

Gateway Determination

Planning proposal (Department Ref: [IRF20/2629] PP_2019_WOLLY_003_00): to amend the Wollondilly Local Environmental Plan 2011

I, the Executive Director, Central River City and Western Parkland City, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wollondilly Local Environmental Plan (LEP) 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 should proceed subject to the following conditions:

1. Prior to public exhibition, Council is required to:
 - (a) Update Part 1 – Objectives and Intended Outcomes within the planning proposal to clarify its intention to rezone part of the site to E2 zone;
 - (b) Consult with DPIE Environment, Energy and Science (EES) and update the planning proposal in accordance with any advice provided by EES including the following:
 - i. Presence of koalas, threatened species and endangered ecological communities;
 - ii. Adequacy of the ecological studies provided; and
 - iii. Adequacy of environmental offsets.
 - (c) Review the Greater Sydney Commission comments dated 8 January 2020 and consider preparing site-specific development controls to better maintain rural values of the surrounding area to the site.
 - (d) Prepare an odour study in consultation with NSW Environment Protection Authority and Department of Primary Industries - Agriculture to assess potential land use conflict arising from the poultry farm on the adjoining property.
 - (e) Consult with the NSW Rural Fire Service (RFS) and update the planning proposal in accordance with any comments received.

The amended planning proposal and related documentation are to be referred to the Department for endorsement prior to the commencement of community consultation.

2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Department of Premier and Cabinet - Heritage NSW;
 - NSW Rural Fire Service;
 - Department of Planning, Industry and Environment (DPIE) - Environment, Energy and Science Division;
 - NSW Environment Protection Authority;
 - DPIE – Department of Industry;
 - Department of Primary Industries – Agriculture;
 - Transport for NSW;
 - DPIE – Division of Resources and Geoscience;
 - Subsidence Advisory NSW; and
 - relevant service and utility providers.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
5. Given the nature of the planning proposal, Council is not authorised to exercise delegation to make this plan.
6. The timeframe for completing the LEP is to be **12 months** from the date of the Gateway Determination.

Dated 11th day of August 2020.



Catherine Van Laeren
Executive Director, Central River City
and Western Parkland City
Greater Sydney, Infrastructure and
Place
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces