



Mr Les McMahon
General Manager
Wollondilly Shire Council
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Contact: Mato Prskalo
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Our ref: 14/02882
Your ref: TRIM 4985:CW

Attention: Mr Grant Rokobauer

Dear Mr McMahon

Subject: Alteration of Gateway Determination – Macquariedale Road, Appin

I refer to Council's request dated 3 January 2014, seeking a revised Gateway determination for planning proposal number PP_2011_WOLLY_014_00, relating to land in Macquariedale Road, Appin.

As delegate of the Minister for Planning and Infrastructure, I have, after considering Council's request, altered the Gateway determination under section 56(7) of the *Environmental Planning and Assessment Act 1979*. Please find the revised Gateway determination attached.

If you have any questions in relation to this matter, I have arranged for Mr Mato Prskalo to assist. Mr Prskalo can be contacted on (02) 9860 1534.

Yours sincerely

Neill McGaffin 9.4.14
General Manager
Metropolitan Delivery

**Delegate of the Minister for
Planning and Infrastructure**

Gateway Determination

Planning Proposal (Agency Ref: PP_2011_WOLLY_014_00): to rezone rural land at Appin to permit low and medium density housing, the environmental management of ecologically important land, and the protection of a strategic road corridor.

I, the General Manager, Metropolitan Delivery, Growth Planning and Delivery at Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(7) of the EP&A Act, that the previous Gateway determination for a planning proposal to amend the Wollondilly Local Environmental Plan 2011 by rezoning land in Macquariedale Road, Appin, for housing, environmental conservation and road reservation purposes, is replaced with the following conditions:

1. Prior to any agency and community consultation, Council is to consult with the Office of Environment and Heritage (OEH) to specifically:
 - determine the adequacy of the flora assessment;
 - determine an appropriate boundary for the proposed R2 Low Density Residential zone in view of the Shale Sandstone Transition Forest on the site, that is consistent with the Cumberland Plain Woodland Recovery Plan; and
 - determine the appropriateness of the proposed location of the Appin Bypass reservation.

Council is to also confirm the applicable vegetation offsets before the plan is finalised.

2. Council is to consult with the Mine Subsidence Board and take into account any comments made as per the requirements of S117 Direction 4.2 Mine Subsidence and Unstable Land.
3. Council is to consult with the Director General of the Department of Primary Industries (Minerals and Petroleum) and take into account any comments made as per the requirements of S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries.
4. Council is to consult with the OEH in relation to S117 Directions 2.1 Environment Protection Zones and 2.3 Heritage Conservation.
5. Council is to consult with Roads and Maritime Services in relation to proposed Zone SP2 Infrastructure (Road) pursuant to S117 Direction 6.2 Reserving Land for Public Purposes.
6. Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.
7. If any changes are made to the planning proposal prior to undertaking community consultation, Council is to submit the revised proposal to the agency's Regional Office for consideration and approval prior to undertaking community consultation.
8. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ('EP&A Act') as follows:
 - (a) the planning proposal must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
9. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
- Endeavour Energy
 - NSW Aboriginal Land Council
 - Ambulance Service of NSW
 - Sydney West Area Health Service
 - Hawkesbury Nepean Catchment Management Authority
 - Department of Primary Industries (Agriculture)
 - Department of Education and Communities
 - NSW Police Service
 - Transport for NSW
 - RailCorp
 - Sydney Water
 - Telstra
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
10. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
11. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 9th day of April 2014.



Neil McGaffin
General Manager
Metropolitan Delivery

Delegate of the Minister for
Planning and Infrastructure