



Gateway Determination

Planning proposal (Department Ref: PP_2016_HAWKE_007_00): to include 'recreational facility (outdoor)' as a permitted use to Schedule 1 Additional permitted uses of the Hawkesbury LEP 2012 to part of Lot 3 DP 1105163 – 175 Blacktown Road Richmond

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hawkesbury Local Environmental Plan (LEP) 2012 to include 'recreational facility (outdoor)' as a permitted use to Schedule 1 Additional permitted uses of the Hawkesbury LEP 2012 to part of Lot 3 DP 1105163 – 175 Blacktown Road, Richmond, should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend Part 2 – Explanations of Provisions of the planning proposal to include:
 - correct address details; and
 - clarify the extent of the site proposed for the additional use.
2. Prior to undertaking public exhibition Council is required to:
 - include a flood planning area map highlighting the subject site; and
 - undertake and include a flood impact study supporting the proposal.
3. Prior to undertaking public exhibition in relation to s117 Direction 4.4 Planning for Bushfire Protection, Council is required to forward the planning proposal to the Rural Fire Service, for comment.
4. Council is to undertake a preliminary contamination report to address previous agricultural activities and amend the planning proposal accordingly.
5. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2013).

6. 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 S117 Directions:
- Transgrid;
 - Department of Primary Industries – Office of Water;
 - Office of Environment and Heritage;
 - Rural Fire Service;
 - Infrastructure NSW - the Hawkesbury-Nepean Flood Management Taskforce; and,
 - State Emergency Service.

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.

7. 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).
8. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 6th day of September 2016



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Hawkesbury Shire Council is authorised to exercise the functions of the Greater Sydney Commission 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_2016_HAWKE_007_00	Planning proposal to include 'recreational facility (outdoor)' as a permitted use in Schedule 1 Additional permitted uses, of the Hawkesbury LEP 2012 to part of Lot 3 DP 1105163 – 175 Blacktown Road, Richmond.

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

Dated 6th day September 2016

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission