

Gateway Determination

Planning proposal (Department Ref: PP-2023-1863): allow for a retail and office development at 21-23 Victoria Avenue, Castle Hill

I, the Acting Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning, 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 2019* to allow for a retail and office development at 21-23 Victoria Avenue, Castle Hill should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 27 June 2025.

Gateway Conditions

1. The planning proposal is to be updated to:
 - Update documents within the planning proposal package that will be placed on exhibition so it is consistent with the planning proposal submitted by Council to the Department for Gateway determination. This includes removing the reference to 'shops' in any documentation.
 - Update how the planning proposal addresses the Section 9.1 Direction 4.1 Flooding, specifically (1)(a)-(d) of the Direction.
 - Update how the planning proposal addresses SEPP(Biodiversity and Conservation 2021), Part 6 Water Catchments.
 - Update the Traffic and Transport report to address Transport for NSW's submission dated 10 January 2024.
2. Prior to exhibition, the planning proposal is to be amended to address condition 1.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local*

Environmental Plan Making Guideline (Department of Planning and Environment, August 2023).

4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act:

- Transport for NSW
- NSW Department of Climate Change, Energy, the Environment and Water
- Utility providers including Sydney Water, Endeavour Energy

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

5. 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).

Dated 17 October 2024



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Delegate of the Minister for Planning and
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