

Gateway Determination

Planning proposal (Department Ref: PP-2022-4334): To amend *Wollondilly Local Environmental Plan 2011* to rezone land at 5 and 15 Cross Street, 100, 120A, 140 and 250 River Road and 85 Progress Street, Tahmoor for low density and large lot residential development, conservation purposes and associated amendments.

I, the A/Director, Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, 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 the above planning proposal should proceed subject to the following conditions:

1. Prior to agency consultation, the planning proposal is to be amended, as follows:
 - (a) Include current land use mapping that applies to the site, and current and proposed Urban Release Area (URA) mapping.
 - (b) Include mapping and provide an assessment of the Probable Maximum Flood (PMF) extent at the site.
 - (c) Update the project timeline.
 - (d) Include consultation with Sydney Water on the timing and delivery of wastewater servicing through Sydney Water's network or a private servicing network, including the "take more than you give design", capacity for new connections to development, and details of any commercial agreement.
 - (e) Include consultation with Transport for NSW regarding the road network's ability to accommodate the future demand created by development at the site, as well as the appropriateness of bushfire evacuation arrangements and the need for a Transport Management and Accessibility Plan.
 - (f) Include consultation with the Department of Climate Change, Energy, the Environment and Water regarding the development footprint of the planning proposal including the buffer width from Bargo River Gorge, proposed asset protection zones, biodiversity certification of the site and flooding.
 - (g) Include consultation with Wollondilly Shire Council regarding the appropriate mechanisms for local infrastructure including the dedication of land for open space, detention basins and the Biodiversity Stewardship Agreement.
2. 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 directions of the Minister under section 9.1 of the Act:
 - (a) Department of Climate Change, Energy, the Environment and Water (DCCEEW),
 - (b) Sydney Water,
 - (c) Transport for NSW (TfNSW).
 - (d) NSW Environment Protection Authority (EPA)

- (e) NSW Rural Fire Service (RFS)
- (f) NSW State Emergency Service (SES)
- (g) Subsidence Advisory NSW
- (h) Department of Primary Industries
- (i) Wollondilly Shire Council

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 30 working days to comment on the proposal.

3. Prior to exhibition, the planning proposal is to be amended to address condition 1 and forwarded to the Minister under section 3.34(6) of the Act for approval.
4. 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 complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working 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 Guideline* (Department of Planning and Environment, August 2023).
5. The planning proposal should be exhibited concurrently with a draft Development Control Plan.
6. The planning proposal must be reported to the Planning Secretary, as the Local Plan Making Authority, for a final recommendation within 9 months from the Gateway determination.
7. 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.
8. The timeframe for completing the LEP is to be within 12 months from the date of the Gateway determination.

Dated 2 July 2025



Chantelle Chow
A/Director, Southern, Western and Macarthur Region
Local Planning and Council Support
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces