

Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Attention: Mr Ante Zekanovic

Dear Ms Deitz

**Planning proposal PP\_2018\_CAMPB\_003\_00 to amend Campbelltown Local Environmental Plan 2015**

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) and additional information received on date 3 July 2018 in respect of the planning proposal to heritage list the old St James Anglican Church, early palm tree plantings and front fence at No.2 Kent Street, Minto.

As delegate of the Greater Sydney Commission, 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 inconsistency with section 9.1 Direction 7.7 Glenfield to Macarthur Urban Renewal Corridor, is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Greater Sydney Commission 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 further enquiries about this matter, I have arranged for Mr Matthew Black to assist you. Mr Black can be contacted on 02 9860 1553.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Carruthers', with the date '10/8/18' written below it.

**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**

Encl: Gateway determination  
Local plan-making authority reporting template

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_CAMPB\_003\_00):** to add the old St James Anglican Church, palm tree plantings and front fence at No.2 Kent Street, Minto as a Local Heritage Item to Schedule 5 of the Campbelltown Local Environmental Plan 2015.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to add the old St James Anglican Church, palm tree plantings and front fence at No. 2 Kent Street, Minto (part of Lot 12 DP712599) as a Local Heritage Item to Schedule 2 should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal, as follows:
  - (a) clarify and amend the DP number pages 2 and 4 of the planning proposal;
  - (b) Clearly describe the trees proposed to be protected within the planning proposal as the proposal currently refers to both 'palm' and 'pine' trees (pages 2, 4, 5, 12 refer);
  - (c) amend Part 2 – Explanation of provisions, Property Description to include Part Lot 12 DP712599
  - (d) Clearly title and attach 'Attachment A' referred to on page 5 of the Planning Proposal;
  - (e) remove the reference to 'Height of Building Maps' on page 12 of the Planning Proposal and amend accordingly;
  - (f) clarify the date of 20 February 2017 shown on page 12 of the planning proposal and amend accordingly;
  - (g) amend Section B to specifically reference the applicable local character and heritage objectives and planning priorities identified in the Greater Sydney Region and Western City District Plans; and,
  - (h) Correct spelling errors, such as 'memembers' and 'neabs' on pages 5 and 6 of the proposal
2. 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 14 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the Office of Environment and Heritage (OEH) under section 3.34(2)(d) of the Act. OEH 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.
4. 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 10<sup>th</sup> day of August 2018.



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and Environment**  
  
**Delegate of the Greater Sydney Commission**