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IRF25/1052

## Gateway determination report – PP-2025-292

Campbelltown Local Environmental Plan 2015 Clause  
7.30 – Refining Permissible Land Use Conditions

May 25



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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
Attachment B – Gateway Determination

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Attachment C – Gateway Determination Letter to Council

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Attachment D – Council Meeting Minutes – 8 April 2025

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Attachment E – Council Meeting Report – 8 April 2025

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# 1 Planning proposal

## 1.1 Overview

Table 2 Planning proposal details

LGA	Campbelltown City Council
PPA	Campbelltown City Council
NAME	Clause 7.30 – Refining Permissible Land Use Conditions
NUMBER	PP-Campbelltown-2025-292
LEP TO BE AMENDED	Campbelltown Local Environmental Plan 2015
ADDRESSES	Wickfield Circuit, Ambarvale 2560, 66 Kearns Avenue, Kearns 2558, Kellerman Drive, St Helens Park 2560, 83 North Steyne Road, Woodbine 2560, 83A North Steyne Road, Woodbine 2560.
DESCRIPTION	Lot 105, DP746003 Lot 21, DP840864 Lot 7302, DP1018242 Lot 12, DP748537
RECEIVED	17/04/2025
FILE NO.	IRF25/1052
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal (**Attachment A**).

The objectives of the planning proposal are to remove 4 sites currently used for either a community hall or neighbourhood centre from the operation of clause 7.30(2)(c) which places a size limit of 160m<sup>2</sup> on places of public worship.

This would be achieved by:

- Amending Campbelltown LEP Clause Application Map to introduce a new land identification area ('Area 9') which will apply to 4 sites (Lot 105, DP746003; Lot 21, DP840864; Lot 7302, DP1018242; Lot 12, DP748537).
- Amending Clause 7.30(2)(a) and 7.30(2)(b) to apply to land identified as 'Area 6' and 'Area 9' under the Campbelltown LEP Clause Application Map
- Amending Clause 7.30(2)(c) to apply to 'Area 6' only under the Campbelltown LEP Clause Application Map

The objectives of this planning proposal are clear and adequate.

## 1.3 Explanation of provisions

The planning proposal seeks to amend the Campbelltown LEP 2015 per the changes below:

**Table 3 Current and proposed controls**

Control	Current	Proposed
Zone	E1 Local Centre Zone	E1 Local Centre Zone
Clauses	Clause 7.30(2)a, Clause 7.30(2)(b), Clause 7.30(2)(c).	Amend Campbelltown LEP Clause Application Map to introduce a new land identification area ('Area 9') which will apply to 4 sites (Lot 105, DP746003; Lot 21, DP840864; Lot 7302, DP1018242; Lot 12, DP748537).  Amend Clause 7.30(2)(a) and 7.30(2)(b) to apply to land identified as 'Area 6' and 'Area 9' under the Campbelltown LEP Clause Application Map  Amend Clause 7.30(2)(c) to apply to 'Area 6' only under the Campbelltown LEP Clause Application Map

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

Note: Parliamentary Counsel when drafting the amendment may choose a different approach to the above provisions.

## 1.4 Site description and surrounding area

The planning proposal relates to 4 subject sites within the Campbelltown local government area. The subject sites are identified in the proposal as:

- Wickfield Circuit, Ambarvale 2560 (Lot 105, DP746003)
- 66 Kearns Avenue, Kearns 2558 (Lot 21, DP840864)

- Kellerman Drive, St Helens Park 2560 (Lot 7302, DP1018242)
- 83 North Steyne, Road Woodbine 2560 and 83A North Steyne, Road Woodbine 2560 (Lot 12, DP748537)

A Council-owned community facility is located on each subject site. All sites are zoned E1 – Local Centre under the Campbelltown Local Environmental Plan (CLEP). Under the CLEP, each site is identified as a part of Area 6 on the Clause Application Map. Under clause 7.30 of the CLEP, sites identified as Area 6 are subject to a restriction on the size of pubs, small bars and places of public worship.

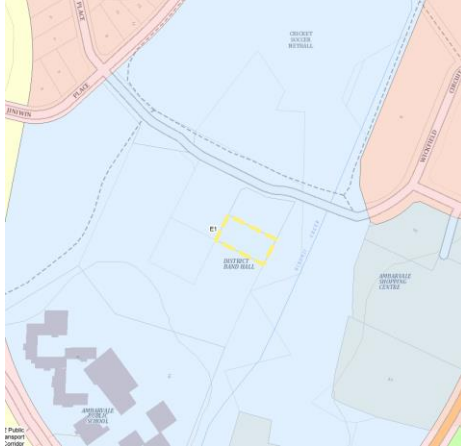
A description of each subject site and surrounding context is detailed below:

#### **Subject site at Wickfield Circuit, Ambarvale 2560 (Lot 105/DP 746003)**

The subject site contains a Council-owned community facility known as Ambarvale Community Hall, approximately 278m<sup>2</sup> in size, which was issued development consent in 1986. The facility forms a part of the Ambarvale Sports Complex, with the Harold Pollard OAM Band Centre occupying the lot directly to the south of the subject site. A vacant lot, adjoining Wickfield Circuit, directly abuts the subject site to the north. The site has one point of access via Wickfield Circuit. The site is located north-east of the Ambarvale Public School, west of the Ambarvale Shopping Centre and south of netball, cricket and soccer sporting fields. Birunji Creek runs parallel to the site to the east.



