NSW GOVERNMENT | Planning & Environment

Gateway Determination

***Planning Proposal (Department Ref: PP_2017_THILL_007_00)**: to amend The Hills Shire Local Environmental Plan (LEP) 2012 to insert a local provision to allow a floor space bonus to incentivise the provision of transitional group homes in The Hills Shire Local Government Area.*

I, the Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act,1979* (the Act) that an amendment to The Hills Local Environmental Plan (LEP) 2012 to insert a local provision to allow a floor space bonus to incentivise the provision of transitional group homes in The Hills Shire Local Government Area should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be amended to include a statement under the Explanation of Provisions that the proposed new clause is only an example only and the final wording of the clause is subject to legal drafting by Parliamentary Counsel.

2. Community consultation is required under Sections 56(2)(c) and 57 of the Act as follows:
   (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
   (b) the RPA 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 local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities and/organisations under Section 56(2)(d) of the Act:
   - Department of Family and Community Services – Housing NSW;
   - Department of Family and Community Services – Ageing, Disability and Homecare; and
   - local service providers for group homes.

   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.

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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 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).

5. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 5th day of October 2017.

Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission