



Anthony O'Reilly  
General Manager  
Hilltops Council  
Locked Bag 5  
YOUNG NSW 2594

Attention: Bryce Weedon, Senior Strategic Planner

Dear Mr O'Reilly

**Planning Proposal - PP\_HILLT\_2020\_001\_00 - Hilltops Comprehensive Local Environmental Plan**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to create a comprehensive Local Environmental Plan (LEP) for Hilltops local government area.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. I would like to congratulate Council for reaching this milestone and acknowledge the strategic work completed to support the proposal.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 1.2 Rural Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 2.6 Remediation of Land and Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

Given this is a complex planning proposal to form a comprehensive LEP, I have determined not to condition the Gateway for Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Ann Martin to assist you. Ms Martin can be contacted on 4247 1826.

Yours sincerely



11/1/2021

**Monica Gibson**  
**Acting Deputy Secretary**  
**Local Government, Planning and Policy**

Encl: Gateway determination