**Figure 1.1a Subject site at Wickfield Circuit, Ambarvale 2560 (Lot 105/DP 746003) (source: Campbelltown City Council)**



**Figure 2.1b Subject site at Wickfield Circuit, Ambarvale 2560 (Lot 105/DP 746003) (source: NSW Planning Portal Spatial Viewer)**

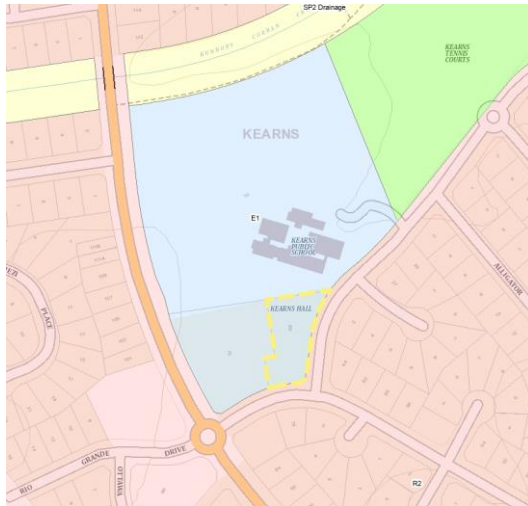
#### **Subject site at 66 Kearns Avenue, Kearns (Lot 21/DP 840864)**

The subject site contains a Council-owned community facility known as Kearns Community Hall, approximately 496m<sup>2</sup> in size, which was issued development consent in 1985. The facility site adjoins the Kearns Shopping Centre to the west and the Kearns Public School directly to the north. The site is located to the east of a roundabout where Epping Forest Drive, Rio Grande Drive and Kearns Avenue intersect. The site has two points of access via St Lawrence Avenue and Kearns Avenue. Kearns tennis courts are located to the north-east, adjoining Clark Reserve. Bunbury Curran Creek is located to the north and areas of low-density residential development surround the site to the west, south and east.



**Figure 3.2a Subject site at 66 Kearns Avenue, Kearns (Lot 21/DP 840864) (source: Campbelltown City Council)**





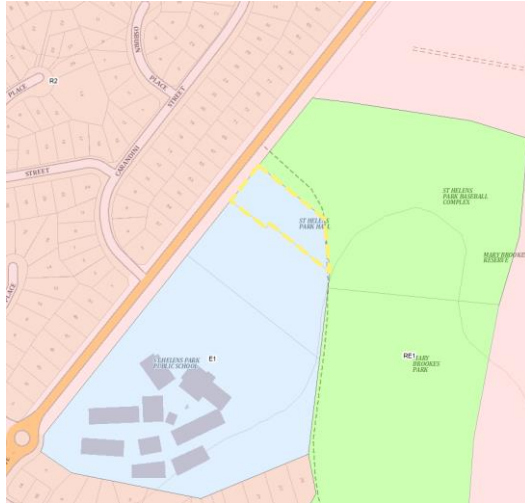
**Figure 4.2b Subject site at 66 Kearns Avenue, Kearns (Lot 21/DP 840864) (source: NSW Planning Portal Spatial Viewer)**

**Subject site at Kellerman Drive, St Helens Park (Lot 7302/DP 1018242)**

The subject site contains a Council-owned community facility known as St Helens Community Hall, approximately 484m<sup>2</sup> in size, which was issued development consent in 1994 and allows for the centre to function as both a multi-purpose community centre and a childcare centre. The site adjoins the St Helens Park baseball complex to the north-east, the Mary Brookes Reserve, Mary Brookes Park and St Helens Park to the east and the St Helens Public School to the south. The site has one point of access via Kellerman Drive on the western boundary. The site is surrounded to the west and south by low-density residential development, with Mansfield Creek is located further to the south. Further to the south-east of St Helens Park an area of SP2 zoned land is identified as a future transport corridor.



**Figure 5.3a Subject site at Kellerman Drive, St Helens Park (Lot 7302/DP 1018242) (source: Campbelltown City Council)**



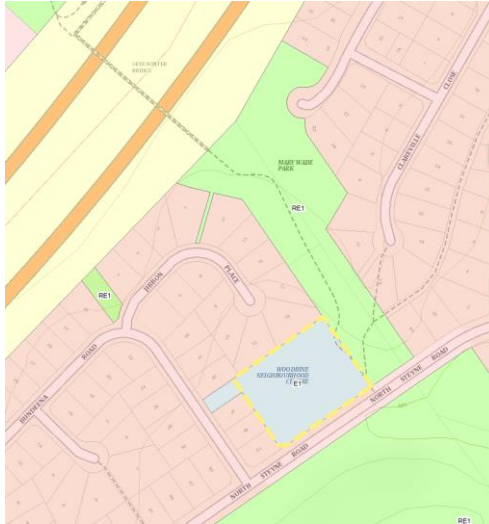
**Figure 6.3b Subject site at Kellerman Drive, St Helens Park (Lot 7302/DP 1018242) (source: NSW Planning Portal Spatial Viewer)**

**Subject site at 83 and 83A North Steyne Road, Woodbine (Lot 12/DP 748537)**

The subject site contains a Council-owned community facility known as Woodbine Neighbourhood Centre, approximately 218m<sup>2</sup> in size, which was issued development consent in 1984. The site adjoins the Woodbine Neighbourhood Store to the south-west. The site has one point of access via North Steyne Rd, with a bus stop serviced by bus routes 879 and 880 on the North Steyne Rd boundary of the site. Kanbyugal Park and Lake are located directly opposite the site to the south of North Steyne Rd. Surrounding the site to the north, east and west is low-density residential development, with the Remembrance Driveway located further north. Pedestrian and bicycle access over the Driveway, via Skye Winter Bridge, can be accessed directly adjacent to the site.



**Figure 7.4a Subject site at 83 and 83A North Steyne Road, Woodbine (Lot 12/DP 748537) (source: Campbelltown City Council)**



**Figure 8.4b Subject site at 83 and 83A North Steyne Road, Woodbine (Lot 12/DP 748537) (source: NSW Planning Portal Spatial Viewer)**

## 1.5 Mapping

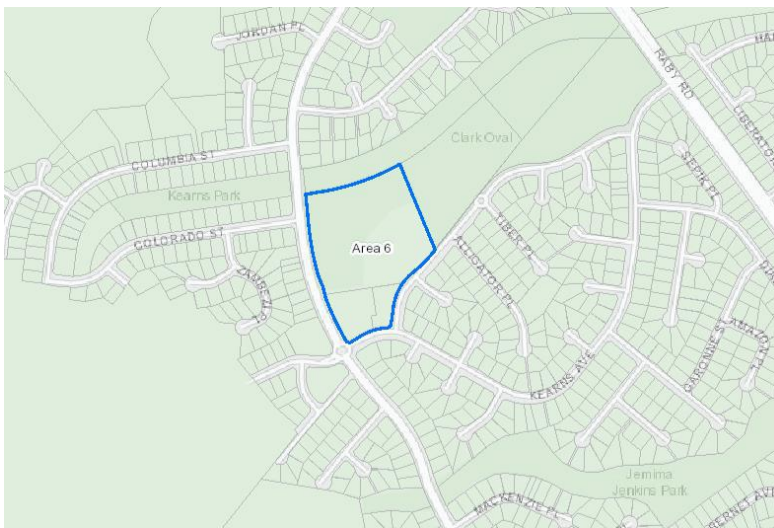
The planning proposal includes mapping showing the proposed changes to the Campbelltown LEP Clause Application maps, which are suitable for community consultation.



**Figure 2.1 Current clause application map at Wickfield Circuit, Ambarvale 2560 (Lot 105/DP 746003) (source: Campbelltown City Council)**

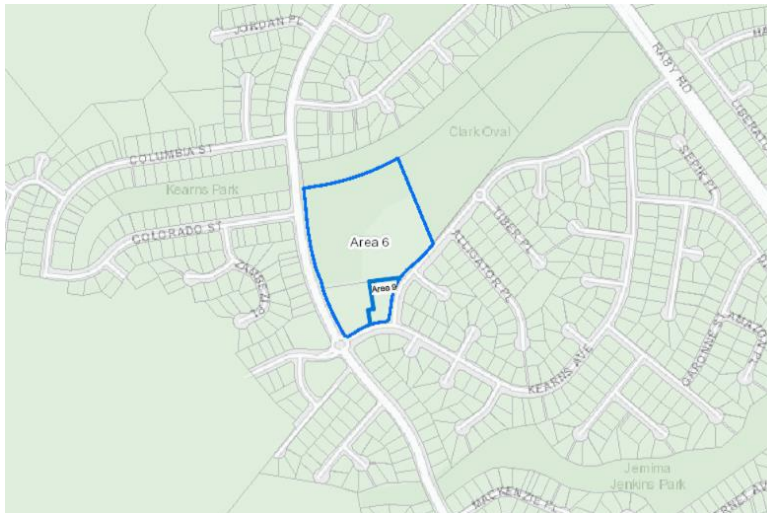


**Figure 2.2 Proposed clause application map at Wickfield Circuit, Ambarvale 2560 (Lot 105/DP 746003) (source: Campbelltown City Council)**

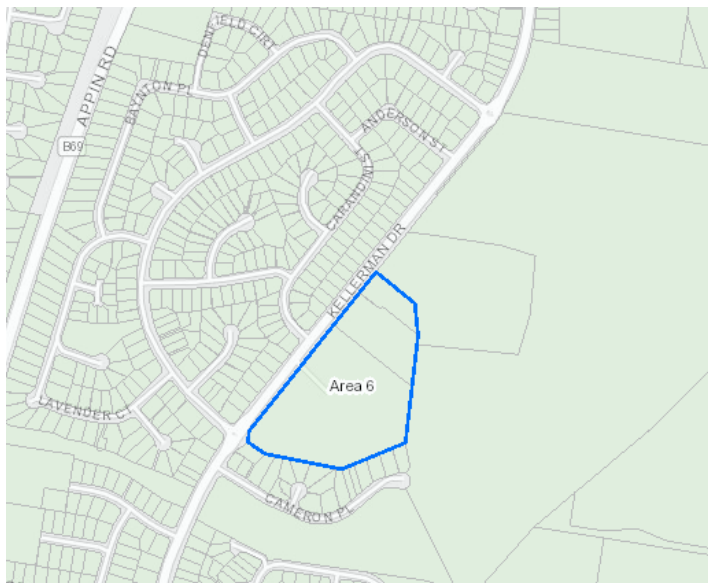


**Figure 3.1 Current clause application map at 66 Kearns Avenue, Kearns (Lot 21/DP 840864) (source: Campbelltown City Council)**

