

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

Attention: Ms Kate Clinton

Dear Mr Walker

Planning Proposal to rezone 912-914 Old Northern Road, Glenorie, amend the floor space ratio controls and remove a Schedule 1 Additional Permitted Use provision on the site.

I am writing in response to Council's letter requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend The Hills Local Environmental Plan 2012 to rezone 912-914 Old Northern Road, Glenorie from RU6 Transition Zone to IN2 Light Industrial zone, insert a floor space ratio control on the site and delete a Schedule 1 Additional Permitted Use provision on the site.

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.

The Secretary's delegate has also agreed that the planning proposal's inconsistency with Section 117 Directions 1.2 – Rural Zones, and 4.3 – Integrating Land Use and Transport is of minor significance. No further approval is required in relation to these Directions.

I note that Council has not requested delegation of the Minister's plan making functions for this planning proposal. That being said, it is considered appropriate to delegate these functions to Council in this instance, and attached is a Written Authorisation to exercise delegation. Council is to complete the evaluation criteria to exercise delegation and provide a copy to the regional office prior to commencing exhibition, and complete Attachment 5 Delegation of Plan Making Reporting before finalising the Plan.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tessa Parmeter, of the Metropolitan (Parramatta) Office of the Department of Planning and Environment on 9860 1555.

Yours sincerely

R Cumming
27/2/2015

**Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services**

Gateway Determination

Planning Proposal (Department Ref: PP_2015_THILL_001_00): rezone 912-914 Old Northern Road, Glenorie from RU6 Transition Zone to IN2 Light Industrial zone, include a floor space ratio of 0.75:1 on the site, and delete a Schedule 1 Additional Permitted Use provision on the site.

I, the Acting Director, Metropolitan (Parramatta) as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to The Hills Local Environmental Plan 2012 should proceed subject to the following conditions:

1. Prior to Public Exhibition, Council is to amend the planning proposal to:
 - a. Consider Section 117 Direction 7.1 – A Plan for Growing Sydney;
 - b. Assess the consistency of the planning proposal with Sydney Regional Environmental Plan No. 20 Hawkesbury-Nepean River (No.2 – 1997), and if required consult with Local Land Services, Greater Sydney.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* 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 Local Environmental Plans (Department of Planning & Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning & Assessment Act 1979* and/or to comply with the requirements of relevant Section 117 Directions:
 - New South Wales Environmental Protection Authority
 - Hornsby Shire Council
 - Sydney Water
 - Roads and Maritime Services
 - Department of Trade and Investment – Crown Lands
 - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. 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).

5. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 27th day of February 2015.

**Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services**

Delegate of the Minister for Planning