participation, wherever feasible, with a minimum regulatory burden. Strengthen social connections within and	The subject site is within walking distance of train and bus services. The proposed development will also provide additional community infrastructure such as a pocket park and community space, for the utilisation of both Council and the local community. This will improve the overall amenity of the area and will	Yes



Planning Proposal

		between communities through better understanding of the nature of social networks and supporting infrastructure in local places.	provide opportunities for people to walk and cycle, which promotes social cohesion and community connectivity. Overall, the proposal supports strong, healthy and well-connected communities.	
Planning Priority N5. Providing housing supply, choice and affordability, with access to jobs, services and public transport	Greater housing supply. Housing is more diverse and affordable.	Prepare local or district housing strategies. Prepare Affordable Rental Housing Target Schemes following development of implementation arrangements. Further potential urban renewal opportunities to align growth with infrastructure investment include: <ul style="list-style-type: none"> <li>leveraging the investment in NorthConnex on Pennant Hills Road</li> </ul>	<p>The site is located in a unique position, in close proximity to existing infrastructure, including the Pennant Hills train station and the NorthConnex motorway.</p> <p>The PP is directly consistent with this action and priority, given it will leverage on the increased transport capacity around the site, facilitated by the opening of the NorthConnex tunnel, which significantly improves the site's accessibility and connectivity with the greater area.</p> <p>The PP facilitates an appropriate mix and number of dwellings which will contribute to increasing the supply of housing in the locality.</p>	Yes
Planning Priority N6. Creating and renewing great places and local centres, and respecting the District's heritage	Great places that bring people together.	Use place-based planning to support the role of centres as a focus for connected neighbourhoods. Use flexible and innovative approaches to revitalise high streets in decline.	The PP encourages urban renewal of a key strategic site within the Pennant Hills local centre, which creates an opportunity for place-based planning.	Yes



Planning Proposal

			<p>The site is located directly opposite the “Beecroft-Cheltenham Heritage Conservation Area” and adjacent to “bushland” which is a landscape heritage item. The proposed concept plan includes an appropriate transition in height, away from the heritage items and suitable setbacks, to ensure there is no adverse impacts to site’s heritage context and surrounding heritage items.</p>	
<p>Planning Priority N12. Delivering integrated land use and transport planning and a 30-minute city</p>	<p>A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.</p>	<p>Integrate land use and transport plans to deliver the 30-minute city.</p>	<p>The site is located within 30-minutes of existing and future employment opportunities, within the Pennant Hills centre, and other major centres in the vicinity including Hornsby, Macquarie Park and Ryde.</p>	<p>Yes</p>
<p>Planning Priority N10. Growing investment, business opportunities and jobs in strategic centres</p>	<p>Investment and business activity in centres.</p>	<p>Provide access to jobs, goods and services in centres. Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional retail floor space.</p>	<p>The provision of non-residential floorspace will provide an opportunity to incorporate retail/commercial space within the proposed development, providing both business and job opportunities within the Pennant Hills centre.</p>	<p>Yes</p>
<p>Priority N21: Reducing carbon emissions and managing energy, water and waste efficiently</p>	<p>A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change.</p>	<p>Support initiatives that contribute to the aspirational objective of achieving net-zero emissions by 2050, especially through the establishment of low-carbon precincts; and</p>	<p>As outlined in the ESD report prepared by EMF Griffiths (Appendix E), the proposed development will include the latest ESD principles. These principles</p>	<p>Yes</p>



Planning Proposal

---

		<p>Support precinct-based initiatives to increase renewable energy, and energy and water efficiency.</p>	<p>have also been included in the proposed site-specific DCP (Appendix K), to ensure these principles are implemented at the Development Application stage.</p>	
--	--	--	---	--

**Strategic Merit Considerations**

DPE has released assessment criteria for assessing PPs, to justify and determine if a PP has strategic and site-specific merit. Table 9 below demonstrates the site has clear strategic and site-specific merit.

Table 9: DPE's Assessment Criteria

Does the proposal have strategic merit? Does it:	
give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or	As demonstrated in Table 8, the proposed concept is entirely consistent with the relevant priorities in the North District Plan. There are no other corridor/precinct strategies applicable to the site.
demonstrates consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or	Section 6.1.1 outlines consistency with both Council's LSPS and LHS. There are no local council strategies, that we are aware of, that have been endorsed by DPE, relevant to the PP.
respond to a change in circumstances that has not been recognised by the existing planning framework	<p><b>Infrastructure</b></p> <p>There is significant infrastructure investment occurring within the vicinity of the subject site, including the recently constructed Northconnex and the North-West Rail Link, which are significant city-shaping infrastructure referenced in the North District Plan.</p> <p>This PP has the potential to maximise the usage of this new infrastructure, in addition to existing infrastructure such as the Pennant Hills train station, which is within walking distance of the site.</p> <p><b>Local Environmental Plans</b></p> <p>The Hornsby Local Environmental Plan 2013 was prepared in order to cater for the growth as outlined in a previous Metropolitan Strategy, 'A Plan for Growing Sydney'. The LEP (which was gazetted in 2013) is therefore approximately 8 years old.</p> <p><b>Demographics</b></p> <p>The Hornsby Local Housing Strategy (LHS) was prepared circa 2020, providing a series of updated demographic analysis and projections specific to the LGA.</p>

	<p>The LHS indicates that the population of Hornsby is anticipated to grow by approximately 32,000 people from 2016-2036, with an implied dwelling requirement of 14,879 dwellings (approx. 743 dwellings per year)<sup>1</sup>.</p> <p>The 2019 DPE Population Projections indicate that, in the short-term (from 2021-2026), the population of Hornsby will increase by 5,800 people. An implied dwelling projection for this period is not provided<sup>2</sup>.</p> <p>From Q1 2016 to Q4 2020, Hornsby averaged 200 dwelling completions per year<sup>3</sup>. This is not sufficient to accommodate the expected increase in population, with an additional 540 dwellings per year (approx.) required to meet the 743 dwellings needed to provide sufficient dwellings for the anticipated population.</p> <p>Council's LHS also identifies an ageing population in the LGA, with an expected increase of 9,000 additional persons aged 70+ from 2016-2036<sup>4</sup>. It notes the issues arising with the location of seniors housing in rural areas, particularly through SCCs. The proposal is located in an established urban area and will provide housing opportunities for seniors in a highly accessible location.</p> <p>As the planning controls applicable are more than 5 years old, a review of planning controls is therefore required in order to ensure the LGA can accommodate the forecast growth.</p> <p>This PP is capable of assisting the LGA in accommodating this growth by providing in the order of approximately 77 apartments, 28 independent living units for seniors and approximately 280 jobs. The proposal is located in an established urban area and provides space for various demographics to gather and interact. There is also a significant amount of investment in "city shaping" infrastructure in the vicinity of the site. As previously discussed, the site is in proximity to Northconnex and the North-West Rail Link, which significantly improve the site's accessibility and connectivity with the greater Sydney Metropolitan Area.</p>
<p><b>Does the proposal have site-specific merit, having regard to the following:</b></p>	
<p>the natural environment on the site to which the proposal relates and other affected land (including known significant environmental values,</p>	<p>The PP is located within an existing urban environment and is not subject to significant environmental constraints or hazards. The site is not bushfire prone land, nor is it flood-affected.</p> <p>A Biodiversity Assessment Report has been prepared by Travers</p>

<sup>1</sup> Page 8, Hornsby LHS

<sup>2</sup> <https://www.planning.nsw.gov.au/-/media/Files/DPE/Factsheets-and-faqs/Research-and-demography/Population-projections/2019-Hornsby.pdf>

<sup>3</sup> <https://www.planning.nsw.gov.au/Research-and-Demography/Metropolitan-Housing-Monitors/Metropolitan-Housing-Monitor>

<sup>4</sup> Page 45, Hornsby LHS

resources or hazards)	Bushfire and Ecology (Appendix C), which confirms that the proposed development will not have a significant impact on any threatened species or populations or TECs.
existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates	The envisaged use of the site, being a mix of residential and commercial (office) uses is considered highly compatible with the surrounding land-use context. It will not unreasonably impact any surrounding development (existing or proposed). The Heritage Impact Statement identifies that the proposal would not generate any adverse impacts on nearby heritage items or the adjoining Beecroft-Cheltenham Heritage Conservation Area. The Urban Design Report also states that overshadowing of nearby residential properties is minimised and the built form facilitates access to natural light.
services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	There is sufficient infrastructure available to accommodate the proposed development.  The proposal will have minimal impacts on the surrounding road networks, will utilise existing public transport infrastructure and enhance the local walking and cycling infrastructure by providing a connection between the site and surrounding streets. Refer to Section 6.3.2.

6.2.2. Q4 - Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

As discussed in detail below, the proposed concept is consistent with the:

- Hornsby Local Strategic Planning Statement (LSPS)
- Hornsby Local Housing Strategy (LHS)
- Hornsby Employment Land Study (ELS).

#### Local Strategic Planning Statement

The Hornsby Local Strategic Planning Statement (LSPS) sets out a 20-year land-use vision; the special character and values that are to be preserved; shared community values; and how Hornsby Shire Council will manage growth and change.

Of particular relevance to Pennant Hills Town Centre, the LSPS states the following:

*Pennant Hills Town Centre is in need of revitalisation and renewal. A review of the Pennant Hills Road Corridor between Pennant Hills and Thornleigh will be undertaken with a strong placed-based approach aimed at improving the amenity and user experience for local residents within the corridor.*

The proposal directly responds to this statement, as it encourages the renewal of a key site within an established multi-storey office and residential precinct, close to rail and bus transport along the nearby Pennant Hills Road corridor. The proposed concept may act as a catalyst for the revitalisation of the Pennant Hills town centre. The proposed concept also improves the quality and amenity of the public domain, by providing a new 700sqm publicly accessible pocket park, a new communal space, substantial landscaping and the retention and embellishment of existing mature vegetation.

Table 10 below outlines consistency with key priorities of Council's LSPS.

