

Mr Justin Doyle
Chair
Sydney Western City Planning Panel

Our ref: PP-2022-4334 (IRF25/1080)

Dear Mr Doyle,

Planning proposal PP-2022-4334 to amend Wollondilly Local Environmental Plan 2011

I am writing in response to the planning proposal at 5 and 15 Cross Street, 100, 120, 120A, 140 and 250 River Road, and 85 Progress Street, Tahmoor that was subject to rezoning review RR-2024-29 and seeks to:

- rezone land from RU4 Primary Production Small Lots to a mix of R2 Low Density Residential, R5 Large Lot Residential, RE1 Public Recreation, C2 Environmental Conservation and C3 Environmental Management,
- reduce the minimum lot size at the site from 2 hectares to:
 - 700m² for land zoned R2,
 - 975m², 1500m² and 4000m² for land zoned R5,
 - 1ha for land zoned C3 and
 - 60ha for land zoned C2.
- introduce a maximum building height of part 6.8 metres and part 9 metres at the site.
- amend the Natural Resources Water Map to provide a riparian buffer of 10 metres along four minor watercourses; and
- amend the Urban Release Area Map to include the subject site.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 1.1 Implementation of Regional Plans, 9.1 Rural Zones and 9.2 Rural Lands are justified in accordance with the terms of the directions.

The applicant is still required to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act 3.1 Conservation Zones, 4.1 Flooding, 4.3 Planning for Bushfire Protection, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones and 8.1 Mining, Petroleum Production and Extractive Industries. This is required to occur prior to public exhibition.

The amending local environmental plan (LEP) is to be finalised on or before 2 July 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

To ensure that stakeholders can view all applicable planning documents in a single exhibition, the Gateway determination requires that the planning proposal and Development Control Plan are exhibited concurrently. The Department encourages Council and the proponent to continue negotiating the local Voluntary Planning Agreement or consider updates to the Local Contributions Plan.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet

these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Tom Scoble, Senior Planning Officer, Southern, Western and Macarthur Region to assist you on 8275 1737.

Yours sincerely



2/7/2025

Chantelle Chow
A/Director, Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination