



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

Dear Mr Edgar

**Planning proposal PP\_2018\_THILL\_008\_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* in respect of the planning proposal to rezone 32-34 Jacks Lane, Maroota from RU1 Primary Production to RU2 Rural Landscape and map the site as containing terrestrial biodiversity. This rezoning would enable a development application to be lodged for a rural cluster subdivision with up to five residential lots and one community title lot.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal is inconsistent with the current strategic planning framework and should not proceed.

I have determined that the proposal does not give effect to the Central City District Plan in relation to protecting the Metropolitan Rural Area, minimising land use conflicts and limiting exposure to natural hazards.

The proposal is inconsistent with Section 9.1 Directions 1.2 Rural Zones and 4.4 Planning for Bushfire Protection as it proposes to introduce additional rural residential opportunities within a bushfire prone area and which Council has not demonstrated to the NSW Rural Fire Service that the proposal could comply with Planning for Bush Fire Protection 2006.

Should you have any further enquiries about this matter, I have arranged for Ms Angela Hynes, Acting Manager Place and Infrastructure (The Hills Shire) of the Central (Western) team to assist you. Ms Hynes can be contacted on 9860 1558.

Yours sincerely

**Brett Whitworth**  
**Acting Deputy Secretary**  
**Greater Sydney, Place and Infrastructure**

11 December 2019

Encl: Gateway determination