

Mr Michael Edgar
General Manager
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS BC 2153

Dear Mr Edgar

Planning Proposal PP_2017_THILL_010_00 to amend The Hills Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend The Hills LEP 2012 Schedule 1 – Additional Permitted Uses to facilitate high-density residential development comprising approximately 190 residential apartments, with a maximum FSR of 3:1 and maximum height of 18 storeys at 6–12 and 16–20 Garthowen Crescent, Castle Hill.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with Section 117 Direction 2.3 Heritage Conservation is justified in accordance with the terms of the Direction.

The Gateway determination requires Council to amend the planning proposal to remove the proposed amendments to Schedule 1 – Additional Permitted Uses and seek the proposed planning controls through relevant amendments to clauses and maps for Land Use Zones, Height of Building, Floor Space Ratio and Lot Size. The required amendments are to ensure consistency with Section 117 Direction 6.3 Site Specific Provisions. These amendments will provide greater certainty regarding the location of proposed land uses as well as better transparency for any future redevelopment of the site. Council is required to submit the revised planning proposal to the Department for endorsement prior to community consultation.

I note that the site is within the Castle Hill North Precinct, and community consultation for that planning proposal (PP_2016_THILL_002_00) finished on 15 September 2017. During the review of submissions for the Castle Hill North Precinct proposal, Council is requested to carefully consider whether any post exhibition changes are necessary to achieve the intent of the North West Rail Link Corridor Strategy.

Plan-making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Greater Sydney Commission may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Angela Hynes to assist you. Ms Hynes can be contacted on (02) 9860 1558.

Yours sincerely

 13 October 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template