



New South Wales

## **Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/01973/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## **2004 No 636**

Clause 1                      Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)

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under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to facilitate the orderly and integrated development of land to which this plan applies, and
- (b) to provide housing above shops and in close proximity to transport services and employment.

### **3 Land to which plan applies**

This plan applies to land in the Hornsby local government area bounded by the Pacific Highway, Amor Street, Wattle Street and Wattle Lane, Asquith as shown edged heavy black on the diagram headed "Diagram 15" in Schedule 1 [2].

### **4 Amendment of Hornsby Shire Local Environmental Plan 1994**

*Hornsby Shire Local Environmental Plan 1994* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Clause 4)

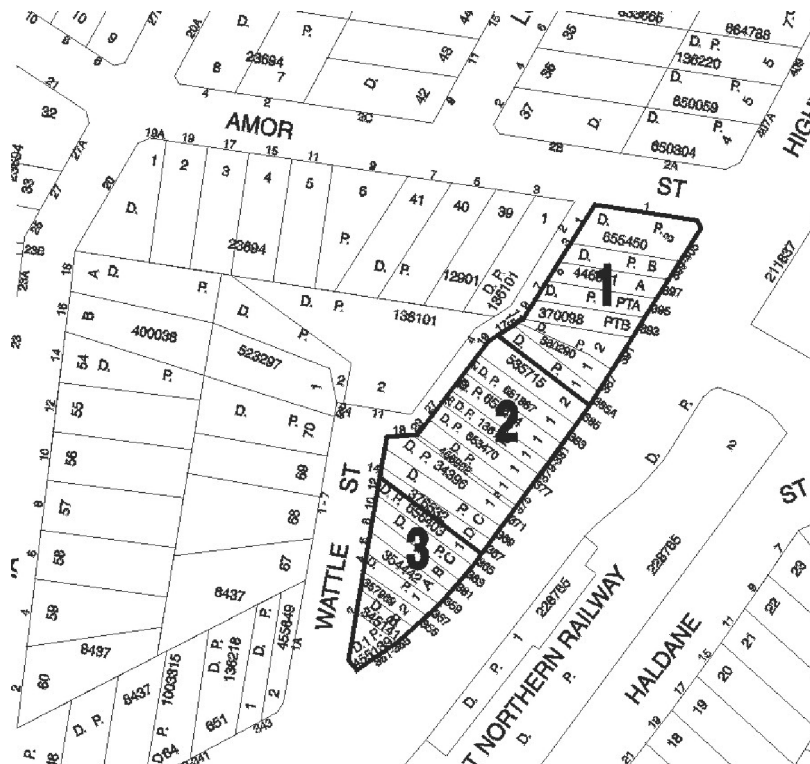
### [1] Clause 23 Dictionary

Omit the definition of *shop* where first occurring in clause 23 (1).

### [2] Schedule B

Insert after the matter relating to diagram 14:

#### Diagram 15



#### Land described in diagram 15

- 1 The Council may approve a floorspace ratio in respect of the land marked "1" and shown edged heavy black on Diagram 15 that exceeds 1:1, but does not exceed 2:1 if:

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Schedule 1 Amendments

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- (a) the site area is greater than 2,500 square metres, and
  - (b) the gross floor area that results in a floorspace ratio in excess of 1:1 is used, or is proposed to be used, exclusively for the purpose of multi-unit housing, and
  - (c) a minimum of 0.5:1 and a maximum of 1:1 of the floorspace ratio of the development is used, or is proposed to be used, exclusively for commercial, retail or business purposes, and
  - (d) the Council has taken into consideration the principles, design, height and setback controls of the *Asquith Commercial Centre Masterplan* contained in the *Business Lands Development Control Plan* adopted by Council on 5 November 2003.
- 2 The Council may approve a floorspace ratio in respect of the land marked "2" and shown edged heavy black on Diagram 15 that exceeds 1:1, but does not exceed 2.3:1 if:
  - (a) the site area is greater than 3,000 square metres, and
  - (b) the gross floor area that results in a floorspace ratio in excess of 1:1 is used, or is proposed to be used, exclusively for the purpose of multi-unit housing, and
  - (c) a minimum of 0.75:1 and a maximum of 1:1 of the floorspace ratio of the development is used, or is proposed to be used, exclusively for commercial, retail or business purposes, and
  - (d) a public precinct is provided comprising an open air space of at least 600 square metres in area, and
  - (e) the Council has taken into consideration the principles, design, height and setback controls of the *Asquith Commercial Centre Masterplan* contained in the *Business Lands Development Control Plan* adopted by Council on 5 November 2003.

- 3 The Council may approve a floorspace ratio in respect of the land marked “3” and shown edged heavy black on Diagram 15 that exceeds 1:1, but does not exceed 2.15:1 if:
- (a) the site area is greater than 1,600 square metres, and
  - (b) the gross floor area that results in a floorspace ratio in excess of 1:1 is used, or is proposed to be used, exclusively for the purpose of multi-unit housing, and
  - (c) a minimum of 0.7:1 and a maximum of 1:1 of the floorspace ratio of the development is used, or is proposed to be used, exclusively for commercial, retail or business purposes, and
  - (d) an arcade, passageway, thoroughfare or other means of providing a pedestrian link through the site is provided which, in the opinion of the Council, will be of benefit to occupants of or visitors to the development and other buildings in the Asquith Commercial Centre, and
  - (e) the Council has taken into consideration the principles, design, height and setback controls of the *Asquith Commercial Centre Masterplan* contained in the *Business Lands Development Control Plan* adopted by Council on 5 November 2003.