



Mr Ben Taylor
Chief Executive Officer
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

Attn: Toni Averay; toni.averay@wollondilly.nsw.gov.au

Dear Mr Taylor

Planning proposal PP-2021-3982 to amend Wollondilly Local Environmental Plan 2011

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 develop the visitor economy + employment land uses – LEP Review Program Stage 2.

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, the planning proposal's inconsistencies with section 9.1 Directions (2.1 Environment Protection Zones; 2.3 *Heritage Conservation*; 2.6 *Remediation of Contaminated Land*; 4.2 *Mine subsidence and unstable land*; 4.3 *Flood Prone Land*; and 5.2 *Regional Drinking Water Catchment*) are justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions (3.5 *Development Near Regulated Airports and Defence Airfields*; and 4.4 *Planning for Bushfire Protection*). Council should ensure this occurs prior to public exhibition.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within eight months from 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 LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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, please contact Thomas Holmes on 9860 1583 or via Thomas.holmes@planning.nsw.gov.au

Yours sincerely



Amanda Harvey 23 July 2021
Acting Executive Director
Central River City and Western Parkland City

Encl: Gateway determination
Authorised plan-making reporting template