



New South Wales

Environmental Planning and Assessment Amendment (Hornsby Transport Oriented Development Precinct) Regulation 2024

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

Explanatory note

The objects of this regulation are to—

- (a) require a person applying for development consent to carry out development on land in the Hornsby Transport Oriented Development Precinct to submit an assessment of the consistency of the development with the *Hornsby Precinct Design Guide* with the application, and
- (b) provide for specific maximum percentages of development levy that may be imposed in relation to development in the precinct.

This regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 4.12, 4.64, 7.12, 10.13, the general regulation-making power, and 10.15.

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1 Name of regulation

This regulation is the *Environmental Planning and Assessment Amendment (Hornsby Transport Oriented Development Precinct) Regulation 2024*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2021

[1] Section 35 Additional requirements for development applications in certain areas of Sydney

Omit “Chapter 2.” from section 35(2)(i). Insert instead—

Chapter 2,

- (j) land identified as “Hornsby TOD Precinct” on the Key Sites Map under *Hornsby Local Environmental Plan 2013*.

[2] Section 35(4), definition of “relevant plan”

Omit “time.” from section 35(4), definition of *relevant plan*, paragraph (i)(ii).

Insert instead—

time,

- (j) for land identified as “Hornsby TOD Precinct”—the *Hornsby Precinct Design Guide* within the meaning of *Hornsby Local Environmental Plan 2013*, Part 8.

[3] Section 209 Maximum percentage of development levy—the Act, s 7.12(5)(b)

Insert in appropriate order in section 209(1), Table—

Development on land identified as “Hornsby TOD Precinct” on the Key Sites Map under *Hornsby Local Environmental Plan 2013*—

- | | | |
|-----|--|-----|
| (a) | up to and including \$200,000 | Nil |
| (b) | mixed use development involving development for the purposes of residential accommodation and more than \$200,000— | |
| | (i) a component that is development for the purposes of residential accommodation | 4% |
| | (ii) another component | 2% |
| (c) | development not specified in paragraph (b) and more than \$200,000— | |
| | (i) if the development is for the purposes of residential accommodation | 4% |
| | (ii) otherwise | 2% |

[4] Schedule 6 Savings, transitional and other provisions

Insert at the end of the schedule, with appropriate part and section numbering—

**Part Provision consequent on Environmental Planning
and Assessment Amendment (Hornsby Transport
Oriented Development Precinct) Regulation 2024**

Application of amendments

An amendment made by the *Environmental Planning and Assessment Amendment (Hornsby Transport Oriented Development Precinct) Regulation 2024* does not apply to a development application made, but not finally determined, before the commencement of the amendment.