



Planning & Infrastructure

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

Our ref: PP_2012_HAWKE_003_00 (12/11016)
 Your ref:

Dear Mr Jackson,

Planning Proposal to amend the draft Hawkesbury LEP 2012

I am writing in response to your request for a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone 185 ha of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach; and Kurmond Road, North Richmond from rural to residential.

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's inconsistencies with S117 Direction 4.1 Acid Sulfate Soils and 4.3 Flood Prone Lands are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 24 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Michael Druce of the Regional Office of the Department on 02 9860 1560.

Yours sincerely,


Sam Haddad
Director-General

27/7/2012

Gateway Determination

Planning Proposal (Department Ref: PP_2012_HAWKE_003_00): to rezone 185 ha of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach; and Kurmond Road, North Richmond from rural to residential

I, the Director General, 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 draft Hawkesbury Local Environmental Plan 2012 to rezone 185 ha of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach; and Kurmond Road, North Richmond from rural to residential should proceed subject to the following conditions:

1. Prior to the commencement of public exhibition the council is to:
 - (a) Undertake an assessment of the traffic impact, in consultation with Roads and Maritime Services regarding the impact of the proposal on peak performance of key intersections and bridge capacities at both Richmond and Windsor.
 - (b) Review the Bushfire Prone Land Map for the LGA and consult the NSW Rural Fire Service. The outcome of the review is to be reflected in the proposed zoning for the site.
 - (c) Undertake an assessment of the economic impact of the cessation and removal of the chicken raising and egg production enterprises and demonstrate the cost benefit of replacing the existing use with residential development.
 - (d) Update the planning proposal to reflect the results – outcomes of the requirements of condition 1(a), (b) and (c) and provide the department's Sydney Region West team with a copy of the revised planning 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 **28 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW
 - Transport for NSW – Roads and Maritime Services
 - Sydney Water
 - NSW Aboriginal Land Council
 - Hawkesbury – Nepean Catchment Management Authority
 - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. 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).
5. The timeframe for completing the LEP is to be **24 months** from the week following the date of the Gateway determination.

Dated 27th day of July 2012.


Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure