

Gateway Determination

Planning proposal (Department Ref: PP_2019_THILL_003_00): to amend The Hills Local Environmental Plan 2012 clause 5.4(9) to include provisions for secondary dwellings in rural zones.

I, the Acting 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) 2012 to amend clause 5.4(9) to include provisions for secondary dwellings in rural zones should not proceed for the following reasons:

1. The proposal contains unresolved inconsistencies with Section 9.1 Direction 4.4 Planning for Bushfire Protection;
2. The proposal cannot be legally made as clause 5.4(9) under the Standard Instrument – Principal Local Environmental Plan which is a ‘compulsory’ clause for local environmental plans; and
3. The proposal does not adequately demonstrate secondary dwelling outcomes and test scenarios of different percentages under clause 5.4(9)(b).

Dated 13th day of February 2020.



Catherine Van Laeren
Acting 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