

Gateway Determination

Planning proposal (Department Ref: PP_2020_2840): to correct mapping anomalies that have been identified since the Blue Mountains Local Environmental Plan (LEP) 2015 came into effect.

I, the Director, Western at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Blue Mountains LEP 2015 to correct mapping anomalies that have been identified since the Blue Mountains LEP 2015 came into effect should proceed subject to the following conditions:

1. Council is to amend the planning proposal by removing maps where no changes to are proposed, so that the exhibition package only contains maps where changes are proposed.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and to comply with the requirements of relevant section 9.1 Directions:
 - NSW Rural Fire Service (in relation to fire prone land);
 - Water NSW
 - Environment, Energy and Science Group;
 - National Parks and Wildlife Service;
 - Sydney Water;
 - Transport for NSW (RMS) (in relation to road reservations);
 - Rail Corporation; and
 - relevant authorities to satisfy the requirements of Ministerial Direction 6.1 Reserving Land for Public Purposes.

In consulting with the relevant authorities to satisfy the requirements of Ministerial Direction 6.1 Reserving Land for Public Purposes, Council is to identify the sites which are subject to the direction and seek approval from these authorities.

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

4. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP must be made by 31 January 2022.
5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.
6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

27 April 2021



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Delegate of the Minister for Planning
and Public Spaces