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Mr Dave Walker
General Manager
The Hills Shire Council
PO Box 75
CASTLE HILL NSW 1765

Our ref: PP_2013_THILL_016_00
Your ref: 2/2014/PLP

Attention: Kate Clinton

Dear Mr Walker

Gateway determination – The Hills LEP 2012 (Am. No. xx) – 15 Old Glenhaven Rd, Glenhaven

I am writing in response to your Council's letter dated 9 October 2013 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") for the planning proposal to amend Clause 4.1D of The Hills LEP 2012.

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

I have also agreed that the planning proposal is consistent with all relevant section 117 Directions. No further approval is required in relation to these.

The Minister delegated his plan making powers to councils in October 2012. 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 9 months of the week following 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 for administrative purposes.

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 Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any enquiries in regard to this matter, please contact Chris Browne of the Metropolitan Planning office of the Department on 02 9860 1108.

Yours sincerely



20-12-2013

Rachel Cumming
Director
Metropolitan Planning
Growth Planning and Delivery



Gateway Determination

Planning proposal (Department Ref: PP_2013_THILL_016_00): to facilitate development of a residential care facility at 15 Old Glenhaven Road, Glenhaven.

I, the Director, Metropolitan Planning, at the Department of Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act, that an amendment to The Hills Local Environmental Plan (LEP) 2012 to facilitate development of a residential care facility at 15 Old Glenhaven Road, Glenhaven, should proceed subject to the following conditions:

1. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- The NSW Rural Fire Service

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.

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 **14 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. 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).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 20th day of December 2013.

Rachel Cumming
Director
Metropolitan Delivery
Growth Planning and Delivery
Department of Planning and Infrastructure



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

The Hills Shire Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979*, that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_THILL_016_00	Planning proposal to facilitate development of a residential care facility at 15 Old Glenhaven Road, Glenhaven.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated Twentieth Day of December, 2013

Rachel Cumming
Director
Metropolitan Delivery
Growth Planning and Delivery
Department of Planning and Infrastructure