Table 10: Consistency with LSPS

Key Priorities	
Expanding our tree canopy cover and protecting mature trees to enhance the environmental qualities and character of the bushland shire	Consistent. The Landscape Plan (Appendix H) outlines the retention of the existing Blue Gum High Forest, regeneration of the Forest and supplementing this area with additional plantings. Significant landscaping is also proposed along the terraces of the proposed development.
Protecting the character of our low density neighbourhoods	Consistent. The concept plan has included several design techniques to ensure the amenity of the adjacent low-density residential area to the south and west is protected. This includes providing a transition in height, suitable setbacks from all boundaries and the retention of mature vegetation within the setback areas.
Responding to climate change with an active strategy to reduce carbon emissions and manage energy, waste and water efficiently	Consistent. The proposed concept plan has been designed in accordance with the latest Ecological Sustainable Design principles. An ESD report has been prepared by EMF Griffiths (Appendix E), which outlines the key principles which will be implemented at the Development Application stage to minimise the development's carbon footprint. These principles, which adopted a Green Star design for the development, have been incorporated into the proposed site-specific Development Control Plan at Appendix K.
Improving the quality of architectural design of new development	Consistent. The proposed concept plan has been informed by both the Architectural Package prepared by Fender Katsalidis (Appendix A) and the Urban Design Report prepared by Hatch Roberts Day (Appendix J). The design of the redevelopment will include a combination of neutral/natural materials, sensitive massing and the retention of mature vegetation which will ensure the development exhibits a high degree of architectural quality and design excellence. Further, the site specific DCP will ensure these high-quality design principles will be adhered to in any site re-development.
Enhancing, protecting, conserving and	Consistent. The Heritage Impact Statement (Appendix F) states that no adverse impacts would occur to any nearby heritage items or the adjacent Beecroft-

promoting our natural, built and cultural heritage	Cheltenham Heritage Conservation Area.
Revitalising the Hornsby Town Centre	Not applicable.
Protecting and enhancing the environmental value and economic productivity of the Metropolitan Rural Lands in the Shire	Not applicable – the site is not within the Metropolitan Rural Lands.
Supporting sustainable economic growth based on the Shire’s built and natural assets, infrastructure and locational advantages	Consistent. The proposed concept takes advantage of the site’s locational attributes of being within the Pennant Hills town centre and in close proximity to transport infrastructure such as the Pennant Hills train station and its adjacent bus interchange and the recently constructed Northconnex.
Building our resilience to natural hazards, including bushfire risk, flooding and storms	Not applicable – the site is not within a known bushfire or flood prone location and increases the resilience of the community by avoiding locating housing and workplaces in areas of known hazard risk.
Promoting the ‘30-minute City’ by improving the walkability, connectivity and accessibility of our centres and neighbourhoods	Consistent. The proposed concept promotes the ‘30-minute city’ by encouraging a mixed-use development (incorporating both residential and non-residential land uses) in close proximity to the Pennant Hills train station. This will encourage future residents to access jobs and services within the Pennant Hills Centre and/or via the suburban heavy rail network. The inclusion of non-residential uses will also provide job opportunities to local residents. Hornsby centre will be accessible by public transport within 30-minutes, while other strategic and employment centres, such as Macquarie Park, Norwest and Parramatta, will also be within 30-minutes’ drive of the site, offering further opportunities to residents.

Priority LP3 “supporting the development of community and cultural facilities that will adequately service our current and future community” is addressed by the proposal, as it incorporates community space within the development.

In line with SP10 “ensuring inclusive play experiences are available across the Shire providing playgrounds that are diverse in their design, exciting, challenging and safe for all”, the proposed “pocket park” may present the opportunity to create an inclusive and engaging play space for children.

The proposal also focuses economic and residential development in the existing Pennant Hills centre, aligning with PP4.

The LSPS identifies that Council will undertake the Pennant Hills Centre/Road Corridor Review and the Pennant Hills Place Plan as part of its ongoing strategic work. This PP is localised to the site and does not pre-empt any outcomes from those future reviews/plans.

### Hornsby Employment Land Study

Hornsby Council has released its Employment Land Study (ELS), which outlines the key economic and employment issues and trends affecting the LGA in the context of the North District Plan. It also provides directions to support sustainable growth. The ELS was endorsed by Council on 12 May 2021.

In the ELS, Pennant Hills is identified as a “Local centre” (refer to Figure 26). The subject site occurs within, and forms an integral part of, the Local centre of Pennant Hills. The centre is primarily zoned either B5 Business Development, B6 Enterprise Corridor, B2 Local Centre or R4 High Density Residential.

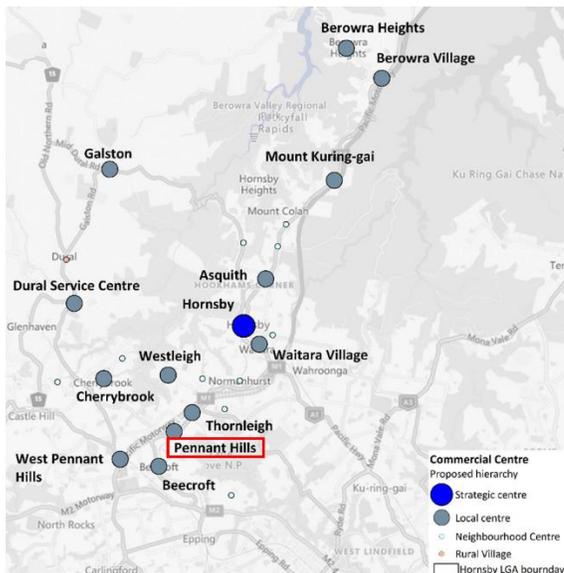


Figure 26: Centres Map, Pennant Hills highlighted in red (Source: Hornsby Employment Land Study)

During the consultation of the ELS, the community noted that “Pennant Hills needs revitalising – currently looks tired and has low space utilisation. Needs increase[d] amenity and a community focal point (p.94).” It was also noted that NorthConnex (which is now complete and open to traffic) may unlock opportunities for Pennant Hills to become a higher order centre.

As a result, the ELS recommends the revitalisation of the Pennant Hills to Thornleigh Corridor, as outlined below:

**Strategy 1.2: Revitalise Pennant Hills to Thornleigh Corridor**

*The Pennant Hills and Thornleigh centres are in relatively close proximity, however both centres lack a clear identity and contain a mismatch of uses and zoning. Pennant Hills generally services properties to the north of Pennant Hills Road / Cumberland Highway and the rail line and Thornleigh services the catchment to the south. The centres do however have competing trade catchments. The current provision of supermarket space at Thornleigh is stronger, with those at Pennant Hills having a smaller catchment.*

*The capacity assessment indicates that the existing planning controls are not sufficient to accommodate future demand. There is also a disparity in the planning controls (building height and FSR) that may be preventing viable development outcomes.*

- *Action 1.2.1: Prepare a Pennant Hills to Thornleigh Corridor combined masterplan to establish a clear identity for the centres and revisit the planning controls and zoning to incentivise a higher density of commercial and residential development.*
- *Action 1.2.2: Consider enabling a full line supermarket to establish in Pennant Hills, which would support the revitalisation of the centre. This should be located in the B2 zone, over B5 or B6 zones. It should reinforce the centre hierarchy (see Action 6.2.1).*
- *Action 1.2.3: Encourage Pennant Hills to transition into a higher order centre to complement Hornsby Town Centre with a greater provision of business and office space.*
- *Action 1.2.4: Encourage an increased diversity of retail uses at Thornleigh by establishing a specific brand (i.e. boutique retail) and encouraging the delivery of more non-food retail floorspace.*

The ELS notes that the existing B5 zone should be retained given it provides an essential urban support zone that facilitates employment uses. The PP maintains the current B5 zoning. The proposed reduction in commercial floorspace should be considered in the context of the current commercial building's ongoing underutilisation evident in it remaining vacant for an extended period of time. Additionally, the proposed concept is estimated to generate an additional 31 jobs when compared to the site's existing building (if this were to be fully occupied).

The PP seeks to address the disparity in building height and FSR controls that are currently preventing viable development on the site and revisit the Floor Space Ratio control to incentivise a higher density of commercial and residential development (Action 1.2.1), whilst remaining largely consistent with the established LEP height standard (23.5 metres) and maintaining generous building setbacks along key frontages.

The ELS also notes that a masterplan for the Pennant Hills to Thornleigh Corridor should be prepared to revisit planning controls and incentivise higher order development. It is acknowledged that the PP is proposed prior to the preparation of a wider masterplan; however, the PP is still considered consistent with this action, given no change to the underlying zoning or building height is proposed. Therefore, it does not pre-empt or influence any outcomes that might arise from the masterplan.

Whilst the PP is not a direct result of the ELS, it is nonetheless generally consistent with it and a number of

specific recommended actions for the Pennant Hills Local centre, and supports their implementation in relation to this site.

### **Local Housing Strategy**

The Local Housing Strategy (LHS) outlines Council's 20-year vision and priorities for housing in response to the Greater Sydney Region Plan and the North District Plan.

The LHS states that Hornsby LGA's population is predicted to reach 179,582 people by 2036. This represents an increase of nearly 32,000 people between 2016-36. To house this population there will be a corresponding need for an additional 14,879 new homes by 2036, representing a required annual increase of 744 dwellings over the period.

The LHS confirms that, due to the development activity which has occurred since the 2011 Housing Strategy, Council can meet its housing targets set by the State Government to 2026 under its current planning scheme (2016-26). However, beyond this point additional supply may be required for the LGA to continue to reach its housing target.

Objective 5 of the LHS seeks to "*Promote sustainable locations for housing growth close to transport, which support the role of centres, have adequate infrastructure and maximise opportunities through collaboration*" (p.86). Parts of Pennant Hills are identified in the LHS as one of Council's planned precincts, which are focused near train stations and commercial centres. The LHS also indicates that new and future road and rail infrastructure will unlock further placemaking opportunities at Pennant Hills. The LHS outlines that, given the construction of Northconnex is expected to reduce traffic along Pennant Hills Road, there may be opportunities to revitalise Pennants Hills for urban renewal opportunities.

The proposed PP is consistent with the LHS, as the proposed controls will allow the site to be renewed for mixed use purposes, including approximately 77 residential apartments and 28 independent living units. It is well-located in relation to Pennant Hills train station and also includes substantial public benefits, including a new pocket park and a community space, which will improve the amenity for the surrounding existing residential community.

