



Gateway determination report PP– 2023-1092

3 Emerald Hills Boulevard, Leppington

February 24



Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

Title: Gateway determination report – 2023-1092

Subtitle: 3 Emerald Hills Boulevard, Leppington

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans

[Attachment A - Planning Proposal 3 Emerald Hills Boulevard, Leppington, Version 3 – February 2024](#)

[Attachment D – Council Meeting Report and Minutes – 14 November 2023](#)

[Attachment E– Camden Local Planning Panel Minutes – 28 September 2023](#)

[Attachment F - Acoustic Assessment May - 2023](#)

[Attachment G- Economic Impact Assessment– March 2023](#)

[Attachment H- Traffic and Parking Impact Assessment – May 2023](#)

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Camden
PPA	Camden Council
NAME	3 Emerald Hills Boulevard Leppington (4 x jobs)
NUMBER	PP-2023-1092
LEP TO BE AMENDED	Camden Local Environmental Plan 2010
ADDRESS	3 Emerald Hills Boulevard, Leppington
DESCRIPTION	Lot 96, DP 1203161
RECEIVED	5/02/2024
FILE NO.	IRF24/315
POLITICAL DONATIONS	A political donation disclosure statement has been provided
LOBBYIST CODE OF CONDUCT	Details of meetings and communications with registered lobbyists have been included

1.2 Objectives of planning proposal

The objectives of the planning proposal (**Attachment A**) seek to amend Camden Local Environmental Plan (LEP) to permit a 'vehicle repair station' as an additional permitted use on the site at 3 Emerald Boulevard, Leppington, which is zoned E1 Local Centre under the LEP.

This proposal has been referred to the Department for a Gateway determination and is accompanied by a draft amendment to Schedule 8 (Emerald Hills) of the Camden Development Control Plan (DCP) 2019 for future guidance on the development of the site.

A 'vehicle repair station' is listed as a prohibited use under the LEP and cannot be constructed under current planning provisions

The proposal indicates that such a use is considered to be consistent with the zone objectives for the E1 Local Centre Zone, as it will serve the needs of the local community and provide employment opportunities.

The Department notes the Camden Local Planning Panel recommended that the proposal proceed to Gateway Determination

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

1.3 Explanation of provisions

The planning proposal seeks to amend the Camden Local Environmental Plan 2010.

The intended amendment to the Camden LEP 2010 is to permit a '*vehicle repair station*' as an additional permitted use on the subject site. No other changes to the LEP are proposed.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The site is located at 3 Emerald Hills Boulevard, Leppington, and legally described as Lot 96, DP 1203161, within the Emerald Hills Urban Release Area and forms part of the Emerald Hills Local Centre. The site has an approximate area of 2,613 sqm.

Surrounding areas include Camden Lakeside to the south (under development), Catherine Fields and Leppington to the west (undeveloped) and East Leppington to the north (developed). To the east is non-urban land located within the Campbelltown LGA. Figure 1 (following) illustrates.

Access to the site is via Emerald Hills Boulevard. The site is currently vacant and is located approximately 50 metres from the Raby Road and Emerald Hills Boulevard intersection. Within the western part of the site is a Transgrid transmission easement (refer to Figure 2). Immediate neighbouring land uses include the Emerald Hills Shopping Village and residential development.



Figure 1 Subject site (source: Nearmap)



Figure 2 Site context (source: From planning proposal)

1.5 Mapping

The planning proposal includes the proposed amendment to the existing Additional Permitted Uses (APU) map (refer to Appendix 4 & 5), which are suitable for community consultation. The following diagrams illustrate the current zone map and the APU map (refer to Figures 3 & 4).



Figure 3 Current zoning map (source: Camden LEP 2010)

