



Planning & Environment

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Mr Luke Johnson
General Manager
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

Our ref: 14/10611
Your ref: 7965 DS:KC

Attention: Kitty Carter

Dear Mr Johnson

Planning proposal to amend Wollondilly Local Environmental Plan 2011

I am writing in response to Council's letter dated 3 July 2014, requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act"), in respect of the planning proposal to rezone Lot 1 DP 1182837, Star Street and Connellan Crescent, Picton, for the purpose of residential development.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council may still need to obtain the Secretary's agreement to satisfy the requirements of relevant section 117 Directions. Council should ensure this occurs prior to the plan being made.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of the planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for Parliamentary Counsel to draft and finalise the LEP should be made six (6) weeks prior to the projected publication 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mato Prskalo of this Office on 02 9860 1534.

Yours sincerely,



7/8/14

Rachel Cumming
Director
Metropolitan Delivery (Parramatta)
Housing, Growth and Economics



Gateway Determination

Planning proposal (Department Ref: PP_2014_WOLLY_004_00): to rezone Lot 1 DP 1182837, Star Street and Connellan Crescent, Picton, from Zone RU2 Rural Landscape to Zone R2 Low Density Residential and amend associated development controls.

I, the Director, Metropolitan Delivery (Parramatta), at the Department of Planning & Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act, that an amendment to the Wollondilly Local Environmental Plan (LEP) 2012 to facilitate the above proposal, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979, for a period of 14 days;
2. The timeframe for completing the Local Environmental Plan is to be 9 months from the week following the date of the Gateway determination;
3. Delegation is to be given for Council to exercise the Minister's plan making powers;
4. The Secretary's delegate approves the inconsistencies with section 117 Directions 1.2 Rural Zones and 1.3 Mining, Petroleum Production and Extractive Industries on the basis that they are of minor significance;
5. Consultation with NSW Trade & Investment is required under section 56(2)(d) of the EP&A Act 1979, in relation to section 117 Direction 1.3 Mining, Petroleum Production and Extractive Industries;
6. Council is to undertake a Phase 1 Contaminated Site Investigation; and
7. Prior to undertaking community consultation, Council is to amend the proposal to:
 - indicate that the site will be identified as an Urban Release Area,
 - clarify that the site has been acquired by the proponent, and
 - ensure that there are no inconsistent references such as the proposed use of the site for rural residential development.

Dated 7th day of August 2014.

**Rachel Cumming
Director,
Metropolitan Delivery (Parramatta)
Housing, Growth and Economics
Department of Planning and
Environment
Delegate of the Minister for Planning**



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Wollondilly Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979*, that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_WOLLY_004_00	Planning proposal to rezone Lot 1 DP 1182837, Star Street and Connellan Crescent, Picton, from Zone RU2 Rural Landscape to Zone R2 Low Density Residential and amend associated development controls.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 7th Day of August, 2014

Rachel Cumming
Director
Metropolitan Delivery (Parramatta)
Housing, Growth and Economics
Department of Planning and Environment