



Contact: Derryn John
 Phone: (02) 9860 1560
 Email: Derryn.John@planning.nsw.gov.au
 Postal: GPO Box 39, Sydney NSW 2001

Our ref: PP_2012_HAWKE_004_00 (12/12589-1)
 Your ref: LEP11001/11

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

Dear Mr Jackson,

Planning proposal to amend draft Hawkesbury Local Environmental Plan (LEP) 2012

I am writing in response to your Council's letter dated 26 July 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the draft Hawkesbury Local Environmental Plan (LEP) 2012 to allow additional permitted uses on land at Hawkesbury Road and Windsor Road, Vineyard.

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.

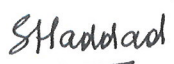
I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 4.1 Acid Sulphate Soils, 4.3 Flood Prone Land and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 Derryn John of the regional office of the department on 02 9860 1560.

Yours sincerely,

 7/9/12

Sam Haddad
Director-General

Gateway Determination

Planning proposal (Department Ref: PP_2012_HAWKE_004_00): to amend draft Hawkesbury Local Environmental Plan (LEP) 2012 to allow additional permitted uses on the subject land.

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 (LEP) 2012 to:

- include saw mill, timber yard and associated parking as additional permitted uses with a maximum total land area of 10,000m² at Lot 53 DP 593354, 389 Old Hawkesbury Road, Vineyard;
- include saw manufacturing, repairs and sales, industrial retail premises, other compatible light industrial uses and associated parking as additional permitted uses with a maximum total land area of 3,000m² and maximum gross floor area for the industrial retail premises of 150m² at Lot 5 DP 536674, 541 Windsor Road, Vineyard;
- include hardware and building supplies, trailer hire business and associated parking as additional permitted uses with a maximum total floor area of 5,000m² and maximum gross floor area for the trailer hire premises of 325m² and maximum gross floor area for the building hardware store of 250m² at Lot 5 DP 536674 and Lots 10 & 11 DP 1080426, 541 – 547 Windsor Road, Vineyard; and
- apply a limit of 2 years for development applications for the specified uses to be submitted with consent for new development lapsing upon completion of Vineyard precinct.

should proceed subject to the following conditions:

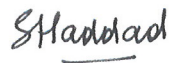
1. Council is to consult with the Commissioner of the NSW Rural Fire Service in accordance with Section 117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
2. Community 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 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:
 - Department of Environment and Heritage (National Parks and Wildlife Service)
 - Department of Transport (Roads and Maritime Services)
 - 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 **9 months** from the week following the date of the Gateway determination.

Dated 7 day of September 2012.



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