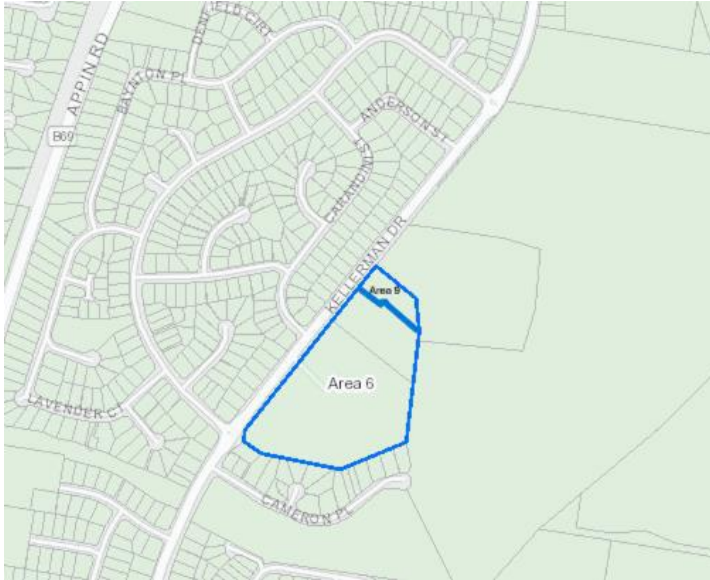




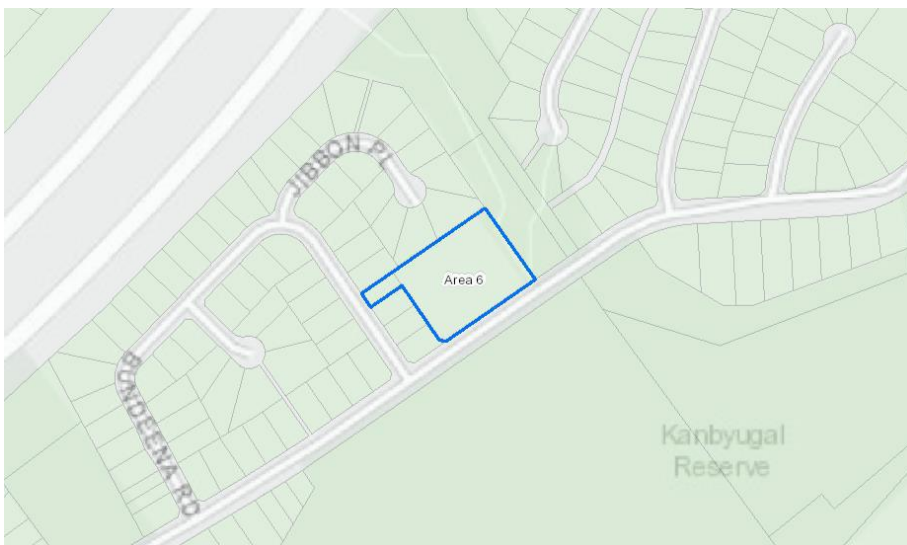
**Figure 3.2 Proposed clause application map at 66 Kearns Avenue, Kearns (Lot 21/DP 840864)**  
(source: Campbelltown City Council)



**Figure 4.1 Current clause application map at Kellerman Drive, St Helens Park (Lot 7302/DP 1018242)**  
(source: Campbelltown City Council)



**Figure 4.2 Proposed clause application map at Kellerman Drive, St Helens Park (Lot 7302/DP 1018242) (source: Campbelltown City Council)**



**Figure 5.1 Current clause application map at 83 and 83A North Steyne Road, Woodbine (Lot 12/DP 748537) (source: Campbelltown City Council)**

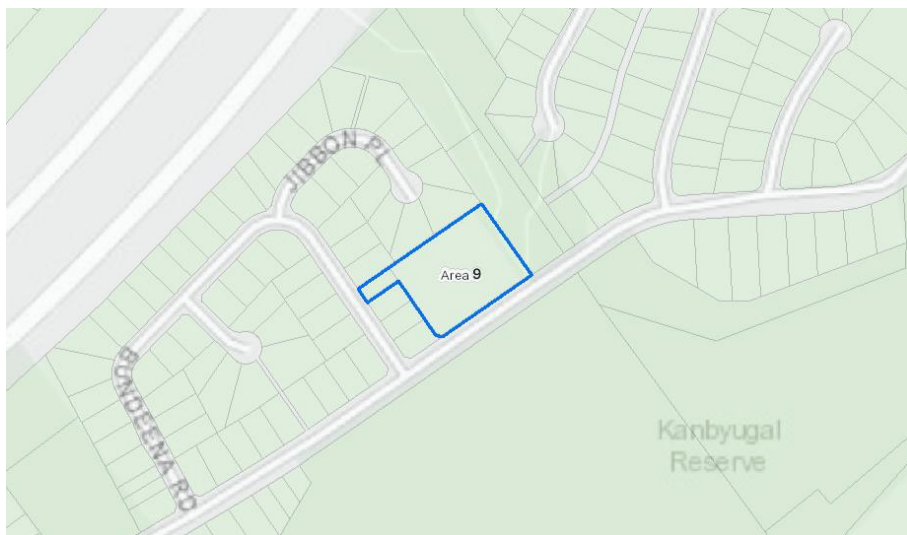


Figure 5.2 Current clause application map at 83 and 83A North Steyne Road, Woodbine (Lot 12/DP 748537) (source: Campbelltown City Council)

## 1.6 Background

On the commencement of the Campbelltown Local Environmental Plan in 2015, each of the subject sites were located within the B1 Neighbourhood Centre Zone, with each site granted development consent under earlier, individual planning instruments.