### **Employment Zone Reforms**

The Department of Planning and Environment (DPE) is currently undertaking a suite of reforms which includes the delivery of a simplified employment zones framework. DPE exhibited a proposal to replace the existing Business and Industrial zones with five new employment zones and three supporting zones under the Standard Instrument - Principal Local Environmental Plan (2006). The reforms have now been gazetted and partially commenced in December 2021.

The purpose of the reforms is to:

- Maximise productivity while minimising land use conflicts and ensuring they are fit for purpose;
- Address current barriers within the planning system that limit the ability of businesses to establish, expand or adapt; and,

- Better support councils in the delivery of the strategic vision contained in their Local Strategic Planning Statements and background studies.

The reform documentation outlines that both the B5 and B6 zones (the currently predominant zones in the Pennant Hills centre) are largely applied uniformly. The documentation states that “the purpose of B6 is unclear, lacking in strategic clarity. Land use activities commonly found in areas zoned B6 are generally classified as urban support or mixed use.”

The following new zones will be implemented from 2021-22:

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- E4 General Industrial
- E5 Heavy Industrial
- MU1 Mixed Use
- W4 Working Foreshore
- SP4 Local Enterprise

It is not yet known what the site will be rezoned under these reforms. The site is within the Pennant Hills Local centre and is currently zoned B5 Business Development. Therefore, the centre (including the site) could be rezoned to E3 Productivity Support. The E3 zone allows for a mix of services, low impact industry, creative industry, manufacturing, warehousing, office and limited supporting retail. Residential uses are not proposed to be permitted in this zone; however, Council may be able to include this use as an Additional Permitted Use as the reforms progress (as is proposed by this PP). Council could seek to apply the MU1 zoning to the subject site and its broader ‘triangle’ of neighbouring sites, reflecting the existing mix of uses including commercial, residential and hotel accommodation. The conversion of zone cannot be known until Council determines its preference.

Regardless of the future conversion zone, this PP does not seek to change the intent of these reforms. It will not alter the existing B5 zone, but rather introduce site-specific provisions that provide employment opportunities in the form of commercial and retail uses alongside residential dwelling supply, in a high-quality design outcome. The concept plan also indicates a net increase of 31 jobs when compared to the existing building on-site (were it to be fully occupied), ensuring the employment-based zoning of the site is not diminished.

6.2.3. Q5 - Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Not applicable, there are no other State or regional studies/strategies applicable to the subject site.

6.2.4. Q6 – Is the planning proposal consistent with applicable SEPPs?

Table 11 outlines consistency with the relevant State Environmental Planning Policies.

Table 11: Consistency with State Environmental Planning Policies (SEPPs)

SEPP/SREP Title	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	N/A	The Biodiversity Assessment Report prepared by Travers Bushfire and Ecology (Appendix C), outlines that given the sporadic nature of recent Koala records, the study area does not comprise Core Koala Habitat. In addition, the presence of major roads, a railway and moderately dense development in the surrounding area, with no direct connectivity to conserved bushland would significantly reduce the site's capacity to be a host for this species.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	Not applicable.
State Environmental Planning Policy (Housing) 2021	Yes	<p>The proposal incorporates one type of housing (for seniors) which may rely on the SEPP for development. However, the site is identified on the Biodiversity Values Map and Threshold Tool, meaning that at least a small part of the site may be excluded from the application of the SEPP. To avoid any doubt, seniors housing is proposed to be identified as an Additional Permitted Use for the site, negating any reliance on the Housing SEPP for permissibility.</p> <p>The proposal is consistent with this SEPP, as approximately 5% of the future residential accommodation will be dedicated as affordable housing, with a focus on key workers such as emergency service personnel and teachers, nurses and senior residents.</p>

SEPP/SREP Title	Consistency	Comment
State Environmental Planning Policy (Industry and Employment) 2021	N/A	Not applicable.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Yes	The Indicative Architectural Package (Appendix A) has taken into consideration the principles of the SEPP. The indicative concept is also consistent with the requirements of the Apartment Design Guide (ADG). Specifically, the concept scheme apartments are capable of achieving 70% solar access and 60% natural ventilation. Any future Development Application to be submitted to Council for this site will demonstrate detailed compliance with the requirements of the SEPP.
State Environmental Planning Policy (Planning Systems) 2021	N/A	Not applicable.
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	Not applicable.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	N/A	Not applicable.
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	Not applicable.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	Not applicable.
State Environmental Planning Policy	N/A	Not applicable.

SEPP/SREP Title	Consistency	Comment
(Primary Production) 2021		
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	The site's existing zone permits shop top housing. The site is therefore suitable for mixed use and residential development. Based on the historical and current use of the site as a commercial office building, it is unlikely that it is subject to contamination. More detailed analysis, if required, will be provided at Development Application stage.
State Environmental Planning Policy (Resources and Energy) 2021	N/A	Not applicable.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	Division 15, Subdivision 2 of the SEPP provides controls for "development immediately adjacent to rail corridors", "excavation in, above or adjacent to rail corridors", "impact of rail noise or vibration on non-rail development", "development within or adjacent to interim rail corridor" and "development near proposed metro stations".  Consideration will need to be given to these matters as part of any future Development Application.

There are no deemed State Environmental Planning Policies (former Regional Environmental Plans (REPs)) applicable to the PP.

**Draft State Environmental Planning Policies**

Draft State Environmental Planning Policy (Design and Place)

The objective of this draft SEPP is to establish a framework which encourages innovative design that maximises public benefit. It is envisioned to be an integrated instrument that will influence the application of other SEPPs.

The draft SEPP is currently under consideration following public exhibition; however, it is not a mandatory matter for consideration pursuant to the Act. The draft SEPP is not imminent nor certain; however, as it has been placed on exhibition, it has been considered in, and has informed, this PP. This development's consistency with the intent of the draft SEPP is established by consideration of the proposed Guiding Principles.

Table 12: SEPP Design and Place - Design Principles (draft clause 12(2)).

PRINCIPLE	COMMENT
<b>Deliver beauty and amenity to create a sense of belonging for people.</b>	The proposed development has been informed by a series of architectural and urban design studies, which have assisted in developing a high-quality scheme, integrated with the surrounding community and environment. The development, in addition to the proposed public domain improvements, will provide an overall improvement to the presentation of the site and streetscape.
<b>Deliver inviting public spaces and enhanced public life to create engaged communities</b>	The proposed development includes a new 700sqm pocket park, which will be activated with non-residential uses. This will enhance the public domain and provide a new outdoor recreation space for new and existing residents.
<b>Promote productive and connected places to enable communities to thrive</b>	The proposed renewal concept will facilitate productivity via the inclusion of a commercial (office) space set within an established treed environment, which will be enhanced with additional landscaping and a publicly accessible pocket park for the enjoyment of on-site and surrounding residents and workers. Improved connections between the site and surrounding pathway network also form part of the proposal.
<b>Deliver sustainable and greener places to ensure the wellbeing of people and the environment</b>	Supplementary tree plantings are proposed in addition to extensive landscaping of all open space, external common and setback areas. These requirements are to be incorporated into the site-specific DCP. The proposed development includes a number of ESD principles to ensure the development has a reduced carbon footprint. These principles have been incorporated into the accompanying site-specific DCP.
<b>Deliver resilient, diverse places for enduring communities</b>	

Draft State Environmental Planning Policy (Environment SEPP)

The Explanation of Intended Effect for the draft Environment SEPP was released in October 2017. It aims to promote the protection and improvement of key environmental assets for their intrinsic value and the social and economic benefits they provide.

The draft SEPP is not imminent nor certain, however, given the EIE has been placed on exhibition it is considered in this PP. It proposes to set out provisions under four parts being: Catchments, Waterways, Bushland, and Protected areas. The parts relevant to this application are discussed below.

The draft SEPP proposes to create a consolidated set of principles and controls to guide development in catchments, and general heads of consideration for consideration by the consent authority. The heads of

consideration will seek to protect and maintain:

- Water quality and flows within watercourses;
- Native plants, animals, habitats and ecosystems; and
- Recreational, scenic and environmental amenity.

A Biodiversity Assessment Report has been prepared and accompanies this application. The report outlines that the proposed development will have no impact to the natural environment. The subject site occurs in a highly urbanised part of Pennant Hills, within the town centre and an established dense office and residential precinct. It is not near nor adjacent any bushland areas. A more detailed assessment of this SEPP will be undertaken at Development Application stage, when more information is publicly available

6.2.5. Q7 – Is the planning proposal consistent with the applicable Ministerial Directions (section 9.1 Directions)?

It is considered that the PP is consistent with the relevant Directions issued under Section 9.1 of the Act by the Minister to councils, as demonstrated in Table 13:

Table 13: Consistency with S9.1 Ministerial Directions

Direction Title	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	Refer to Table 7 which demonstrates consistency with the Greater Sydney Regional Plan.
1.2 Development of Aboriginal Land Council land	N/A	Not applicable.
1.3 Approval and Referral Requirements	N/A	Not applicable.
1.4 Site Specific Provisions	Yes	The PP will be consistent with this Ministerial Direction. A site-specific provision is proposed to ensure a specific mix of uses is provided on the site and to respond to the site topography. It does not seek to strictly preclude other uses from the site through the use of a site-specific provision.
Focus area 1: Planning Systems – Place-based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not applicable.
1.6 Implementation of North West Priority Growth Area	N/A	Not applicable.

