

Mr Michael Edgar  
General Manager  
The Hills Shire Council  
PO Box 7064  
NORWEST NSW 2153

Our ref: PP-2023-2850

Dear Mr Edgar

**Planning proposal PP-2023-2850 to amend The Hills Local Environmental Plan 2019**

I am writing in response to the planning proposal and supporting information you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and received on 18 December 2023, in respect to the planning proposal to permit farm gate premises in the RU6 Transition Zone and introduce two LEP clauses for farm stay accommodation and farm gate premises.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 4.2 Coastal Management and 4.5 Acid Sulfate Soils are justified in accordance with the terms of the Direction. However, I note that the consistency with direction 4.1 Flooding and 4.3 Planning for Bushfire Protection are unresolved and will require further consultation with NSW State Emergency Service and NSW Rural Fire Service.

Considering the nature of the planning proposal, I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal. The proposed local environmental plan (LEP) is to be finalised on or before 15 July 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Tharani Yoganathan to assist you, who can be contacted on 9274 6447.

Yours sincerely



**Eleanor Robertson**  
**A/Director, Central (GPOP)**  
**Planning, Land Use Strategy and Housing**

Encl: Gateway determination