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

Our ref: PP_2012_CAMDE_009_00 (12/12879)
 Your ref:

Dear Mr Wright,

Planning proposal to amend Camden Local Environmental Plan (LEP) 2010

I am writing in response to your Council's letter dated 30 July 2012 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 Camden Local Environmental Plan (LEP) 2010 to make various housekeeping amendments to correct a range of errors and omissions.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.1 Business Zones, 3.1 Residential Zones and 4.2 Mine Subsidence and Unstable Land are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal within four (4) weeks from the week following this determination. Council's request for the department to draft and finalise the LEP should be made six (6) 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mato Prskalo of the regional office of the department on 02 9860 1560.

Yours sincerely,

Sam Haddad
Sam Haddad
Director-General

9/9/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_CAMDE_009_00): to amend Camden Local Environmental Plan (LEP) 2010 to make various housekeeping amendments.

I, the Director-General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Camden Local Environmental Plan (LEP) 2010 to make various housekeeping amendments to correct a range of errors and omissions including:

1. to restore the permissibility (with consent) of innominate land uses in Zone RU4 Primary Production Small Lots;
2. to amend the boundary of the area to which Camden LEP 2010 applies to exclude land at Cobbitty that has been transferred to the Liverpool LGA;
3. to include 'exhibition homes' and 'exhibition villages' as additional permitted uses on land within a precinct of the Kirkham Rise Release Area;
4. to amend the description and boundary of a local heritage item located at 229 Macquarie Grove Road, Cobbitty (known as 'Wivenhoe');
5. to amend the description and boundary of ten State heritage items; to include a new State heritage item at Mt Annan; and to include a State heritage item located at 421 The Northern Road, Bringelly (known as 'Denbigh');
6. to update the description and boundary of three local heritage items at Elderslie;
7. to adjust the zoning boundary of land located within the Spring Farm neighbourhood centre;
8. to amend Clause 4.1A Exceptions to minimum lot sizes for certain residential development to rectify incorrect references to land to which it applies;
9. to amend the reference of 'recreation areas (indoor)' to 'recreation facility (indoor)' for an item in Schedule 1 – Additional permitted uses;
10. to make 'recreation areas' permissible with consent in business zones;
11. to prohibit 'restricted premises' in Zones B1 Neighbourhood Centre and B5 Business Development;
12. to amend references of 'Camden Lakeside' to 'Lakeside' throughout Camden LEP 2010;
13. to amend the boundary of the Elderslie release area on relevant maps;
14. to permit the erection of temporary structures for public or private special events on land without the need for development consent;
15. to amend the boundary of the area to which Camden LEP 2010 applies to include land at Grasmere;
16. to increase the minimum lot size for certain land at Mt Annan from 350sq.m to 2000sq.m; and
17. to amend Clause 5.4 Controls relating to miscellaneous permissible uses

should proceed subject to the following conditions:

1. In relation to Item 2, Council is to remove this item from the planning proposal and progress as a separate planning proposal. Council should consult Liverpool City Council and obtain support to progress the matter separately. Council is to forward a copy of the planning proposal to the department's regional office for a Gateway determination.
2. In relation to item 3, the use of Schedule 1 to permit 'exhibition homes' and 'exhibition villages' on land zoned E4 Environmental Living within Precinct C of Kirkham Rise is not supported. Council is to amend the planning proposal prior to the commencement of public exhibition to include the proposed land uses as permissible with development consent on all land within the subject zone.

3. In relation to item 4, Council is to ensure that maps showing the current and proposed boundaries of the Wivenhoe heritage item are included with the planning proposal for the purposes of public exhibition. It is also noted that there are a number of other amendments proposed to local heritage items. Council is to ensure the amendment is accurately mapped to illustrate the amendment. Council is to consult the department's regional office on this matter.
4. In relation to item 5, Council is to remove the matter relating to the 'Denbigh' heritage item to avoid any inconsistency with the SEPP (Sydney Region Growth Centres) 2006.
5. In relation to item 7, it is noted that the boundary change to the Spring Farm Neighbourhood Centre will also require a corresponding amendment to the relevant Additional Permitted Uses Map. Council is to amend the planning proposal accordingly.
6. In relation to item 13, it is noted that the maps showing the boundary adjustment for the Elderslie Release Area do not clearly show the land affected by the proposed changes to minimum permissible lot size. Council is to ensure that the subject land and proposed changes are clearly identified for the purposes of public exhibition.
7. In relation to item 15, it is noted that the LGA boundary adjustment and related rezoning of land at Grasmere will also require amendment of the Land Application Map and relevant sheets of the Height of Buildings Map, Lot Size Map and the Heritage Map. Council is to ensure the planning proposal is amended and relevant maps included for exhibition purposes.
8. In relation to item 16, Council is to ensure that the subject land and proposed amendment is clearly identified on the minimum lot size maps, for the purposes of public exhibition,
9. It is noted that there are a number of references to heritage item numbers that are incorrect and need to be rectified. Council is to consult the department's regional office on this matter.
10. It is noted that there are a number of references to map identifiers relating to proposed map changes that need to be rectified. Council is to consult the department's regional office on this matter.
11. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
12. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Metropolitan Catchment Management Authority
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Adjoining Local Government Areas

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

13. Further to Condition 11 above, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
14. Further to Condition 11 above, Council is to consult the Heritage Branch of the Office of Environment and Heritage regarding the proposed changes to items of State heritage significance. The proposal should identify the proposed changes to descriptions of the heritage significance of these items and include comparison maps which show the boundary changes.
15. Further to Condition 11 above, Council is to consult the Sydney Catchment Management Authority in relation to the proposed listing of the Upper Canal System.
16. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
17. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

9th

day of

September

2012.

SHaddad

Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure