

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-2386):** to identify 3 New Street, Windsor as a local heritage item.

I, the Acting Director at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) that an amendment to the *Hawkesbury Local Environmental Plan 2012* to identify 3 New Street, Windsor as a local heritage item should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
  - (a) Include a draft heritage data form (inventory) for the heritage items being listed.
  - (b) Include a draft heritage map showing the proposed heritage listing of the site.
  - (c) Include a project timeline consistent with the timeframe stated in the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

The landowner should be notified of the exhibition of the planning proposal prior to the commencement of the community consultation period.

3. Consultation is required with Heritage NSW under section 3.34(2)(d) of the EP&A Act. Heritage NSW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 20 working days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.
5. The Council as Planning Proposal Authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:
  - (a) the Planning Proposal Authority has satisfied all the conditions of the gateway determination;

- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed on or before 14 October 2023, with exhibition to commence by February 2023 and reporting to Council for finalisation by August 2023.

Dated 14th day of December 2022.



**Robert Hodgkins**  
**Acting Director**  
**Central (Western)**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and  
Homes**