

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-3486): to insert the additional permitted use clause for land at part 901 Appin Road, Gilead***

I, the Director at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to enable the temporary use of a community hub building as a 'sales and information centre' should proceed subject to the following conditions:

1. **Prior to public exhibition, the planning proposal is to be amended as follows:**
  - (a) to propose a sunset clause of 3 years which will automatically remove the subject additional permitted use as 'exhibition homes' clause to ensure that the use is of a temporary nature; and
  - (b) update any changes (such as references to SEPP 44 and the now State Heritage listed Mount Gilead Estate) since it was originally lodged under *PP-2020-2635*.
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 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. 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:
  - (a) NSW Rural Fire Service (note: in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection, the NSW Rural Fire Service is to be consulted prior to exhibition); and
  - (b) The Department of Planning, Industry and Environment's - Environment, Energy, Science Group

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.

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 **15 months** following the date of the Gateway determination.

16 June 2021.



**Adrian Hohenzollern**  
**Director**  
**Western**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**