



Planning

Office of the Director-General

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Our ref: PP_2009_HORNS_001_00

Mr Robert Ball
General Manager
Hornsby Shire Council
PO Box 37
HORNSBY NSW 1630

Dear Mr Ball,

Re: Planning Proposal to rezone property at Brooklyn Rd, Brooklyn, and general updating of the list of heritage items and extension of Hornsby West Side Conservation Area Review

I am writing in response to your Council's letter received on 9 December 2009 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 amend the Hornsby Local Environmental Plan 1994 to:

1. Rezone for the facilitation of a strata subdivision of property at 218 Brooklyn Rd, Brooklyn;
2. Update the listing of heritage items in accordance with the recommendations of Heritage Review State 4;
3. Update the listing of heritage items generally in accordance with the recommendations of the East Epping Conservation Evaluation and Review Study East Epping Heritage Review; and
4. Expand the existing West Side Conservation Area generally in accordance with the recommendations of the Hornsby West Side Conservation Area Review.

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

The proposed new heritage items in the East Epping Study area have not been included in this determination. This matter will be addressed in the context of an overall proposal for development of the town centre and surrounds.

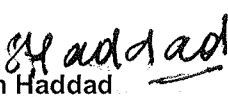
The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act I am satisfied that the planning proposal is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination.

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 s54(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 Tai Ta of the Regional Office of the Department.

Yours sincerely,


Sam Haddad

Director-General

30/12/2009

Gateway Determination

Planning Proposal (Department Ref: PP_2009_HORNS_001_00): to amend the Hornsby Local Environmental Plan 1994 to:

1. *Rezone for the facilitation of a strata subdivision of property at 218 Brooklyn Rd, Brooklyn;*
2. *Update the listing of heritage items in accordance with the recommendations of Heritage Review State 4;*
3. *Update the listing of heritage items generally in accordance with the recommendations of the East Epping Conservation Evaluation and Review Study East Epping Heritage Review; and*
4. *Expand the existing West Side Conservation Area generally in accordance with the recommendations of the Hornsby West Side Conservation Area Review.*

I, the Director General as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Hornsby Local Environmental Plan 1994 to:

1. Rezone for the facilitation of a strata subdivision of property at 218 Brooklyn Rd, Brooklyn;
2. Update the listing of heritage items in accordance with the recommendations of Heritage Review State 4;
3. Update the listing of heritage items generally in accordance with the recommendations of the East Epping Conservation Evaluation and Review Study East Epping Heritage Review; and
4. Expand the existing West Side Conservation Area generally in accordance with the recommendations of the Hornsby West Side Conservation Area Review;

Should proceed, subject to the following conditions:

1. Removal of the proposed heritage items in the East Epping Study area (East Epping Heritage Review).
2. 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 is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning 2009) and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs* (Department of Planning 2009).
3. No consultation is required with State or Commonwealth public authorities under section 56(2)(d) of the EP&A Act.
4. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act.
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 30th day of December 2009.


Sam Haddad
Delegate for the Minister for Planning