

Gateway Determination

Planning proposal (Department Ref: PP_2019_COPAR_015_00): to amend the zoning, maximum height of buildings and floor space ratio of several sites in East Epping in response to heritage interface issues.

I, the Acting Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, 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 (LEP) 2013 to amend the zoning, maximum height of buildings and floor space ratio of several sites in East Epping in response to heritage interface issues should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to reduce the maximum height of buildings for the area surrounding the Rockleigh Precinct currently labelled as 12m to 9m.
2. Public exhibition is to be held concurrently with the planning proposal for Rosebank Avenue (PP_2019_COPAR_014_00).
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Hornsby Shire Council,
 - Heritage, Department of Premier and Cabinet, and
 - Transport for NSW.

Each public authority/organisation 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.

5. 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 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).
6. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
7. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 10th day of JANUARY 2020.



David McNamara
Acting Executive Director, Central
River City and Western Parkland City
Greater Sydney, Place and
Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces