



Mr Gary Bensley
Acting General Manager
Hornsby Shire Council
PO Box 37
Hornsby NSW 1630

15/14503

Dear Mr Bensley

Planning proposal to amend Hornsby Local Environmental Plan 2013

I am writing in response to your Council's letter dated 20 July 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to amend Hornsby Local Environmental Plan 2013 to permit residential flat buildings at 10 Pembroke Street, Epping, but only where all premises on the ground floor are used for community facilities.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination. Given the nature of the planning proposal, I have not attached a condition for agency consultation under section 56(2)(c) of the Act.

The amending Local Environmental Plan is to be finalised within six 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 for the Department of Planning and Environment to draft and finalise the Plan should be made six weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete local environmental plans 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 *Environmental Planning and Assessment Act* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Shane Nugent to assist you. Mr Nugent can be contacted on (02)9860 1173.

Yours sincerely

1/10/2015

Rachel Cumming
Director, Metropolitan (Parramatta)

Gateway Determination

Planning Proposal (Department Ref: PP_2015_HORNS_003_00) to amend Hornsby Local Environmental Plan 2013 to permit residential flat buildings at 10 Pembroke Street, Epping, but only where all premises on the ground floor are used for community facilities.

I, the Director, Metropolitan (Parramatta), Planning Services, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 that an amendment to the Hornsby Local Environmental Plan 2013 to permit residential flat buildings at 10 Pembroke Street, Epping, but only where all premises on the ground floor are used for community facilities, should proceed subject to the following conditions:

1. Prior to finalisation of the proposal, an amended Additional Permitted Uses Map, consistent with the Department's 'Standard Technical Requirements for LEP Maps' is to be included as part of the planning proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment 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 (Planning & Infrastructure 2013)*.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the *Environmental Planning and Assessment 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).
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 1st day of October 2015



Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services

As delegate of the Minister for Planning