



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

Dear Mr Edgar

**Planning proposal PP_2016_THILL_013_04 – Alteration of Gateway
Determination**

Thank you for your letter dated 3 November 2020 providing an update on the status of Circa Commercial Precinct, Bella Vista planning proposal (PP_2016_THILL_013_00). The Department of Planning, Industry and Environment (the Department) has considered Council's request to permit the planning proposal to proceed in order to finalise the LEP amendment by September 2021.

The Department has noted the key issues that have limited progress of the planning proposal to public exhibition. It is acknowledged Council has undertaken extensive public agency consultation to address objections from Heritage NSW and Transport for NSW which has resulted in amendments to the planning proposal.

As Council can demonstrate a clear pathway forward to resolving the outstanding issues within a reasonable timeframe, it is considered appropriate that the Gateway Determination is altered to allow for this proposal to continue. In addition, considering the significant time that has lapsed since the previous Gateway determination in which the strategic plan framework has shifted, it is considered appropriate for an updated assessment to be provided. This will allow the community to clearly review the proposal outlining the consultation with public agencies and subsequent amendments to the planning proposal.

I am writing to advise you as delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal to increase height and floor space ratio provisions for Circa Commercial Precinct, Bella Vista should proceed subject to the amended conditions in the enclosed alteration to the Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Direction 5.9 North West Rail Link is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

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 nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal, draft DCP and draft planning agreement 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.

If you have any questions in relation to this matter, I have arranged for Ms Elizabeth Kimbell to assist you. Ms Kimbell can be contacted on 9860 1521.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Grose', with a stylized, cursive script.

22/12/2020

Jane Grose
Director Central (Western)
Central River City and Western Parkland City

Encl: Alteration of Gateway Determination