Each of the planning instruments granting development consent for the subject sites defined the use of the premises as a place of public worship differently.

In 2022 the former Department of Planning and Environment commenced a reform program to reduce the number of employment zones and increase the potential for these zones to generate employment.

On 26 April 2023, all land identified as B1 Neighbourhood Centre Zone, which had a limited range of potential land uses, was transitioned to the E1 Local Centre Zone.

During the reform process, Council made representations to the former Department of Planning and Environment which sought to limit the scale of places of public worship within sites formerly identified under the B1 Neighbourhood Centre Zone.

The Department supported Council's representations and Clause 7.30 was added to the CLEP 2015.

Clause 7.30 applies to land identified as 'Area 6' on the Clause Application Map.

Clause 7.30(2)(c) states that '*for places of public worship – the gross floor area of each place of public worship in the building resulting from the development is no more than 160m<sup>2</sup>*'.

When determining the land subject to Area 6 on the Clause Application Map, it was decided that it would apply to all land previously identified as B1 Neighbourhood Centre Zone, except where the land had a pre-existing use as a place of public worship.

Subsequently, the application of clause 7.30 and Area 6 in this manner introduced a size restriction on the subject sites, limiting the use of the sites as places of public worship to only a 160m<sup>2</sup> portion of the site.

As the sites vary in size from 218 m<sup>2</sup> to 496m<sup>2</sup> in size, the practical application and enforcement of this clause would require:

- a) partitioning of the area of the site to be used as a place of public worship, and
- b) submission of a development application demonstrating compliance with this spatial limitation.

Given the variation in development size on each subject site, a variation under section 4.6 of the CLEP is difficult to justify.

On 26 February 2025, a draft planning proposal, seeking to address the identified inconsistency, was considered at the Campbelltown Local Planning Panel (LPP, the Panel) meeting.

The Panel noted its support for the strategic and site-specific merit of the proposal and recommended that Council support the submission of the proposal for a Gateway Determination.

On 08 April 2025, the draft planning proposal was tabled at Campbelltown City Council Ordinary Council Meeting.

Council supported the proposal and approved the officers and LLP's request to submit the proposal for a Gateway Determination.

## 2 Need for the planning proposal

The planning proposal is not a result of a strategic statement, study or report. The planning proposal was prepared by the proponent to address an anomaly within the Campbelltown LEP 2015.

The changes seek to allow the subject sites to be used as places of public worship, a designation which is currently limited to a maximum of 160m<sup>2</sup> through the application of clause 7.30(2)(c) the Campbelltown LEP.

As the floor areas of the subject sites exceed this limit, the application of the clause means that only a portion of the sites could be used as a place of public worship. This application and outcome are inconsistent with the objectives of the E1 Local Centre zone and the intended community use of the subject sites.

The planning proposal is the best way to achieve the intended outcomes and objectives and is the simplest administrative way to achieve the aims of the planning proposal.

## 3 Strategic assessment

### 3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Regional Plan: A Metropolis of Three Cities (March 2018).



Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 6 – Services and infrastructure meet communities' changing needs	<p>The planning proposal will remove use constraints on the subject sites, which currently limit their full use as places of public worship. The removal of these constraints will enable the subject sites to fully fulfil their function as community facilities, without excluding sections of the Campbelltown community. The proposal also directly supports the following Strategies relevant to Objective 8:</p> <p><i>Strategy 6.1</i> - Deliver social infrastructure that reflects the needs of the community now and in the future.</p> <p><i>Strategy 6.2</i> - Optimise the use of available public land for social infrastructure.</p>
Objective 7 – Communities are healthy, resilient and socially connected	<p>The planning proposal will remove use constraints on the subject sites, which currently limit their full use as places of public worship. The removal of these constraints will enable more equitable and inclusive use of these community facilities, encouraging increased social connection and resilience.</p>
Objective 8 – Greater Sydney's communities are culturally rich with diverse neighbourhoods	<p>The planning proposal will remove use constraints which may limit the accessibility and capacity of the subject sites to be used as places of public worship. Removing these constraints will enable the subject sites to function without limiting cultural or religious expression when the sites operate as places of public worship. The planning proposal also directly supports the following Strategies relevant to Objective 8:</p> <p><i>Strategy 8.1</i> - Incorporate cultural and linguistic diversity in strategic planning and engagement.</p> <p><i>Strategy 8.2</i> - Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.</p>
Objective 12 – Great places that bring people together	<p>The planning proposal will remove use constraints which may limit the accessibility and capacity of the subject sites when functioning as places of public worship. Removing these constraints will increase opportunities to establish and maintain community connections and will enable the subject sites to be used fully as places of public worship, without the potential for excluding members of the Campbelltown community on religious or cultural grounds.</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
Planning Priority W3  Providing services and social infrastructure to meet people's changing needs	The planning proposal will allow temporary use of the subject sites as places of public worship, without constraining the permitted activity.  It will improve the functionality of the subject sites to facilitate diverse religious gatherings and other community activities.
Planning Priority W4  Fostering healthy, creative, culturally rich and socially connected communities	The subject sites are currently used as community facilities and can function as places of public worship; however, these activities are limited to a total permissible area of 160m <sup>2</sup> . The planning proposal will enable a more equitable use of the subject sites, in line with the objectives of their approved use under the E1 Local Centre zone.

