

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

Our ref: PP_2015_HAWKE_005_00
Your ref: 15/11567

Attn: Karu Wijayasinghe

Dear Mr Jackson

Hawkesbury Local Environmental Plan 2012 – Amendment to rezone land at 6 Speedwell Place, South Windsor from RU1 Primary Production to IN1 General Industrial.

I am writing in response to your Council's letter dated 15 June 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 6 Speedwell Place, South Windsor.

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 1.2 (Rural Zones), 4.1 (Acid Sulfate Soils) and 4.3 (Flood Prone Land) 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 Coby Tomlins, Metropolitan Region (Parramatta) office on 02 9860 1125.

Yours sincerely

RT Cumming 3/9/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)

Gateway Determination

Planning proposal (Department Ref: PP_2015_HAWKE_005_00): to rezone land at 6 Speedwell Place, South Windsor.

I, the Director, Metropolitan Region (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* that an amendment to rezone land at 6 Speedwell Place, South Windsor from RU1 Primary Production to IN1 General Industrial should proceed subject to the following conditions:

1. Prior to exhibition the planning proposal should be updated to include a discussion regarding its consistency with 'A Plan for Growing Sydney' which was adopted by the State Government in December 2014.
2. The Planning Proposal be amended prior to exhibition to:
 - a) include a map identifying the proposed changes to Lot Size Map of the Hawkesbury LEP;
 - b) include a map identifying the proposed changes to Building Height Map of the Hawkesbury LEP; and
 - c) include a map identifying the proposed changes to Lot Averaging Map of the Hawkesbury LEP.
3. Prior to exhibition the planning proposal should be referred 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 materials.
4. Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
 - a) the planning proposal must be made publicly available for a minimum of 28 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 Local Environmental Plans (Department of Planning & Infrastructure 2013).

6. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions:

- Office of Environment and Heritage, Flooding Division
- Department of Trade and Investment, Mineral Resources
- NSW Rural Fire Service
- Greater Sydney Local Land Services
- NSW Environment Protection Authority
- NSW 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 Environmental Planning & Assessment Act 1979. 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. Delegation is to be given to Council to exercise the Minister's plan-making powers under Section 59 of the EP&A Act 1979 to progress this planning proposal.
9. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

R Cumming
3/9/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)

As delegate of the Minister for Planning