



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

Dear Mr Edgar

**Planning proposal [PP\_2019\_THILL\_009\_00] 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) and additional information received on 23 December 2019 and 6 February 2020 in respect of the planning proposal to amend The Hills Local Environmental Plan 2019 (LEP) to give effect to Central City District Plan and The Hills Local Strategic Planning Statement (LSPS). I note that this planning proposal is the first stage to giving effect to your LSPS.

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. To ensure the timely finalisation of the proposal the determination requires Council to represent an amendment to The Hills LEP 2019 instead of creating The Hills LEP 2020.

The conditions require Council to remove references 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 as this is not necessary. The determination also includes a sunset provision under the proposed clause 'Maximum number of dwellings at 'Northern Precinct' Rouse Hill Town Centre so that the 375 dwelling cap may be revised once Council completes precinct planning for Rouse Hill by June 2021.

I note that the Department is exploring a proposed approach for introducing local character overlays into the Standard Instrument Local Environmental Plan. In light of this work, I have conditioned the Gateway to note that the Department's standard approach and advise that the wording of the proposed local character clause could change subject to legal drafting.

In light of the recommendations above, I would like to offer Council the opportunity to be briefed by the Department on why we have taken this decision.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 5.9 Northwest Rail Link Corridor Strategy and 6.3 Site Specific Provisions are justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 3.1 Residential Zones, 4.4 Planning for Bushfire Protection, and 6.2 Land Reservation for Public Purposes. Council should ensure this occurs prior to the plan being made. As required by Direction 4.4 Planning for Bushfire Protection the Gateway includes a condition requiring that Council consults the Rural Fire Service prior to exhibition of the Plan. Having regard to the timeframe for finalisation of the Plan please contact the Department if you require assistance with this consultation.

Council is required to submit the planning proposal to the Department for finalisation prior to 30 June 2020. 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 before the required date.

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.

Should you have any further enquiries about this matter, I have arranged for Ms Angela Hynes to assist you. Ms Hynes can be contacted on 9860 1558.

Yours sincerely



03/04/2020

**Catherine Van Laeren**  
**Executive Director**  
**Central River City and Western Parkland City**

Encl: Gateway determination