

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1802):** To amend *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, to rezone the North Appin (Part) Precinct site for urban development and conservation purposes, and associated amendments.

I, Monica Gibson, Deputy Secretary, Planning, Land Use Strategy and Housing 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 exhibition, the planning proposal is to be amended, as follows:
  - (a) Update the Koala Corridor Map to include:
    - i. all land along Ousedale Creek identified as ‘avoided’ in the Cumberland Plain Conservation Plan and
    - ii. the adjoining ‘excluded’ land (easements) so that the Koala Corridor is connected;
  - (b) Update the Land Zoning Map to align the proposed Urban Development Zone (UDZ) with the certified layer of the Cumberland Plain Conservation Plan;
  - (c) Reflect these changes as necessary consequential amendments to the Draft Structure Plan and other draft SEPP Maps;
  - (d) Update the proposed SEPP Appendix to show the Additional Permissible Uses for C2 zoned land not forming part of the Ousedale Creek Koala Corridor are limited to ‘water supply systems’ and ‘roads’;
  - (e) Update the proposal to note that the intended Complying Development Code is the Wilton Greenfield Housing Code Variation for the subject site;
  - (f) Based on the changes to the koala corridor mapping required in 1(a) above, update area calculations in the planning proposal for:
    - i. C2 zoned land identified as koala corridor; and
    - ii. C2 zoned land located outside the koala corridor.
  - (g) Provide additional commentary including images on any proposed amendment to the Cumberland Plain Conservation Plan, noting this will be a separate assessment and determination process to the planning proposal;
  - (h) The draft structure plan is to investigate opportunities to retain existing dams within the open space network. Retaining water in the landscape is a priority of the Western City District Plan.
  - (i) Nominate a more specific and readily identifiable name for the site to remove reliance on “North Appin (part) Precinct”.

2. Prior to public exhibition Sydney Water is to be consulted on the timing and delivery of wastewater servicing through Sydney Water's network, including the capacity for new connections over a 0-5, 6-10 and 11-15+ year time period to development subject to this planning proposal. Private servicing, under the Water Industry Competition Act 2006, will only be considered as an alternative to Sydney Water's network, with written confirmation from Sydney Water, after consultation that adequate delivery of wastewater servicing is not achievable, and must explain the number of connections and time period that is affected in the proposed development timeframe.
3. 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:

- Transport for NSW
- Sydney Water
- NSW Health
- Wollondilly Shire Council
- Campbelltown City Council
- Department of Climate Change, Energy, the Environment and Water
- Schools Infrastructure NSW
- NSW Rural Fire Service
- Division of Resources and Geoscience of the Department of Regional NSW
- WaterNSW
- Tharawal Local Aboriginal Land Council
- Subsidence Advisory NSW
- NSW Environment Protection Authority

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.

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 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, 2022).
5. The planning proposal must be exhibited within 6 months from the date of the Gateway determination. The Department must exhibit the planning proposal concurrently with:
  - (a) A draft Development Control Plan, and

- (b) any draft State Planning Agreement exhibited by the Department of Planning, Housing and Infrastructure.

Both the draft Development Control Plan and State Planning Agreement must be informed as necessary by a Transport Management Accessibility Plan that has been finalised with Transport for NSW.

6. The planning proposal must be reported to the Planning Secretary, as the Planning Proposal Authority, for a final recommendation within 9 months from the date of the Gateway determination.
  - (a) The proposal cannot be determined until the Precinct Structure Plan and any State Planning Agreements are resolved.
  - (b) The Development Control Plan may be adopted post finalisation.
7. The planning proposal must be reported to the Planning Secretary, as Planning Proposal Authority, for a final recommendation 9 months from the date of the Gateway determination.
8. 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.
9. The timeframe for completing the LEP is to be within 12 months from the date of the Gateway determination.

Dated: 6 May 2024



**Monica Gibson**  
**Deputy Secretary**  
**Planning Land Use Strategy, Housing**  
**and Infrastructure**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**