

Ms Lindy Deitz
General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Our ref: IRF22/22204

Attn: David Smith

Dear Ms Deitz

Planning proposal PP-2022-2243 to amend Campbelltown Local Environmental Plan 2015

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 20 June 2022 in respect of the planning proposal to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Clause Application Map by removing Lot 5 DP 1167855 from "Area 3".

As delegate of the Minister for Planning, I have 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 consistency with Section 9.1 directions. No further approval is required.

Considering the nature of the planning proposal, I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within 6 months from the date of the gateway determination. A condition of the gateway is that Council must commence the exhibition of the planning proposal before the end of August 2022.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au.

The relevant Department of Planning and Environment team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

Should you have any enquiries about this matter, I have arranged for Lance Collison to assist you. Lance can be contacted on 9860 1536.

Yours sincerely

15 July 2022

Naomi Moss
Acting Director, Western District
Department of Planning, Industry and Environment

Encl: Gateway determination
Plan-making reporting template

Gateway Determination

Planning proposal (Department Ref: PP-2022-2243): to remove unnecessary restrictions from Lot 5, 158 Queen Street Campbelltown.

I, the Acting Director, Western District 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 Campbelltown Local Environmental Plan 2015 to remove unnecessary restrictions from Lot 5 DP 1167855, 158 Queen Street Campbelltown should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 30 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence before the end of August 2022.

No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the EP&A Act

2. 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 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).
3. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A 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 applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

5. The LEP should be completed within 5 months from the date of the Gateway determination.

15 July 2022

Naomi Moss
Acting Director Western, Metro West
Western Parkland City
Department of Planning and Environment

Delegate of the Minister for Planning