

Gateway Determination

Planning Proposal (Department Ref: PP_2018_WOLLY_001_00) rezone rural land located at Stilton Lane for the purposes of small lot agriculture, industrial, tourism and environmental conservation purposes. The main southern railway line has been rerouted and the Planning Proposal also reflects the change to the zone required to apply to the new route.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 rezone rural land located at Stilton Lane for the purposes of small lot agriculture, industrial, tourism and environmental conservation purposes and housekeeping amendments to the zoning of the main southern railway line should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is required to:
 - (a) Undertake the following specialist studies and amend the Planning Proposal to reflect the findings of these studies:
 - stormwater management plan;
 - water quality management plan;
 - bushfire assessment report;
 - flooding assessment;
 - phase 1 contamination assessment;
 - noise and vibration assessment;
 - transport study.
 - (b) Demonstrate, through an economic study, the feasibility and viability of the proposed RU4 – Primary Production Small Lots zone, and the associated 4ha lot size. The Planning proposal is to be amended if necessary, in consideration of the findings of this investigation.
 - (c) Prepare a Natural Resources Biodiversity Map to reflect the proposed amendments;
 - (d) Consult with Subsidence Advisory NSW, Office of Environment and Heritage, Roads and Maritime Services and Transport for NSW in relation to relevant Section 9.1 Directions, and revise the proposal to address comments received by those agencies; and
 - (e) Submit a revised proposal to the Department of Planning and Environment for endorsement.

2. Public exhibition is required under section 3.34(2)(c) and schedule 1, clause 4 of the Environmental Planning and Assessment Act 1979 (the Act) as follows:
 - (a) The Planning Proposal must be made publicly available for a minimum of **28 days**; and
 - (b) The relevant planning 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant Section 9.1 Directions:
 - Destination NSW;
 - NSW Rural Fire Service;
 - NSW Resources and Energy;
 - Water NSW;
 - Australian Rail Track Corporation;
 - Sydney Water; and
 - Endeavour Energy.

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.
4. 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).
5. Wollondilly Shire Council, as the planning proposal authority, is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.



Planning & Environment

6. The timeframe for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 26th day of May 2018.

Ann-Maree Carruthers
Director
Sydney Region West
Planning Services