



## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_CAMPB\_004\_00): to prohibit multi-dwelling housing on land zoned R2 Low Density Residential.**

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 prohibit multi-dwelling housing on land zoned R2 Low Density Residential should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to:
  - (a) amend the format of the planning proposal so the cover page includes Council details and is appropriately dated, the words 'Submission for Gateway Determination' are removed, pages are numbered, and a contents page is added;
  - (b) include a large-scale map identifying the boundaries of the subject R2 Low Density Residential-zoned land;
  - (c) provide a quantitative analysis to assess the impacts of the proposal on housing diversity and supply, as follows:
    - i. the number of lots zoned R2 Low Density Residential under the Campbelltown LEP 2015;
    - ii. the number of potential lots that would become eligible for manor houses/multi-dwelling housing under the Low Rise Medium Density Housing Code in the R2 Low Density Residential zone, considering the SEPP exclusions (such as sites below the minimum lot size and land subject to heritage provisions);
    - iii. the number of multi-dwelling housing developments approved in the R2 Low Density Residential zone in the past five years;
    - iv. the number of lots zoned R2 in the Greater Macarthur Growth Area that are subject to this planning proposal and indicate reduced dwelling potential within that area that would occur as a result of the finalisation of the proposal;
  - (d) following review as required by condition (c) iv, amend the section of the planning proposal referring to Direction 7.2 Implementation of Greater Macarthur Land Release Investigation and, if necessary, seek the approval of the Secretary for any identified inconsistency with this Direction prior to finalisation of the plan;
  - (e) explain whether the proposal is supported by a housing strategy that has been developed in consultation with the community; and
  - (f) under Part 2 – Explanation of Provisions, include the intent, as part of this proposal, to introduce a new savings and transitional clause to ensure that proposed amendments do not affect any development applications or appeal processes.



## Planning & Environment

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 exhibition.
3. Council is to inform all affected landowners in writing about the exhibition of the proposal, outlining the effect of the proposed changes.
4. 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
5. Consultation is required with the NSW Land and Housing Corporation under section 3.34(2)(d) of the Act. NSW Land and Housing Corporation 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. The time frame for completing the LEP is by 1 July 2019.

Dated 15<sup>th</sup> day of October 2018.

  
**Stephen Murray**  
Executive Director, Regions  
Planning Services  
Department of Planning and Environment

**Delegate of the Greater Sydney Commission**



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

Attn: Mr David Smith

Dear Ms <sup>Lindy</sup>Deitz

**Planning proposal PP\_2018\_CAMPB\_004\_00 to amend Campbelltown Local Environmental Plan 2015**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) for the above planning proposal, which seeks to amend the Campbelltown Local Environmental Plan (LEP) 2015 in respect of the Low Rise Medium Density Housing Code.

Council's deferral of the code until 1 July 2019 gives it the opportunity to work closely with the community and industry to provide housing controls that reflect the character of the area.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Before the planning proposal can be exhibited, additional information is required to support and clearly explain the effect of the amendments on the community in relation to housing supply and diversity within the Campbelltown local government area (LGA). I have conditioned the determination accordingly.

This additional information is necessary to ensure a full understanding of the outcomes of changing the range of permissible uses in the R2 Low Density Residential zone under the Campbelltown LEP 2015 and how this may impact on the future provision of housing diversity in the LGA.

Council will need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 9.1 Direction 3.1 Residential Zones and write to all affected landowners about the exhibition of the planning proposal to explain the effect of the proposed changes.


Council will also need to provide additional information in relation to the proposal's consistency with Direction 7.2 Implementation of Greater Macarthur Land Release Investigation and the impacts of the proposal on the strategy for the Greater Macarthur area.

I have considered the nature of this planning proposal and given the implications it may have on state policy, I have decided not to authorise Council to be the local plan-making authority.

The proposal should be finalised by 1 July 2019 to coincide with the completion of the deferral period from the code. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

Should you have any further enquiries about this matter, I have arranged for Ms Chantelle Chow to assist you. Ms Chow can be contacted on 9860 1548.

Yours sincerely

 15 October 2018  
**Stephen Murray**  
**Executive Director, Regions**  
**Planning Services**

Encl: Gateway determination