



Planning



qB159103

10/23708

Department Generated Correspondence (Y)

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Our ref: PP_2010_CAMDE_007_00 (10/22802)
Your ref: Harrington Street Elderslie

Mr Greg Wright
General Manager
Camden Council
PO Box 183
CAMDEN NSW 2570

Dear Mr Wright,

Re: Planning Proposal to permit additional uses on land at Elderslie

I am writing in response to your Council's letter dated 11 November 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Camden Local Environmental Plan 2010 to permit additional uses on 23 Harrington Street, Elderslie zoned RE2 Private Recreation.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination.

It is recommended that if Council wishes to advance a subsequent planning proposal for this site that it consider identifying an appropriate Standard Instrument zone for the site rather than seeking to extend the range of permissible uses through an amendment to the Schedule 1 of its LEP. The range and intensity of additional uses being sought for this site via this planning proposal are generally not considered appropriate within the RE2 zone and sufficient strategic justification has not been provided in this instance to support their consideration.

Should the Council wish to prepare a revised proposal it is recommended that:

- (a) Council provide a strategic assessment justifying:
 - the need for commercial uses in the locality;
 - the suitability of each of the uses;
 - any potential impacts on existing and new commercial centres in the vicinity; and
 - consideration of alternative zone/s for the site based on these assessments.
- (b) An assessment of the proposed uses and their consistency with the requirements of the NSW Floodplain Development Manual and Council's Flood Risk Management Policy be undertaken; and
- (c) A traffic impact assessment which assesses traffic generated by the proposed commercial uses, particularly addressing safe access arrangements from the site be completed.

Should you have any queries in regard to this matter, please contact Cho Cho Myint of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_CAMDE_007_00): to permit additional uses on 23 Harrington Street, Elderslie zoned RE2 Private Recreation.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Camden Local Environmental Plan 2010 to permit additional uses on 23 Harrington Street, Elderslie zoned RE2 Private Recreation, listed below:

- Entertainment facilities;
- Funeral chapels;
- Funeral homes;
- Hotel or motel accommodation;
- Information and educational facilities;
- Office premises;
- Serviced apartments;
- Place of public worship;
- Restaurants;
- Tourist and visitor centres; and
- Veterinary hospital

should not proceed for the following reasons:

1. It is considered that the majority of the proposed additional uses are commercial uses (with the exception of Place of public worship and Information and education facility) and, hence, are inconsistent with the objectives of the RE2 Private Recreation zone.
2. Insufficient supporting strategic information has been provided by Council to justify the wide range of additional uses proposed for the site. In particular, flooding and traffic issues are not adequately addressed.
3. Allowing a wide range of commercial uses on the site would undermine the objectives of the RE2 zoning of the land and would potentially undermine the fundamental objective of the Planning Reform process, which has been introduced through the LEP Standard Instrument and which seeks to standardise zones and simplify local planning instruments across the State.

Dated 6th day of December 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning