



Department of Planning, Housing and Infrastructure

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

Our ref: IRF24/1276

Via email: bwoodhams@thehills.nsw.gov.au

Dear Mr Edgar

Planning proposal (PP-2023-1849) 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 rezone land at 48 Terry Road, Box Hill.

As delegate of the Minister for Planning and Public Spaces, 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 inconsistencies of the planning proposal with applicable directions of the Minister under Section 9.1 of the Act, 1.4 Site Specific Provisions and 6.1 Residential Zones are justified in accordance with the terms of the Direction.

In relation to Section 9.1 Direction 5.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that evidence has been provided by Schools Infrastructure NSW that it intends to relinquish its interest in the subject site for the purposes of a school.

No further approval is required in relation to the above Directions.

Council will 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 Act, 4.1 Flooding. Council should ensure this occurs prior to finalisation of the planning proposal.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before **28 February 2025**. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

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, Housing and Infrastructure, August 2023) 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 Elizabeth Kimbell to assist you. Ms Kimbell can be contacted on 9860 1521.

Yours sincerely



Rukshan de Silva
Acting Director, Local Planning (Metro Central, West and South)
Local Planning & Council Support

7 August 2024

Encl: Gateway determination
Plan-making reporting template