



Contact: Mr Chris Browne
Phone : 98601108
Email: chris.brown@planning.nsw.gov.au

Mr Dave Walker
General Manager
The Hills Shire Council
PO Box 7064
Baulkham Hills BC 2153

Our ref: 15/13245
Your ref: 20/2015/PLP

Dear Mr Walker,

The Hills LEP 2012 - Amendment to The Hills Local Environmental Plan 2012 to prohibit “rural workers dwellings” within The Hills Shire

I am writing in response to your Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning an amendment to The Hills Local Environmental Plan 2012 to prohibit rural workers dwellings within The Hills Shire.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made 6 weeks prior to the projected publication 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Chris Browne of the Metropolitan Region (Parramatta) office on 02 9860 1108.

Yours sincerely,

1/10/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)

Gateway Determination

Planning proposal (Department Ref: PP_2015_THILL_008_00)
Amendment to The Hills Local Environmental Plan 2012 to prohibit “rural workers dwellings” within The Hills Shire

I, the Director, Metropolitan Region (Parramatta) at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), that an amendment to *The Hills Local Environmental Plan 2012* to prohibit rural workers dwellings within The Hills Shire, should proceed subject to the following conditions:

1. Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act as follows:
 - a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - b) the relevant planning 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 5.5.2 of A Guide to Preparing LEPs (Planning & Infrastructure 2013).
3. Consultation is required with the NSW Department of Primary Industries – Agriculture under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions. Primary Industries 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.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning & Assessment Act 1979. 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).
5. The timeframe for completing the Local Environmental Plan is to be 9 months from the week following the date of the Gateway determination.

Dated this 1st day of October 2015.



Rachel Cumming
Director
Metropolitan Region (Parramatta)

As delegate of the Minister for Planning