



Mr Laurie Mifsud
Acting General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Dear Mr Mifsud

Planning proposal PP_2013_HAWKE_004_06, 120-188 Hawkesbury Valley Way, Clarendon

I refer to planning proposal PP_2013_HAWKE_004_06 to amend Hawkesbury Local Environmental Plan 2012, to rezone land at 120-188 Hawkesbury Valley Way, Clarendon from RU4 Primary Production Small Lots to part B7 Business Park, and to amend Schedule 1 (Additional Permitted Uses) to include bulky goods premises on part of the site.

I am writing following Council's request dated 9 October 2020 for an extension of time until 30 June 2021 to finalise this planning proposal. Following a review of the planning proposal, I have determined, as delegate of the Secretary, the proposal is inconsistent with the following Section 9.1 Directions: 2.1 Environmental Protection Zones, 2.3 Heritage Conservation, 2.6 Remediation of Contaminated Land, 3.5 Development Near Licenced Regulated Airports and Defence Airfields and 4.3 Flood Prone Land. In addition, the proposal does not give effect to the Western City District Plan.

I note the Department's letter to Council dated 26 October 2020, advising Council of the Department's program to make final decisions on long-standing planning proposals which have had a Gateway for four or more years by 31 December 2020. Following the Department's review, I have determined, as delegate of the Minister for Planning and Public Spaces, the proposal cannot be supported and have altered the Gateway determination to not proceed as attached to this letter.

A number of considerations have led to the decision, which has not been made lightly. Matters that I have considered included consistency with the strategic planning framework, analysis of flooding impacts, adequately protecting biodiversity, and ensuring the development can be supported by infrastructure. It is clear there are several outstanding issues with this proposal culminating in the view that the proposal in its current form is not an appropriate development of the site.

A key consideration in forming this opinion was Transport for NSW's comments identifying the need for Hawkesbury Valley Way to be widened between Richmond

and Windsor and upgrades for two intersections to support the development. It is not feasible for a developer to fund or deliver these upgrades and the State Government has not identified the delivery of these upgrades in its forward capital work plans.

The Department supports the direction in the Western City District Plan for Council to undertake precinct planning for the Richmond-Windsor strategic centre, which this site can be considered as part of this review. Alternatively, Council has the option of submitting a new planning proposal, with a development footprint that can be supported by infrastructure upgrades that the proponent can reasonably implement.

The Department's report supporting the Gateway alteration identifies the key areas of concern with the proposal.

If you have any questions in relation to this matter, please contact Ms Jane Grose, Director Central (Western) at the Department on 9274 6070.

Yours sincerely



22 December 2020

Brett Whitworth
Deputy Secretary
Greater Sydney, Place and Infrastructure

Enc. Alteration of Gateway determination to not proceed