

Gateway Determination

Planning proposal (Department Ref: PP_2015_HAWKE_012_00): to amend *Hawkesbury Local Environmental Plan 2012* for land at Lot 5 DP 237575, 35 Chapel Street, Richmond.

I, the Deputy Secretary, Planning Services, at the Department Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2)(a) of the *Environmental Planning and Assessment Act 1979* that an amendment to *Hawkesbury Local Environmental Plan 2012* to reduce the minimum lot size from 10ha to 450m² and rezone the land from RU2 Rural Landscape to R2 Low Density Residential for land at Lot 5 DP 237575, 35 Chapel Street, Richmond not proceed for the reasons listed below.

1. The planning proposal is inconsistent with the *NSW Flood Prone Land Policy* and the *Floodplain Development Manual 2005*.
2. The planning proposal has not demonstrated consistency with *A Plan for Growing Sydney* or the findings of the *Hawkesbury-Nepean Valley Flood Management Review*.
3. The planning proposal, in its intent to rezone flood-affected land from rural to residential, does not adequately address the inconsistencies with section 117 Direction 4.3 Flood Prone Land.
4. The planning proposal does not contain adequate explanation of measures to provide access to the site, which does not have public road access, and is therefore inconsistent with Section 117 Directions 3.1 Residential Zones and 3.4 Integrating Land Use and Transport.
5. The planning proposal does not adequately address the potential impacts of development on the heritage value of the neighbouring heritage item, the Hobartville estate, and is therefore inconsistent with Section 117 Direction 2.3 Heritage Conservation.

Dated 15th day of February 2016.



Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Greater Sydney Commission



Mr Peter Jackson
General Manager
Hawkesbury Shire Council
PO Box 146
Windsor NSW 2756

15/15295

Dear Mr Jackson

Planning Proposal to amend *Hawkesbury Local Environmental Plan 2012*

I am writing in response to Council's letter dated 7 October 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to amend the minimum lot size and rezone part of Lot 5 DP 237575, 35 Chapel Street, Richmond.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should not proceed, for the reasons outlined in the attached Gateway determination.

I note that the proposal does not adequately address the current flood and flood evacuation risk associated with the development of land in Richmond.

As you may be aware, *A Plan for Growing Sydney* requires councils to undertake an evacuation capacity assessment that considers regional and cumulative issues, prior to rezoning land in the Hawkesbury-Nepean Valley. The Department will continue to work with Council to address flood and emergency management issues when planning for growth in the Hawkesbury.

Should you have any queries in regard to this matter, please contact Mr Chris Browne, of the Department's regional office, on (02) 9860 1508.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

15/02/2016
Encl: Gateway determination