



Gateway Determination

Planning Proposal (Department Ref: PP_2011_WOLLY_006_00): to rezone rural land at The Oaks to permit low density housing.

I, the Deputy Director General, Plan Making & Urban Renewal, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* ("EP&A Act"), that an amendment to the *Wollondilly Local Environmental Plan 2011* to:

- rezone Lot 62 in DP 1099353 (24 Hardwicke Street, The Oaks) and Lot 61 in DP 74228 (800 Montpelier Drive, The Oaks) ("**the subject land**") from Zone RU2 Rural Landscape to Zone R2 Low Density Residential,
- vary the minimum permissible lot size of the subject land from 40ha to 975m², and
- introduce a maximum permissible building height of part 6.8m and part 9m for the subject land,

should proceed subject to the following conditions:

1. The inclusion of a local provision to require remediation and site validation for the subject land prior to the granting of consent for its subdivision is not supported.
2. No community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act").
3. No consultation with public authorities is required under section 56(2)(d) of the EP&A Act.
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 23rd day of November 2011.

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning
and Infrastructure



Planning & Infrastructure

Office of the Director General

Contact: Mr Mato Prskalo
Phone: (02) 9873 8568
Fax: (02) 9873 8599
Email: mato.prskalo@planning.nsw.gov.au
Postal: Locked Bag 5020
Parramatta NSW 2124

Mr Les McMahon
General Manager
Wollondilly Shire Council
PO Box 21
WOLLONDILLY NSW 2571

Our ref: 11/20069
PP_2011_WOLLY_006_00

Your ref: 4553#546

Attention: Kitty Carter

Dear Mr McMahon

Re: **Planning Proposal to rezone land located at 800 Montpelier Drive and 24 Hardwicke Street, The Oaks**

I am writing in response to Council's letter dated 28 July 2011, requesting the making of the draft local environmental plan to give effect to the above Planning Proposal pursuant to section 59 of the *Environmental Planning and Assessment Act 1979* ("the **Act**").

The Planning Proposal requires a new Gateway Determination as the principal plan which the Planning Proposal was seeking to amend, *Wollondilly Local Environmental Plan 1991*, has been replaced by *Wollondilly Local Environmental Plan 2011*.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the Planning Proposal should proceed subject to variations as required by conditions in the attached Gateway Determination. These conditions include waiving the requirements for public exhibition and consultation with public authorities as it is accepted that these steps have already been undertaken and do not need to be repeated.

As delegate of the Director General, I have determined that the Planning Proposal's inconsistency with section 117 Direction 1.2 Rural Zones is consistent with relevant strategic planning.

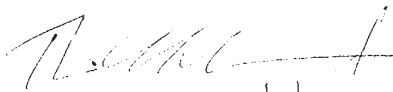
I note that the Planning Proposal, among other things, seeks to introduce a provision which requires remediation and site validation for the subject land prior to the granting of consent for its subdivision. However, this would duplicate the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* and, as such, cannot be supported. Council may wish to further address this matter through a development control plan.

I understand that Council has already prepared draft maps for the subject land in accordance with the Department's Standard Technical Requirements for LEP Maps and that the Regional Branch is currently finalising the drafting process.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. The Regional Planning team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

Should you have any queries in regard to this matter, please contact Mr Mato Prskalo of the Regional Office of the Department on 02 9873 8568.

Yours sincerely


23/11/16

Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal