

Mr Michael Edgar
General Manager
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS NSW BC 1755

Dear Mr Edgar,

Planning proposal PP_2018_THILL_004_00 to amend The Hills Local Environmental Plan 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 The Hills Local Environmental Plan 2012 to enable further commercial development by increasing the maximum height of buildings and floor space ratio at 8 Solent Circuit, Baulkham Hills.

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

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 Ms Angela Hynes to assist you. Ms Hynes can be contacted on 9860 1558 or angela.hynes@planning.nsw.gov.au.

Yours sincerely

Handwritten signature of Ann-Maree Carruthers in cursive script, followed by the date 23/6/18.

Ann-Maree Carruthers
Director, Regions
Sydney Region West
Planning Services

Encl: Gateway determination
Local plan-making authority reporting template

Gateway Determination

Planning proposal (Department Ref: PP_2018_THILL_004_00): to amend The Hills Local Environmental Plan 2012 to enable further commercial development by increasing the maximum height of buildings and floor space ratio at 8 Solent Circuit, Baulkham Hills.

I, the Director, Regions, 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 increase the maximum height of buildings and floor space ratio to enable further commercial development at 8 Solent Circuit, Baulkham Hills should proceed subject to the following conditions:

1. 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 **28 days**; and
 - (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).
2. Consultation is required with the following public authorities and / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - (a) Endeavour Energy; and
 - (b) Transport for NSW;

Each public authority/organisation 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.

3. 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).

4. 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; and
 - (b) there are no outstanding written objections from public authorities.
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 23rd day of June 2018.



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

Delegate of the Greater Sydney Commission