



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

Dear Ms Deitz

Planning proposal PP_2020_CAMPB_006_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) regarding the planning proposal for 1 Kellicar Road; 1,3 and 4 Tindall Street (the Kellicar Precinct).

As delegate of the Minister for Planning and Public Spaces, 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 Secretary to comply with the requirements of relevant section 9.1 Directions 4.3 Flood Planning and 6.3 Site Specific Conditions. Council should ensure this occurs prior to public exhibition.

The planning proposal seeks to introduce a site-specific *clause 7.23 Development within the Kellicar Precinct* to control development of the subject site. The proposed clause contains provisions in relation to matters, such as building setbacks, building separation and height variations, that are more appropriate in the proposed site specific DCP. However, use of a local clause may be appropriate in relation to requirements for employment and community uses. Council will need to provide additional justification to support the inconsistency with section 9.1 Direction 6.3 Site Specific Conditions prior to exhibition.

The Gateway determination requires consultation with Transport for NSW, NSW Health and Environment, Energy and Science Group. As the site is located within the area covered by a potential Special Infrastructure Contribution plan could Council please request the proponent to initiate discussions with the Department. I would also appreciate if Council could raise the matter of State infrastructure needs generated by the proposal when consulting State Agencies and forward these submissions to the Department to assist in discussion with the proponent.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as the proposal is located within a potential Special Infrastructure Contributions area.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Dylan Meade to assist you. Mr Meade can be contacted on 4904 2718.

Yours sincerely

11/08/2020

Catherine Van Laeren
Executive Director
Central River City and Western Parkland City

Encl: Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2020_CAMPB_003_00): to enable increase in building heights up to 80m on land Kellicar Road, Campbelltown.

I, the 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 enable increase in building heights up to 80m on land Kellicar Road, Campbelltown should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal must be amended to:
 - (a) include the findings of a detailed flood impact assessment for the site and update the consistency of section 9.1 Direction 4.3 Flood Prone Land;
 - (b) reflect the transport and traffic assessment;
 - (c) update proposed Clause 7.23 by removing any provisions that are more appropriate for inclusion in the Development Control Plan and update the consistency with section 9.1 Direction 6.3 Site Specific Conditions; and
 - (d) exhibit the revised Development Control Plan for the site concurrently with the planning proposal.

2. 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 and Environment, 2018).

3. 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:
 - Transport for NSW;
 - NSW Health; and
 - Environment, Energy and Science Group.

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 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 time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 11th day of August 2020.

**Catherine Van Laeren
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**