

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

Our ref: PP_2014_HAWKE_002_00
(14/13203)
Your ref: LEP003/13

Attn: Karu Wijayasinghe

Dear Mr Jackson

Planning proposal to amend Hawkesbury Local Environmental Plan 2012 – Rezoning of 1026 Grose Vale Road, Kurrajong

I am writing in response to your Council's letter dated 3 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 rezone 1026 Grose Vale Road, Kurrajong, from RU1 Primary Production to RU4 Primary Production Small Lots and to amend the Lot Size Map to permit lots sizes of minimum 4 hectares.

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 and 4.1 are of minor significance. No further approval is required in relation to these Directions.

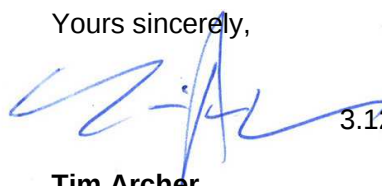
The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation 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 our Metropolitan Delivery (Parramatta) office on 02 9860 1568.

Yours sincerely,



3.12.14

Tim Archer
Acting Director, Metropolitan (Parramatta)
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP 2014 HAWKE 002 00): to rezone 1026 Grose Vale Rd, Kurrajong, from RU1 Primary Production to RU4 Primary Production Small Lots.

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 rezone 1026 Grose Vale Rd, Kurrajong, from RU1 Primary Production to RU4 Primary Production Small Lots, and to amend the Lot Size Map to permit minimum lots sizes of 4 hectares should proceed subject to the following conditions:

1. Council shall update the planning proposal to make it clear throughout that a rezoning to RU4 is being sought. Council is also to ensure that current and proposed zoning maps, lot size and aerial photo maps placed on public exhibition are enlarged, high resolution, maps with the site boundary clearly defined.
 2. Council is to ensure that the provisions of SEPP No. 55 - Remediation of Land have been fully considered and a preliminary investigative report prepared if contamination is suspected.
 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:
 - Hawkesbury-Nepean Catchment Authority (Local Land Services)
 - Endeavour Energy (electricity)
 - NSW Department of Primary Industries – Agriculture
 - NSW Department of Primary Industries – Minerals and Petroleum
 - NSW Rural Fire Service
 - Roads and Maritime Services
 - Sydney Water
 - 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. The timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.



3.12.14

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