



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

Dear Mr Mifsud

Planning proposal PP_2018_HAWKE_002_02 – Alteration of Gateway Determination

I refer to your letter dated 25 November 2019 seeking an extension of time to complete planning proposal PP_2018_HAWKE_002_01 for minimum lot size amendments to the *Hawkesbury Local Environmental Plan 2012* at 2 Inverary Drive, Kurmond.

As part of the process of reviewing Council's request for a timeframe extension to finalise the LEP amendment, the Department of Planning, Industry and Environment (the Department) has reviewed the merits of the proposal.

A review of the exhibited planning proposal material indicates further work is required to address the conditions of the Gateway, specifically in relation to the review of lot sizes and the Metropolitan Rural Area (MRA), particularly in light of the Sydney Western City Planning Panel's comments relating to lot sizes, Council's letter dated October 2019 and Environment, Energy and Science Group's submission dated 18 June 2020.

The proposal has not responded appropriately to the environmental site constraints. In particular, the proposal needs to protect the landscape character of the area and avoid fragmentation of significant vegetation. The Department considers it appropriate for the planning proposal to demonstrate its consistency with Council's 2015 Interim Policy – Development Principles for the Kurmond Kurrajong Investigation Area and Council's draft 2019 structure plan.

The proposal is inconsistent with the strategic planning framework, specifically the values of the MRA. This needs to be resolved and further work is required to demonstrate how the proposal protects and enhances the environmental, social and economic values of the rural areas. Given the proposal's inconsistency with the MRA, a compromise has been agreed to with the Greater Sydney Commission to allow this planning proposal to continue subject to additional work being undertaken.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to alter the

Gateway determination dated 28 June 2018 for PP_2018_HAWKE_002_00 (since altered).

A new condition has been inserted into the Gateway determination requiring the submission of an indicative subdivision plan to the Department for endorsement with consideration given to a minimum lot size of 1 hectare and for the proposal to demonstrate how it protects the significant biodiversity and addresses landscape character.

The Department wants to work with Council to deliver the compromise and is available to meet to discuss further. Following the submission and endorsement of a revised subdivision plan, the Department will confirm whether additional community consultation is required. The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Jane Grose Director Central (Western) to assist you. Ms Grose can be contacted on 0456 760 182.

Yours sincerely



3 December 2020

Brett Whitworth
Deputy Secretary
Greater Sydney, Place and Infrastructure

Encl: Alteration of Gateway Determination