Land Use and Infrastructure Implementation Plan		
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not applicable.
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	Not applicable.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not applicable.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not applicable.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not applicable.
1.14 Implementation of Greater Macarthur 2040	N/A	Not applicable.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	Not applicable.
1.16 North West Rail Link Corridor Strategy	N/A	Not applicable.
1.17 Implementation of the Bays West Place Strategy	N/A	Not applicable.
Focus area 2: Design and Place		
-	-	-

Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	Not applicable.
3.2 Heritage Conservation	Yes	The site is not a heritage item nor is it within a heritage conservation area. Nonetheless, the site is adjacent to the Beecroft-Cheltenham Heritage Conservation Area, which is of local significance. As outlined in the Urban Design Report (Appendix J), an appropriate built form could be accommodated on site, incorporating appropriate setbacks and transition in height, to ensure there is no impact to the heritage significance of the surrounding area. The architectural concept adopts the principles of the urban design report; therefore, it provides an appropriate response and transition to the Heritage Conservation Area. The Heritage Impact Statement (Appendix F) notes the proposal would not adversely impact the nearby Heritage Conservation Area or any heritage items.
3.3 Sydney Drinking Water Catchments	N/A	Not applicable.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not applicable.
3.5 Recreation Vehicle Areas	N/A	Not applicable.
Focus area 4: Resilience and Hazards		
4.1 Flooding	N/A	The site is not located within a known flood prone area. Accordingly, Direction 4.3 is not applicable.
4.2 Coastal Management	N/A	Not applicable.
4.3 Planning for Bushfire Protection	Yes	The site is not identified as Bushfire Prone Land.
4.4 Remediation of Contaminated Land	Yes	The site's existing zone permits shop top housing and it has been used most recently for commercial office purposes. The site is therefore suitable for mixed use and residential development. Further

		detail, such as a contamination report, will be provided at the Development Application stage.
4.5 Acid Sulfate Soils	N/A	The site is not located on any known acid sulfate soils. Accordingly, Direction 4.1 is not applicable.
4.6 Mine Subsidence and Unstable Land	N/A	Not applicable.
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	The PP will enable retail / commercial and residential development close to (within 10 minutes' walk of) existing rail and bus infrastructure, jobs and services, encouraging walking, cycling and use of public transport.
5.2 Reserving Land for Public Purposes	N/A	Not applicable.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	Not applicable.
5.4 Shooting Ranges	N/A	Not applicable.
Focus area 6: Housing		
6.1 Residential Zones	Yes	The PP encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The PP demonstrates appropriate built form whilst minimising the impact of residential development on the environment.
6.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable.
Focus area 7: Industry and Employment		
7.1 Business and Industrial Zones	Yes	The PP does not propose to amend the zoning of the site.  The zone already permits shop-top housing and the APU seeks only to enable a type of housing in a similar form but that would not otherwise be permitted because of the sloping nature of the site

		<p>and its implications in relation to the shop-top housing definition.</p> <p>The PP promotes employment growth and supports the viability of the local centre, by providing a mixed-use development in a highly accessible location.</p> <p>The proposal (including the APU) seeks to facilitate a genuine mixed-use outcome, whereby almost two-levels of non-residential floorspace are intended to be used primarily for commercial (office) premises. Refer to the Economic Assessment (Appendix D) for a detailed assessment against this direction.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not applicable.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable.
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable.
Focus area 9: Primary Production		
9.1 Rural Zones	N/A	Not applicable.
9.2 Rural Lands	N/A	Not applicable.
9.3 Oyster Aquaculture	N/A	Not applicable.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable.

6.3. Section C - Environmental, Social and Economic Impact

- 6.3.1. Q8 - 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?

**Arboricultural Assessment**

A Preliminary Arboricultural Impact Assessment has been prepared by Travers Bushfire and Ecology and provided at Appendix B.

The report was prepared to assess the condition and significance of a number of trees on the property and the potential impact of any future renewal (as proposed) on the identified trees. The assessments carried out in the report were based on the Australian Standard *AS4970-200 - Protection of Trees on Development Sites*.

The assessment and its findings can be summarised as follows:

- The development concept has sought to retain the vast majority of existing trees, particularly within the southern and western building setback areas. Whilst a number of these trees are located within the 3m development impact footprint, the proponent seeks to retain these trees wherever possible, and a specific provision will be included in the site-specific Development Control Plan to achieve tree retention and protection in these areas.
- The report recommends removal of 17 of approximately 110 trees across the site (~15%) that occur within the development footprint or 3m thereof, whose SULE rating was a 4 (dead, dying, dangerous, etc).
- The landscaping plan prepared by Arcadia shows a number of tree plantings proposed around the perimeter of the site to compensate any losses within the development footprint and to improve site amenity.

Table 14: Trees to be retained (Source: Travers Ecology)

Table 2 - Summary of the 24 trees for retention (# of trees)						
		Listed in Biodiversity Cons. Act	Env Pest (Exempt from TPO)	Low Landscape Signif.	Medium Landscape Signif.	High Landscape Signif.
Condition	SULE 1					
	SULE 2			1	21	
	SULE 3			1		
	SULE 4					

Table 15: Trees to be removed (Source: Travers Ecology)

Table 3 - Summary of the 17 trees for removal (# of trees)						
		Listed in Biodiversity Cons. Act	Env Pest (Exempt from TPO)	Low Landscape Signif.	Medium Landscape Signif.	High Landscape Signif.
Condition	SULE 1					
	SULE 2				10	
	SULE 3					
	SULE 4			4	3	

- A further 30 trees close to the building footprint may be retained subject to further investigation at the DA stage. These trees are typically located in close proximity to the proposed development footprint that may

have an SRZ or TPZ partially compromised. In addition, exotic species are included that may not necessarily require removal if in moderate-good condition. Further investigations would occur at Development Application stage. As noted previously, the retention of the majority of these trees would be sought.

Of the 71 trees assessed on-site and based upon the proposed development this report has determined the following:

- Twenty-four (24) trees are able to be retained
- Thirty (30) are recommended for further investigation as noted above.
- Seventeen (17) are recommended for removal

There are approximately 30-40 trees further on site that have not been assessed given their distance from the existing/re-development footprint. They largely occur near the corner of Boundary Rd and City View Rd, as well as a few individuals along the railway corridor boundary, bringing the total number of trees estimated on site to 110.

The report concludes that, subject to the specific tree protection measure being implemented, the proposed development will not have a significant impact on long-term health of the retained trees.

### **Ecology**

A Biodiversity Assessment Report was also prepared by Travers Bushfire and Ecology and provided at Appendix C.

Ecological surveys have been undertaken in accordance with relevant legislation including the *Environmental Planning and Assessment Act 1979*, the *Biodiversity Conservation Act 2016*, the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* and the *Fisheries Management Act 1994*. Figure 27 provides a summary of the surveys undertaken.



Figure 27: Flora and Fauna Survey (Source: Travers Ecology)

Of the flora and fauna surveyed, no threatened fauna species, no threatened flora species, no endangered populations and one (1) TEC, Blue Gum High Forest, were recorded within the study area.

Whilst offsetting under the Biodiversity Offsets Scheme (BOS) is required for the proposal as the study area is located on lands mapped as Biodiversity Values Land, the assessment of significance has concluded that the proposed development will not have a significant impact on any threatened species, populations or TECs. Therefore, a Species Impact Statement is not required for the proposal.

In respect of matters required to be considered under the *Environment Protection and Biodiversity Conservation Act 1999*, no threatened fauna species, no protected migratory bird species, no threatened flora species, and one (1) TEC, Blue Gum High Forest, were recorded within the study area.

The proposal was not considered to have a significant impact on matters of national environmental significance. As such, a referral to Department of Agriculture, Water and the Environment should not be required.

The report includes a series of mitigation measures to ensure the development does not have any long-term implications on the surrounding environment. These measures have been incorporated into the site-specific DCP.

- 6.3.2. Q9 - Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

**Heritage**

A Heritage Impact Statement (HIS) (Appendix F) was prepared to consider any potential impacts on local heritage that may arise as a result of the development. The site is not listed as a heritage item, nor is it located within a Heritage Conservation Area (HCA). However, the site is adjacent to the Beecroft-Cheltenham HCA. As such, the provisions of Clause 5.10 of the Hornsby Local Environmental Plan 2013 (HLEP 2013) apply to the site.

The HIS concludes that the amendments proposed by this PP to the HLEP 2013 will be acceptable from a heritage perspective. The proposal would not result in any adverse heritage impacts and would utilise design elements, such as generous building setbacks, a 'stepped' building form, site landscaping, and existing mature tree retention to mitigate the visual impact upon the immediate setting. The indicative natural and neutral colours and material palette also assists in managing the relationship between the proposal and its surroundings.

The HIS notes that the proposed amendments to the HLEP 2013 and the proposed works will have no direct impact on the heritage significance of the neighbouring HCA. Similarly, the identified values of the nearby heritage items will not be affected by the proposal.

Therefore, the proposal is considered to be an appropriate built form and design from a heritage perspective and will not generate any adverse impacts on the neighbouring heritage items or HCA.

### **Traffic**

A Transport Impact Assessment (TIA) (Appendix I) was prepared to assess the anticipated transport implications arising from the proposal. The site has frontage to two roads (City View Road and Wongala Crescent), with City View Road providing access to the State-managed Pennant Hills Road to the north of the site. Pennant Hills Road has an indicative traffic volume of 2,300 vehicles per hour, per direction, in March 2017. The recent opening of NorthConnex is anticipated to remove a significant proportion of traffic from Pennant Hills, particularly heavy vehicles, with an estimated 5,000 heavy vehicles per day expected to be removed. The typical six-month adjustment period following the opening of a new toll road was immediately followed by the COVID-19 pandemic and, as such, reliable data on road traffic patterns following the opening of NorthConnex is not available. More detailed traffic modelling and information will be provided at the Development Application stage.

The surrounding public transport network includes train services at Pennant Hills railway station and six bus routes near the site. Pennant Hills station provides access to major stations including Castle Hill (where the Sydney Metro North West can be accessed), Parramatta station and Hornsby station. In addition, walking infrastructure is well-established on the surrounding roads and includes a pedestrian bridge over Pennant Hills Road, accessed via Hampden Road. However, there is limited cycling infrastructure near the site. The TIA notes the proposal will provide internal footpaths and bicycle routes to connect with the adjacent street network.

Parking requirements for the proposal generate a nominal requirement for 206 parking spaces. Two parking supply reductions were considered appropriate, these being:

- No dedicated residential visitor parking, with visitors to make use of the parking supply for the

community space.

- 15% reduction in the DCP requirement for the community component to reflect ancillary use and local walk-up catchment.
- Based on this, it is anticipated that a total parking supply of 187 parking spaces would be sufficient for the proposal, where a reduced provision of 16 community use parking spaces would also satisfy residential visitor demand.

