

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-3506): to rezone land fronting Evelyn Street, Macquarie Fields from E4 Environmental Living to R2 Low Density Residential.***

I, the Director Western, 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 rezone land fronting Evelyn Street, Macquarie Fields from E4 Environmental Living to R2 Low Density Residential should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to:
  - (a) update the Flora and Fauna Report to reflect the site boundary and proposed concept plan and:
    - i. determine if the site is host to koala habitat or core koala habitat and demonstrate consistency with: Section 9.1 Direction 2.1 Environmental Protection Zones; draft Cumberland Plain Conservation Plan - Important Koala Habitat; SEPP (Koala Habitat Protection) 2021; and Campbelltown City Council's Comprehensive Koala Plan of Management.
    - ii. show the proposed impacts to biodiversity values, and present options to address development impacts that will either minimise vegetation and threatened species or detail what is required in a formalised biodiversity offset strategy, and demonstrate consistency with SEPP No.19 Bush Land in Urban Areas and Clause 7.20 Terrestrial Biodiversity of LEP 2015.
  - (b) Update the Bush Fire Report to reflect the site boundary and proposed concept plan and demonstrate consistency with Planning for Bush Fire Protection 2019, and Section 9.1 Direction 4.4 Planning for Bush Fire.
2. Public exhibition is required to start prior to 1 November 2021, 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:
- NSW Rural Fire Service
  - Environment, Energy and Science Group
  - Transport for NSW
  - Sydney Water
  - Telstra
  - Endeavour Energy
  - Jemena

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

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 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.
6. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination. To ensure this timeframe is met, Council is required to publicly exhibit the planning proposal and report the proposal to Councillors for determination by 29 April 2022.

Dated 10 June 2021.



**Adrian Hohenzollern**  
**Director Western,**  
**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**