

Gateway Determination

Planning proposal (Department Ref: PP_THILL_2017_012_00): to amend *The Hills Local Environmental Plan 2012* by prohibiting places of public worship in the RU6 Transition zone.

I, the Executive Director, Regions 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* that an amendment to The Hills Local Environmental Plan (LEP) 2012 to prohibit places of public worship in the RU6 Transition zone should proceed subject to the following conditions:

1. Prior to community consultation, Council is to update the proposal to include in the explanation of provisions that a savings transition clause will be provided to ensure that the proposed amendment does not affect any development applications or appeal processes lodged with Council prior to the amendment being finalised.
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 and Environment 2016).
3. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act.
4. 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

6. The time frame for completing the LEP is to be **six months** from the date of the Gateway determination.

Dated 10th day of July 2019.



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

**Delegate of the Minister for Planning and
Public Spaces**