

Mr Michael Edgar
General Manager
The Hills Shire Council
PO Box 7064
NORWEST NSW 2153

Dear Mr Edgar

**Planning proposal PP-2023-172 to amend State Environmental Planning Policy
(Precincts – Central River City) 2021**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify of part of 28 Hynds Road, Box Hill from 'community' land to 'operational' land.

As delegate of the Minister for Planning and Homes, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 4.1 Flooding is justified in accordance with the terms of the Direction.

In relation to Direction 5.2 Reserving Land for Public Purposes, I have agreed to the reduction/creation of land for public purposes on the basis that the land falls outside of the area identified and required for the Hynds Road Drainage Reserve and any reclassification and potential sale of the land would not result in any material loss for the community.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to lodging the planning proposal with the Department for finalisation.

I have determined not to authorise Council to be the local plan-making authority as the planning proposal relates to the reclassification of Council land.

The amending local environmental plan is to be finalised on or before 2 February 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Tharani Yoganathan to assist you. Ms Yoganathan can be contacted on 02 9274 6447.

Yours sincerely



22/02/2023

Jazmin van Veen
Director, Central (GPOP)
Planning and Land Use Strategy

Encl: Gateway determination