



Mr Ron Moore
General Manager
Camden Council
PO Box 183
CAMDEN NSW 2570

Attn: Deaelle Kandasamy

Dear Mr Moore,

Planning proposal PP_2019_CAMDE_001_00 to amend Camden Local Environmental Plan 2010

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 15 January 2019 in respect of the planning proposal to amend the development controls for part of land at 181 The Northern Road, Harrington Park.

As delegate of the Minister for Planning, 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 2.1 Environment Protection Zones and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

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 the plan being made.

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 six 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 six 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 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 further enquiries about this matter, I have arranged for Ms Chantelle Chow to assist you. Ms Chow can be contacted on 9860 1548.

Yours sincerely



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

11/2/2019

Encl: Gateway determination
Local plan-making authority reporting template

Gateway Determination

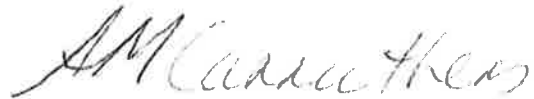
Planning proposal (Department Ref: PP_2019_CAMDE_001_00): to amend the development controls for part of land at 181 The Northern Road, Harrington Park.

I, the Director, Sydney Region West, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Camden Local Environmental Plan (LEP) 2010 to rezone part of land at 181 The Northern Road, Harrington Park from E2 Environmental Conservation to R5 Large Lot Residential, decrease the minimum lot size from 7ha to 6,000sqm; and apply a maximum building height of 9.5m should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal as follows:
 - (a) update the justification for the inconsistency with section 9.1 Directions 2.1 Environment Protection Zones and 4.3 Flood Prone Land; and
 - (b) consult the NSW Rural Fire Service in accordance with Direction 4.4 Planning for Bushfire Protection and update the consistency with this Direction.
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 is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and 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 Heritage Council of NSW under section 3.34(2)(d) of the Act. The Heritage Council 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 11th day of February 2019.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning