



9 February 2018

Office of the General Manager

Reference File: O/1144/2017 (17/241175)

Parliamentary Counsel's Office

Parliamentary.counsel@pco.nsw.gov.au

Dear Sir/Madam

SUBJECT Drafting Request for Blue Mountains Local Environmental Plan 2015 (Amendment 8)

This letter is to request the drafting of Blue Mountains Local Environmental Plan (LEP) 2015 draft Amendment 8 (54 Luchetti Avenue, Hazelbrook).

Plan making authority for the draft amendment was delegated to Council by the Gateway Determination received on 27 October 2017 (Attachment 1).

The draft Planning Proposal (Attachment 2) was publically exhibited for 34 days from Wednesday 6 December 2017 to Monday 8 January 2018 in line with the Gateway Determination and Council's practice regarding public exhibition over the Christmas holiday period. The planning proposal has been amended to reflect the outcome of public exhibition. At the 30 January 2018 meeting (unconfirmed Minute No. 20) Council resolved:

1. *That the Council notes the public exhibition was conducted in accordance with legislative requirements of the Gateway Determination (Attachment 1) and that one submission was received;*
2. *That the Council adopts the updated draft Planning Proposal for 54 Luchetti Avenue, Hazelbrook (draft Amendment 8) to LEP 2015 (draft Planning Proposal) in Attachment 2;*
3. *That the Council submits the draft Planning Proposal to the NSW Parliamentary Counsel's Office (PCO) to be made exercising the functions delegated in the Gateway Determination under section 59 of the Environmental Planning and Assessment Act 1979);*
4. *That the Council delegates to the General Manager (or their nominee) the authority to make minor amendments to the draft Planning Proposal that may arise after the formal adoption of this planning proposal, subject to such amendments maintaining the policy intent of the draft Amendment; and*
5. *That the Council receives a report on any changes made by PCO which change the policy intent of the draft Planning Proposal.*

As per Resolution 3, Council now submits the draft planning proposal to Parliamentary Counsel's Office seeking an opinion on the drafting of Amendment 8 to Blue Mountains Local Environmental Plan 2015.

Should you require any clarification or wish to discuss the matter further Council's contact officer for this draft Amendment is Michelle Maher, Executive Principal Land Use Planning, who can be contacted on (02) 4780 5450.

Yours faithfully



ROSEMARY DILLON
General Manager

Encl:

- Attachment 1: The Gateway Determination
- Attachment 2: Final Planning Proposal amended to reflect outcome of community consultation
- Attachment 3: Extracts of the Council meeting minutes and business papers for the 30 January 2018 Council meeting and 22 August 2017
- Attachment 4: State Agency Responses
- Attachment 5: Confirmation from the Department of Planning and Environment regarding council's amended response to SEPP 44 and SEPP 55