It is estimated that the proposed three-level basement car park would accommodate approximately 187 parking spaces. While the exact parking provision would be established during any subsequent development application, the TIA notes the plans demonstrate sufficient space allocation to accommodate parking demands. A minimum of 5 motorcycle parking spaces will be required as per the DCP and the proposed site layout is capable of accommodating this parking requirement within the basement levels. The proposed development is required to provide 31 bicycle parking spaces; the proposed site layout is capable of accommodating this, through a combination of at-grade and basement facilities, as well as end-of-trip facilities including showers and lockers. The site is also capable of accommodating service vehicles to ensure appropriate waste management, with a hardstand area provisioned in the masterplan. This area could be designed appropriately to accommodate service vehicles during any subsequent development application.

The proposal is expected to generate up to 102 and 88 vehicle movements in the AM and PM peak hours, respectively. This represents a decrease in traffic when compared to the existing traffic generation of 116 and 88 vehicles movements in the AM and PM peak hours, respectively, which could be expected if the site was currently occupied. Further, the proposal could result in a minor reduction of around 14 and 8 trips in the AM and PM peak hours, respectively, compared to the occupation of the existing building.

There is sufficient capacity within the immediate road network and intersection (Pennant Hills and City View) to accommodate the traffic generated by any future re-development on the site.

Therefore, the proposal will have minimal impacts on the surrounding road network, will utilise existing public transport infrastructure and enhance the local walking and cycling infrastructure by providing a connection between the site and surrounding streets.

### **Solar Access**

The building volume of the indicative concept scheme has been designed to avoid any adverse overshadowing of rooftops and primary living areas of dwellings to the south. The Architectural Plans (Appendix A) demonstrate the extent to which additional overshadowing would occur. While some additional overshadowing of properties to the south-west occurs at 9am, this has largely receded by 10am, with no impacts from 11am onwards. There is also no overshadowing of principal private open space nor rooftops or windows along their northern elevation. Properties to the south-east of the site experience additional overshadowing at 3pm. The overshadowing is relatively rapid-moving and is minimised for residences neighbouring the site (see Figure 28 and Figure 29).

The Apartment Design Guide design criteria is for 70% of apartments to receive 2 hours' solar access between 9am and 3pm on the winter solstice. Preliminary analysis of the concept building design indicates this

requirement can be achieved. This can be achieved in upper level, south-facing apartments through the integration of skylights.

Section 4 of the Hornsby DCP includes additional sunlight and ventilation controls, including:

- On 22 June, public open space areas, plaza areas and footpaths should receive 2 hours of sunlight between 9am and 3pm to at least 50% of the area

The proposed pocket park and the north/north-east facing community terrace will likely receive adequate daylight access through most of the year.

- 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).

The communal terrace for residents, located on Level 3, is likely to exceed the minimum requirements noted above.

- At least 60 percent of dwellings should have dual aspect and natural cross ventilation.

The indicative design includes 39 apartments with dual aspect (approximately 36%). Preliminary analysis of the indicative building design shows the building can achieve the required 60% of apartments with cross-ventilation, through a mixture of natural cross-ventilation through typical levels and stack effect ventilation through upper levels.

Therefore, the proposal has adequately considered and mitigated any overshadowing impacts on neighbouring dwellings and is capable of achieving the ADG solar access requirement.

This indicates the concept is capable of complying with the above controls, in relation to both the ADG and Hornsby DCP.

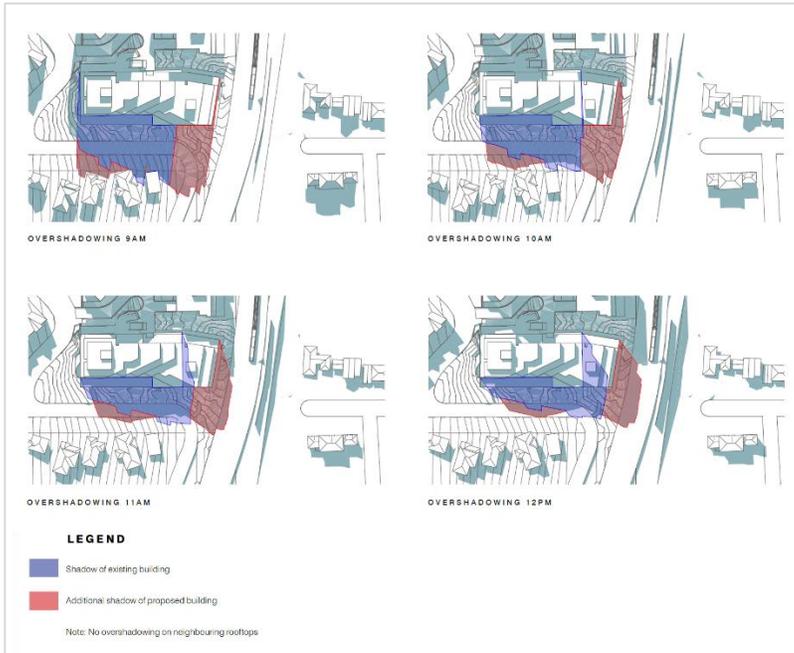


Figure 28: Excerpt of shadow diagrams.

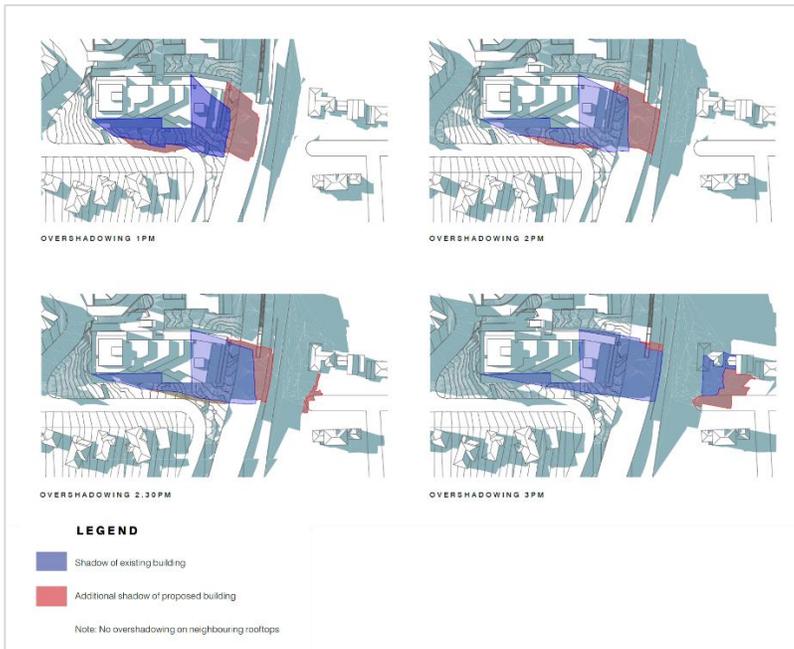


Figure 29: Excerpt of shadow diagrams

## Privacy

The Architectural Plans (Appendix A) note the alignment of the built form directs views to the east and, with the use of privacy screens, prevents overlooking to those dwellings opposite the site on Wongala Crescent. Key design principles that inform the proposal included a focus on orientating views away from neighbouring dwellings and towards the Sydney CBD. The slope of the site and the proposed landscaping will also assist in ensuring adequate privacy for residents and workers within the building, as well as nearby dwellings.

The SEPP65 Apartment Design Guide provides guidelines in relation to managing visual privacy, including adequate separation between buildings. The existing road separation, bushland and vegetation, the sloping topography and future landscaping of the site will provide adequate privacy screening to neighbouring residential and commercial land uses, including the low-density residential uses to the south-west of the site, as required by the Apartment Design Guide and Council's DCP. Detailed setbacks, apartment orientation and privacy design features will be provided at the Development Application stage.

The SEPP65 Apartment Design Guide also provides guidelines in relation to acoustic privacy for residential flat buildings. Suggested approaches for managing acoustic privacy include adequate building separation, orienting windows and doors away from noise sources, the co-location of noisy areas in buildings adjacent to each other, the use of non-habitable rooms to buffer noise from external sources, limiting the number of party walls and locating noise sources (such as garage doors, plants rooms etc.) at least 3m away from bedrooms. The proposal will address these key criteria during the Development Application stage, when more detailed design information will be available. It is not anticipated that the proposal will give rise to any substantial noise impacts and is expected to demonstrate compliance with these guidelines at the Development Application stage.

## View Impact

The proposal is aligned to take advantage of views to the south-east of the site and orientates views away from neighbouring dwellings to the south, directing them instead towards views of the CBD and district views to the west. The proposal may impact on existing views enjoyed by the neighbouring commercial and residential properties. The existing building prevents any significant views being obtained by the low-density residential dwellings to the south-west, with the existing views of bushland and trees to be retained as part of the proposal.

Views from the existing commercial buildings and serviced apartments may also be affected by the increased scale of the proposal; however, this is typically considered lower-impact due to the use of the buildings (i.e. not residential). The predominant views of the site from these buildings, which appears as a mix of built form and natural vegetation, will be maintained by the proposal. Additionally, there is no change proposed to the existing height of buildings control. Further analysis of any potential impacts on views can be undertaken at the Development Application stage.

## Environment

Part of the site comprises Blue Gum High Forest. This vegetation community is classified as Critically

Endangered under both State and Commonwealth legislation and is distinctive of the Sydney region, not being found anywhere else in Australia. The Biodiversity Assessment Report notes that state assessment of significance undertaken concludes that the proposed development will not have a significant impact on any threatened species, populations or TECs.

The Landscape Plan (Appendix H) demonstrates the careful consideration that has been made of the existing ecological and environmental context of the site and will seek to enhance this, particularly through the regeneration of the existing Blue Gum High Forest at the north-west of the site. This area will be complemented by a timber play area and an extension to the existing footpath to the proposed pedestrian crossing at Wongala Crescent. A swale to manage overland flow and a 'Discovery Trail' incorporating Aboriginal Bush Tucker planting and signage extend around the periphery of the site, providing ongoing engagement and management of the site environs. The proposed landscaping identifies, protects and regenerates the Blue Gum High Forest on-site and provides engaging play and learning features for site users and visitors. These principles are incorporated into the proposed DCP for the site.

