



Contact: Shane Nugent
Phone: (02) 9860 1560
Email: Shane.Nugent@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2013_HORNS_001_00 (13/07409)
Your ref: D02164038

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

Dear Mr Phillips,

Planning proposal to amend Hornsby Shire Local Environmental Plan 1994

I am writing in response to your Council's letter dated 22 April 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 reclassify land at 18X Water Street, Hornsby from 'community land' to 'operational land'.

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.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of the current zoning of the site, its small size and lack of suitability for use as open space. No further approval is required in relation to this Direction.

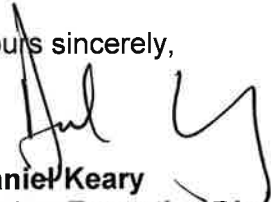
Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the department's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

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 regional office of the department on 02 9860 1560.

Yours sincerely,


Daniel Keary
Acting Executive Director
Metropolitan Planning

22/5/13

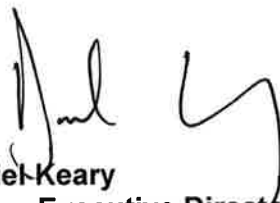
Gateway Determination

Planning proposal (Department Ref: PP_2013_HORNS_001_00): to reclassify land at 18X Water Street, Hornsby from 'community land' to 'operational land'.

I, the Acting Executive Director, Metropolitan Planning 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 Shire Local Environmental Plan (LEP) 1994 to reclassify land at 18X Water Street, Hornsby from 'community land' to 'operational land' 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. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 22nd day of MAY 2013.



Daniel Keary
Acting Executive Director
Metropolitan Planning
Department of Planning and Infrastructure

**Delegate of the Minister for Planning and
Infrastructure**