



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

Attention: Nicholas Carlton

Dear Mr Edgar

**Request for a Gateway Determination Review (GR\_2020\_THILL\_001\_00) - Independent Planning Commission Advice**

I refer to Council's request for a Gateway determination review for the Secondary Dwellings in Rural Areas planning proposal. Thank you for taking my call in relation to this matter, as discussed the Independent Planning Commission (the Commission) has reviewed the Departments decisions and provided its advice.

The Commission's advice report is available at:

<https://www.ipcn.nsw.gov.au/projects/2020/05/gateway-determination-review-request-for-the-hills-shire-council-secondary-dwellings-in-rural-zones> The Department has considered the advice of the about the Gateway determination review. The Department accepts the Commission's findings that the amendments sought by The Hills Shire Council could be given effect to through two pathways, either an amendment to the standard instrument, or changes to a relevant State Environmental Planning Policy.

A draft discussion paper outlining an Explanation of Intended Effect (EIE) for a new Housing Diversity SEPP is undergoing a final review prior to submitting it for the Minister's approval. The discussion paper will set out a proposal to include provisions in the proposed new Housing Diversity SEPP so that councils will have the discretion to set a maximum size for secondary dwellings in rural zones.

The anticipated timeframe for exhibition of the discussion paper is mid-2020. Given imminent release of this discussion paper it is considered the amendment to the SEPP is the most expeditious method for the introduction of further controls for secondary rural dwellings. As such, the Gateway determination dated 13 February 2020 will not be altered by the Minister's delegate. The Department will write to Council when the discussion paper is released to invite a submission.

Should you have any enquiries about this matter please contact me or Ms Gina Metcalfe, Acting Director Central (Western). Ms Metcalfe can be contacted on 9860 1542.

Yours sincerely

18/06/20

**Gatherine Van Laeren**  
**Executive Director**  
**Central River City and Western Parkland City**