



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL
3 Columbia Court, Norwest NSW 2153
PO Box 7064, Norwest 2153
ABN 25 034 494 656 | DX 9966 Norwest

8 October 2019

Ms Gina Metcalfe
Acting Director, Central (Western)
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 16/2018/PLP, 16/2016/PLP,
5/2018/PLP, 19/2015/PLP and
5/2015/PLP

Your Ref: PP_2018_THILL_005_01,
PP_2016_THILL_002_02,
PP_2018_THILL_009_00,
PP_2016_THILL_013_01 and
PP_2016_THILL_015_02

Dear Ms Metcalfe,

**Combined Gateway Extension Request relating to several Planning Proposals
(16/2018/PLP, 16/2016/PLP, 5/2018/PLP, 19/2015/PLP and 5/2015/PLP)**

I am writing to request an extension of time to finalise several planning proposals that seek to amend The Hills Local Environmental Plan 2012 as follows:

▪ **Edwards Road Bridge, Rouse Hill (16/2018/PLP)**

Status:

Council considered a post-exhibition report on 24 September 2019 and resolved to forward the Planning Proposal to the Department of Planning, Industry and Environment for finalisation. However, there is one (1) outstanding agency objection from the Environment, Energy and Science Group (formerly the Office of Environment and Heritage) which prevents Council from finalising the amendment under Delegation. Council will submit the package in seeking for the DPIE's consideration and potentially finalisation of plan making shortly.

It is also noted that Council's request for the Department to finalise the matter will request that finalisation not occur until associated amendments to Contributions Plan No. 13 – North Kellyville Precinct (which include the additional land acquisition costs as a result of the planning proposal amendments) have also been endorsed by the Minister for Planning.

Timeframe for Completion:

The original Gateway Determination requires the planning proposal to be completed by 2 January 2019. An Alteration of the Gateway Determination was sought and further extension of 9 months was granted, requiring the completion be made before 2 October 2019.

Given additional work required to respond to the issues raised in OEH's objection and the need for certainty around the Minister's endorsement of Contributions Plan No. 13 – North Kellyville Precinct, it will not be possible to finalise the proposal by 2 October 2019. As such, it is requested that an extension of time to complete the planning proposal be granted for a further 9 months to 2 July 2020.

▪ **Castle Hill North Precinct (16/2016/PLP)**

Status:

The planning proposal was exhibited from August to September 2017. A number of submissions raised concern with the location of proposed playing fields to service the future population of the Castle Hill Precinct. These issues warranted further investigation and analysis of potential options for playing fields. Concerns were also raised with respect to traffic and transport, in particular requests for traffic modelling in the submission by Transport for NSW and RMS.

Council considered a post exhibition report on the planning proposal on 27 November 2018. Due to outstanding State Agency objections, Council resolved to forward the proposal to the Department for finalisation. The Department has since facilitated the establishment of a working group between the Department, Transport for NSW, RMS and Council to resolve outstanding traffic issues including the commencement of regional traffic and transport modelling.

Timeframe for Completion:

The most recent amendment to the Gateway Determination requires the planning proposal to be completed by 21 September 2019. It will not be possible to finalise the proposal by this date given that the planning proposal is currently with the Department for finalisation pending the outcomes of the detailed traffic and transport modelling. The modelling is expected to commence in the near future and should be finalised by approximately mid-2020. Accordingly, it is requested that an extension of time to complete the planning proposal be granted for a further 12 months.

▪ **Mackillop Drive, Norwest and 34 Salamander Grove, Baulkham Hills (5/2018/PLP)**

Status:

Council considered a report on a draft voluntary planning agreements on 13 August 2019 and resolved that the agreement be subject to legal review prior to public exhibition. The legal review is ongoing and the recommendations will be incorporated into the draft agreements. Following this the draft agreements will be public exhibited along with the planning proposal and draft development control plan. Council will then consider a post-exhibition report and determine whether the matter should proceed to finalisation.

Timeframe for Completion:

The Gateway Determination requires the planning proposal to be completed by 11 October 2019. Given the ongoing negotiations with respect to the Voluntary Planning Agreement and the subsequent legal review process, the planning proposal, draft development control plan and draft voluntary planning agreement have not yet been publicly exhibited. Accordingly, it is requested that an extension of time to complete the planning proposal be granted for a further 12 months to 11 October 2020.

▪ **Circa Commercial Precinct (19/2015/PLP)**

Status:

The Gateway Determination requires consultation to be undertaken with numerous public authorities prior to public exhibition. The former Office of Environment and Heritage objected to the proposal and DCP amendments. It was recommended that a view analysis be undertaken to ascertain the full impact of the proposed development on Bella Vista Farm Park, as well as a review of the proposed DCP amendments with respect to views and the Conservation

Management Plan (CMP). It was also requested that an updated CMP be submitted for endorsement by the Heritage Council.

An urban design study and heritage reported were submitted in response to these concerns. Further correspondence from the Heritage Division advised that the planning proposal and DCP amendments are still not supported. Responding to these concerns is an ongoing process.

RMS and Transport for NSW also required additional information to be provided prior to public exhibition. This included a Transport Management and Accessibility Plan with modelling, trip generation rates and trip distribution, as well as a suitable infrastructure funding and delivery mechanism for road and transport infrastructure works required to support the maximum development yields of the planning proposal.

Timeframe for Completion:

The most recent amendment to the Gateway Determination requires the planning proposal to be completed by 15 December 2019. Given the ongoing attempts to resolve outstanding objections the former Office of Environment and Heritage and the issues raised by Transport for NSW and RMS, the public exhibition process has not yet commenced. As such, it is requested that an extension of time to complete the planning proposal be granted for a further 12 months to 15 December 2020.

▪ **40 Solent Circuit (5/2015/PLP)**

Status:

The planning proposal was publicly exhibited from 1 May to 15 June 2018. The RMS requested additional time to make a submission which was received on 21 September 2018. Submissions received from Transport for NSW and RMS required substantial additional information and requested that the proposal not proceed further until this has been completed. Council requested that the Proponent complete the additional investigations required which took a substantial period of time. The planning proposal is tentatively scheduled to be reported back to Council in late-2019.

Timeframe for Completion:

The most recent amendment to the Gateway Determination requires that the planning proposal be completed by 31 October 2019. Given the additional time taken to address issues raised by Transport for NSW and RMS it is requested that an extension of time to complete the planning proposal be granted for a further 6 months to 30 April 2020.

Should you require further information, please contact Megan Munari, Principal Coordinator Forward Planning on 9843 0407.

Yours faithfully



Nicholas Carlton
MANAGER FORWARD PLANNING