An ESD report has been prepared for the proposal which identifies the ESD principles, goals and strategies for the site. This demonstrates how the proposal will create a sustainable and ecologically sensitive development. Each of these principles and its associated goal are identified below:

- **Providing community benefits** – a community that is diverse, safe and healthy, has access to services, jobs and learning, that fosters active local participation and is a pleasant place to live, work and visit while integrating with and enhancing the value of existing neighbourhoods.
- **Providing economic benefit** – economic benefit is maximised by facilitating the release of urban land, incorporating lifecycle costs including operational savings, long term employment opportunities, and creating partnering opportunities and long-term value.
- **Protecting ecological values and incorporating sustainability initiatives** – protect, manage, and enhance natural systems, habitats and biodiversity, and promote the innovative and efficient use and management of materials, water and energy to minimise impacts on the climate.
- **Promoting planning and design excellence** – develop a modern, resilient and adaptable urban form that promotes connectivity, safety and accessibility whilst recognising existing local values and aspirations.

Incorporating these principles and goals and enacting them through the identified strategies ensures the development responsibly responds to the local environment, and gives consideration to environmental, social and economic sustainability aspects for the building's occupants, users and the wider community. For the specific design methods to be employed to achieve these principles, refer to the ESD report at Appendix E.

Overall, the proposed environmental management approach provides broad social benefits, including an efficient, modern building that revitalises the local area, provides employment opportunities and respects and enhances the valuable local biodiversity.

6.3.3. Q10 - Has the planning proposal adequately addressed any social and economic effects?

#### **Impact on Employment Land**

An Economic Assessment has been prepared by Hill PDA and is provided at Appendix D.

It is considered that the PP would have no adverse impact on Hornsby's employment land stocks for the following reasons:

1. The PP would maintain the current B5 zoning. Hence, the PP would not directly reduce the amount of employment land stocks in the LGA.
2. The type of land uses proposed (retail, commercial and residential) are currently permissible and present in or adjoining the B5 sub-precinct. This implies that the PP would not impact the functionality of the current or future functionality of the employment precinct.
3. The PP would increase employment densities on the site. This would contribute to the wider employment precinct reaching its employment targets while also reducing the deficit in capacity identified in the ELS.
4. There is currently more than 10,000sqm of vacant office space in Pennant Hills. Given that the subject site is an inferior location to the other comparable areas analysed, there is considerable risk and probability of long-term vacancies for any office space on the subject site. Additionally, with uncertainty around the ongoing COVID-19 pandemic and emerging trends like work from home practices, there is additional risk of long-term vacancies.

### **Economic Benefits**

In Hill PDA's Economic Assessment at Appendix D, the following economic benefits are identified as being associated with the proposal:

#### *Increased Residential Provision*

The Hornsby Housing Strategy 2020 notes that Hornsby is on track to reach its 2016-2021 dwelling targets (+4,350 dwellings). However, as noted in the LSPS, Hornsby experienced relatively slow growth in additional dwelling stock between 2011 and 2016. This slow growth may have created a historic undersupply in the LGA.

Our high-level analysis indicates an undersupply in the LGA of around 782 dwellings. An undersupply undermines housing affordability and diversity in the locality. Increasing supply would contribute to the LGA addressing this historic undersupply which, in turn, could help place downward pressure on housing prices.

The Housing Strategy also acknowledges that additional supply is required for Hornsby to reach its dwelling targets between 2021-36 (+10,530 dwellings). We estimated that without a further increase in supply, Hornsby LGA will fall short of its housing targets over the period to 2025 (6,696 dwellings), by around 1,323 dwellings.

An undersupply in residential dwellings can place upward pressure on dwelling prices and subsequently affordability. Analysis of recent residential sale values in Hornsby shows that as of March 2021, the median sale price for non-strata dwellings was around \$1.67 million in Hornsby. This was \$236,000 or 16% higher than Greater Sydney (\$1.44 million). While the median sale price for strata dwellings in Hornsby reached around \$774,000. This was \$158,000 or 20% lower than the median strata dwelling recorded in Greater Sydney (\$932,000).

If left unabated the housing affordability gap will continue to widen. Increased residential supply can place downward pressure on housing prices and rents as acknowledged in the former A Plan for Growing Sydney. Advancement of the Planning Proposal would increase dwelling supply and capacity within the LGA, helping to alleviate the housing affordability gap and rental stress.

The Planning Proposal would have the following beneficial outcomes for the LGA:

- Provide a more affordable dwelling option for residents and key workers within the LGA. This is evident in strata dwellings having a median value \$898,000 or 116% lower than the median price of non-strata dwellings.
- Increase diversity of dwelling stock within the LGA which is currently dominated by detached dwellings.
- The Planning Proposal would be providing a dwelling type and mix that would cater to the changing characteristics of the local community.
- Provide dwellings near public transport nodes and existing services. This would contribute to Hornsby attaining the 30-minute concept and transport sustainability, allow older residents to age in place and contribute to the urban renewal/revitalisation of Pennant Hills corridor.

*Impacts on Hornsby's employment land stocks*

It is considered that the Planning Proposal would have no adverse impact on Hornsby's employment land stocks for the following reasons:

1. The Planning Proposal would maintain the current B5 zoning. Hence, the Planning Proposal would not directly reduce the amount of employment land stocks in the LGA.
2. The type of land uses proposed (retail, commercial and residential) are currently permissible and present in or adjoining the B5 sub-precinct. This implies that the Planning Proposal would not impact the functionality of the current or future functionality of the employment precinct.

The Planning Proposal would increase employment densities on the site. This would contribute to the wider employment precinct reaching its employment targets while also reducing the deficit in capacity identified in the ELS.

*Impact on commercial office space*

- During the construction phase, the economic benefits are estimated to be:
  - 303 direct and indirect jobs years created.
  - \$134 million in total economic output directly and indirectly created.
  - \$26 million directly contributed to the Hornsby economy (gross value added or GVA) and a total of \$48 million directly and indirectly contributed.
- On completion, the economic benefits resulting from development under the PP are estimated to be:
  - A total of 280 jobs, 31 more jobs than that estimated which could be currently generated onsite (assuming the current vacant space was occupied).
  - \$21 million in wage generation per annum.

- \$29 million in GVA per annum to the local economy.
- \$14.9 million in financial revenue for whole of government in the form of GST payments from residential sales, stamp duty revenue, developer contributions (Section 7.11) and payroll tax on construction workers.
- Local retailers would directly capture approximately \$1.7 million per annum from residents on-site. This would directly support the viability and vibrancy of the nearby Pennant Hills Village.
- The PP would increase employment density on the land, supporting strong forecast growth in health sector jobs, and enhancing employment retention in the LGA.
- Constituting a more orderly and efficient use of the land which is more aligned with State planning objectives in a location which would benefit from the revitalisation of Pennant Hills Village.

### Public Benefits

A Letter of Offer to enter into a Voluntary Planning Agreement (VPA) has been prepared and accompanies this PP (Appendix L).

The public benefits have been valued at approximately \$10.5m, which includes the 700sqm pocket park, community space and potential noise attenuation measures and pedestrian amenity improvements at nearby intersections. Total value also includes subsidised rental space for start-up businesses and an assumption that three apartments would be provided for affordable housing.

## 6.4. Section D – Infrastructure (Local, State and Commonwealth)

### 6.4.1. Q11 - Is there adequate public infrastructure for the planning proposal?

Yes, existing public infrastructure is capable of accommodating the demand generated by this PP.

The site is near the intersection of Pennant Hills Road and City View Road and is within a short (5-10 minute walk) of the Pennant Hills heavy rail station and bus interchange. The site also benefits from good accessibility directly from Pennant Hills Road (being a major arterial road corridor between Parramatta and Hornsby districts). It is also a short distance from other major road corridors, such as the M2 Motorway which links the Sydney Orbital Network through Beecroft Road, as seen in Figure 30. The site is also in close proximity to the recently constructed Northconnex motorway.

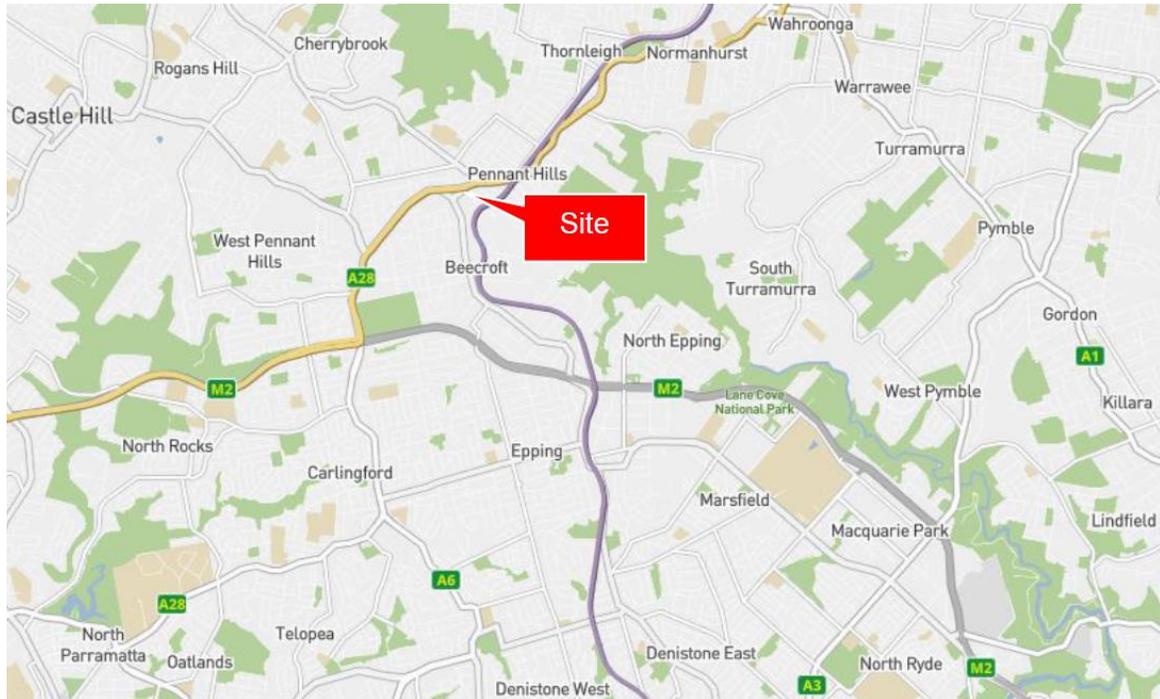


Figure 30: Road Network (Source: Transport for NSW)

The site is located approximately 500m from the Pennant Hills Railway Station. The site is also well serviced by bus routes providing connectivity to Greater Sydney, which includes routes 625, 626, 631, 632 and 633 along Pennant Hills Road, with a major bus stop provided at Pennant Hills Railway Station ('Hillsbus'). In addition, routes 637, 638, 639 and the M60 offer northern connectivity to Cherrybrook. The train and bus networks are shown in Figure 31 and Figure 32.

