

Contact: Alicia Hall
Phone: (02) 9860 1587
Email: alicia.hall@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2016_CAMDE_003_00 (16/11008)
Your ref: SC615

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

Dear Mr Moore

Planning proposal to amend Camden Local Environmental Plan 2010

I am writing in response to your Council's letter dated 21 July 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to make a number of minor 'housekeeping' amendments to the *Camden Local Environmental Plan 2010*.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with S117 Directions: 1.1 Business and Industrial Zones; 3.1 Residential Zones; 3.4 Integrating Land Use and Transport; 4.1 Acid Sulfate Soils; and, 6.3 Site Specific Provisions; are of minor significance. No further approval is required in relation to these Directions.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, Council will need to obtain the agreement of the Secretary to comply with the requirements of this Direction. Council should ensure this occurs prior to the plan being made.

I have also noted that Council has sought to include the uses of 'Garden centres' and 'Hardware and building supplies' as being permissible with consent in the land use tables for the general and light industrial zones. I understand these uses are currently permissible in these zones under the Camden LEP and Council may care to confirm this and, if necessary, amend the planning proposal accordingly.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 6 months of the week following the date of the Gateway determination. Council's request for the Department of Planning and Environment to draft and finalise the Local Environmental Plan should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Alicia Hall of the Department's regional office to assist you. Ms Hall can be contacted on (02) 9860 1579.

Yours sincerely



23/0816

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Encl:
Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_CAMDE_003_00): to amend *Camden Local Environmental Plan 2010* to make numerous minor 'housekeeping' amendments.

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Camden Local Environmental Plan (LEP) 2010* to make numerous minor 'housekeeping' amendments should proceed subject to the following conditions:

1. Council is to amend the planning proposal prior to exhibition, as follows:
 - remove the word 'draft' from the cover;
 - include an assessment of applicable section 117 directions in the planning proposal;
 - add a note to 'Amendment 3 Review of Clause 7.1 - Flood Planning'; 'Amendment 4 - Review of clause 7.2 - Airspace Operations'; 'Amendment 8. Add a community events clause to make some events exempt development'; that indicates these clauses will be subject to legal drafting and may alter as part of that process; and,
 - make the labels legible for items 1 (p.13 of Amendment 2 - LEP Mapping) and item 17 (p.20 of Amendment 2 - LEP mapping).
2. Prior to exhibition, Council is to consult with:
 - the Department of Infrastructure and Regional Development, in respect of 'Amendment 4. Review of Clause 7.2 - Airspace Operations';
 - the Office of Environment and Heritage, in respect of Amendment 3. Review of 7.1 - Flood Planning;
 - the Commissioner of the NSW Rural Fire Services; and,
 - if necessary, amend the planning proposal accordingly.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act, as follows:
 - a) the planning proposal must be made publicly available for a minimum of **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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2013).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage;
- Roads and Maritime Services;
- Department of Infrastructure and Regional Development
- Civil Aviation Safety Authority;
- Sydney Metro Airports

Each public authority 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 56(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 timeframe for completing the LEP is to **12 months** from the week following the date of the Gateway determination.

Dated 23rd day of August 2016



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission

