



Mr Dave Walker
General Manager
The Hills Shire Council
PO Box 7064
Baulkham Hills BC NSW 2153

15/12796

Attention: Bronwyn Smith

Dear Mr Walker

Planning proposal to amend The Hills Local Environmental Plan 2012 – Bella Vista Farm Park (Version 2)

I am writing in response to your Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* for the above planning proposal.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

As per the attached Gateway determination, Council is to update the planning proposal prior to exhibition in order to establish consistency or otherwise with Local Planning Direction 2.3 Heritage Conservation.

The Minister delegated his plan-making powers to councils in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of the planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 9 months of the week following the date of the Gateway determination. Council should commence exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Plan should be made to the Department 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the process to the complexity of the proposal, and by providing clear and transparent justification for each plan at an early stage. To meet these commitments, the Minister may take action under section 54(2)(d) of the *Environmental Planning & Assessment Act 1979* if the time frames in this determination are not met.

Should you have any queries in regard to this matter, please contact Chris Browne of the Metropolitan Region (Parramatta) office of the Department on 02 9860 1108.

Yours sincerely,



4/9/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2015_THILL_007_00): Bella Vista Farm Park (Version 2)

I, the Director, Metropolitan Region (Parramatta) at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* that an amendment to The Hills Local Environmental Plan 2012 to allow a number of additional permitted uses at Bella Vista Farm Park should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to consult the Office of Environment and Heritage (Heritage Division) on the planning proposal and the Conservation Management Plan for the site so as to establish consistency with Local Planning Direction 2.3 Heritage Conservation. Council is to update the planning proposal accordingly, and provide a copy of the revised planning proposal to the Department's regional office.
2. 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).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - a. NSW Aboriginal Land Council
 - b. Office of Environment and Heritage – Heritage Division
 - c. Department of Planning and Environment – Office of Strategic Lands
4. 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.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.



4 September 2015

Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services

Delegate of the Minister for Planning