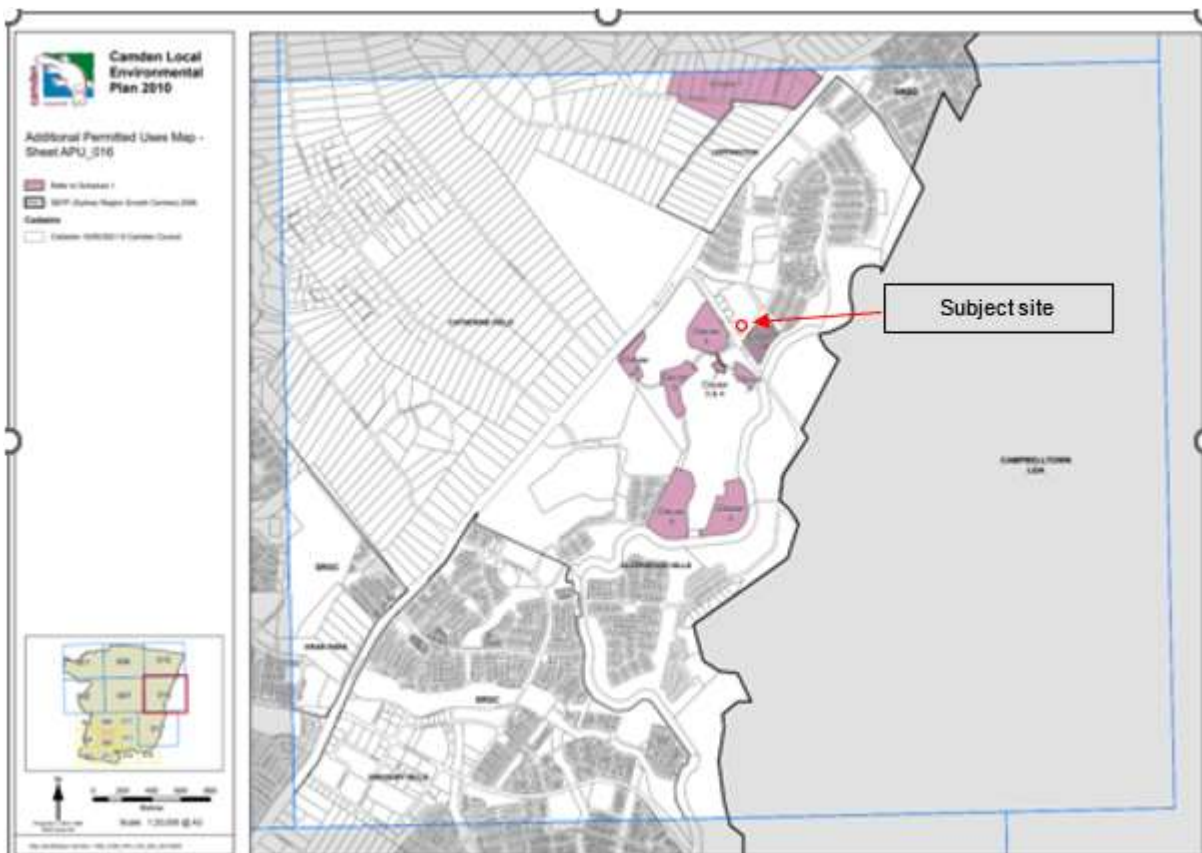


Figure 4 Existing Additional Permitted Uses (APU) Map

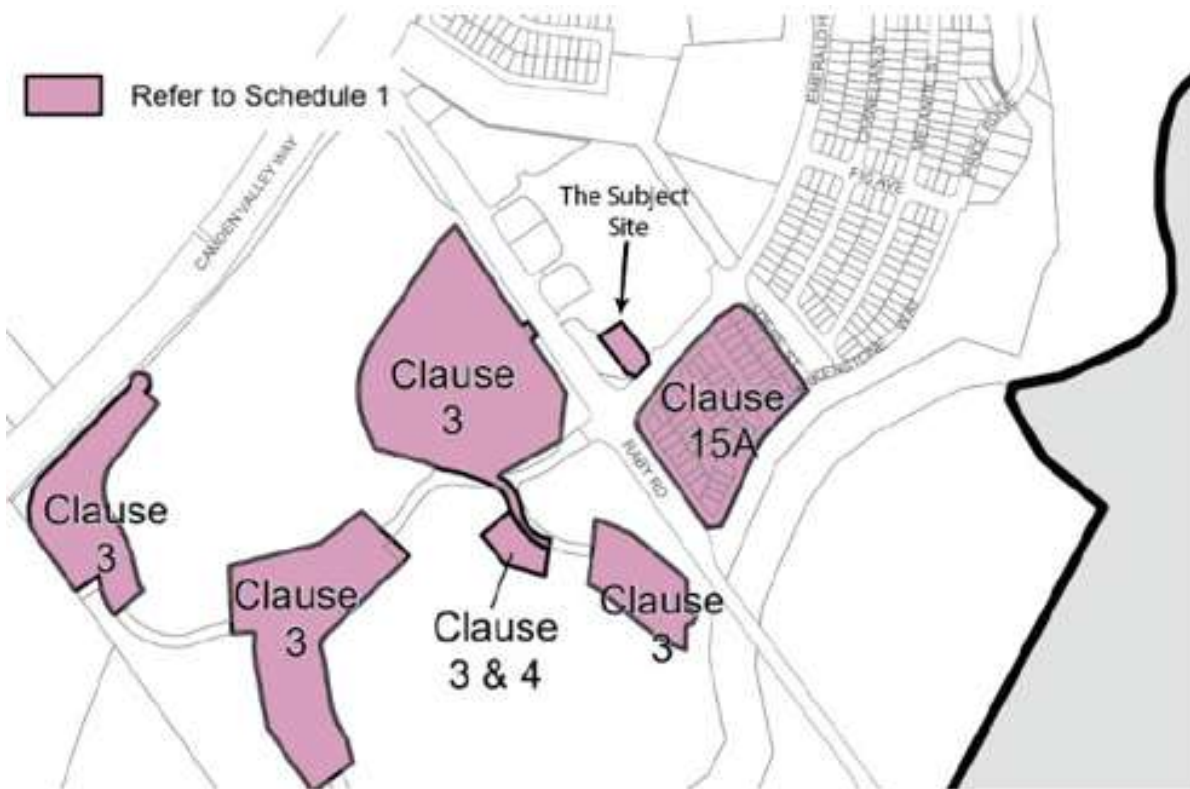


Figure 5 Proposed Amendment- Camden LEP 2010, Schedule 1 Additional Permitted Uses

1.6 Background

In May 2023 the proposal was lodged with Council by The Planning Hub on behalf of the landowners D&AI Ltd.

Camden Local Planning Panel (CLPP) on 28 September 2023 considered the proposal and recommended the proposal progress to Gateway Determination.

At Camden Council's Meeting of 14 November 2023, Council endorsed submitting the proposal for Gateway determination and an amendment to Schedule 8 of the Emerald Hills DCP 2019.

In February 2024, the proposal was submitted for Gateway Determination by Camden Council.

2 Need for the planning proposal

The planning proposal indicates that the introduction of an APU is necessary as:

- the land use will be restricted to the site;
- adds to the viability and vitality of the centre; and,
- amending the land use table for the E1 Zone in the Camden LEP 2010, to include 'vehicle repair station' as a permissible use, may have unintentional consequences across other areas of the Camden LGA.

Further, it noted that the local panel recommended that the proposal proceed to Gateway determination as it demonstrates strategic and site-specific merit and will allow a use that will serve the daily needs of the local residential and business community.

The Department agrees that the planning proposal is the best means of achieving the objectives and intended outcomes.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Region Plan.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 6 Services and infrastructure meet communities' changing needs	<p>The proposal offers a useful, well-located service for both existing and planned new communities. The proposal offers local jobs and an easily accessible site.</p> <p>The proposal can contribute to creating liveable neighbourhoods in the right locations with local services and infrastructure.</p>
Objective 14 A metropolis of Three Cities-integrated land use and transport creates walkable and 30-minute cities	<p>The proposal would aid development of a local centre with the service it offers, which is supported by public transport and cycling networks, close by to residential development supporting a 30-minute city.</p> <p>Co-location of activities by this proposal would support a diverse economy in a local centre.</p>

3.2 District Plan

The site is within the Western City District and the Greater Sydney Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic, and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 5 District Plan assessment

District Plan Priorities	Justification
W3 Providing services and social infrastructure to meet people's changing needs	This proposal would aid the local community's liveability by providing services being a vehicle repair station, with ancillary food and drink premises and a car wash - which would be a beneficial service for the growing population in this district.
W6 Creating and renewing great places and local centres, and respecting the district's heritage	The proposal would improve people's liveability by offering a service to meet people's needs located in close proximity to the local community. Uniting the needs of people who live in, work in, and visit the local centre. This proposal has co-locating activities providing an efficient use of land.
W11 Growing investment, business opportunities and jobs in strategic centres	The proposal meets this priority by contributing to the local centre through a business activity and job growth, whilst improving the communities access to services.

