



Planning & Environment

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

Our ref: PP_2015_THILL_005_00 (15/04305)
Your ref: 8/2015/PLP

Attention: Bronwyn Inglis

Dear Mr Walker

The Hills LEP 2012 - Planning proposal to amend floor space ratio map for 2 – 4 Burbank Place, Baulkham Hills

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* (EP&A Act), concerning an amendment to the floor space ratio for 2 – 4 Burbank Place, Baulkham Hills.

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 Minister delegated plan making powers to councils in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal. 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 6 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 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 section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Amar Saini of the Metropolitan Region (Parramatta) office on 02 9860 1130.

Yours sincerely,

Simon Manoski
Acting General Manager,
Metropolitan, Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2015_THIL_005_00): Floor space ratio map amendment for 2 – 4 Burbank Place, Baulkham Hills.

I, the Acting General Manager, Metropolitan, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning an amendment to floor space ratio map of The Hills Local Environmental Plan 2012 for 2 – 4 Burbank Place, Baulkham Hills, should proceed subject to the following conditions:

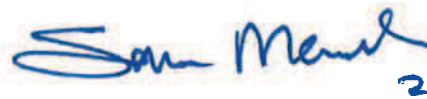
1. Prior to exhibition, the planning proposal should be updated to include a discussion regarding its consistency with 'A Plan for Growing Sydney', which was released by the State Government in December 2014.
2. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be made publicly exhibited for **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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans (Department of Planning and Environment 2013)*.
3. 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:
 - Transport NSW
 - Road and Maritime Services
 - Sydney Water
 - Endeavour Energy
 - Telstra

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.

4. A public hearing is not required to be held in relation to this matter by any person or body under section 52(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 local environmental plan is to be **6 months** from the week following the date of the Gateway determination.

Dated 20 day of March 2015.



20.3.15

Simon Manoski
Acting General Manager,
Metropolitan, Planning Services

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

The Hills Shire Council is authorised to exercise the functions of the Minister for Planning 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_2015_THILL_005_00	Planning proposal is to amend the floor space ratio for 2 - 4 Burbank Place, Baulkham Hills.

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 20th Day of March, 2015

Simon Manoski
Acting General Manager,
Metropolitan, Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2015_THILL_005_00
Date Sent to Department under s56	19 th December 2014
Date considered at LEP Review Panel	N/A
Gateway determination date	20 March 2015

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: