

15 August 2023

Kiersten Fishburn  
Secretary  
Department of Planning and Environment  
4 Parramatta Square  
12 Darcy Street Paramatta NSW 2150

## **Resubmission for Gateway Consideration – PP/1/2022: 7 City View Road Pennant Hills**

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Council is seeking a Gateway determination for Planning Proposal PP/1/2022 related to 7 City View Road, Pennant Hills (the site).

The planning proposal seeks to amend *Hornsby Local Environmental Plan 2013* to permit a mixed use development on the site, with a minimum commercial component.

The planning proposal was considered by Council at its 9 August 2023 meeting, where it resolved, in part, to submit the planning proposal to the Department of Planning and Environment (DPE) for a Gateway determination.

Council also resolved to place an associated draft planning agreement on public exhibition alongside the planning proposal. This planning agreement is also subject to assessment and consideration following the public exhibition.

### **Background**

This is a resubmission of a previous planning proposal relating to the site, which was lodged with the DPE for Gateway consideration on 19 July 2022.

The Gateway determination required the proponent to make certain amendments to the planning proposal and to prepare additional reporting related to urban design and traffic considerations. Those tasks were completed by the proponent on 14 February 2023. On 23 February 2023, DPE confirmed that all pre-exhibition requirements of the Gateway determination were met and the planning proposal could be placed on public exhibition. Concurrently, negotiations with the applicant on the Planning Agreement were continuing.

On 5 April 2023, Council staff wrote to the DPE justifying and requesting an extension to the Gateway's end date to allow for finalisation of a draft planning agreement. The request to extend the original Gateway determination indicated that the planning proposal could be finalised in October 2023. This schedule took advantage of increased staff resources and scheduling efficiencies, including avoiding school holidays.

In response, the Gateway determination was altered by DPE on 16 May 2023 to 'not proceed'. The alteration was accompanied by a letter encouraging Council to resubmit the planning proposal.

### **Proposed timeframe for current Gateway Request**

As a consequence of the DPE's alteration of the original Gateway determination the original finalisation schedule can no longer be achieved. This is because:

- Two weeks are required for DPE to issue the Gateway determination (taking us to end of August 2023);
- Council's next public consultation window is late September to early November 2023, aligning with newspaper publication dates and accommodating school holidays; and

- The following 13 December Council meeting would require all tasks, including finalisation of the planning agreement, to be complete by mid November, only allowing one week for response to submissions and legal review of the exhibited Planning Agreement.

Based on the above, the suggested schedule below reflects a shortened timeframe for completion of the planning proposal, informed by the *Local Environmental Plan Making Guideline* benchmarks, whilst giving a realistic timeline for finalisation.

Stage	Timeframe	Date complete
Submission for Gateway determination	-	15 August 2023
Gateway determination	Approx 2 weeks	29 August 2023
Commencement of exhibition	1 month from date of Gateway Determination	Week ending 29 Sept 2023
Public Exhibition	30 working days (‘Standard’ timeframe 20 days plus 2 weeks to account for school holidays)	Week ending 10 November 2023
Review of Submissions and finalisation of planning agreement through solicitors	30 working days	Week ending 22 December 2023
Report on submissions and adoption of Planning Agreement	first available Council meeting	14 February 2024
Finalisation	Approx 55 working days	30 April 2024

Should you have any queries, please direct them to either Taylor Richardson, Team Leader, Strategic Landuse Planning or the undersigned on 9847 6744.

Yours faithfully



Katherine Vickery  
Manager Landuse Planning

TRIM Reference: PP/1/2022