

Our Reference: TRIM 9004 NA: CW

Director Sydney Region (West)
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attn: Catherine Van Laeren

21 November 2016

Dear Ms Van Laeren,

RE: REQUEST FOR GATEWAY DETERMINATION – THE OAKS NORTH, THE OAKS

The purpose of this letter is to seek a Gateway Determination in relation to a Draft Planning Proposal for The Oaks North, The Oaks.

At its Ordinary Meeting of 18 July 2016 Wollondilly Shire Council resolved the following;

1. That Council support the preparation of a Planning Proposal, in an amended form for Lot 3 DP 1201486 (No. 80 Silverdale Road, The Oaks) to amend Wollondilly Local Environmental Plan 2011 with the easement for transmission line forming the northern boundary to the proposed R5 Large Lot Residential zone. That the amendments include changing:

- *the Land Zoning Map from RU2 Rural Landscape to R5 Large Lot Residential.*
- *the height of buildings map to introduce a maximum height of 9 metres.*

2. That the Lot Size for the proposed R5 Large Lot Residential zone be determined after the preparation of the Gateway Determination and specialist studies and reported back to Council for endorsement. The lot size shall not be less than the average lot size for the existing allotments in Browns Road, The Oaks.

3. That Council develop site specific controls to be included in the Wollondilly Development Control Plan 2016 to guide future development on the site relating to:

- a) development in the vicinity of the transmission line*
- b) controls relevant to views to and from the site*
- c) controls relevant to rural fencing*
- d) controls relevant to setbacks from Silverdale Road and the escarpment consistent with the existing allotments in Browns Road, The Oaks*
- e) provision of an emergency egress from the subdivision*
- f) and other matter should they arise out of the specialist studies.*

4. That the Planning Proposal be forwarded to the Minister for Planning and Environment for a Gateway Determination.

5. That Council request the gateway determination include requirements for an up to date contamination study and a road safety audit.

And further resolved at its Ordinary Meeting of 17 October 2016 Wollondilly Shire Council the following;

1. That Council support the inclusion of additional land at Browns Road in the The Oaks North Planning Proposal for land being:
Lots 1 - 22 DP 775993 No. 1 - 22 Browns Road, The Oaks To amend Wollondilly Local Environmental Plan, 2011 as follows:
 - amend the Lot Size Map to 1500 sqm.
2. That the amended Planning Proposal for The Oaks North be forwarded to the Minister for Planning and Environment for a Gateway Determination.
3. That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.
4. That the submitters and land owners be notified of Council's Resolution.

In accordance with the above resolutions, Council now requests a Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Council also requests delegation to make the amendment to WLEP 2011 under section 59 of the EP&A Act.

I have included the following documents to inform this request:

- Council's Planning Proposal including maps and the relevant reports to Council;
- Completed Attachment 4 template – Evaluation Criteria for the delegation of plan making functions.

The attached planning proposal has been prepared in accordance with section 55 of the EP&A Act and also the Department's guidance documents; *A guide to preparing a planning proposal* and *A guide to preparing local environmental plans*.

If you require further information regarding this matter please contact Nicole Aiken, Strategic Planner on telephone: (02) 4677 9746 or email: nicole.aiken@wollondilly.nsw.gov.au

Yours faithfully



Carolyn Whitten
Acting Manager Growth & Strategic Planning