



Mr Dave Walker
General Manager
The Hills Shire Council
PO Box 75
Baulkham Hills BC NSW 2153

15/03540

Attention: Patrice Grzelak

Dear Mr Walker

***Planning proposal to amend The Hills Local Environmental Plan 2012 – 160-162
Excelsior Avenue, Castle Hill***

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.

I have also agreed that the proposal is consistent with all applicable Section 117 Directions. No further approval is required in relation to Section 117 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 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 directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be sent to the Department for administrative purposes.

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,



2/3/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2014_THILL_006_00): 160-162 Excelsior Avenue, Castle Hill

I, the Director, Metropolitan (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 facilitate the expansion of a child care centre at 160-162 Excelsior Avenue, Castle Hill, 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 adopted by the State Government in December 2014.
2. No consultation is required with public authorities under section 56(2)(d) of the *Environmental Planning & Assessment Act 1979*.
3. 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 **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 Local Environmental Plans (Department of Planning & Infrastructure 2013)*.
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 *Environmental Planning & Assessment Act 1979*. 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 **9 months** from the week following the date of the Gateway determination.



2/3/2015

Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning