



Planning & Environment

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

Our ref: 15/14562
Your ref: LEP006/14

Attention: Mr Karu Wijayasinghe

Dear Mr Jackson,

**Planning proposal to amend Hawkesbury Local Environmental Plan 2012
631 Bells Line of Road, Kurrajong - PP_2015_HAWKE_011_00**

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* for the above planning proposal.

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

I have also agreed that any inconsistencies with Section 117 Directions 1.2 Rural Zones, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulfate Soils and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions. Please note that consultation with the NSW Rural Fire Service must be undertaken in order to satisfy Section 117 Direction 4.4 Planning for Bushfire Protection.

I note that Council has requested delegation of the Minister's plan making functions for this planning proposal. It is considered appropriate to delegate these functions to Council in this instance, and attached is a written authorisation to exercise delegation. Council is to complete Attachment 5 (Delegation of Plan Making Reporting) before finalising the Plan.

The amending Local Environmental Plan is to be finalised within nine (9) months of the week following the date of the Gateway determination. Council should commence exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be sent to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the process to the complexity of the proposal, and by providing clear and transparent justification for each plan at an early stage. To meet these commitments, the Minister may take action under section 54(2)(d) of the *Environmental Planning & Assessment Act 1979* if the time frames in this determination are not met.

Should you have any queries in regard to this matter, please contact Derryn John of the Metropolitan Region (Parramatta) office of the Department on 02 9860 1505.

Yours sincerely,

Brett Whitworth
Acting Executive Director
Regions



Gateway Determination

**Planning proposal (Department Ref: PP_2015_HAWKE_011_00):
631 Bells Line of Road, Kurrajong**

I, the Acting Executive Director, Regions at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* that an amendment to Hawkesbury Local Environmental Plan 2012 to facilitate rural residential subdivision of land at 631 Bells Line of Road, Kurrajong, should proceed subject to the following conditions:

1. Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
2. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning & Assessment Act 1979*:
 - a. NSW Rural Fire Service;
 - b. NSW Office of Environment and Heritage;
 - c. Endeavour Energy;
 - d. Transport for NSW – Roads and Maritime Services; and
 - e. Greater Sydney Local Land Services.
3. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* 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 Local Environmental Plans (Department of Planning & Infrastructure 2013)*.
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 *Environmental Planning & Assessment Act 1979*. 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 Local Environmental Plan is to be **nine (9) months** from the week following the date of the Gateway determination.

14 December 2015

Brett Whitworth
Acting Executive Director
Regions
Department of Planning and Environment
Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

The Hills Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_HAWKE_011_00	Planning Proposal to amend Hawkesbury Local Environmental Plan 2012 to facilitate rural residential subdivision of land at 631 Bells Line of Road, Kurrajong.

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated this 14th day of December 2015.

Brett Whitworth
Acting Executive Director
Regions
Department of Planning and Environment
Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2015_HAWKE_011_00
Date Sent to Department under s56	22 September 2015
Date considered at LEP Review Panel	N/A
Gateway determination date	19 December.

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: