



IRF21/108

Professor Mary O’Kane AC  
Chair  
Independent Planning Commission  
Level 3, 201 Elizabeth Street  
SYDNEY NSW 2000

Dear Professor O’Kane

**Request for Gateway determination review – PP\_2018\_HAWKE\_002\_02**

I am writing to advise that the Department of Planning, Industry and Environment has received a Gateway determination review request from the proponent for the abovementioned planning proposal. The reason for the review is a Gateway alteration has been made with new conditions. Details of the planning proposal are summarised below:

<b>Dept. Ref. No</b>	<b>GR-2021-5</b>
<b>LGA</b>	Hawkesbury Council
<b>LEP to be amended</b>	Hawkesbury Local Environmental Plan 2012
<b>Address/location</b>	2 Inverary Drive, Kurmond
<b>Proposal</b>	<p>The planning proposal seeks to reduce the minimum lot size from 10 hectares to 2,000m<sup>2</sup> and 2 ha for the subject land to facilitate rural residential development.</p> <p>The Department considers that the proposal is inconsistent with the objectives of the Metropolitan Rural Area, not supported by an updated strategic planning framework and inconsistent with section 3.8(2)(a) of the EP&amp;A Act.</p> <p>A second Gateway alteration in December 2020 replaced an existing condition which required the review of the lot sizes with a new condition requiring the following:</p> <ul style="list-style-type: none"><li>• resolution of issues raised by Environment, Energy and Science;</li><li>• demonstration of how the landscape character of the area is maintained, as described by Council’s development principles and the draft Kurmond Kurrajong Structure Plan;</li><li>• consideration of a one hectare minimum lot size as exhibited in the 2019 draft Kurmond Kurrajong Investigation Area structure plan to more appropriately address the values of the Metropolitan Rural Area (MRA) and to avoid fragmentation of significant vegetation;</li></ul>

	<ul style="list-style-type: none"><li>• consideration to the retention of 'significant vegetation' in single ownership or a biodiversity stewardship agreement; and</li><li>• identification of a maximum residential lot yield.</li></ul>
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The Minister for Planning's delegate determined to alter the Gateway determination on 3 December 2020 imposing new conditions.

The proponent has requested a review of the Gateway determination as altered. The Commission is requested to review the planning proposal and prepare advice concerning the merits of the review request. The advice should include a clear and concise recommendation to the Minister's delegate confirming whether, in its opinion, the proposal should proceed or not.

The advice and recommendation would usually be requested to be provided within 35 days of receipt of this letter and sent to the Department of Planning, Industry and Environment at Locked Bag 5022, Parramatta NSW 2124 and via email.

The Department's justification assessment and recommendation report are enclosed and includes supporting attachments.

The Department's 'A guide to preparing local environmental plans' provides advice on procedures for the various stages in the independent review process. The guide is available on the Department's website at [planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources](http://planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources).

Should you have any enquiries about this matter, I have arranged for Ms Jane Grose, Director, Central (Western), at the Department to assist you. Ms Grose can be contacted on 02 9274 6070.

Yours sincerely



27.05.2021

**Catherine Van Laeren**  
**Executive Director**  
**Central River City and Western Parkland City**