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

Our ref: PP_2014_HAWKE_003_00 (14/13947)
Your ref: LEP007/13

Attn: Philip Pleffer

Dear Mr Jackson

**Planning proposal to amend the Lot Size Map for Hawkesbury Local
Environmental Plan 2012 to permit a 4-lot subdivision at 136 Longleat Lane,
Kurmond**

I am writing in response to your Council's letter dated 6 June 2014 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 permit a 4 lot subdivision at 136 Longleat Lane, Kurmond. I apologise for the delay in responding.

As delegate of the Minister for Planning, I have 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 and 4.1 are of minor significance. No further approval is required in relation to these Directions.

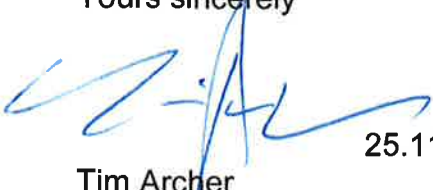
The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation 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 *Environmental Planning & Assessment Act 1979* if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Georgina Ballantine of the Metropolitan (Parramatta) branch on (02) 9860 1568.

Yours sincerely



25.11.14

Tim Archer

**Acting Director, Metropolitan (Parramatta)
Planning Services**

Gateway Determination

Planning proposal (Department Ref: PP_2014_HAWKE_003_00): to amend the Lot Size Map for Hawkesbury Local Environmental Plan 2012 to permit a 4 lot subdivision at 136 Longleat Lane, Kurmond

I, the Acting Director, Metropolitan (Parramatta) at the Department of Planning, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* that an amendment to the Lot Size Map for Hawkesbury Local Environmental Plan 2012 to permit a 4-lot subdivision at 136 Longleat Lane, Kurmond, should proceed subject to the following conditions:

1. The report and resolution from the Council Meeting on 24 June 2014, regarding the Kurmond Investigation Area and Residential Land Strategy, should be exhibited with the planning proposal. All exhibited maps should be enlarged and of high quality.
2. Prior to exhibition, Council is to prepare a flora and fauna study for the site. This is to be included in the planning proposal's exhibition package.
3. 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)*.
4. 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:
 - Greater Sydney Local Land Services - Hawkesbury-Nepean Catchment Authority
 - Endeavour Energy
 - Office of Environment and Heritage
 - NSW Department of Primary Industries – Agriculture
 - NSW Trade & Investment – Resource & Energy Division – Land Use
 - NSW Rural Fire Service
 - Roads and Maritime Services
 - Telstra

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.

5. 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).
6. Delegation is to be given to Council to exercise the Minister's plan-making powers.
7. The timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.



25.11.14

Tim Archer
Acting Director, Metropolitan (Parramatta)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2014_HAWKE_003_00
Date Sent to Department under s56	6 June 2014
Date considered at LEP Review Panel	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:

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_2014_HAWKE_003_00	Planning proposal to amend the Lot Size Map for Hawkesbury Local Environmental Plan 2012 to permit a 4 lot subdivision at 136 Longleat Lane, Kurmond.

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 25 November 2014



Tim Archer
Acting Director
Metropolitan (Parramatta)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning