

15/05171

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

Dear Mr Jackson

Planning Proposal to amend Hawkesbury Local Environmental Plan 2012

I refer to Council's letter requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to amend the minimum lot size and rezone part of Lot 1 DP 884408, 24 Greenway Crescent, Windsor.

As delegate of the Minister for Planning, I have determined 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 Windsor.

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 Derryn John, of the Department's regional office, on (02) 9860 1505.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

05/05/2015
Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_HAWKE_003_00): to amend *Hawkesbury Local Environmental Plan 2012* for land at 24 Greenway Crescent, Windsor.

I, the Deputy Secretary, Planning Services, at the Department Planning and Environment, as delegate of the Minister for Planning, 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 part 4000m² and 450m² and rezone the land from RU2 Rural Landscape to R2 Low Density Residential for land at 24 Greenway Crescent, Windsor not proceed for the reasons listed below.

1. The planning proposal does not adequately address the inconsistencies with section 117 Direction 4.3 Flood Prone Land, as it would rezone flood affected land from rural to residential.
2. The planning proposal is also inconsistent with the *NSW Flood Prone Land Policy* and the *Floodplain Development Manual 2005*.
3. The planning proposal has not demonstrated consistency with *A Plan for Growing Sydney* or the findings of the *Hawkesbury-Nepean Valley Flood Management Review*.

Dated 5th day of ~~April~~ 2015.

May



Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Minister for Planning