



Mr Ben Taylor  
CEO  
Wollondilly Shire Council  
PO Box 21  
PICTON NSW 2571

Attention: Stephen Gardiner

Dear Mr Taylor

**Planning proposal PP\_2020\_WOLLY\_001\_00 Stage 1 Review of Wollondilly Local Environmental Plan 2011**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal for Stage 1 review of existing LEP provisions to align with the local strategic planning statement. I note that this planning proposal is the first stage to giving effect to your Local Strategic Planning Statement.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. I note one such condition is the removal of the following proposed amendments and associated references or maps from the planning proposal:

- Aims for strategic planning;
- New standard LEP definitions;
- Western Sydney International Airport local provision and maps;
- Maldon Dombarton Rail Link;
- Koala Corridor local provision and map;
- Natural Resources – Biodiversity Map;
- Digital Plan Making; and
- References to establish "Wollondilly Local Environmental Plan 2020".

I understand that Council has worked extensively to include these amendments in the planning proposal however there are significant issues with the duplication of existing and proposed State Policies.

In light of the conditions, I would like to offer Council the opportunity to be briefed by the Department on the conditions in the Gateway and discuss options for future planning proposals to achieve Council's desired outcomes.

I note that the inconsistency with section 9.1 Directions 2.1 Environment Protection Zones, 3.1 Residential Zones, 4.3 Flood Prone Land, 6.3 Site Specific Provisions are minor or justified. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 1.5 Rural Lands, 4.4 Planning for Bushfire Protection and 5.2 Sydney Drinking Water Catchment. Council should ensure this occurs prior to the plan being made. As required by Direction 4.4 Planning for Bushfire Protection the Gateway includes a condition requiring that Council consult with the Rural Fire Service prior to exhibition of the Plan. Having regard to the timeframe for finalisation of the Plan please contact the Department if you require assistance with this consultation.

Council is required to submit the planning proposal to the Department for finalisation prior to 30 June 2020. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made before the required date.

The State government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Sebastian Tauni to assist you. Mr Tauni can be contacted on 8217 2018.

Yours sincerely



06/04/20

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

Encl: Gateway determination