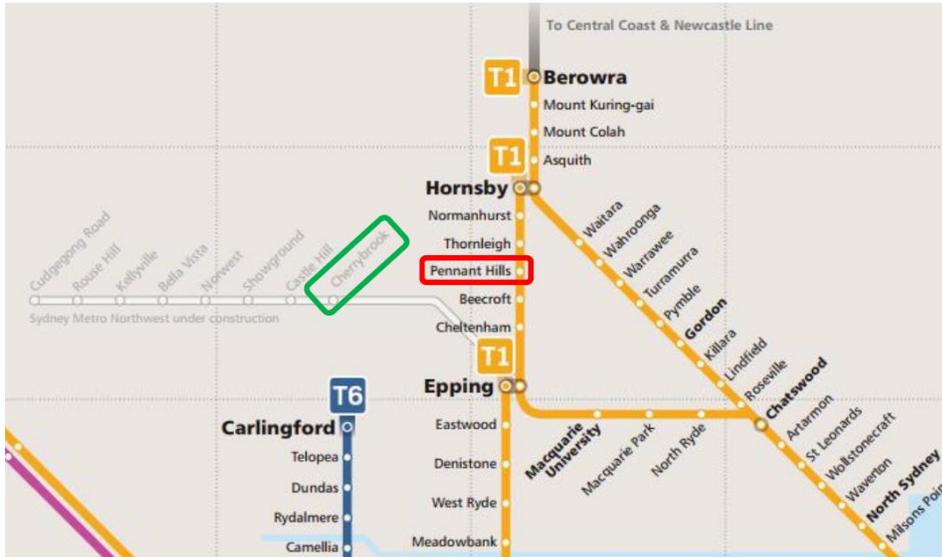


Figure 31: Sydney Train Network (Source: Sydney Trains)

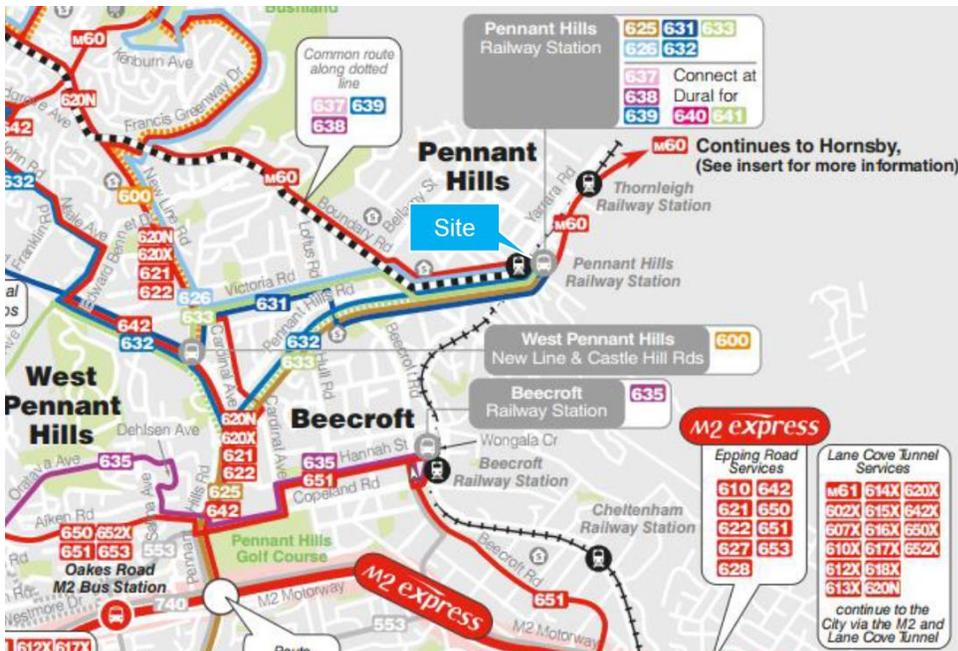


Figure 32: Hillbus Network Map (Source: Transport for NSW)

Key local infrastructure includes:

- Several parks are located in the vicinity, including Wollundry Park (located opposite the rail station some 600m from the site) and Pennant Hills Park, which is an expansive multi-hectare passive and active recreation reserve approximately 1.5km to the east of the site. It contains numerous sports fields and courts.
- Pennant Hills Public School is located approximately 10minutes' walk from the site, whilst Pennant Hills High School is located approximately 1.5km from the site. There are also a number of non-Government schools nearby including St Agatha's Catholic Primary School (300m away) and Mount St Benedict College (1.2km away).
- Existing utility services will adequately service any future development proposal as a result of this PP and will be upgraded or augmented where required.
- Waste management and recycling services are available through Hornsby Shire Council.
- The area is generally well-serviced with Police, Ambulance, Fire and other emergency services, including several medical centres and a day surgery facility nearby. The nearest public hospital is Hornsby Ku-ring-gai Hospital, located approximately 8km away.

### Infrastructure Servicing

The Infrastructure Servicing report prepared by Northrop and provided at Appendix G indicates there are adequate services proximal to the site. These should be able to service the proposed development. The Report indicates that all or most of the site's stormwater drainage can be directed to the existing drainage easement, with several connection points available as pits along the length of the easement. The Report provides the following considerations should the proposed development proceed:

- The building footprint needs to be kept clear of the **drainage easement**. If it is proposed to encroach into the easement, the affected stormwater pipes would need to be relocated, with Council's consent.
- **Enquiries to Authorities** to confirm the availability of services.
- **Water supply** may need to be supplemented by on-site tanks and pumps.
- The development needs to remain clear of the **sewer zone of influence** on the eastern side of the development. Accurate survey of sewer assets is required to inform design.
- A **chamber substation** upgrade may be required to support the proposed development in full as a result of the demolition works. Provision of such a substation requires further investigation of the current capacity of the local HV network to support the proposed utility works. Further investigation of possible options for resupplying other customers currently served by substation S.6251 will also be required.
- The existing facility may not have the required number of **telecommunication** connections. Telecommunications augmentation may be required consisting of optical fibre cabling from the preferred telecommunications carrier.

### Social Infrastructure

Elton Consulting/WSP undertook an assessment of the proposed concept and its alignment with strategic directions for social infrastructure in the local area. It found that the social infrastructure delivered through the PP supports strategic directions for housing and social infrastructure in the area. The concept envisages well-located diverse and affordable housing, including through the provision of a range of apartment sizes, seniors housing and affordable and key worker housing. It provides communal and open space that is accessible and adaptable to meet changing needs, as well as an incubator 'start-up' space for local businesses that is close to public transport.

The PP has capacity to provide significant benefit to the broader community, through:

- The large communal space that has the potential to provide for the occasional needs of surrounding community users (i.e. as a cultural and art space), thereby assisting to satisfy LGA demand and to reinforce Pennant Hills as a multipurpose district hub.
- The provision of affordable rental housing and/or key worker housing to help meet needs of low- to moderate-income households or essential workers in the area (i.e. emergency service personnel, nurses and teachers).
- The provision of a publicly accessible 'pocket park' will assist in meeting demand for localised recreation for both on-site and surrounding residents.

In addition to the benefit provided to the broader community, the small increase in population generated by the proposal is unlikely to have a major impact on infrastructure items such as aged and child care, education, health and emergency services.

As such, there is adequate infrastructure available to accommodate the proposal.

## 6.5. Section E – State and Commonwealth Interests

6.5.1. Q12 - What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

State and Commonwealth public authorities have not yet been contacted at this early stage in the PP process. We anticipate that this will be undertaken post-Gateway.

## 7. PART 4 - MAPS

Draft LEP maps showing the proposed changes to the site have been prepared and are provided at Appendix O of this report. Excerpts are provided at Figure 33 and Figure 34. Figure 33 demonstrates the required amendments to 2.7:1 FSR. Figure 34 demonstrates the necessary inclusion of the site in the Additional Permitted Uses map.

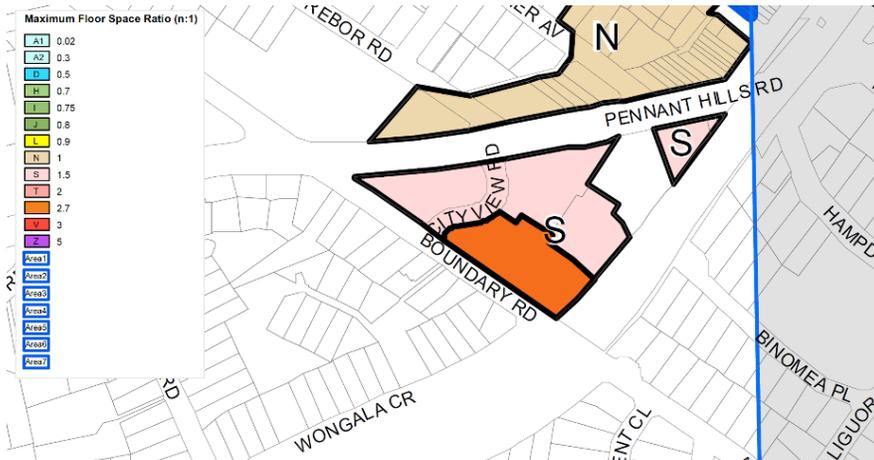


Figure 33: Excerpt from proposed LEP FSR map. Source: Hatch Roberts Day.



