



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

  
Dear Mr Conroy

**Planning proposal PP\_2019\_HAWKE\_002\_00 to amend Hawkesbury Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the minimum lot size for 98 Bells Lane, Kurmond under the Hawkesbury Local Environmental Plan 2012.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should not proceed as it is inconsistent with the Greater Sydney Region Plan and Western City District Plan. It is also not supported by a strategic planning framework and lacks site-specific merit. I provide the following commentary to assist Council in understanding how the Department of Planning, Industry and Environment (the Department) arrived at this decision.

The Greater Sydney Region Plan and Western City District Plan have changed the way planning for rural lands occurs in Greater Sydney. The focus is on protecting and enhancing the environmental, social and economic values of rural areas. I commend Council for resolving to prepare a new Rural Lands Strategy and have asked my staff to continue to assist your team to finalise this.

Rural residential subdivision is generally not supported in the Metropolitan Rural Area. However, minor village expansion can be considered where it is contiguous with the existing village structure, meets local needs, has no adverse impacts on the amenity of the local area and development maintains and enhances the environmental, social and economic values of the Metropolitan Rural Area.

Council's Housing and Rural Lands strategies should be aligned with the Western City District Plan and would address the above values for rural residential development. Together with supportive direction in Council's Local Strategic Planning Statement, this is the strategic planning framework required

to support appropriate development adjoining villages within the Metropolitan Rural Area.

The Department recognises there are several planning proposals in the Kurmond Kurrajong area that have previously received a Gateway determination to proceed. If a Gateway was issued before the Sydney Region Plan and Western District Plan came into effect, the Department will work with Council to enable planning proposals to progress if they meet the Gateway conditions. Any Gateway alterations requesting an extension of time will need to demonstrate Council is actively progressing the planning proposal.

The Department is aware Council is in the process of finalising a draft structure plan for increased residential development in Kurmond Kurrajong area which this site is included. Council should ensure the draft structure plan is supported by sufficient strategic planning framework as described above. The Department suggests Council deals expeditiously with the current proposals within the Kurmond Kurrajong area, review the growth as a result of realising LEP amendments within Council's draft structure plan and align any future growth with the direction in Council's Local Strategic Planning Statement, Rural Lands strategy and Housing strategy.

In respect of site-specific merit, I have also considered the proposal and conclude that the planning proposal's inconsistencies section 9.1 Directions 1.2 Rural Zones and 4.4 Planning for Bushfire Protection are not justified in accordance with the terms of the Direction.

I have not taken this decision lightly and I can assure Council that I have fully considered all the planning merits and advice.

Should you have any enquiries about this matter, I have arranged for Ms Gina Metcalfe, Acting Director Central (Western) to assist you. Ms Metcalfe can be contacted on 9860 1542.

Yours sincerely



**Brett Whitworth**  
**Deputy Secretary**  
**Greater Sydney, Place and Infrastructure**

5 May 2020

Encl: Gateway determination