



7 December 2022

Mr Michael Cividin  
Senior Planning Officer  
North District  
Department of Planning and Environment

via email: [michael.cividin@planning.nsw.gov.au](mailto:michael.cividin@planning.nsw.gov.au)

Dear Mr Cividin,

**Request for Gateway determination review (GR-2022-26) –**

**Planning proposal to update and extend the Terrestrial Biodiversity Map and update the terminology in the corresponding Clause (6.4 Terrestrial Biodiversity) within the Hornsby Local Environmental Plan 2013**

**Request for Information**

I refer to the above request for advice, currently before the Independent Planning Commission (**Commission**).

As you are aware, the Commission met with the Department of Planning and Environment (**Department**) on 5 December 2022 to discuss this Planning Proposal. The Commission would be assisted by the Department providing a response to the questions taken on notice during this meeting as set out in Attachment A.

The Commission will consider any written response provided before **14 December 2022** unless an extension to this timeframe is requested and agreed to by the Commission.

Should you require any clarification in relation to the above, or wish to discuss further, please contact me at [stephen.barry@ipcn.nsw.gov.au](mailto:stephen.barry@ipcn.nsw.gov.au) or on 0400 323 047.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Barry', with a long horizontal line extending to the right and a small loop at the end.

Stephen Barry  
Planning Director



## ATTACHMENT A

### Questions taken on notice

1. What would be the effect of a separate map of local and common vegetation communities with buffers and linkages/corridors on complying development without a corresponding change to clause 6.4 of the Hornsby Local Environmental Plan 2013?
2. Council has referenced “abuse of complying development” as one of their underlying reasons for developing this Planning Proposal. Has the Department asked Council to quantify the impacts of this “abuse”?
3. The Department referred to the approach taken by Canada Bay Council as a potential option to address some of Hornsby Council’s objectives for this Planning Proposal. Can the Department elaborate on this option, addressing:
  - the approach used
  - the intended effect on tree protection and complying development
  - specifying the width of any buffers and the number and maximum length of the linkages/corridors between mapped vegetation areas?
4. The Department also referred to the approach taken by Sutherland Council as a potential option to address some of Hornsby Council’s objectives for this Planning Proposal, but noted that the Department no longer supported this approach. Can the Department elaborate on this option and the reason why it is no longer supported?
5. Does the Department specifically require that this type of vegetation mapping is validated, and if so, what is the minimum threshold, as a percentage, for validation?