

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_THILL\_007\_00):** to amend The Hills Local Environmental Plan 2012 Schedule 1 Additional Permitted Uses to facilitate up to 400sqm of non-residential uses within the ground floor of the approved residential flat building within part of 40 Solent Circuit, Baulkham Hills comprising business premises (up to 100sqm), shops (up to 100sqm) and cafes/restaurants (up to 200sqm).

I, the Director, Sydney Region West, at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to The Hills Local Environmental Plan (LEP) 2012 Schedule 1 Additional Permitted Uses should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **21 days**; and
  - (b) the planning proposal 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 local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act:
  - (a) Transport for NSW; and
  - (b) Transport for NSW – Roads and Maritime Services;

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination; and
  - (b) there are no outstanding written objections from public authorities.
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 11th day of July 2018.



**Ann-Maree Carruthers**  
**Director,**  
**Sydney Region West**  
**Planning Services**  
**Department of Planning and Environment**  
  
**Delegate of the Greater Sydney Commission**