

Gateway Determination

Planning proposal (Department Ref: PP_2019_HAWKE_004_00): to introduce E2 Environmental Conservation land use zone and redistribute other land uses at Jacaranda Ponds.

I, the Executive Director of Central River City and Western Parkland City, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Hawkesbury Local Environmental Plan (LEP) 2012* to rezone land at Jacaranda Ponds should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal must be amended to include the following:
 - (a) Consult and address the concerns raised by the Environment, Energy and Science (EES) Group's as identified in its letter Biodiversity Certification Adequacy Letter dated 5 March 2020:
 - i. Any requirements for amending land use zones to comply with a future biobank agreement are to be addressed such as the preference for biobank sites to be E2 Environmental Conservation not RE1 Public Recreation; and
 - ii. Review whether the minimum lot size within the R5 Large Lot Residential land use zone will appropriately protect the Grey Box-Forest Red Gum grassy woodland, particularly areas mapped as Good and Moderate condition; and
 - iii. Update the proposed maps and information in the proposal including table calculations to reflect the changes following the resolution of matters raised by EES.
 - (b) Under Part 2 Explanations of Provisions, include a restricted lot yield map for 580 residential lots across the subject site.
 - (c) Review the implications of converting the RE1 Local Open Space to E2 Environmental Conservation along Currency Creek on the provision of RE1 local open space to support the new community. The review would include revising all references to quantum of RE1 and E2 land, a catchment and accessibility analysis of the RE1 land for the future residents and an analysis against 2.63ha/1,000 persons.
 - (d) Preparation of a site-specific development control plan including a section on desired character such as landscape character and density for the site, and the identification of the irrigation areas.
 - (e) Review of how the local convenience retail needs of the community will be met and incorporation of a planning provision to address these if they are not found to be met by the existing Glossodia Village.

- (f) Consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency.
2. After satisfying condition 1, the planning proposal is to be forwarded to the Department for endorsement prior to public exhibition.
 3. Public exhibition of this planning proposal should be in conjunction with the public exhibition of the draft Development Control Plan supporting Jacaranda Ponds, a revised voluntary planning agreement and the biodiversity certification application.
 4. Council is to ensure that appropriate measures are in place to provide for adequate local facilities to support the development. These measures may include a Voluntary Planning Agreement. Any Agreement should be exhibited in conjunction with the planning proposal and Development Control Plan.
 5. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
 6. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Department of Planning, Industry and Environment – Water & Utility team
 - NSW Environment, Energy and Science
 - NSW Rural Fire Service
 - NSW Office of Water
 - IPART

Each public authority/organisation 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 3.34(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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
9. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 9th day of June 2020.



Catherine Van Laeren
Executive Director, Central River City
& Western Parkland City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces