



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

Dear Mr Mifsud

**Planning proposal PP\_2018\_HAWKE\_003\_00 to amend Hawkesbury Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to rezone land at 27 Park Road Vineyard and 41 Park Road Mulgrave under the Hawkesbury Local Environmental Plan 2012. As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

As delegate of the Minister, I have also agreed that the unique site-specific circumstances are such that the proposal's inconsistency with objectives for Metropolitan Rural Areas under the Western City District Plan are justified in this instance.

I commend Council for resolving to exhibit a new Employment Lands Strategy and have asked my staff to continue to assist your team to finalise this. Council's Employment Lands Strategy should be aligned with the Western City District Plan.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.2 Rural Zones and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to public exhibition.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority. The amending Local Environmental Plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Angela Hynes to assist you. Ms Hynes can be contacted on 9860 1558.

Yours sincerely



21 November 2020

**Brett Whitworth**  
**Deputy Secretary**  
**Greater Sydney, Place and Infrastructure**

Encl: Gateway determination  
Authorised plan-making reporting template