

Contact: James Sellwood
Phone: (02) 9860 1559
Email: james.sellwood@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2016_WOLLY_004_00 (16/11232)
Your ref: TRIM 9019

Mr Luke Johnson
General Manager
Wollondilly Shire Council
PO Box 21
Picton NSW 2571

Attention: Ms Nicole Aiken, Strategic Planner

Dear Mr Johnson

Planning proposal to amend *Wollondilly Local Environmental Plan 2011*

I am writing in response to Council's letter dated 19 August 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to amend *Wollondilly Local Environmental Plan 2011* to introduce minimum subdivision lot sizes for community title schemes, and allow boundary adjustments in certain residential, environmental protection, and rural zones.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with Section 117 Directions are of minor significance, and that no further approval is required.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation.

The amending Local Environmental Plan is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Local Environmental Plan should be made directly to the Parliamentary Counsel's Office at least 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Mr James Sellwood in the Department's Sydney Region West team on (02) 9860 1559.

Yours sincerely



06/09/16

Catherine Van Laeren
Director Sydney Region West
Planning Services

Encl:

Gateway determination

Written authorisation to exercise delegation

Reporting template for delegated Local Environmental Plan amendments

Gateway Determination

Planning proposal (Department Ref: PP_2016_WOLLY_004_00): to amend Wollondilly Local Environmental Plan 2011 to introduce minimum subdivision lot sizes for community title schemes, and allow boundary adjustments in certain zones.

I, the Director Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to *Wollondilly Local Environmental Plan 2011*, to introduce minimum subdivision lot sizes for community title schemes, and allow boundary adjustments in certain residential, environmental protection, and rural zones, should proceed subject to the following conditions:

1. Consultation is required with the following public authorities under section 56(2)(d) of the Act:

- Office of Environment and Heritage
- Transport for NSW – Roads and Maritime Services
- Rural Fire Service

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

Should the public authorities require any additional information, or specify any additional matters to be addressed, the planning proposal is to be updated to respond to any such submission, a copy of which is to be included with the updated planning proposal.

2. Community consultation is required under sections 56(2) and 57 of the Act as follows:
 - a) the planning proposal must be made publicly available for 14 days; and
 - b) the relevant planning 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 5.5.2 of the Department's 'A Guide to Preparing Local Environmental Plans'.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

4. The timeframe for completing the LEP is 9 months from the week following the date of the Gateway determination.

Dated 6th day of September 2016



Catherine Van Laeren
Director Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Written Authorisation to Exercise Delegation

Wollondilly Shire Council is authorised to exercise the functions of the Greater Sydney Commission under section 59 of the Environmental Planning and Assessment Act 1979 that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_WOLLY_004_00	Planning proposal to introduce minimum subdivision lot sizes for community title schemes, and allow boundary adjustments in certain zones

In exercising the Commission's functions under section 59, the Council must comply with the Department of Planning and Environment's 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

Dated 6th of September 2016



Catherine Van Laeren
Director Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Planning Proposal under *Wollondilly Local Environmental Plan 2011* to introduce minimum subdivision lot sizes for community title schemes, and allow boundary adjustments in certain zones

Reporting template for delegated Local Environmental Plan amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2016_WOLLY_004_00
Date Sent to Department under s56	19/07/2016
Date considered at LEP Review Panel	N/A
Gateway determination date	06/09/2016

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: