



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

Attn: Bradley Colling

Dear Mr Moore

Planning proposal PP_2019_CAMDE_002_00 to amend State Environmental Planning Policy (Sydney Regions Growth Centres) 2006

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 21 January 2019 in respect of the planning proposal to include a pub, motel or hotel accommodation, and retail premises restricted to retail liquor outlet as additional permitted uses on land at 1423 Camden Valley Way, Leppington.

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 taken this opportunity to condition the determination for Council to review the need to include appropriate standards to ensure that proposed development will be in accordance with the redevelopment plan. This will be a matter for Council. Should Council wish to include standards, I would also suggest that these be determined to allow some flexibility at the development application stage.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions: 2.1 Environment Protection Zones; 3.1 Residential Zones; and, 6.3 Site Specific Provisions, are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

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 public exhibition / the plan being made.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as the planning proposal seeks to amend a State Policy.

The amending local environmental plan (LEP) is to be finalised within nine 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 for the Department of Planning and Environment to draft and finalise the LEP should be made eight 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 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

A handwritten signature in black ink, appearing to read 'Ann-Maree Carruthers', with the date '15/2/19' written below it.

Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2019_CAMDE_002_00): to include a pub, motel or hotel accommodation, and retail premises restricted to retail liquor outlet as additional permitted uses on land at 1423 Camden Valley Way, Leppington.

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 State Environmental Planning Policy (Sydney Regions Growth Centres) 2006 to include a pub, motel or hotel accommodation, and retail premises restricted to retail liquor outlet as additional permitted uses on land at 1423 Camden Valley Way, Leppington should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is amended as follows:
 - (a) amend Part 4.2 of the planning proposal to include a clear explanation of the intended amendments associated with the proposal including the intention to only apply the additional permitted uses to the existing R3 Medium Density Residential zoned land and not across the SP2 Infrastructure zoned land;
 - (b) update the proposed redevelopment plan to remove the inclusion of land zoned SP2 Infrastructure;
 - (c) update the justification for the inconsistency with section 9.1 Directions 2.1 Environment Protection Zones and 6.3 Site Specific Provisions;
 - (d) consult the NSW Rural Fire Service in accordance with Direction 4.4 Planning for Bushfire Protection and update the consistency with this direction; and
 - (e) consult Jemena Gas and provide further information on the site's proximity to the existing gas pipeline.
2. Prior to public exhibition, Council is to consider the determination of any appropriate standards to limit development in accordance with the redevelopment plan. Should Council decide to apply standards within the additional permitted uses schedule, this intent is to be made clear within the planning proposal. An altered Gateway determination is not required, should Council make this amendment to the planning proposal.

3. 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 **28 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).
4. Consultation is required with the following public authorities / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Roads and Maritime Services;
 - Office of Environment and Heritage;
 - NSW Rural Fire Service;
 - Telstra;
 - Sydney Water;
 - Endeavour Energy; and
 - Jemena Gas.
- Each public authority/organisation 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 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).
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 15th day of February 2019.



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

Delegate of the Minister for Planning