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Mr Dave Walker  
General Manager  
The Hills Shire Council  
PO BOX 7064  
BAULKHAM HILLS BC 2153

Our ref: PP\_2014\_THILL\_004\_00 (14/12164)  
Your ref: 14/2013/PLP

Attn: Piers Hemphill

Dear Mr Walker

**Planning proposal to amend The Hills Local Environmental Plan 2012 – Second Housekeeping LEP for classified road widening**

I am writing in response to your Council's letter dated 29 April 2014 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to correct mapping anomalies in relation to classified road widening and public transport corridors.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with Section 117 Directions 1.1, 1.2, 2.3, 3.1, and 5.9 are of minor significance. In relation to Section 117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that the reduction is of minor significance. No further approval is required in relation to these Directions.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 12 months of the week following 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 Plan 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 for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Minister may take action under

section 54(2)(d) of the *Environmental Planning & Assessment Act 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Georgina Ballantine of the Metropolitan Delivery (Parramatta) office of the Department on 02 9860 1568.

Yours sincerely,



26/8/2014

Rachel Cumming  
**Director**  
**Metropolitan Delivery (Parramatta)**  
**Housing, Growth and Economics**

## Gateway Determination

**Planning proposal (Department Ref: PP\_2014\_THILL\_004/00): to correct mapping anomalies in relation to classified road widening and public transport corridors.**

I, the Director, Metropolitan Delivery (Parramatta) at the Department of Planning as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* that an amendment to The Hills Local Environmental Plan 2012 to correct mapping anomalies in relation to classified road widening and public transport corridors should proceed subject to the following conditions:

1. Prior to public exhibition Council is to amend the maps for Updates 12, 15, 18, 23, 25, 26, 27, 32, 32, 44, 46, 50, 53, 54, 55, 57, 58, 60, 61, 62, 65, 66 to clearly show the difference between current and proposed zoning and identify the subject area in relation to boundary adjustments. In addition, Council is to list all rezoning of land associated with boundary realignments and subject area expansion under the section 'Proposed amendment.'
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning 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 & Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning & Assessment Act 1979* and/or to comply with the requirements of relevant Section 117 Directions:
  - Endeavour Energy
  - Jemena
  - Sydney Water
  - Telstra
  - Roads and Maritime ServicesEach public authority 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.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the *Environmental Planning & Assessment Act 1979*. 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).
5. Delegation is to be given to Council to exercise the Minister's plan-making powers.
6. The timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.



26/8/2014

Rachel Cumming  
Director, Metropolitan Delivery (Parramatta)  
Housing, Growth and Economics  
Department of Planning and Environment  
Delegate of the Minister for Planning