

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

Our ref: PP_2017_THILL_003_00 (17/04173)
Your ref: 17/2016/PLP

Dear Mr Walker

Planning proposal to amend The Hills Shire Council Local Environmental Plan 2012

I am writing in response to your Council's letter dated 03 March 2017 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to allow additional permitted uses and introduce a floor space ratio at 522 Windsor Road, Baulkham Hills to facilitate a seniors housing facility with ancillary uses.

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 also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 6.3 Site Specific Provisions is of minor significance. No further approval is required in relation to this Direction.

Plan making powers were delegated to councils in October 2012. It is noted that Council has now accepted this delegation. 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 9 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 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 for administrative purposes.

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 Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Kate Hanson of the Department's regional office to assist you. Ms Hanson can be contacted on (02) 6641 6604

Yours sincerely



21/03/17

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2017_THILL_003_00): to allow additional permitted uses and introduce a floor space ratio at 522 Windsor Road, Baulkham Hills to facilitate a seniors housing facility with ancillary uses.

I, the Director, Sydney Region West, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to *The Hills Shire Local Environmental Plan (LEP) 2012* to allow additional permitted uses and introduce a floor space ratio at 522 Windsor Road, Baulkham Hills to facilitate a seniors housing facility with ancillary uses should proceed subject to the following conditions:

1. Prior to community consultation Council is to amend the planning proposal to remove reference to 'health consulting rooms' as a proposed additional permitted use in Schedule 1.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of **14 days**;
 - (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 LEPs (Department of Planning and Environment 2016)*; and
 - (c) Any mapping material must meet the specifications in the current *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment 2015).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Transport for NSW
 - Roads and Maritime Services
 - Office of Environment and Heritage – Heritage Division
 - Ambulance Service of NSW; and
 - Family and Community Services – Ageing Disability and Home Care.

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 into the matter by any person or body under section 56(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 timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 21st day of March 2017



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission