



Our ref: PP_2016_HAWKE_007_00 (16/11200)
Your ref: LEP011/16

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

Attn: Philip Pleffer

Dear Mr Mifsud

Planning proposal to amend Hawkesbury Local Environmental Plan 2012

I am writing in response to your Council's letter dated 29 August requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to permit dual occupancies (detached) and secondary dwellings in all rural and E3 and E4 environmental zones, including a clause to restrict development of dual occupancies (detached) to land within an area of not less than four (4) hectares.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should not proceed for the reasons outlined in the attached Gateway determination.

In determining the proposal in this manner I took into consideration *A Plan for Growing Sydney*, which requires councils to undertake an evacuation capacity assessment that considers regional and cumulative issues, prior to rezoning land in the Hawkesbury-Nepean Valley. The proposal does not adequately address the current flood and flood evacuation risks associated with the inclusion of these additional land uses.

Should you have any queries in regard to this matter, I have arranged for Ms Alicia Hall of the Department's regional office to assist you. Ms Hall can be contacted on (02) 9860 1587.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

10/10/2016
Encl: Gateway Determination



Gateway Determination

Planning proposal (Department Ref: PP_2016_HAWKE_008_00): to amend Hawkesbury Local Environmental Plan 2012 to permit dual occupancies (detached) and secondary dwellings in all rural and E3 and E4 environmental zones, including a clause to restrict development of dual occupancies (detached) to land within an area of not less than four (4) hectares.

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the *Hawkesbury Local Environmental Plan (LEP) 2012* to permit dual occupancies (detached) and secondary dwellings in all rural and E3 and E4 environmental zones, including a clause to restrict development of dual occupancies (detached) to land within an area of not less than four (4) hectares, should not proceed for the following reasons:

1. The planning proposal has not adequately addressed inconsistencies with section 117 Direction 4.3 Flood Prone Land.
2. The planning proposal has not demonstrated consistency with *A Plan for Growing Sydney*.

Dated 10th day of October

2016

Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Greater Sydney Commission