

Our Reference: TRIM 9362 NA:DS

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

Attn: Catherine Van Laeren

24 May 2017

Dear Ms Van Laeren,

RE: REQUEST FOR GATEWAY DETERMINATION – DARLEY STREET RESIDENTIAL

The purpose of this letter is to seek a Gateway Determination in relation to a Draft Planning Proposal for Darley Street Residential, Thirlmere.

At its Ordinary Council Meeting held on Monday 20 March 2017, Wollondilly Shire Council resolved as follows:

1. *That Council support the planning proposal to rezone Lots 1-8, Section 7 DP 2339 inclusive, Lots 10-14 Section 7 DP 2339 inclusive, Lots 1 and 2 DP 778327, Lots 91 and 92 DP 634407 and Lot A DP 376685 in Innes, Darley and Bridge Streets, Thirlmere to amend Wollondilly Local Environmental Plan, 2011 in the following manner:*
 - a. *Amend the zoning map from RU4 to R5 (Large Lot Residential) Zone*
 - b. *Amend the Height of Buildings Map to introduce a maximum building height of 9 metres*
 - c. *Except as provided by d., amend the Minimum Lot Size map from 2ha to a the minimum lot size determined after the completion of a waste water management study and flora and fauna study (note no area containing a threatened species or threatened ecological community may be used for waste water disposal)*
 - d. *Despite the results of the studies referred to in c., there shall not be a minimum lot size less than 4,000m² for any lot with frontage to Owen Street or Innes Street. If the studies required in point c. require a minimum lot size greater than 4,000m² for any parts of the site with frontage to Owen and Innes Streets then that greater minimum lot size shall be adopted.*

2. That Council request that the Greater Sydney Commission as part of any Gateway Determination require the applicant to provide the following studies:
 - a. A waste water management study to determine minimum land area required for waste water treatment and disposal
 - b. A flora and fauna study
 - c. An agricultural impact study that details the loss of agricultural capability from the rezoning, any potential impacts on the capability of adjoining land to be used for agriculture and any measures required to ameliorate that impact
 - d. A stormwater management strategy including measures to be put in place to ensure no reduction in downstream water quality and to ensure no increased risk of downstream flooding.
3. That the proponent, land owners and submitters 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 from Council's Strategic Planning Team on telephone: (02) 4677 9746 or email: nicole.aiken@wollondilly.nsw.gov.au

Yours faithfully



David Smith
Manager Growth & Strategic Planning