

Gateway Determination

Planning proposal (Department Ref: PP-2023-2300): *amend the land use zone and supporting development standards for part lots located at 89-97 Castle Hill Road & 121-131 Oratava Avenue, West Pennant Hills.*

I, Acting Director, Local Planning (Metro Central, West & South), at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, 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 amend the land use zone and supporting development standards for part lots located at 89-97 Castle Hill Road and 121-131 Oratava Avenue, West Pennant Hills should proceed subject to the following:

The LEP should be completed on or before 30 May 2025.

Gateway Conditions

1. Updates to the planning proposal are required including the following:
 - Amend the heritage map supporting The Hills LEP 2019 to remove the application of local archaeological item A26 'Cumberland State Forest, Bellamy Quarry and Sawpit' from the areas to be rezoned, update the explanation of provisions accordingly including the revision of the address/property description for this item under The Hills LEP Schedule 5 Environmental Heritage.
 - Replace references to The Hills LEP 2012 to The Hills LEP 2019 throughout the planning proposal.
2. Prior to exhibition, consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the Act to comply with the requirements of applicable directions of the Minister under section 9 of the Act. NSW Rural Fire Service is to be provided with a copy of the amended planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
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 and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- The Hills Shire Council
- Transport for NSW
- NSW Department of Climate Change, Energy, the Environment and Water - Biodiversity and Conservation
- Australian Department of Climate Change, Energy, the Environment and Water
- Sydney Water
- Utility Providers

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 the planning proposal authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission).

Dated 15 July 2024



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

Delegate of the Minister for Planning and Public
Spaces