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. The Department considers the proposal is generally consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Camden Community Strategic Plan	<p>The proposal meets priorities in the Camden Community Strategic Plan by creating a diverse and connected environment for the site with facilities with equitable access.</p> <p>The proposal would enhance the town centre with job opportunities.</p>
Camden Local Strategic Planning Statement (LSPS)	This proposal includes an assessment against relevant actions contained in Council's LSPS. The proposal notes it is consistent with the LSPS and facilitates the development of a vacant site with various services for a growing community, which provides job opportunities all within the close vicinity of local housing.
Camden Local Housing Strategy (LHS)	The proposal is consistent with the Campbelltown Local Housing Strategy by helping to create resilient connect communities linked to services supporting the economic viability through local employment near local housing.
Camden Centres and Employment Land Strategy	The proposal meets principles in Camden Centres and Employment Land Strategy by offering local job opportunities and a service in a well-connected area of the Emerald Hills Local Centre, ensuring the viability and connectivity around a local centre.

3.4 Local Planning Panel (LPP) recommendation

The LPP recommended that the planning proposal for Additional Permitted Use at 3 Emerald Hills Boulevard, Leppington proceed to Gateway Determination - as the proposal demonstrates strategic and site-specific merit and will allow a use that will serve the daily needs of the local residential and business community.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed in Appendix 3 of the planning proposal document.

The Department notes that Direction 1.4 Site Specific Provisions is relevant and that the proposal is consistent with the Direction, in accordance with item (1)(c) - as the proposal will not impose any development standards or requirements in addition to those already contained in the Camden LEP 2010.

In regard to other Directions, the Department considers the proposal is consistent and no further assessment is considered necessary.

3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

The Department notes that while the SEPP (Precincts – Western Parkland City) 2021 doesn't apply to the site, the planning proposal indicates that 'vehicle repair stations' are a permissible use in the B2 Zone in the South West Growth Area (noting the E1 zone has now replaced the B2 zone).

4 Site-specific assessment

4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 9 Environmental impact assessment

Environmental Impact	Assessment
Critical habitat, threatened species, populations or ecological communities, or their habitats	The land subject site has previously been rezoned as part of the Emerald Hills urban release area rezoning in July 2012. This rezoning was informed by various assessments to determine the likelihood of impacts on critical habitat or threatened species, populations or ecological communities, or their habitats. The additional permitted use will not result in any additional impacts.
Acoustic Assessment	For this proposal an acoustic assessment was submitted, and various tests were completed. The acoustic levels for function of the site were acceptable along with future development of the site, which complies with accepted noise levels. (Attachment F)
Traffic and Parking Impact Assessment	The supporting traffic & parking impact assessment found the proposed traffic management and parking for the site to be acceptable. (Attachment H)

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Economic Assessment	The proposal will likely have a positive impact on the local centre, as it does not compete with any existing services. Vehicle repair shop patrons may also visit surrounding retail outlets, which will further support the Emerald Hills Local Centre. (Attachment G)

4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
Traffic and Transport	<p>The subject site is approximately located 50 metres from the Raby Road and Emerald Hills Boulevard intersection and can be accessed via separate ingress and egress driveways connecting with the adjoining Emerald Hills Shopping Centre Access Road. These driveways are satisfactory.</p> <p>Bus services operate near the site along Emerald Hills Boulevard, Raby Road, and Camden Valley Way</p> <p>The supporting traffic & parking impact assessment (Attachment H), prepared by Stanbury Traffic Planning, concludes that the proposal should not impact the adjoining road network due to its limited scale.</p>

5 Consultation

5.1 Community

Prior to forwarding the proposal to the Department for Gateway determination, Council placed the draft planning proposal on initial notification for 14 days from 14 July to 28 July 2023. No public submissions were received during the initial notification period.

Council has proposed public exhibition. Given the minor nature of the proposal, the Department recommends an exhibition period of 14 days (10 working days).

5.2 Agencies

Given the presence of the electricity easement, it is recommended that Transgrid be consulted on the planning proposal. No other agency consultation is recommended.

6 Timeframe

Council proposes the LEP be completed by July 2024 from the date of Gateway determination.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as standard.

The Department recommends an LEP completion date of six months. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has requested the Department finalise the planning proposal, however, given its minor nature - the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- the proposal will provide economic benefit to the local centre;
- it will create local jobs; and
- is not inconsistent with the strategic framework.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed, subject to the following conditions:

1. The planning proposal must be referred to Transgrid for comment during public exhibition.
2. The planning proposal should be made available for community consultation for a minimum of 14 working days.
3. The planning proposal be exhibited within 2 months from the date of Gateway determination.
4. The timeframe for completing the LEP is to be 6 months from the date of the Gateway determination.
5. Given the nature of the planning proposal, it is recommended that the Gateway determination authorises Council to be the local plan-making authority.



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