### 3.3 Local

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

Table 6 Local strategic planning assessment

Local Strategies	Justification
Campbelltown Community Strategic Plan – Campbelltown 2032	<p>The proposed changes will increase the availability and potential use for the subject sites as places of public worship, reducing barriers to access for the Campbelltown community and promoting cultural and religious inclusion.</p> <p>The proposed changes align with and address the following objectives and strategies under the Campbelltown Community Strategic Plan:</p> <p><b>Outcome 1: Community and belonging</b></p> <ul style="list-style-type: none"> <li>Strategy 1.1 <i>Provide initiatives that foster a proud, inclusive, and connected community for all.</i></li> <li>Strategy 1.2 <i>Provide a diverse range of cultural and creative activities and events, for all interests and people.</i></li> </ul> <p><b>Outcome 2: Places for people</b></p> <ul style="list-style-type: none"> <li>Strategy 2.1 <i>Provide public places that are accessible, safe, and attractive.</i></li> <li>Strategy 2.2 <i>Provide public places and facilities that encourage leisure, recreation, and physical activity.</i></li> </ul> <p><b>Outcome 5: Strong leadership</b></p> <ul style="list-style-type: none"> <li>Strategy 5.3 <i>Provide proactive and collaborative leadership on issues that are important to Campbelltown now and into the future.</i></li> </ul>

Campbelltown  
Local Strategic  
Planning Statement  
(LSPS)

The planning proposal is not inconsistent with the outcomes listed or any of the actions in the LSPS.

### 3.4 Local planning panel (LPP) recommendation

The planning proposal was reported to the Campbelltown Local Planning Panel on 26 February 2025 in accordance with the requirements of Section 2.19 of the *Environmental Planning and Assessment Act 1979*.

The LPP was supportive of the proposal, noting that the planning proposal exhibited both strategic and site-specific merit. The LPP noted that the proposal would potentially increase the use of the subject sites and has potential social benefits for the Campbelltown community. The LPP recommended that Council support the submission of the proposal for Gateway Determination.

On 8 April 2025, at the Campbelltown City Council Ordinary Meeting, Council supported officers and LPP's recommendation and endorsed the planning proposal to proceed to Gateway Determination.

