

Gateway Determination

Planning proposal (Department Ref: PP-2023-2850): to permit farm gate premises in the RU6 Transition Zone and introduce two optional LEP clauses for farm stay accommodation and farm gate premises.

I, the A/Director, Central (GPOP) at the Department of Planning, Housing and Infrastructure, 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 2019 should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 15 July 2024.

Gateway Conditions

1. Prior to exhibition, the planning proposal and supporting documents are to be amended to:
 - a. include the two new standard clauses and the new local objective,
 - b. address Section 9.1 Direction 3.2 Heritage conservation, and
 - c. address SEPP (Resilience and Hazards).
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) and must be made publicly available for a minimum of 10 working 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 *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Department of Primary Industries
- NSW Rural Fire Service
- State Emergency Service
- Sydney Water
- Hornsby Shire Council
- Hawkesbury City Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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 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).

Dated 30 January 2024



Eleanor Robertson
A/Director Central (GPOP)
Metro Central and North
Department of Planning, Housing and
Infrastructure
Delegate of the Minister for Planning and
Public Spaces