



Mr Ben Taylor  
Chief Executive Officer  
Wollondilly Shire Council  
PO Box 21  
PICTON NSW 2571

Attention: Stephen Gardiner

Dear Mr Taylor

**Planning proposal PP\_2019\_WOLLY\_003\_00 Wollondilly Anglican College**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Wollondilly Local Environmental Plan 2011 to rezone land at Bargo from RU1 Primary Production to a combination of RU2 Rural Landscape and E2 Environmental Conservation to permit the expansion of the Wollondilly Anglican College in Bargo.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. In particular, the Gateway determination requires further assessment of the site's ecological features to support the proposed RU2 zone, location in the Metropolitan Rural Area, proximity to a poultry farm and pre-exhibition consultation with the NSW Rural Fire Service.

In response to Council's request that conditions be added to the Gateway determination relating to traffic and master planning, I note that it is the responsibility of the Planning Proposal Authority to determine the level of detail required to justify the proposal.

I note that the inconsistency with section 9.1 Directions 1.3 Mining, Petroleum Production and Extractive Industries, 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 4.2 Mine Subsidence and Unstable Land and 4.4 Planning for Bushfire Protection remain unresolved until further justification has been provided and/or consultation with relevant agencies is carried out. Council will need to obtain the agreement of the Department's Secretary to comply with the requirements prior to finalisation.

Given the nature of this planning proposal I have determined not to condition the Gateway for Council to be the local plan-making authority.

The amending LEP is to be finalised within 12 months of the date of the Gateway determination. Council's request for the Department to draft and finalise the LEP should be made eight 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Sebastian Tauni to assist you. Mr Tauni can be contacted on 8217 2018.

Yours sincerely



11/08/2020

**Catherine Van Laeren**  
**Executive Director**  
**Central River City and Western Parkland City**

Encl: Gateway determination