### 3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

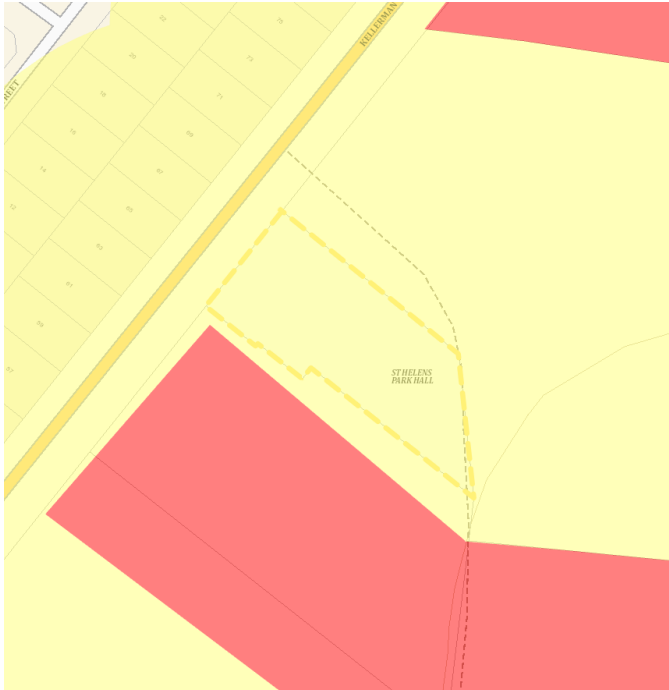
**Table 7 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 1.1 Implementation of Regional Plans	Consistent	Direction 1.1 seeks to achieve the overall intent of the Regional Plan's vision, land use strategy, goals, directions and actions.  As discussed under 3.1, the proposal is consistent with the Greater Sydney Regional Plan: A Metropolis of Three Cities (March 2018) and acquits Objectives 6, 7, 8 and 12
Direction 1.3 Approval and Referral Requirements	<i>Not applicable</i>	Direction 1.3 seeks to ensure LEP provisions encourage efficient and appropriate development assessment.  The proposal seeks to alter the application of a clause in the Campbelltown Local Environmental Plan which operates in a manner inconsistent with the objectives of the standard instrument, local and state strategies and policies. The proposed changes do not trigger a requirement for additional concurrence, consultation or referral to a Minister or Public Authority. The proposal is not inconsistent with Direction 1.3
Direction 1.4 Site-specific provisions	Consistent	Direction 1.4 seeks to discourage unnecessarily restrictive site-specific planning controls.  The proposal is consistent with Direction 1.4 as, although it proposes the introduction of a new Area of application for clause 7.30, it acquits the objective of the Direction through the removal of an unnecessarily restrictive and anomalous planning control.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	<i>Not applicable</i>	Direction 1.9 seeks to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.  The proposal is not inconsistent with the Direction as subject sites are not located within the precinct plans identified under Direction 1.9.
Direction 1.10 Implementation of the Western Sydney Aerotropolis Plan	<i>Not applicable</i>	Direction 1.10 seeks to ensure development within the Western Sydney Aerotropolis is consistent with the <i>Western Sydney Aerotropolis Plan 2020</i> .  The proposal is not inconsistent with Direction 1.10 as the proposal does not propose a change which would interact with the implementation of the <i>Western Sydney Aerotropolis Plan 2020</i> .
Direction 1.14 Implementation of Greater Macarthur 2040	Consistent	Direction 1.14 seeks to ensure development is consistent with the objectives of the <i>Greater Macarthur Growth Area Structure Plan 2022</i> and the <i>Guide to the Greater Macarthur Growth Area</i> .  The proposal is consistent with Direction 1.14 as the proposed changes will bring the Campbelltown Local Environmental Plan into consistency with the objectives of <i>Greater Macarthur 2040</i> , the <i>Greater Macarthur Growth Area Structure Plan 2022</i> and the <i>Guide to the Greater Macarthur Growth Area</i> by increasing the availability, accessibility and capacity of community infrastructure.
Direction 1.21 Implementation of South West Growth Area Structure Plan	<i>Not applicable</i>	Direction 1.21 seeks to ensure that development within the South West Growth Area is consistent with the <i>Structure Plan and Guide 2022</i> .  The proposal is not inconsistent with the Direction as subject sites are not located within the precinct plans identified under Direction 1.21 and proposes changes which are not inconsistent with the objectives of the <i>South West Growth Area Structure Plan and Guide 2022</i> .
Direction 3.1 Conservation Zones	<i>Not applicable</i>	Direction 3.1 seeks to protect and conserve environmentally sensitive areas.  The proposal is not inconsistent with Direction 3.1 as it does not propose changes which are expected to impact on environmentally sensitive areas.
Direction 3.2 Heritage Conservation	<i>Not applicable</i>	Direction 3.2 seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.  The proposal is not inconsistent with Direction 3.2 as the proposed changes are not expected to interact with heritage artefacts identified under this Direction, nor are the subject sites recognised as holding heritage significance.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 3.3 Sydney Drinking Water Catchments	<i>Not applicable</i>	Direction 3.3 seeks to provide for healthy catchments and protect water quality in the Sydney drinking water catchment.  The proposal is not inconsistent with Direction 3.3 as the proposed changes are not expected to interact with Sydney water drinking catchments nor affect water quality in the surrounding area.
Direction 3.5 Recreation Vehicle Areas	<i>Not Applicable</i>	Direction 3.5 seeks to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.  The proposal is not inconsistent with Direction 3.5 as the proposal does not propose any changes which relate to recreation vehicles or this land use.
Direction 3.6 Strategic Conservation Planning	<i>Not applicable</i>	Direction 3.6 seeks to protect, conserve or enhance areas with high biodiversity value.  The proposal is not inconsistent with Direction 3.6 as the proposal does not interact with conservation land or land with mapped biodiversity values.
Direction 3.7 Public Bushland	<i>Not applicable</i>	Direction 3.7 seeks to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland.  The proposal is not inconsistent with Direction 3.7 as it does not propose any changes which would impact on public bushland.
Direction 4.1 Flooding	<i>Not applicable</i>	Direction 4.1 seeks to ensure development is consistent with the NSW Government <i>Flood Prone Land Policy</i> , the principles of the <i>Floodplain Development Manual 200</i> , and to ensure that LEP provisions applying to flood prone land are consistent with flood behaviour and considers potential flood impacts both on and off the subject land.  The proposal is not inconsistent with Direction 4.1 as the subject sites are not on or in proximity to flood prone land, nor is a zone change requested.

Commented [LF1]: Check surrounding area of St Helens site

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 4.3 Planning for Bushfire Protection	To be determined after consultation with RFS.	<p>Direction 4.3 seeks to protect life, property and the environment from bush fire hazards by discouraging incompatible land uses in bush fire prone areas and encourage sound management of bush fire prone land.</p> <p>Proposal notes that one subject site (St Helens Community Park Hall, Lot 7302 DP 1018242) is in a bushfire buffer (yellow) and is in close proximity to Vegetation Category 1 bushfire prone land (red) (see <b>Figure 5</b> below).</p>  <p><b>Figure 5</b> – Bushfire prone land conditions applying to subject site (St Helens Community Park Hall, Lot 7302 DP 1018242) and surrounds. <i>Source:</i> NSW Planning Portal.</p> <p>As the proposal requests a minor alteration to pre-existing approved land uses which do not propose a physical change, the proposal is not inconsistent with Direction 4.3, however, the Direction requires that the relevant planning authority consult with the Commissioner of the NSW Rural Fire Service, following receipt of a gateway determination.</p> <p>The proposal notes that consultation with NSW RFS Commissioner will occur post-Gateway prior to public exhibition (in accordance with Direction 4.3(1)) and notes that a strategic bushfire assessment is not considered necessary for the site.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 5.1 Integrating Land Use and Transport	<i>Not applicable</i>	Direction 5.1 seeks to ensure development of built form, urban structures and land use is designed and managed to improve access to housing, jobs and services through reducing private vehicle reliance and improving access and availability of public and active transport.  The proposal is not inconsistent with the Direction as it does not propose changes to existing permitted uses which would interact with the integrated functioning of land use and transport, as set out under Direction 5.1.
Direction 5.2 Reserving Land for Public Purposes	<i>Not applicable</i>	Direction 5.2 seeks to facilitate the provision of public services through the reservation and/or removal of land for public purposes.  The proposal is not inconsistent with Direction 5.2 as the proposed changes do not seek to acquire or remove land for a public purpose, but instead to remove a floor space constraint on an existing permitted public use.
Direction 6.2 Caravan Parks and Manufactured Home Estates	<i>Not applicable</i>	Direction 6.2 seeks to provide for a variety of housing types, including providing opportunities for caravan parks and manufactures home estates.  The proposal is not inconsistent with Direction 6.2 as the proposed changes do not interact or propose changes which relate to this land use.
Direction 7.1 Employment zones	Consistent	Direction 7.1 seeks to encourage, protect and support the availability and growth of employment uses on employment zoned land.  The proposal is consistent with Direction 7.1 as the proposed changes seek to increase the permissible maximum floor space area for the use of the subject sites as places of public worship. This is consistent with objective (c) of the Direction as the proposed change will support the viability of the subject sites as community facilities.

