



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

Via email: [medgar@thehills.nsw.gov.au](mailto:medgar@thehills.nsw.gov.au)

Dear Mr Edgar

**Planning proposal PP-2021-7016 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) in respect of the planning proposal to amend the Hills LEP 2019 to increase the maximum floor space ratio from 2.1:1 to 2.7:1, to enable an increase in commercial floor space.

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.

A Gateway condition requires the planning proposal to be amended to include a local provision. I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 6.3 Site Specific Provisions is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

The Department generally supports Council's approach in seeking concurrent amendments to the LEP and reducing car parking requirements in the DCP to achieve the objectives of the planning proposal. However, given the site's proximity to the Bella Vista metro station, review of the Traffic and Parking assessments and other proposals within the locality, the Department is of the view that a higher per square metre, maximum car parking rate is more appropriate for this site.

Due to the site's unique circumstances that there is a valid development consent for a commercial development in place, the Department is not requiring a maximum car parking rate within the LEP at this time. It is anticipated that Transport for NSW will provide a commentary on car parking for this proposal in its submission.

I have determined not to authorise Council to be the local plan-making authority to ensure the proposal delivers effective modal shift, reducing car dependency and integration of land use and transport planning.

The amending local environmental plan (LEP) is to be finalised within 9 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 for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. 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 Elizabeth Kimbell to assist you. Ms Kimbell can be contacted on 9860 1521.

Yours sincerely



23/12/2021

**Catherine Van Laeren**  
**Executive Director, Central River City & Western Parkland City**  
**Greater Sydney, Place & Infrastructure**

Encl: Gateway determination

Cc: [ncarlton@thehills.nsw.gov.au](mailto:ncarlton@thehills.nsw.gov.au)