

Gateway Determination

Planning proposal (Department Ref: PP-2022-1874): amend the Camden Local Environmental Plan 2010 by introducing a provision to Schedule 2 Exempt Development to permit subdivision of a public road as exempt development for the purpose of road closure.

I, the Acting Director, Western, 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 Camden Local Environmental Plan 2010 to introduce a provision to Schedule 2 Exempt Development to permit subdivision of a public road as exempt development for the purpose of road closure, should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to indicate that the proposed provision may alter to satisfy legal drafting and to better enact the intent of the proposal.
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 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 14 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 within 2 months following the date of the gateway determination.

3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the EP&A Act.
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 (for example, in response to a submission or if reclassifying land).
5. 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.

6. The LEP should be completed on or before 24 March 2023.



8 July 2022

Naomi Moss
Acting Director Western, Metro West
Western Parkland City

Department of Planning and Environment

Delegate of the Minister for Planning