

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

Dear Mr Edgar

Planning proposal PP-2023-2049 to amend The Hills Local Environmental Plan 2019

I am writing in response to the planning proposal and supporting information you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) for land at 34-46 Brookhollow Avenue, Norwest. The planning proposal seeks to increase the planning controls, add an additional permitted use of residential flat buildings on part of the site, and introduce local provision clauses.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination. This includes the removal of the proposed residential uses for the site which the Department has found to be inconsistent with the strategic context.

I note Council has prepared a Draft Norwest Precinct Plan which proposes land uses for the precinct, including the subject site. I acknowledge that the draft plan outlines a focus on employment uses, rather than residential, for this part of the precinct. Should Council wish to encourage increased residential outcomes in the Norwest precinct, this should be considered holistically in finalising the draft precinct plan.

I note that the consistency with section 9.1 Ministerial directions, 1.4 Site Specific Provisions, 4.1 Flooding, 4.4 Remediation of Contaminated Land and 5.1 Integrating Land Use and Transport is unresolved and will require additional supporting information.

I have determined not to authorise Council to be the local plan-making authority as the planning proposal involves both local and State issues.

The proposed local environmental plan (LEP) is to be finalised on or before 21 February 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternative planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Jorge Alvarez to assist you, who can be contacted on 9995 5748.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Kearney', written in a cursive style.

29 April 2024

Tom Kearney
Executive Director
Local Planning and Council Support

Encl: Gateway determination