

Our ref: PP-2025-1561 (IRF25/1914)

Ms Elizabeth Richardson  
General Manager  
Hawkesbury City Council  
366 George Street  
WINDSOR NSW 2756

Dear Ms Richardson

13 November 2025

### PP-2025-1561 to amend Hawkesbury Local Environmental Plan 2012

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979*. The planning proposal seeks to amend the Hawkesbury Local Environmental Plan 2012 to permit *dual occupancy (detached)* where the *dual occupancy (attached)* land use is currently permissible, in the following zones: RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village.

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.

Council will be required to obtain the agreement of the Secretary to comply with the requirements of relevant directions of the Minister under section 9.1 of the Act, as follows:

- 3.1 Conservation Zones;
- 3.2 Heritage Conservation;
- 3.6 Strategic Conservation Planning;
- 3.7 Public Bushland;
- 4.1 Flooding;
- 4.3 Planning for Bushfire Protection; and
- 5.5 High Pressure Dangerous Goods Pipelines.

As Council has recognised, there is a need for specific planning controls to be introduced to mitigate environmental impacts and preserve rural character. It is anticipated that Council's proposed controls will satisfy the above mentioned directions.

I have also included a condition that will require Council to consult with the NSW Reconstruction Authority, and the State Emergency Services, prior to exhibition. This early consultation will allow these authorities to provide early advice and for Council to take into consideration these views.

Considering the nature of the planning proposal, authorisation for Council to exercise the local plan-making authority delegation has not been granted in this instance.

The amending local environmental plan (LEP) is to be finalised on or before 25 August 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Terry Doran to assist you. Mr Doran can be contacted on (02) 9860 1579.

Yours sincerely



Tina Chappell  
Director Local Planning and Council Support

Encl: Gateway determination