

Gateway Determination

Planning proposal (Department Ref: PP_2019_CAMPB_005_00): to consolidate Campbelltown City Council's non-standard environmental planning instruments into the Standard Instrument Local Environmental Plan being the Campbelltown Local Environmental Plan (LEP) 2015 and to improve readability.

I, the Acting Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry 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 (LEP) 2015 to provide greater alignment with the Western City District Plan and repeal the Campbelltown (Urban Area) Local Environmental Plan 2002, Campbelltown Local Environmental Plan – District 8 (Central Hills Lands), Interim Development Order No. 15, and Interim Development Order No. 29 should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:
 - (a) if the Glenfield Precinct is rezoned prior to the finalisation of this planning proposal then Amendment 1A is to be removed from the planning proposal;
 - (b) update Amendment 1B of the planning proposal to include:
 - i. further justification for the proposed SP2 Educational Establishment zoning including a comparison of the existing and proposed permissible uses on the sites; and
 - ii. if there is a loss of development potential, Council is required to either rezone the land to a more equivalent zone or include the additional development types as an additional permitted use;
 - (c) update Amendment 2 of the planning proposal to refer to the relevant biodiversity study or identify the biodiversity data used to map the terrestrial biodiversity;
 - (d) update Amendment 3 of the planning proposal to clarify the exclusion of the remainder of Blairmount from the proposed Scenic Hills Preservation Area Map;
 - (e) update Amendment 4 of the planning proposal to include further information on what is desired and proposed to be included for the health objectives;
 - (f) update Amendment 5B of the planning proposal to remove the savings and transition clause and insert a new subclause to provide an exception to the restriction in subclause 4.1C(3);
 - (g) update Amendment 5D of the planning proposal to provide further justification for the nominated FSR for attached dwellings;
 - (h) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process;
 - (i) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency;

- (j) update the consistency of the planning proposal with the relevant section 9.1 Directions as outlined in this report.
2. The revised planning proposal is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to public exhibition.
 3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
 4. Council is to inform all landowners affected by the deferred matter amendments in writing about the exhibition of the proposal, outlining the effect of the proposed changes.
 5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Greater Sydney Commission;
 - Camden Council;
 - Environment, Energy and Science Group within the Department of Planning, Industry and Environment; and
 - Sydney Water.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

6. 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 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).
7. Given the nature of the planning proposal, Council is not authorised to exercise delegation to make this plan.

8. Council is required to submit the planning proposal to the Department for finalisation prior to 1 July 2020.

Dated 4th day of February 2020.

**Catherine Van Laeren
Acting Executive Director, Central
River City and Western Parkland City
Greater Sydney, Place and
Infrastructure
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**