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25 August 2022

The General Manager
Hornsby Shire Council
PO Box 37
HORNSBY NSW 1630
Attention: Matthew Miles

Dear Sir,

DEVELOPMENT APPLICATION NO. 416/2020
228 – 234 PACIFIC HIGHWAY, HORNSBY

Introduction

I refer to the abovementioned matter which comprises a Development Application (DA) for the construction of a 10 – 12 storey mixed-use development and associated subdivision.

I note the matter was considered by the Hornsby Local Planning Panel ("the Panel") at its meeting of 27 July 2022. The Panel resolved to defer the determination of the DA to enable the Applicant to address two (2) matters.

The first matter relates to the "*written requests*" to vary the building height and residential floor space ratio (FSR) controls pursuant to Clause 4.6 of the Hornsby Local Environmental Plan (LEP) 2013.

The second matter relates to the content of the *Draft Hornsby Town Centre Masterplan* ("the Draft Masterplan").

Clause 4.6 Written Requests

In relation to the first matter, please find attached updated "*written requests*" to vary the building height and residential FSR controls pursuant to Clause 4.6 of the Hornsby LEP 2013.

The Draft Masterplan

The *Draft Masterplan* is on public exhibition until 30 September 2022. The primary purpose of the *Draft Masterplan* is to facilitate the orderly increase of the existing population to accommodate approximately 4,500 additional dwellings and 5,000 new jobs by 2036.

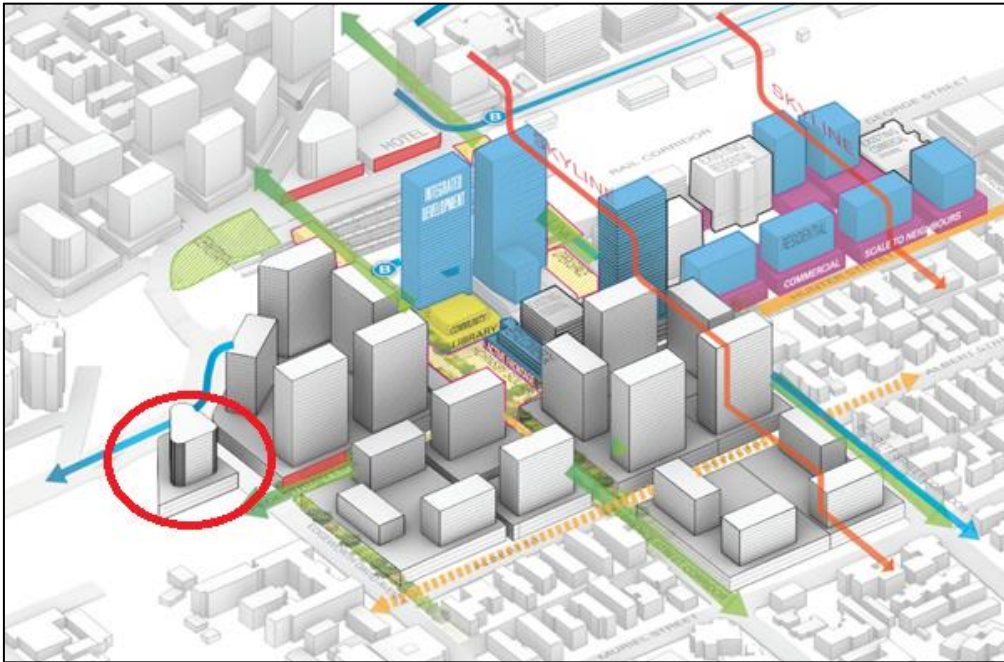
The *Draft Masterplan* is not formally a matter for consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979*. Irrespective, the Draft Masterplan is of some relevance in relation to the circumstances of the case and/or “*the public interest*”.

The site is located at the southern edge of the Hornsby Town Centre, and the general Structure Plan seeks to retain and facilitate mixed-use land uses on the site.

In terms of numeric controls, the *Draft Masterplan* recommends a 12-storey height control, and a minimum non-residential FSR control of 2:1. In the circumstances, the *Draft Masterplan* effectively seeks to increase the existing building height, maintain the employment generating capacity of the site, and accommodate a mix of residential and non-residential land uses.

The preferred building form for the site (circled in red) is diagrammatically depicted in the *Draft Masterplan* as follows:





The proposed development has been designed under the direction of an urban design specialist (Karla Castellanos of [then] *GMU Urban Design & Architecture*), and has been carefully designed to accommodate the specific operational requirements of the proposed uses, whilst achieving a benchmark for high quality architecture within the Hornsby Town Centre.

The locality surrounding the site is undergoing a transition towards a more intensified precinct, with the newer development characterised by multi-storey mixed-use buildings. Further, the site effectively functions as the southern gateway to the Hornsby Town Centre, providing an opportunity to construct a high-quality building to be perceived as an important built form marker.

The *Draft Masterplan* recognises the important location of the site as the southern gateway to the Hornsby Town Centre, and proposes a building height of 12 storeys, with the diagrammatic images depicting a tower element extending above a base level podium.

In the circumstances, the proposed development is entirely consistent with the built form objectives of the *Draft Masterplan*, representing a contemporary expression of the desired future character of the locality.

Further, the proposed development has been designed to comply with the FSR control, and has intentionally redistributed the floor space to provide a more appropriate, vertical building form, that extends above the current building height control.

In the circumstances, the proposed development does not involve exceeding the development capacity of the site in terms of overall floor space, and the site is serviced by all necessary infrastructure.

The proposed “residential care facility” will generate employment for approximately 35 staff, with additional “flow on effects” arising due to the sites proximity to major retail and transport infrastructure, including *Westfield Hornsby Shopping Centre* and *Hornsby Railway Station*.

Further, the “residential care facility” (whilst technically a form of “residential accommodation”) will provide substantially more employment than any other form of “residential accommodation”, and substantially more employment than the approved residential apartments on the site.

The site has extremely good access to public transport and is within 400 metres walking distance of *Hornsby Railway Station*. The site is located approximately 1.5 kilometres from *Hornsby Ku-ring-gai Hospital*, approximately 3 kilometres from *Neringah Hospital*, and approximately 2.4 kilometres from *Mount Wilga Private Rehabilitation Hospital*.

Finally, the site is located directly opposite the main pedestrian entrance to *Westfield Hornsby Shopping Centre*, circumstances in which the future residents of the facility will have excellent access to a full range of services and facilities, and contribute significantly to the stimulation of the local economy.

In summary, the proposed development is consistent with the overall objectives of the Draft Masterplan, and will make a significant contribution to the quality of architecture and mix of land uses within the Hornsby Town Centre.

Conclusion

I trust this submission is satisfactory for your purposes, however should you require any further information or clarification please do not hesitate to contact the writer.

Yours Sincerely,



James Lovell
Director
James Lovell and Associates Pty Ltd