### 3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

**Table 8 Assessment of planning proposal against relevant SEPPs**

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
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SEPP (Biodiversity and Conservation) 2021	Chapter 3 – Koala habitat protection 2020 Chapter 4 Koala habitat protection 2021 Chapter 6 - Water Catchments	Consistent	<p>Chapter 3 and 4 seek to manage land use development to protect and conserve koala habitat. As the proposal does not seek to alter the physical characteristics of the existing development consents, nor will the changes result in an increase in maximum capacity at the subject sites, no impacts to koala habitat are required to be managed and the proposal is consistent with these chapters.</p> <p>Chapter 6 seeks to manage land use development impacts on water catchments. As above, the proposal is not expected to result in any material change to the subject site. The proposal is consistent with s6.62 as the extension/expansion of the existing development consent granted for the subject sites will have a neutral effect on water quality in the Sydney Drinking Water Catchment.</p>
SEPP (Precincts— Western Parkland City) 2021	Chapter 3 – Sydney Region Growth Centres	Consistent	<p>Chapter 3 seeks to manage land use development within the Growth Centres identified in the Sydney Region.</p> <p>The proposed changes do not interact with any of the directions under the Chapter as the changes do not result in a material change to the subject sites nor does it increase the maximise capacity or alter the existing permissible uses granted development consent.</p>
SEPP (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	Consistent	<p>Chapter 2 seeks to manage the interaction between land use development with infrastructure provision.</p> <p>The proposed changes do not interact with the directions of this Chapter as no change to the existing permissible land use is proposed.</p>

## 4 Site-specific assessment

### 4.1 Environmental

The proposal is unlikely to result in any impact on the natural environment as the proposed changes do not seek a physical change to the subject sites. Any future development proposal would be required to address and mitigate any environmental impacts.



## 4.2 Social and economic

The proposal seeks to increase and improve the social benefits delivered by the 4 subject sites by removing spatial limitations on the use of the sites as places of public worship. These changes are anticipated to increase the use and function of the subject sites as places of public worship.

As the proposal is limited in scope to 4 sites, the proposal is not supported by a social or economic assessment.

The Department recommends that Campbelltown City Council include a summary of the expected social and economic benefits, to further support the strategic justification for the planning proposal.

## 4.3 Infrastructure

The proposal is limited to changing the spatial constraints applying to a single permitted land use. It is not expected that the proposed changes would impact on, or result in a need for, additional public infrastructure.

# 5 Consultation

## 5.1 Community

Council proposes a community consultation period of between 30 days.

An exhibition period of 20 days is considered appropriate, and forms the conditions of the Gateway determination.

## 5.2 Agencies

Council has nominated the public agencies to be consulted about the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- NSW Rural Fire Service (NSW RFS)
- Transport for NSW
- Department of Climate Change, Energy, the Environment and Water

# 6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

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

The Department recommends an LEP completion date of 15 November 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

## 7 Local plan-making authority

Council did not request delegation to be the Local Plan-Making authority.

As the planning proposal is minor in 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 planning proposal is the most appropriate and expeditious way of achieving the intended objectives and outcomes
- The planning proposal has demonstrated potential strategic and site-specific merit, subject to the recommended conditions and agency consultation.

As discussed in the previous sections 4 and 5, the proposal should be updated to include a summary of the social and economic benefits expected to be delivered by the proposal.

## 9 Recommendation

It is recommended the delegate of the Secretary:

- Note that the consistency with section 9.1 Directions 4.3 Planning for Bushfire Protection is unresolved and will require justification.

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

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated prior to exhibition to:
  - Include a summary of the social and economic benefits expected to be delivered by the proposal.
2. Prior to public exhibition, consultation is required with the following public authorities:
  - NSW Rural Fire Service (NSW RFS)
  - Transport for NSW
  - Department of Climate Change, Energy, the Environment and Water
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.
4. Given the nature of the planning proposal, it is recommended that the Gateway authorise Council to be the local plan-making authority.
5. The timeframe for the LEP to be completed is on or before 15 November 2025.



15/5/25

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