

## Gateway Determination

***Planning proposal (Department Ref: PP\_2019\_THILL\_004\_00): to amend FSR, height of building, minimum lot size controls and additional permitted uses under the Hills Local Environmental Plan 2012 for land at 25-31 Brookhollow Ave, Norwest.***

I, the Acting Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, 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 (LEP) 2019 to increase building heights from RL116m to RL135.65 – RL183.25m; increase the FSR from 1:1 to 4.1:1 – 6.5:1; reduce the minimum lot size from 8,000m<sup>2</sup> to 3,500m<sup>2</sup>; and allow an additional permitted use of 'neighbourhood supermarkets' up to 1,000m<sup>2</sup> for the site should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the planning proposal and supporting documentation is to be amended as follows:
  - (a) replace references to The Hills Local Environmental Plan 2012 to The Hills Local Environmental Plan 2019;
  - (b) under Part 2 Explanation of provisions:
    - i. include a satisfactory arrangements provision for contributions to State public infrastructure; and
    - ii. include an amendment to the Active Street Frontage mapping and LEP provisions to ensure future retail areas on site are not internalised and will be publicly accessible;
  - (c) include an investigation of the impacts and outcomes if the hotel component of the proposal was to be delivered as commercial office space;
  - (d) remove the references to Norwest City Marketown and 26-30 Brookhollow Avenue from the Urban Design Report;
  - (e) note the cumulative traffic and transport study underway for the Norwest Precinct and address the findings when available;
  - (f) prepare a Land Contamination Report and update the assessment under State Environmental Planning Policy No. 55 – Remediation of Land;
  - (g) consult Transport for NSW and Roads and Maritime Services on the proposal prior to public exhibition; and
  - (h) concurrently exhibit the draft site specific development control plan for the site with the planning proposal.

2. 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. 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:
  - Heritage, Department of Premier and Cabinet;
  - Telstra;
  - Endeavour Energy; and
  - Sydney Water.

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.
4. 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).
5. The time frame for completing the LEP is to be 18 months following the date of the Gateway determination.

Dated 20<sup>th</sup> day of February 2020.



**Catherine Van Laeren**  
**Acting Executive Director**  
**Central River City and Western**  
**Parkland City**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**