

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

Dear Ms Dillon

Planning proposal [PP-2021-3711] to amend Blue Mountains Local Environmental Plan 2015 (Amendment No 13)

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 exclude the Blue Mountains Local Government Area from the application of the Low Rise Housing Diversity Code (Low Rise Code) in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP).

As you are aware, the Group Deputy Secretary of the Department wrote to Council on 15 June 2021 advising of some measures to address Council's concerns over the application of the Low Rise Code. In view of this advice and to allow Council an opportunity to reconsider the intent of the planning proposal, I have determined under section 3.34(2)(b) of the Act, that the proposal is to be resubmitted.

In taking this decision, I acknowledge the issue of exemption from the Low Rise Code has been a longstanding concern to Council, however, resubmission will provide the opportunity for Council and the Department to further how to best balance local and state priorities through a potential revised Planning Proposal. In this regard, I have arranged for Mr Terry Doran, Manager Western, of the Department to be of assistance. Mr Doran can be contacted on (02) 9860 1579.

Yours sincerely



20 July 2021

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

Encl: Letter from Marcus Ray 15 June 2021