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Our ref: PP_2012_HAWKE_001_00 (12/01197)
Your ref: LEP89001/11

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

Dear Mr Jackson,

Re: Planning Proposal to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes

I am writing in response to your Council's letter dated 23 December 2011 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 amend the Hawkesbury Local Environmental Plan 1989 to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes.

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

Given the progress in preparing the Hawkesbury Standard Instrument LEP, the Department recommends the planning proposal proceed as an amendment to both the Hawkesbury LEP 1989, rezoning the subject land to Business General 3(a) and an amendment to Council's principal LEP, rezoning the land to B1 – Neighbourhood Centre.

Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

In accordance with the requirements of S117 Direction 3.4 Integrating Land Use and Transport, Council is to consult with Transport for NSW – Roads and Maritime and take into account any comments made, prior to public exhibition of the planning proposal.

The Director General's delegate has also agreed that the planning proposal's inconsistency with S117 Direction 3.1 Residential Zones is of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 following consultation with the NSW Rural Fire Service and Transport for NSW – Roads and Maritime Services. Council's request for the Department to draft and finalise the LEP should be made six (6) 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tai Ta of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,



Sam Haddad
Director-General

20/2/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_HAWKE_001_00): to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Hawkesbury Local Environmental Plan 1989 to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes should proceed subject to the following conditions:

1. It is recommended that Council proceed with the planning proposal as an amendment to both the Hawkesbury LEP 1989, rezoning the subject land to Business General 3(a) and an amendment to Council's principal LEP, rezoning the land to B1 – Neighbourhood Centre.
2. In relation to S117 Direction 3.4 Integrating Land Use and Transport, Council is to consult with Transport for NSW – Roads and Maritime and take into account any comments made, prior to public exhibition of the planning proposal.
3. In relation to S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Rural Fire Service
 - Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).



Planning & Infrastructure

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

Dated 20th day of February 2012.

SHaddad

Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure