



Ms Rosemary Dillon
General Manager
Council
Locked Bag 1005
KATOOMBA NSW 2780

Attention: Ms Erica Duffy

Dear Ms Dillon

Planning proposal [PP-2020-2840] to amend Blue Mountains Local Environmental Plan 2015

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to correct mapping anomalies that have been identified since the Blue Mountains Local Environmental Plan (LEP) 2015 came into effect.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, any technical inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones, 2.1 Environmental Protection Zones, 3.1 Residential Zones, 4.3 Flood Prone Land, are justified on the basis of minor significance. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions: 4.4 Planning for Bushfire Land and 9.1 Direction 6.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to the plan being made.

I have considered the nature of Council's planning proposal and have determined not to condition the Gateway determination for Council to be the local plan-making authority, as Council owns several of the sites affected by the proposal.

The amending LEP is to be finalised within twelve months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP must be made by 31 January 2022.

The state government is committed to reducing the time taken to complete LEPs 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 Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Murray Jay to assist you. Mr Jay can be contacted on 9860 1512.

Yours sincerely



27 April 2021

Adrian Hohenzollern
Director, Western
Central River City and Western Parkland City

Encl: Gateway determination