

Our ref: IRF23/2198

Mr Steven Head
General Manager
Hornsby Shire Council
PO Box 37
HORNSBY NSW 2059

Dear Mr Head

Planning proposal PP-2023-1772 to amend Hornsby Local Environmental Plan (LEP) 2013

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to introduce a new site-specific clause in Part 6 of the Hornsby LEP 2013, for 7 City View Road, Pennant Hills permitting residential flat buildings, seniors housing, and an increased FSR for development which includes a minimum 0.5:1 FSR for commercial uses.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination. I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 3.1 Conservation zones is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Prior to exhibition, the planning proposal should be updated to remove references to the *B5 Business Development* zone which was superseded by the *E3 Productivity Support* zone with the commencement of the Employment Zones on 26 April 2023.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The amending LEP is to be finalised on or before 8 months from the date of the Gateway determination. As this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting as soon as practicable. A copy of the request should also be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

Should you have any enquiries about this matter, I have arranged for Mr Matt Carpenter to assist you. Mr Carpenter can be contacted on 02 9585 6663.

Yours sincerely



1 September 2023
Brendan Metcalfe
Director, Metro North
Encl: Gateway determination