

Our Reference: 7654 TM:SG

Ann-Maree Carruthers
Director Sydney Region West
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

10 September 2018

Dear Ms Carruthers,

**REQUEST FOR ALTERATION TO GATEWAY DETERMINATION (PP_2014_WOLLY_006_00)
PLANNING PROPOSAL – 55 GOVERNMENT ROAD, BARGO**

Council is seeking an alteration to the Gateway determination for the Planning Proposal for land at No. 55 Government Road, Bargo (PP_2014_WOLLY_006_00) to strengthen environmental protection of sensitive land on the site. This request is made under section 3.35 of the *Environmental Planning and Assessment Act, 1979*.

Overview

This planning proposal applies to land known as Lot 2 DP 596515 (No. 55) Government Road, Bargo. The site is currently zoned RU1 Primary Production under *Wollondilly Local Environmental Plan 2011* and has a total area of 11.21 hectares. The intent of the planning proposal is to amend the land use zone and minimum lot size provisions of the site to enable the site to be developed for environmental living purposes.

The review of specialist studies and consultation with public agencies has identified a need for the planning proposal to provide a greater level of protection to the environmental features of the site (particularly significant flora & fauna).

The amended approach and need to request an alteration to the Gateway determination were supported by Council on 19 March 2018.

Proposed Amendments

The proposed amendments to the planning proposal are detailed in the table below:

	Current Gateway Determination	Proposed Amendments
Land Use Zoning	E4 Environmental Living	E4 Environmental Living and E2 Environmental Conservation
Minimum Lot Size	2 hectares over the entire site of E4 Environmental Living zone.	No change. The proposed minimum lots will remain as 2 hectares for the entire site (i.e. now covering both zones).
Natural Resources – Biodiversity	No provisions	Identify sensitive land on the Natural Resources – Biodiversity map not located within the E2 zone.

Reason for Proposed Changes

Amendments to Proposed Land Use Zone

Minor amendments to the planning proposal are requested to strengthen provisions to protect environmentally sensitive land.

The amendments seek to apply a higher order environmental protection zone to a portion of the site and to identify land on the Natural Resources – Biodiversity Map. The need for the changes is in response to the findings of the Flora & Fauna Assessment and subsequent consultation with Council's Environmental Services staff and the Office of Environment & Heritage.

It is proposed to apply an E2 Environmental Conservation zone to those parts of the site identified as containing Shale Sandstone Transitional Forest (SSTF) adjacent to the riparian corridor (along the eastern and southern boundaries) to protect the existing significant vegetation. The objectives of this land use zone will be more consistent to the site's characteristics and will also restrict potential inappropriate development on the site.

In the areas located outside of the proposed E2 zone, previous grazing has minimised the significance of the existing vegetation with pockets of sensitive vegetation identified to be included on the Natural Resources – Biodiversity map to ensure that any future development of the site is consistent with Clause 7.2 of the WLEP and Volume 1, Part 9 of the Wollondilly Development Control Plan which include controls for development occurring on Environmentally Sensitive land.

Current Gateway Timeframe

Council recently requested a Gateway timeframe extension for this proposal until January 2019. In light of this request and the changes proposed, a timeframe extension until June 2019 is now sought. An updated project timeline is included within the Planning Proposal document.

Summary

In summary, it is requested that the Gateway determination be altered to enable the planning proposal to progress as follows:

- Amend the Land Use zoning of the site from RU1 Primary Production to E4 Environmental Living and E2 Environmental Conservation;
- Amend the Minimum Lot Size of 2 hectares on the site to cover both proposed zones;
- Amend the Natural Resources Biodiversity map to include land identified as SSTF not located within the E2 zone;
- Extend the timeframe for completion until June 2019.

All other Gateway conditions are being addressed as part of the on-going assessment of the planning proposal.

Please find attached the following documents to assist in your consideration of this request to alter the Gateway determination:

1. Council's planning proposal document which has been updated to include the proposed amendments;
2. The report and minutes for the Ordinary Meeting of Council held on Monday 19 March 2018, which considered the proposed alteration to the Gateway determination for this proposal.

Should you require any further information to the request for altered Gateway Determination, please contact Thomas Marshall, Strategic Planner on (02) 4677 9744 or by email at thomas.marshall@wollondilly.nsw.gov.au.

Yours faithfully



Stephen Gardiner
MANAGER SUSTAINABLE GROWTH