



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

Dear Mr Edgar

**Planning proposal [PP\_2019\_THILL\_010\_00] to amend The Hills Local Environmental Plan 2019**

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 15 January 2020 and 6 February 2020 in respect of the planning proposal to facilitate a 12-storey commercial building at 2-4 Burbank Place: altering the height of buildings from RL116m to RL126m and the Floor Space Ratio (FSR) from 1.4:1 to 2.8:1.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 4.3 Flood Prone Land. Council should ensure this occurs prior to the plan being made.

The Department encourages Council to consider a further amendment to the Development Control Plan to ensure an appropriate design response for the uplift to occur at 4 Burbank Place, Norwest, and how it relates to the entirety of the site at 2-4 Burbank Place.

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 12 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry 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 Minister 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 enquiries about this matter, I have arranged for Ms Angela Hynes to assist you. Ms Hynes can be contacted on 9860 1558.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gina Metcalfe', with a large loop at the end.

**Gina Metcalfe**  
**Acting Director, Central (Western)**  
**Central River City and Western Parkland City**  
**Department of Planning, Industry and Environment**

Encl: Gateway determination