

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

Attention: Mr Graham Pascoe

Dear Ms Deitz

Planning proposal PP_2018_CAMPB_002_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) and additional information received on date 7 May 2018, in respect of the planning proposal to rezone land fronting Evelyn Street, Macquarie Fields from E4 Environmental Living to R2 Low Density Residential, and amend the associated development standards.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 2.1 Environmental Protection Zones and 3.1 Residential Zones are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. If necessary, Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6

weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Greater Sydney Commission 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 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


29/5/18
Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

Encl: Gateway Determination
Local plan-making authority reporting template

Gateway Determination

Planning proposal (Department Ref: PP_2018_CAMPB_002_00): to rezone land fronting Evelyn Street, Macquarie Fields from E4 Environmental Living to R2 Low Density Residential.

I, the Director, Sydney Region West 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 rezone land fronting Evelyn Street, Macquarie Fields from E4 Environmental Living to R2 Low Density Residential and apply a maximum building height of 8.5m, a minimum lot size of 500sqm, a minimum lot size 700sqm for dual occupancy development, and remove the lot average provision of 1ha for the land, should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal or undertake further action, as follows:
 - (a) remove the words: 'Submission for Gateway Determination' from the cover of the proposal;
 - (b) correctly identify the land subject to the planning proposal by removing Lot 41 DP 62348 (No. 83A Evelyn Street) and Lot 1 DP853374 (No. 58 Wills Road) from page 4 of the proposal and including Lot 9 DP 852014 (No. 91 Evelyn Street) on that page;
 - (c) identify the number of additional dwellings created by the planning proposal;
 - (d) address consistency with Planning Priority W14: Protecting and enhancing bushland, of the Western City District Plan;
 - (e) remove the word 'draft' where appearing on pp.5/6.
 - (f) undertake investigatory action as proposed in the planning proposal to satisfactorily address State Environmental Planning Policy No.44 – Koala Habitat Protection and update the flora and fauna report, as necessary; and,
 - (g) consult with the NSW Rural Fire Service in accordance with Section 9.1 Direction 4.4 Planning for Bushfire Protection prior to exhibiting the planning proposal and determine consistency with this direction. If necessary, amend the planning proposal accordingly.
- Note: The approval of the Secretary for any inconsistency with the above Section 9.1 direction will be required prior to the finalisation of the planning proposal.
2. Prior to plan finalisation, Council is to give suitable consideration to ensuring that the proposal is consistent with State Environmental Planning Policy No.55 – Remediation of Land.

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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. Consultation is required with the following public authorities and / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Roads and Maritime Services
 - Transport for NSW
 - Sydney Water
 - Telstra
 - Endeavour Energy

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.
5. 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).
6. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

7. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 24th day of May 2018.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission