



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

Dear Mr Walker

**Planning proposal to split The Hills Local Environmental Plan 2012 into two instruments (PP\_2016\_THILLS\_014\_00).**

I am writing in response to your Council's letter requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) regarding the planning proposal to split *The Hills Local Environmental Plan 2012* into two instruments, so that one instrument will apply solely to land within The Hills local government area and the other instrument will be renamed and apply to land now part of the City of Parramatta as a result of the *Local Government (Council Amalgamations) Proclamation 2016*.

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

I would like to thank Council staff for working with the Department to progress this matter. I note that the planning proposal will need to be amended to reflect the agreed approach, being:

- a new instrument will be created which duplicates the provisions of *The Hills Local Environmental Plan 2012* which will apply only to The Hills local government area; and
- the current *Hills Local Environmental Plan 2012* will be amended so that it no longer applies to The Hills local government area.

This approach enables the proposal to proceed without requiring any concurrent planning proposal from City of Parramatta Council.

Plan making powers were delegated to councils in October 2012. 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 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.

If you have any queries in regard to this matter, please contact Mr Chris Browne of the Department's Sydney Region West office on (02) 9860 1508.

Yours sincerely,

 14 February 2017  
**Stephen Murray**  
**Executive Director, Regions**  
**Planning Services**

Encl: Gateway Determination  
Written Authorisation to Exercise Delegation  
Evaluation criteria for delegation and reporting template



## WRITTEN AUTHORISATION TO EXERCISE DELEGATION

The Hills Shire Council is authorised to exercise the functions of the Greater Sydney Commission 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_2016_THILL_014_00	Planning proposal to split <i>The Hills Local Environmental Plan 2012</i> into two instruments, so that one instrument will apply solely to land within The Hills local government area and the other instrument will be renamed and apply to land now part of the City of Parramatta as a result of the <i>Local Government (Council Amalgamations) Proclamation 2016</i> .

In exercising the Commission's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated *14<sup>th</sup>* day of *February* 2017

  
Stephen Murray  
Executive Director, Regions  
Planning Services  
Delegate of the Greater Sydney Commission