

Gateway Determination

Planning proposal (Department Ref: PP-2021-7469): to rezone land at 120 and 140 Bridge Street Picton from RU2 Rural Landscape to E4 General Industrial.

I, the Director Western, Metro West at the Department of Planning 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 Wollondilly Local Environmental Plan 2011 to rezone land at 120 and 140 Bridge Street Picton from RU2 Rural Landscape to E4 General Industrial should proceed subject to the following conditions:

1. Prior to exhibition, Council is to consult with:

- a. the NSW Rural Fire Service prior to exhibition in accordance with Section 9.1 Direction 4.3 Planning for Bushfire Protection
- b. Subsidence Advisory NSW prior to exhibition in accordance with Section 9.1 Direction 4.6 Mine Subsidence and Unstable Land

and update the proposal as necessary to address any comments made.

2. Prior to exhibition, the planning proposal is to be amended, as follows:

- (a) Include the proposed Natural Resources – Biodiversity Map;
- (b) Update the planning proposal to provide justification why a C2 zoning is not considered appropriate;
- (c) Include the projected number of jobs created by the proposal;
- (d) Replace all references throughout the planning proposal from IN2 Light Industrial which has since been translated to E4 General Industrial;
- (e) Update the Minimum Lot Size Map so that the proposed 3,000m² and 8,000m² minimum lot size controls match the boundary between 120 Bridge Street (Lot 10 in DP1012641) and 140 Bridge Street (Lot 11 in DP1012641); and
- (f) Revise the Flora and Fauna Study in response to comments received from the NSW Department of Planning and Environment – Environment and Heritage Group.

3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 3 months following the date of the Gateway determination.

4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable Section 9.1 Directions:

- NSW Department of Planning and Environment – Environment, Energy and Science
- NSW Department of Primary Industries
- Transport for NSW
- Sydney Water
- Endeavour Energy
- NSW Rural Fire Service
- NSW State Emergency Service
- Subsidence Advisory NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 28 days to comment on the proposal.

5. 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 EP&A 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).
6. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act, or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
7. The LEP should be completed on or before **16 June 2024**.



16 June 2023

Adrian Hohenzollern
Director Western, Metro West
Department of Planning and Environment

Delegate of the Minister for Planning and Public Spaces