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Our ref: PP_2014_HORNS_001_00 (14/01095)
Your ref:

Mr Scott Phillips
General Manager
Hornsby Shire Council
PO Box 37
HORNSBY NSW 1630

Dear Mr Phillips

Planning proposal to amend Hornsby Local Environmental Plan 2013

I am writing in response to your Council's letter dated 23 December 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone land at 99 New Line Road, Cherrybrook from R2 Low Density Residential to RE2 Private Recreation.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistency with S117 Direction 3.1 Residential Zones is of minor significance. No further approval is required in relation to this Direction.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Shane Nugent of the Metropolitan Delivery Office of the department on 02 9860 1173.

Yours sincerely,

14/1/2014

Rachel Cumming
Director, Metropolitan Delivery (Parramatta)
Growth Planning and Delivery

Gateway Determination

Planning proposal (Department Ref: PP_2014_HORNS_001_00) to rezone land at 99 New Line Road, Cherrybrook from R2 Low Density Residential to RE2 Private Recreation.

I, the Director, Metropolitan Delivery (Parramatta) at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Hornsby Local Environmental Plan (LEP) 2013 to rezone land at 99 New Line Road, Cherrybrook from R2 Low Density Residential to RE2 Private Recreation should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Trade and Investment NSW – Office of Liquor, Gaming and Racing, NSW
 - Transport for NSW – Roads and Maritime Services
 - Transgrid

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 56(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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 14th day of January 2014.



Rachel Cumming
Director, Metropolitan Delivery (Parramatta)
Growth Planning and Delivery]
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure