



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

Attn: Stephen Gardiner

Dear Mr Taylor,

Planning proposal PP-2021-2538 to amend Wollondilly Local Environmental Plan 2011 (Government Services Building)

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 increase the maximum building height from 9m to 16m over part of the subject site at 6-8 Colden Street and 62-64 Menangle Street.

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: (2.3 Heritage Conservation and 4.3 Flood Prone Land). No further approval is required in relation to these Directions. It is noted that Council has agreed to the independent Heritage Assessment recommendations of preparing a Development Control Plan (DCP) for managing and mitigating heritage impacts at the site. The Department encourages Council to continue to work towards the exhibition and adoption of a DCP to guide future development of the area.

I have conditioned Council to further consult Sydney Water prior to exhibition. This further consultation is required to understand what existing wastewater capacity can be provided under the existing zone controls – specifically how many people are currently catered for on the site versus the proposed amended planning controls to accommodate 400 people.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction (4.4. Planning for Bushfire Protection). Council should ensure this occurs prior to finalisation.

I have considered the nature of Council's planning proposal and have determined not to condition the Gateway for Council to be the local plan-making authority given the proposal relates to the development of a new council administrative building.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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, Senior Planning Officer on 9860 1583.

Yours sincerely



6 May 2021

**Adrian Hohenzollern,
Director, Western
Central River City and Western Parkland City**

Encl: Gateway determination