



Gateway Determination

Planning proposal (Department Ref: PP_2019_HAWKE_003_00): to amend Hawkesbury Local Environmental Plan 2012 to allow the subject land, Lot 40 DP 7565, 42 Bells Lane, Kurmond, to be subdivided into five rural-residential lots with a minimum of 4,000m² lots.

I, the Deputy Secretary, Greater Sydney, Place and Infrastructure, 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 allow the subject land, Lot 40 DP 7565, 42 Bells Lane, Kurmond, to be subdivided into five rural-residential lots with a minimum lot size of 4,000m² should not proceed for the following reasons:

1. The proposal contains unresolved inconsistencies with Section 9.1 Directions, 1.2 Rural Zones and 4.4 Planning for Bushfire Protection.
2. The proposal contains unresolved inconsistencies with State Environmental Planning Policy (Koala Habitat Protection) 2019 and State Regional Environmental Plan No 20 – Hawkesbury-Nepean River.
3. The proposal does not give effect to the Western City District Plan, in particular Planning Priority W17 Better managing rural areas.
4. The proposal is not supported by an updated local strategic planning framework, including sufficient references in Hawkesbury Council's draft Local Strategic Planning Statement to support this proposal, an updated Rural Lands strategy and Housing Strategy.
5. The proposal does not adequately demonstrate the site has no potential to accommodate agricultural uses under its current zoning.
6. The proposal does not adequately demonstrate strategic or site-specific merit.

Dated 5th day of May 2020.

Brett Whitworth
Deputy Secretary, Greater Sydney,
Place and Infrastructure
Department of Planning, Industry and
Environment
Delegate of the Minister for Planning
and Public Spaces