



Mr Michael Edgar
General Manager
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS BC 2153

Attn: Brent Woodhams

Dear Mr Edgar

Planning proposal PP_2018_THILL_010_00 to amend The Hills Local Environmental Plan (LEP) 2012

I am writing in response to Council's request for a Gateway determination under section 3.34 (1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend clause 9.7(1) Residential Development Yield on Certain Land within the Showground Station Precinct.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have agreed, as delegate of the Secretary, that the planning proposal's inconsistency with the Local Planning Panels Direction – Planning Proposals is of minor significance.

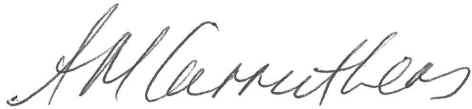
I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of 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 of Planning and Environment.

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 Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Sebastian Tauni, Senior Planning Officer in Sydney Region West, to assist you. Mr Tauni can be contacted on 8217 2018.

Yours sincerely



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

24/10/18

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2018_THILL_010_00): to amend The Hills Local Environmental Plan (LEP) 2012.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to The Hills Local Environmental Plan (LEP) 2012 to amend clause 9.7(1) Showground Precinct Residential Development Yield on Certain Land should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to update the explanation of provisions to provide a plain English explanation of the planning proposal.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 14 days;
 - (b) the planning proposal 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 and Environment 2016).
3. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP is to be completed by 1 March 2019.

Dated 24th day of October 2018.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission