

Our Reference: TRIM 8154-2 NA:DS

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

Attn: Catherine Van Laeren

5 May 2017

Dear Ms Van Laeren,

RE: REQUEST FOR GATEWAY DETERMINATION – WEST TAHMOOR MINIMUM LOT SIZE AMENDMENT 2

The purpose of this letter is to seek a Gateway Determination in relation to a Draft Planning Proposal for West Tahmoor Minimum Lot Size Amendment 2.

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

1. That Council support the preparation of a Planning Proposal, in an amended form, for Lots 3 & 4 in DP 243776 (21 & 25 Macquarie Place Tahmoor) to amend Wollondilly Local Environmental Plan 2011 as follows:
 - Amend the Land Zoning Map as it applies to the northern portion of the site to rezone land adjoining Myrtle Creek from R2 Low Density Residential to E2 Environmental Conservation.
 - Amend the Lot Size Map for land; - zoned R2 Low Density Residential in the northern portion of the site, but not adjoining the western boundary to a minimum lot size of 700m². - for land zoned R2 Low Density Residential along the western boundary to 2000m².
2. That the Lot Size Map be amended so that land proposed to be zoned E2 Environmental Conservation cannot be subdivided into more than two (2) lots. The minimum lot size will be determined in consultation with the proponent after a Gateway Determination has been issued.
3. That the portion of land proposed to be zoned E2 Environmental Conservation be expanded to include at least all 'sensitive land' identified on the Natural Resources – Water Map.
4. That Council does not support reducing the minimum lot size of 2000m² for land at Lot 2 DP 243776, located along the western boundary (with Lot 380 in DP

751270) as proposed in the draft Planning Proposal submitted by Precise Planning. Any future Development Application for subdivision of the land must incorporate vegetative screening along the western boundary of Lot 2 or any proposed local road to reduce impacts upon the adjoining recreational facility

5. That the amended Planning Proposal be forwarded to the Greater Sydney Commission for a Gateway Determination.
6. That Council request the Greater Sydney Commission 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.
7. That the applicant and submitters be notified of Council's Resolution.

And further resolved at it's Ordinary Meeting held Tuesday 18 April 2017

1. That the West Tahmoor Minimum Lot Size Amendment No. 2 Planning Proposal be amended to include part of Lot 2 DP243776 (125 Thirlmere Way Tahmoor). The Lot Size Map be amended for this parcel of land from 4000m2 to 2000m2.
2. That this land be included into the Planning Proposal and forwarded for a Gateway Determination and request delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.
3. That the applicant 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;
- A copy of an Assessment of Ecological Impacts and Avoidance, Mitigation and Offsetting Measure Report submitted by the proponent.
- 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