

Mr Stephen Head  
General Manager  
Hornsby Shire Council  
hsc@hornsby.nsw.gov.au

Our ref: PP-2022-908 (IRF23/821)

**Attention: Katherine Vickery**

Dear Mr Head

**Planning proposal PP-2022-908 for Hornsby Local Environmental Plan 2013 –  
Alteration of Gateway Determination**

I refer to the email from Ms Katherine Vickery, dated 5 April 2023, seeking an extension of time to complete planning proposal PP-2022-908 to allow the residential flat building, seniors housing and an increased floor space ratio which includes a minimum 0.5:1 FSR for commercial uses, at 7 City View Road, Pennant Hills.

I would like to thank Council for its effort in preparing this proposal and working with the proponent to answer the conditions of the Gateway determination issued on 26 August 2022. As was discussed during a meeting with the Department on 24 March 2023, it is appreciated that meeting the conditions of the 7 City View Road Gateway has taken time, as has the preparation of the VPA supporting this proposal. I recognise that Council has been working hard to progress this matter.

Since July 2020, the Government has been reforming the planning system to streamline and simplify processes. An important part of the reforms seeks to reduce planning proposal timeframes. I note that the above planning proposal has not yet been placed on public exhibition and the Gateway milestone for finalisation will not be met. As the Department has made a commitment to reduce assessment times, we are not able to approve Council's request to extend the Gateway timeframe.

For this reason, I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the Environmental Planning and Assessment Act 1979, to alter the Gateway determination dated 26th day of August 2022 for PP-2022-908 to 'should not proceed'. The Alteration of Gateway determination is enclosed.

I request Council to submit the planning proposal for a new Gateway determination now that it has completed supporting technical studies. This will allow Council time to exhibit, report back on and finalise the VPA and planning proposal within a new Gateway timeframe. As the Department has completed a previous assessment and no new conditions are required, we will be able to provide a Gateway Determination within two weeks of Council lodging a new application.

If you have any questions in relation to this matter, I have arranged for Ms Ashley Richards to assist you. Ms Richards can be contacted on 02 8289 6776.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', with a stylized flourish at the end.

**Monica Gibson**  
**Deputy Secretary**  
**Planning and Land Use Strategy**

**16 May 2023**

Encl: Alteration of Gateway Determination

## Alteration of Gateway Determination

### *Planning proposal (Department Ref: PP-2022-908)*

I, Deputy Secretary, Planning Land Use and Strategy, at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 26 August 2022 for the proposed amendment to the Hornsby Local Environmental Plan 2013 as follows:

1. Change the description of the planning proposal from:

'I, the Director at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Hornsby Local Environmental Plan 2013 to introduce a new site-specific clause in Part 6 for 7 City View Road, Pennant Hills should proceed subject to the following conditions:'

and replace with:

'I, the Deputy Secretary at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Hornsby Local Environmental Plan 2013 to introduce a new site-specific clause in Part 6 for 7 City View Road, Pennant Hills should not proceed.'

2. Delete conditions 1 to 7.

Dated 16 day of May 2023.



**Monica Gibson**  
**Deputy Secretary**  
**Planning and Land Use Strategy**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and  
Public Space**