



Planning &
Environment

Mr Peter Jackson
General Manager
Hawkesbury City Council
PO BOX 146
WINDSOR NSW 2756

Our ref: PP_2015_HAWKE_008_00
Your ref: LEP004/15

Attn: Karu Wijayasinghe

Dear Mr Jackson

Hawkesbury Local Environmental Plan 2012 – Amendment to rezone land at 22, 39 and 41 Windsor Street, Richmond from R2 Low Density Residential to IN2 Light Industrial.

I am writing in response to Council's letter dated 2 September 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in respect of the planning proposal to rezone land at 22, 39 and 41 Windsor Street, Richmond.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with Section 117 Directions 3.1 (Residential Zones) and 4.1 (Acid Sulfate Soils) are of minor significance. No further approval is required in relation to these Directions.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Chris Browne, Metropolitan (Parramatta) office on 02 9860 1108.

Yours sincerely



15.10.15

Tim Archer
A/ Director, Metropolitan (Parramatta)
Planning Services



Gateway Determination

Planning proposal (Department Ref: PP_2015_HAWKE_008_00): to rezone land at 22, 39 and 41 Windsor Street, Richmond.

I, the Acting Director, Metropolitan (Parramatta) at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* (the Act) that an amendment to rezone land at 22, 39 and 41 Windsor Street, Richmond, from R2 Low Density Residential to IN2 Light Industrial should proceed subject to the following conditions:

1. Prior to exhibition, Council is to:
 - a. Prepare a contamination study for the northern site. This is to be included in the planning proposal's exhibition package.
 - b. Include maps identifying the current Lot Size Map of the Hawkesbury LEP and the current Building Height Map of the Hawkesbury LEP.
 - c. Include reference to Lot 39 within the planning proposal to clarify which land is applicable to the proposal.
 - d. Refer the proposal to the NSW Environment Protection Agency (EPA) for comment in relation to *State Environmental Planning Policy No. 55 - Remediation of Land*. Any additional documentation prepared addressing site contamination or EPA requirements should be included with the exhibition material.
 - e. Consult with the Australian Government - Department of Defence as per the requirements of section 117 Direction 3.5 Development Near Licensed Aerodromes. Council is to amend the planning proposal to take into consideration any comments prior to the commencement of public exhibition.
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:
 - a. Department of Trade and Investment, Mineral Resources
 - b. Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - a. the planning proposal must be made publicly available for a minimum of 28 days, and
 - b. Council 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 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013).
4. A public hearing is not required to be held into the matter by any person or body under section 56(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 timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

Dated 15th October 2015



Tim Archer
A/ Director, Metropolitan (Parramatta)
Planning Services

As delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Hawkesbury City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_HAWKE_008_00	Amendment to rezone land at 22, 39 and 41 Windsor Street, Richmond, from R2 Low Density Residential to IN2 Light Industrial.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 15th October 2015



Tim Archer
A/ Director, Metropolitan (Parramatta)
Planning Services

Delegate of the Minister for Planning