



## Gateway Determination Review Application Form

Date received:

Reference No.

### LODGEMENT

#### Instructions to users

This form is to be completed if you wish to request an independent review related to plan-making under Part 3 of the Environmental Planning and Assessment Act 1979. This form relates to Gateway determination review requests.

A **Gateway determination review** can be sought following a Gateway determination where a determination is made that:

- a) the planning proposal should not proceed;
- b) the planning proposal should be resubmitted to the Gateway; or
- c) imposes requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered.

**Note:** With reference to point 'c' above, a request to review a Gateway determination can only be made prior to the commencement of community consultation on the planning proposal.

**Note:** Gateway reviews can only be sought if the **original** Gateway determination was made by a delegate of the Minister.

Before lodging a request for review, it is recommended that you consult the Planning Circular '*Independent reviews of plan-making decisions*' and '*A guide to preparing local environmental plans*', which can be found on the Department's website [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au). The guide gives a step-by-step explanation of the review procedure and submission requirements.

To ensure that your request for review is accepted, you must:

- complete **all** relevant parts of this form
- submit **all** relevant information required by this form
- provide **one hard copy** of this form and required documentation
- provide the form and documentation in **electronic format** (e.g. CD-ROM)

**Note:** The Department may request further information if your request for review is incomplete or inadequate.

A fee is not charged for a Gateway determination review.

All requests **must be lodged** with the Department's relevant Regional Office. Please refer to [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au) for contact details.

### PART A – APPLICANT AND SITE DETAILS

#### A1 – Applicant Details

Principal contact

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

P. MATTHEW

Family name

OWENS

Name of company (N/A if an individual)

PMO PLANNING SERVICES

Street address

Unit/street no.

20

Street name

EVANS ROAD

Suburb/town

GLENHAVEN

State

NSW

Postcode

2156

Postal address  
(or mark 'as  
above')

PO Box or Bag

Suburb or town

AS ABOVE

State

Postcode

Daytime telephone

Fax

Email

pmowens20@gmail.com

Mobile

0437 699 891



## A2 – Site Details

Identify the land that is to be the subject of the planning instrument and for which you seek a review

Street address Unit/street no. Street name  
42 BELLS LANE  
Suburb/town State Postcode  
KURMOND NSW 2757

NAME OF THE SITE

REAL PROPERTY DESCRIPTION

LOT 40 DP 7565

The **real property description** is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Finance and Services, Land and Property Information. Please ensure that you place a forward slash (/) to distinguish between the lot, section DP and strata numbers. If the proposal applies to more than one piece of land, please use a comma (,) to distinguish between each real property description.

PROVIDE DETAILS OF ALL AFFECTED LANDOWNERS WHERE THEY ARE NOT THE DIRECT APPLICANT

PETER AMOR (SEE ATTACHED LETTER OF AUTHORITY)

HAVE ALL OWNERS OF LAND TO WHICH THIS PROPOSED INSTRUMENT APPLIES BEEN NOTIFIED?

- ☒ Yes  
☐ No  
☐ Some have but not all  
☐ N/A (Applicant is owner)

**Note:** If some land owners, but not all, have been notified, list below those notified:

CURRENT ZONING OF THE LAND AT THE SITE

RUI PRIMARY PRODUCTION

CURRENT LAND USE AT THE SITE

RESIDENTIAL

## PART B – REASON FOR REVIEW AND THE PLANNING PROPOSAL

### B1 – Reason for Gateway Review

WAS THE ORIGINAL GATEWAY DETERMINATION MADE BY A DELEGATE OF THE MINISTER

- ☒ Yes **Note:** Requests for the review of Gateway determination will only be considered if the original Gateway determination was made by a delegate of the Minister.  
☐ No

Indicate below the reason for seeking a Gateway determination. A review can only proceed if either of these two circumstances has occurred.

☒ **A determination has been made that the planning proposal should not proceed**

In the case of the above, will this request for review be submitted no more than 42 days from the date of the original notification of the Gateway determination?

- ☒ Yes  
☐ No

☐ **A determination has been made that the planning proposal should be resubmitted to the Gateway**

In the case of the above, will this request for review be submitted no more than 42 days from the date of the original notification of the Gateway determination?

- ☐ Yes  
☐ No



☐

A determination has been made that has imposed requirements (other than consultation requirements) or makes variations to the proposal

In the case of the above, have you indicated your intent to submit a request for review no more than 14 days from the date of the original notification of the Gateway determination?

☐ Yes

☐ No

Will this request for review itself be submitted no more than 42 days after this date from the date of the original notification of the Gateway determination?

☐ Yes

☐ No

## B2 – The Planning Proposal

DEPARTMENT'S REFERENCE NUMBER

PP\_HAWKE\_003\_00

NAME OF THE LOCAL GOVERNMENT AREA

HAWKESBURY CITY COUNCIL

DESCRIPTION OF PROPOSAL

AMEND MINIMUM LOT SIZE TO 4,000m<sup>2</sup> TO SUBDIVIDE INTO 5 LOTS

LOCAL ENVIRONMENTAL PLAN (LEP) TO BE AMENDED BY THE PLANNING PROPOSAL

HAWKESBURY LOCAL ENVIRONMENTAL PLAN 2012

IS THE LEP TO BE AMENDED (ABOVE) A STANDARD INSTRUMENT LEP?

☒ Yes

☐ No

## INFORMATION REQUIREMENTS

Requests should be accompanied by:

- an application form
- a copy of the planning proposal as submitted to the Gateway
- a copy of all additional information and documentation provided at the Gateway
- justification for why an alteration of the Gateway determination is warranted (if applicable), including, where relevant, responses to issues raised by the original Gateway decision maker
- if relevant, disclosure of reportable political donations under section 10.4 of the Act.

Please refer to 'A guide to preparing local environmental plans' for the necessary information requirements.

List below all the documents, maps, plans, studies, information and any other supporting information that comprises your proposed instrument and request for pre-gateway review.

INFORMATION PROVIDED

SEE ATTACHED

## PART C – DISCLOSURE AND SIGNATURES

### C1 – Donation and Gift Disclosure

Section 10.4 of the Environmental Planning and Assessment Act 1979 requires the public disclosure of *reportable political donations* or gifts when lodging or commenting on a *relevant planning application*. This law is designed to improve the transparency of the planning system.

DO YOU HAVE ANY DONATIONS OR GIFTS TO DISCLOSE?

☐ Yes

☒ No

### How and when do you make a disclosure?

The disclosure to the Minister or the Secretary of a *reportable political donation* or gift under section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning submission if the donation is made before the submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning submission was made within 7 days after the donation is made.

### What information needs to be included in a disclosure?


The information requirements of a disclosure of reportable political donations are outlined in section 10.4(9) of the Act. A Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General can be found on the department's website:

<https://www.planning.nsw.gov.au/donation-and-gift-disclosure>

## C2 – Signature(s)

By signing below, I/we hereby declare that all information contained within this application form is accurate at the time of signing.

Signature(s)



Name(s)

PETER MATTHEW OWENS

In what capacity are you signing

AGENT ACTING ON BEHALF OF LANDOWNER

Date

1/7/20

## **Gateway Determination Review Application**

**42 Bells Lane, Kurmond**

**Ref: PP\_HAWKE\_003\_00**

### **List of Documents attached to application**

1. Completed application form
2. Landowner Authority for PMO Planning Services to act on their behalf
3. Copy of planning proposal as submitted to Council dated January 2016
4. Copy of Council report dated 10 September 2019
5. "Request for Gateway Determination Review", dated 29 June 2020 as responses to issues raised by the original Gateway decision maker