

Gateway Determination

Planning proposal (Department Ref: PP-2023-2049) : to amend the maximum height of buildings (HOB) and floor space ratio (FSR), allow an additional permitted use of residential flat buildings and new local provisions for 34 – 46 Brookhollow Avenue, Norwest.

I, the Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, 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 2019 to increase the HOB from RL 116m to RL 112-182m, increase the ('base') FSR from 1:1 to 2.4:1 and introduce new local provisions, should proceed subject to the following conditions:

The LEP should be completed on or before 21 February 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal and supporting documents are to be amended and forwarded to the Minister under s 3.34(6) of the Act to:
 - a. remove the proposed inclusion of an additional permitted use of residential flat buildings on the site,
 - b. confirm approach to the proposed FSR incentive provision on the site,
 - c. provide a flood assessment,
 - d. provide an updated assessment relating to the draft or finalised Norwest Precinct Plan and justify any inconsistencies with this Plan,
 - e. update supporting documentation to address the amended planning proposal,
 - f. update the car parking rates after consultation with Transport for NSW,
 - g. update the project timeline to reflect the requirements of the Gateway determination.

The updated documentation is to be forwarded to the Department for review and endorsement.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard, as described in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - Transport for NSW

- Sydney Metro
- Utility providers such as Endeavour Energy and Sydney Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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).

Dated 29 April 2024



Tom Kearney
Executive Director
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning
and Public Spaces