Figure 34: Excerpt from proposed LEP APU map. Source: Hatch Roberts Day.

## 8. PART 5 –CONSULTATION

### Preliminary Community Consultation

Elton Consulting was engaged to assist EG with community engagement in order to:

- Assist in facilitating the planning approval process and comply with regulatory requirements
- Gather feedback from stakeholders to inform the concept design
- Reduce the risk of misinformation and demonstrate that potential impacts have been considered in planning and design
- Communicate EG's commitment to transparency in the engagement, planning and development processes
- Inform stakeholders about what to expect during future planning approvals phases
- Provide ongoing stakeholder consultation during the planning process

Engagement focused on the site's immediate neighbours and a local community organisation:

- Residents of Wongala Crescent / Boundary Road
- Pennant Hills District Civic Trust
- Commercial and residential buildings adjacent to the site

A variety of engagement activities were undertaken to determine sentiment and receive feedback from the community. All collateral used in the engagements carried contact information (phone numbers and email addresses) for engagement team members, to allow stakeholders to ask queries or lodge feedback at a later date. A contact log was kept for engagement activities undertaken, including feedback received and more detail is available if required.

Whilst the preliminary engagement outcomes were reasonably supportive, EG has committed to ongoing community and stakeholder engagement through the planning process for 7 City View Rd, and proposes to:

- Offer quarterly meetings with the Pennant Hills District Civic Trust to keep it informed of progress and answer queries about progress for planning and development
- Distribute a twice-yearly newsletter to update stakeholders about the progress of the project.  
Recipients would include:
- Residents, businesses and commercial property occupiers surrounding the site
- Users of local community spaces
- Regularly upload updated content to the EG website

All communications would contain contact details to allow stakeholders to pose questions and send feedback, with EG responding in timely fashion (where appropriate).

### Planning Proposal

It is anticipated that the PP will be placed on exhibition for a minimum of 28 days. The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on

Hornsby Shire Council's website. The written notice will:

- Give a brief description of the objectives or intended outcomes of the PP;
- Indicate the land affected by the PP;
- State where and when the PP can be inspected;
- Give the name and address of the RPA for the receipt of any submissions; and
- Indicate the last date for submissions.

During the exhibition period, the following material will be made available for inspection:

- The PP, in the form approved for community consultation by the Director General of Planning and Environment;
- The Gateway determination; and
- Any studies relied upon by the PP.

## 9. PART 6 - PROJECT TIMELINE

The timeframe for the completion of the PP will depend on the complexity of the matters, the nature of any additional information that may be required and the need for agency and community consultation. The following details are indicative only and may be amended at Gateway to provide the necessary level of confidence that the PP will be finalised within a reasonable time.

Table 16: Project Timeline

Step	Indicative Timeframe
Lodgement of Planning Proposal	March 2022
Anticipated commencement date	Date of Gateway determination – July 2022
Anticipated timeframe to finalise the infrastructure studies/plan	Not applicable. Technical analysis has already been commissioned to support the PP.
Anticipated timeframe for completion of any additional technical studies, not completed prior to Gateway	August 2022
Timeframe for public agency consultation	Anticipated timeframe is to run concurrently with the public exhibition period – September 2022
Anticipated dates of public exhibition and, if required, a public hearing	To be determined by Council – September 2022 Public hearing not applicable at this stage
Timeframe for submissions to be considered	To be determined by Council – October 2022
Timeframe for the consideration of a proposal after the exhibition	To be determined by Council – November 2022
Date the plan will be made (where council is the LPMA) or date of submission to the Department to finalise the LEP	Not known – December 2022
Date of notification	Not known. – December 2022

## 10. CONCLUSION

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guideline prepared by the NSW Department of Planning and Environment '*Local Environmental Plan Making Guideline (Dec 2021)*'.

It sets out the justification for the proposed amendments to the HELP in relation to the subject site at 7 City View Road, Pennant Hills. To ensure the renewal of the site for mixed-use purposes and the associated public benefits are delivered, the following amendments to the HLEP are required:

Table 17: Summary of LEP Amendments

Control	Existing	Proposed
Floor Space Ratio	1.5:1	2.7:1
Zone	B5 Business Development	No change proposed
Building Height	23.5 metres	Nil proposed
Additional permitted use	N/A	'Residential flat buildings' and/or 'Seniors Housing' but only as part of a mixed-use redevelopment containing non-residential uses including office premises.

It is proposed to include RFBs as an additional permitted use on the site, to overcome definitional limitations associated with the current definition of "shop top housing" (a permitted use in the zone) on a sloping site such as this. This approach will manage issues around the provision of housing above the ground floor; the indicative design demonstrates the complexity of this in relation to the topography of the site. The proposed re-development concept (as facilitated by this PP) will deliver a similar typology to shop-top housing, however commercial office uses and communal spaces will be delivered on the lower-mid levels as opposed to being confined to the ground floor. Seniors housing is proposed as an additional permitted use in order to avoid any doubt about the application of Part 5 of the Housing SEPP, as consequence of the biodiversity mapping that applies to a small area of the site.

It is proposed to introduce the additional permitted uses via an amendment to Schedule 1 of the HLEP. The proposal has been demonstrated as being the best means of achieving the objectives and intended outcomes. The PP is considered suitable and appropriate as it:

- Is consistent with key strategic planning documents;
- Is consistent with the relevant Ministerial Directions under Section 9.1 of the Act; and
- Does not pose any adverse environmental or social impacts to the surrounding community.

### Public Benefits

The proposal will result in numerous public benefits being delivered to the local area, including in relation to:

- **Employment** - the development has the potential to generate up to 280 jobs upon completion, which is an increase of 31 jobs when compared to the site's existing building (noting that the building has been vacant since 2018).
- **Pocket Park** – a new publicly accessible pocket park with a total area of 700sqm for the enjoyment of local residents and community. The pocket park will also formalise an existing pedestrian 'desire line' through the site.
- **Community Space** – a new communal space is proposed to be located within the development, for the benefit of on-site residents in addition to use by local community groups for functions and gatherings.
- **Green Star Building** – the new development has the potential to be a Green Star building, demonstrating and including the latest environmentally sustainable design and construction techniques.
- **Streetscape Improvements** - including the potential construction of acoustic treatment to rail and Pennant Hills Road for improved amenity, pedestrian amenity improvements at the nearby City View Road and Pennant Hills Road intersection, and other civic improvements.
- **Affordable Housing** - approximately 5% of the future residential accommodation is proposed as affordable housing, with a focus on key workers such as emergency service personnel and teachers, nurses and senior residents.
- **Diversity** – the proposal will increase the diversity of dwelling stock in the LGA, which is currently dominated by detached dwellings.

The PP is accompanied by a Letter of Offer to enter into a Voluntary Planning Agreement (VPA) which includes the public benefits being offered to Council. The tenure of the publicly accessible spaces such as the pocket park will be the subject of future VPA-related discussions with Council, including their possible dedication.

The Planning Proposal would also have the following beneficial economic outcomes for the LGA:

- Provide a more affordable dwelling option for residents and key workers within the LGA. This is evident in strata dwellings having a median value \$898,000 or 116% lower than the median price of non-strata dwellings.
- Provide a dwelling type and mix that would cater to the changing characteristics of the local community.
- Provide dwellings near public transport nodes and existing services. This would contribute to Hornsby attaining the 30-minute concept and transport sustainability, allow older residents to age in place and contribute to the urban renewal/revitalisation of Pennant Hills corridor.

It is considered that the Planning Proposal would have no adverse impact on Hornsby's employment land stocks for the following reasons:

- The Planning Proposal would maintain the current B5 zoning. Hence, the Planning Proposal would not directly reduce the amount of employment land stocks in the LGA.

- The type of land uses proposed (retail, commercial and residential) are currently permissible and present in or adjoining the B5 sub-precinct. This implies that the Planning Proposal would not impact the functionality of the current or future functionality of the employment precinct.

The Planning Proposal would increase employment densities on the site. This would contribute to the wider employment precinct reaching its employment targets while also reducing the deficit in capacity identified in the ELS.

### **Strategic Merit**

The PP demonstrates strategic merit by aligning with several key strategies applicable to the site and surrounding local area. The proposal enables greater contribution to the housing supply of Hornsby LGA, retention of employment land and delivery of community spaces and publicly accessible open space. As demonstrated in Section 6 above, the PP is consistent with the following strategies:

- Greater Sydney Region Plan
- North District Plan
- Local Strategic Planning Statement
- Local Housing Strategy
- Employment Lands Study

### **Site Specific Merit**

The PP demonstrates site-specific merit, with the unique elements and location of the site informing the development of the proposed concept. In relation to the suitability of the site for the proposed concept:

- The site is not subject to significant environmental constraints or hazards, such as bushfire or flooding. This means the location of the proposed concept is not placing new homes or workplaces in high-risk, hazard-affected areas.
- The presence of Blue Gum High Forest is a valued part of the site and it has been carefully considered throughout the development of the proposed concept. A Biodiversity Assessment Report confirms the proposed development will not have a significant impact on any threatened species, populations or TECs.
- The proposed concept has also carefully considered neighbouring land uses, including the surrounding low-density residential, commercial and hotel uses. The proposed concept will not detrimentally impact the local area, given the proposed uses already largely occur in the local area. No adverse shadowing impacts to the surrounding low-density locality to the south of the site will occur and privacy impacts have been managed through the proposed built form.
- The site is well-serviced and there is sufficient infrastructure available to accommodate the proposed concept. Any augmentation required has been identified in the Services Infrastructure Report provided as part of this PP.

This PP demonstrates strategic and site-specific merit and addresses all relevant considerations under the *Local Environmental Plan Making Guidelines (Dec 2021)*. The proposed concept is consistent with State, Regional and Local planning policies and the relevant Section 9.1 Ministerial Directions. In summary, there is a sound planning basis, strategic planning merit and site-specific merit to support the amendments to the HELP in relation to this site, as promoted by this Planning Proposal.

