



Gateway Determination

Planning proposal (Department Ref: PP-2021-2538): to increase the maximum building height from 9m to 16m over part of the site at 6-8 Colden Street and 62-64 Menangle Street, Picton

I, the Director, Western at the Department of Planning, Industry 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 (LEP) 2011 to increase the maximum building height from 9m to 16m over part of the site at 6-8 Colden Street and 62-64 Menangle Street, Picton should proceed, subject to the following conditions:

1. Prior to exhibition, consultation is required with Sydney Water to understand the existing wastewater capacity for the site and whether the proposed amended planning controls increase demand for wastewater services in the area. Following consultation with Sydney Water, Council is to discuss the outcomes with the Department.
2. The Planning proposal must be exhibited 3 months from the date of the Gateway Determination.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Sydney Water
 - Rural Fire Service
 - Environment, Energy and Science division of DPIE
 - Transport for NSW

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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 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 time frame for completing the LEP is to be **12 months** following the date of the Gateway determination. The proposal must be referred back to the Department for finalisation by 25 February 2022.



6 May 2021

Adrian Hohenzollern
Director, Western
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces