



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

Dear Mr Edgar,

**Planning proposal PP\_2018\_THILL\_005\_00 to amend The Hills Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the Environmental Planning and Assessment Act 1979 (the Act) and additional information received on 29 May 2018 in respect of the planning proposal to purpose of rezoning a portion of land within the Annangrove Road Employment Area from B6 Enterprise Corridor to SP2 Local Road Widening for the purpose of construction an approach road and a vehicular bridge over Smalls Creek between Ross Place, Kellyville and Edwards Road, Rouse Hill and identifying the land for acquisition within the Land Reservation Acquisition Map.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of 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 LEP 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 of Planning and Environment.

The State Government is committed to reducing the time taken to complete LEPs 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 Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Angela Hynes, Senior Planning Officer, Sydney Region West to assist you. Ms Hynes can be contacted on 9860 1558.

Yours sincerely



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**

2/7/18

Encl: Gateway determination  
Local plan-making authority reporting template

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_THILL\_005\_00):** to amend The Hills Local Environmental Plan 2012 to rezone a portion of land within the Annangrove Road Employment Area from B6 Enterprise Corridor to SP2 Local Road Widening for the purpose of construction an approach road and a vehicular bridge over Smalls Creek between Ross Place, Kellyville and Edwards Road, Rouse Hill and identify the land for acquisition within the Land Reservation Acquisition Map.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 (LEP) 2012 to rezone a portion of land within the Annangrove Road Employment Area from B6 Enterprise Corridor to SP2 Local Road Widening for the purpose of construction an approach road and a vehicular bridge over Smalls Creek between Ross Place, Kellyville and Edwards Road, Rouse Hill and identify the land for acquisition within the Land Reservation Acquisition Map should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - NSW Rural Fire Service;
  - Endeavour Energy;
  - Transport for NSW;
  - Sydney Water;
  - Roads and Maritime Services NSW;
  - Transgrid; and
  - Office of Environment and Heritage.

Each public authority/organisation 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.



## Planning & Environment

3. 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).
4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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; and
  - (b) there are no outstanding written objections from public authorities.
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated                      2nd day of July 2018.

**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and Environment**  
  
**Delegate of the Greater Sydney Commission**