

Gateway Determination

***Planning proposal (Department Ref: [IRF20/978] PP_2020_WOLLY_001_00):
Stage 1 review of Wollondilly Local Environmental Plan 2011 to align with the local
strategic planning statement***

I, the Executive Director, 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(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wollondilly Local Environmental Plan (LEP) 2011 to align with the local strategic planning statement should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:
 - (a) remove the following proposed amendments and associated references or maps from the planning proposal:
 - i. Aims for strategic planning;
 - ii. New standard LEP definitions;
 - iii. Western Sydney International Airport local provision and maps;
 - iv. Maldon Dombarton Rail Link;
 - v. Koala Corridor local provision and map;
 - vi. Natural Resources – Biodiversity Map;
 - vii. Digital Plan Making; and
 - viii. Reference to establishing “Wollondilly Local Environmental Plan 2020”.
 - (b) Update amendment to Schedule 2 Exempt development to delete Footways - Outdoor Dining and update Part 2 Explanation of provisions to clarify what land the event provisions would apply and address issues relating to minimum event site area, amenity impacts, accessibility, traffic impacts, public liability, approval for events on Council land, cumulative signage at sports grounds and limitations on sign permit validity;
 - (c) Update the planning proposal to address how Council intends to manage the cumulative impacts of caravan parks and function centres on the amenity of the surrounding areas and potential land use conflict of function centres and caravan parks on agricultural activities.
 - (d) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency;
 - (e) include the intention to introduce a new savings and transitional clause to ensure that proposed amendments do not affect any lodged development applications or appeal processes; and

- (f) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process.
2. The revised planning proposal is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to public exhibition.
 3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
 4. Council is to inform all landowners affected by the deferred matter amendments in writing about the exhibition of the proposal, outlining the effect of the proposed changes.
 5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Greater Sydney Commission;
 - Sydney Water;
 - Water NSW;
 - Roads and Maritime Services within Transport for NSW; and
 - NSW RFS.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

6. 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 Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. Given the nature of the planning proposal, Council is not authorised to exercise delegation to make this plan.

8. Council is required to submit the planning proposal to the Department for finalisation prior to 1 July 2020.

Dated 6th day of April 2020.



Catherine Van Laeren
Executive Director, Central River City
and Western Parkland City
Greater Sydney, Infrastructure and
Place
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces