



Mr Peter Conroy
General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Attention: Andrew Kearns

Dear Mr Conroy

Planning proposal PP_2018_HAWKE_001_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_001_01 for minimum lot size amendments to the *Hawkesbury Local Environmental Plan 2012* at 79, 95, & 100 Bells Lane and 457 Bells Line of Road, Kurmond.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 23 June 2018 for PP_2018_HAWKE_001_00 (since altered).

In addition to extending the timeframe, the Department has undertaken a review of planning proposals submitted to the Department for Gateway after March 2018. This planning proposal was submitted to the Department for Gateway in May 2018, after the District Plans came into effect and the implementation of the Metropolitan Rural Area.

The new strategic planning framework changed the way planning should be carried out for rural lands in Greater Sydney. The focus shifted to protecting and enhancing the environmental, social and economic values of rural areas. As a result of the Department's review of planning proposals within Kurmond Kurrajong area, this Planning Proposal through the minimum lot sizes proposed and spatial distribution of the proposal, does not support the values of the rural areas the strategic planning framework aims to retain and enhance.

The sites are identified as containing 'Ridgeline Street' and 'Pastoral Valleys' in the Kurmond Kurrajong Landscape Character Study. The proposed minimum lot sizes do not support retaining this character, in particular 'Pastoral Valleys' as lightly sloping open pastures with scattered trees.

The Department has determined this proposal is inconsistent with the objectives of the Metropolitan Rural Area, not supported by an updated strategic planning framework and is inconsistent with section 3.8(2)(a) of the EP&A Act. If the

Department was assessing this planning proposal today, Gateway may not have been issued.

As Gateway has been issued the Department, in conjunction with the Greater Sydney Commission, will permit the planning proposal to continue. However, the gateway has been altered to reduce the impact of the development for the reasons stated above.

The allotment size will be increased to a minimum of 1 hectare for 79 and 95 Bells Lane, and 457 Bells Line of Road. Flexibility will be given to Council to increase the minimum lot size above 1 hectare to ensure the development responds appropriately to the landscape character of the area and Council's Development Principles for the Kurmond Kurrajong area. Council is then to prepare a restricted lot yield map to form part of the LEP amendment.

Increasing residential development at 100 Bells Lane is not supported as the site is not located close enough to the existing Kurmond village to be able to be considered a village expansion. 100 Bells Lane has been removed from the Gateway.

The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Elizabeth Kimbell to assist you. Ms Kimbell can be contacted on 9860 1521.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gina Metcalfe', with a long horizontal line extending to the right.

6 April 2020
Gina Metcalfe
Acting Director, Central (Western)
Central River City & Western Parkland City

Encl: Alteration of Gateway Determination



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2018_HAWKE_001_02)

I, Acting Director, Central (Western), of Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 23 June 2018 (since altered) for the proposed amendment to the *Hawkesbury Local Environmental Plan 2012* as follows:

1. Delete:

“condition no.6”

and replace with:

a new condition no.6: “The time frame for completing the LEP is by 13 December 2020”

2. Delete:

“condition no.1(b)”

and replace with:

new condition no.1(b):

“amend the lot size to a minimum of 1 hectare for 79 and 95 Bells Lane, and 457 Bells Line of Road. Council may increase the lot size above 1 hectare to take into consideration site constraints, ensure compliance with Council’s Development Principles for Kurmond Kurrajong area and to ensure Council is satisfied the lot size is suitable for the landscape character of the area.

A lot size map and maximum residential lot yield (restricted lot yield LEP map) is to be prepared for 79 and 95 Bells Lane and 457 Bells Line of Road. 100 Bells Lane is to be removed from this Gateway”.

A handwritten signature in black ink, consisting of a stylized name followed by a horizontal line.

Dated 6th day of April 2020

Gina Metcalfe
Acting Director, Central (Western)
Central River City & Western Parkland
City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces