

Gateway Determination

Planning proposal (Department Ref: PP-22-1772): to introduce a new site-specific clause in Part 6 of the Hornsby Shire Council LEP 2013, for 7 City View Road, Pennant Hills.

I, the Director North District, Metro Central North at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Hornsby Local Environmental Plan 2013* to introduce a new site-specific clause in Part 6 for 7 City View Road, Pennant Hills permitting residential flat buildings, seniors housing, and an increased FSR for development which includes a minimum 0.5:1 FSR for commercial uses should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 30 April 2024.

1. Prior to exhibition, the planning proposal should be updated to remove references to the *B5 Business Development* zone which was superseded by the *E3 Productivity Support* zone with the commencement of the Employment Zones on 26 April 2023.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023) and must be made publicly available for a minimum of **30** days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

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

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

- Transport for NSW
- NSW Department of Environment and Heritage
- Relevant utility providers, including Sydney Water

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

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

Dated 1st day of September 2023.



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

Delegate of the Minister for Planning and Public Spaces