



Gateway Determination

Planning proposal (Department Ref: PP_2019_THILL_009_00): to amend The Hills Local Environmental Plan 2019 to give effect to Central City District Plan and The Hills LSPS.

I, the Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, 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 (LEP) 2019 should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:
 - (a) remove references to “The Hills Local Environmental Plan 2020” and a “comprehensive review” of the Local Environmental Plan;
 - (b) update references to the proposal to represent an amendment to The Hills Local Environmental Plan 2019;
 - (c) remove the proposed amendment to introduce an aim of the LEP and local provision to give effect to the LSPS, district and regional strategic plans and any other references;
 - (d) include a draft sunset provision under the proposed clause ‘Maximum number of dwellings at ‘Northern Precinct’ Rouse Hill Town Centre stating that the 375 dwelling cap may be revised once Council complete precinct planning for Rouse Hill by June 2021;
 - (e) for the proposed amendment to rezone land at Beaumont Hills, Rouse Hill and Kellyville provide a quantitative analysis to assess the impacts of the proposal on housing diversity and supply, as follows:
 - (i) the number of unconstrained lots which can be redeveloped for attached dwelling, multi-dwelling housing, and seniors housing developments;
 - (ii) the number of reduced potential dwellings from the rezoning;
 - (iii) the number of potential lots that would be eligible for manor houses/multi-dwelling housing under the Low Rise Medium Density Housing Code in the R3 Medium Density Residential zone, considering the SEPP exclusions (such as sites below the minimum lot size and land subject to heritage provisions); and
 - (iv) the number of attached dwelling, multi-dwelling housing, and seniors housing developments approved in the R3 Low Density Residential zone in the past five years;

- (f) for the proposed local character clause:
 - (i) update the explanation of the proposed clause to include how the clause intends to be implemented and the desired outcome for the Showground Station Precinct; and
 - (ii) note the Department's work on a local character overlay and state that the wording of the proposed clause could change subject to legal drafting;
 - (g) include an assessment under State Environmental Planning Policy No 55 – Remediation of Land;
 - (h) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency;
 - (i) include the intention to introduce a new savings and transitional clause to ensure that proposed amendments do not affect any development applications or appeal processes; and
 - (j) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
- (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
3. Council is to inform all landowners affected by amendments to minimum lot sizes and rezoning from R3 Medium Density Residential to R2 Low Density Residential in writing about the exhibition of the proposal, outlining the effect of the proposed changes.
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Sydney Water;
 - NSW Rural Fire Service;
 - Department of Premier and Cabinet – NSW Heritage; and
 - Greater Sydney Commission.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

5. 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).
6. Council is required to submit the planning proposal to the Department for finalisation prior to 30 June 2020.

Dated 3rd day of April 2020.



Catherine Van Laeren
Executive Director, Central River City
and Western Parkland City
Greater Sydney, Place and
Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces