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**DEPARTMENT OF PLANNING AND INFRASTRUCTURE**

*Planning Operations and Regional Delivery*

**HAWKESBURY GATEWAY DETERMINATION: PP 2013 HAWKE 003 00**

The proposal seeks to amend Clause 4.1D(1)(a) of Hawkesbury LEP 2012 to clarify the timing of sewerage provision for certain types of subdivision.

The attached draft Gateway determination and letter is submitted for the Acting Regional Director's signature.

Note: Council has requested delegation for the making of this plan. It is recommended that Council be issued with plan making delegation.

Contact Officer: Chris Browne  
Sydney West Planning Teams  
Phone: 02 9860 1108

*RJCumming*  
13-11-2013

Rachel Cumming  
**Acting Regional Director**  
**Sydney West**  
**Planning Operations and Regional Delivery**



Contact: Chris Browne  
Phone: 9860 1108  
Email: [chris.browne@planning.nsw.gov.au](mailto:chris.browne@planning.nsw.gov.au)

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

Our ref: PP\_2013\_HAWKE\_003\_00  
Your ref: LEP006/13

Attention: Karu Wijayasinghe

Dear Mr Jackson

**Gateway determination - Hawkesbury LEP 2012 (Am. No. 9) - Amendment to Clause 4.1D(1)(a)**

I am writing in response to your Council's letter dated 25 September 2013 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") for the planning proposal to amend Clause 4.1D(1)(a) of Hawkesbury LEP 2012.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that the planning proposal is consistent with all relevant section 117 Directions. No further approval is required in relation to these.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has asked 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 (LEP) is to be finalised within 6 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 LEP 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 LEPs 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 EP&A Act if the time frames outlined in this determination are not met.

Should you have any enquiries in regard to this matter, please contact Chris Browne of the Sydney West Regional office of the Department on 02 9860 1108.

Yours sincerely

13-11-2013

Rachel Cumming  
**Acting Regional Director  
Sydney West  
Planning Operations and Regional Delivery**

# Gateway Determination

**Planning proposal (Department Ref: PP\_2013\_HAWKE\_003\_00): to amend Clause 4.1D(1)(a) of Hawkesbury LEP 2012 to clarify the timing of sewerage provision for certain types of subdivision.**

I, the Acting Regional Director, Sydney West Region, at the Department of Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act, that an amendment to the Hawkesbury Local Environmental Plan (LEP) 2012 to amend Clause 4.1D(1)(a) of Hawkesbury LEP 2012 to clarify the timing of sewerage provision for certain types of subdivision, should proceed subject to the following conditions:

1. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Sydney Water

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.

2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **14 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 LEPs (Department of Planning & Infrastructure 2013)*.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 13th day of November 2013.



Rachel Cumming  
**Acting Regional Director**  
**Sydney West Region**  
**Planning Operations and Regional Delivery**  
**Department of Planning and Infrastructure**