

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

Our ref: PP-2023-404 / IRF23/1001

Dear Ms Deitz

Planning proposal PP-2023-404 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 23 February 2023 in respect of the planning proposal to reclassify and rezone part of 2 Rose Street, Campbelltown & Kanbyugal Reserve and to apply corresponding development controls.

As delegate of the Minister for Planning and Public Spaces (the Minister), I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

Council may still need to obtain the agreement of the Planning Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act, 3.7 Public Bushland, 3.10 Water Catchment Protection, 4.1 Flooding, and 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to lodging the planning proposal with the Department for finalisation.

I have determined not to authorise Council to be the local plan-making authority as the planning proposal relates to the reclassification of Council land.

The amending local environmental plan (LEP) is to be finalised on or before 5 March 2024. 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 (the Department) to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Rachel Hughes to assist you. Ms Hughes can be contacted on (02) 9995 5936.

Yours sincerely

14 May 2023

Adrian Hohenzollern
Director, Western
Planning and Land Use Strategy

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP-2023-404): to reclassify and rezone part of 2 Rose Street, Campbelltown & Kanbyugal Reserve and to apply corresponding development controls.

I, the Director, Western District at the Department of Planning 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 2015 to reclassify and rezone part of 2 Rose Street, Campbelltown & Kanbyugal Reserve and to apply corresponding development controls should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) Clarify that the planning proposal does not involve a subdivision or any other lot boundary adjustments and that the proposed rezoning and reclassification apply to part lots.
 - (b) Explain how the Animal Care Facility is a permissible use under the incoming E4 General Industrial zone for clarity.
 - (c) Update all references to the IN2 Light Industrial zone to refer to the incoming E4 General Industrial zone.
 - (d) Clarify whether the land is subject to any public reserve status and whether it is proposed to extinguish this as part of the planning proposal.
 - (e) Identify the subject site on all maps within the planning proposal and ensure maps in the planning proposal document are a legible scale.
 - (f) Address Section 9.1 Ministerial Directions 3.7 Public Bushland, 3.10 Water Catchment Protection, and 4.1 Flooding.
 - (g) Provide a copy of the Local Planning Panel advice as a supporting document.
2. 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 standard 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 20 working 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).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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 EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.
5. A public hearing is required to be held in accordance with Section 29 of the *Local Government Act 1993* and the Department's Practice Note PN 16-001.
6. Given the nature of the proposal, Council is not authorised to be the local plan-making authority.
7. The LEP should be completed on or before 5 March 2024.

Dated 14 day of May 2023.

Adrian Hohenzollern
Director, Western District
Planning and Land Use Strategy
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces