



Department of Planning, Housing and Infrastructure

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

Our ref: IRF24/1850

Dear Mrs Deitz

Planning proposal PP-2023-1344 to amend Campbelltown Local Environmental Plan 2015

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) which seeks to amend land use zoning, Height of Building (HOB) and Floor Space Ratio (FSR) controls to facilitate a redevelopment for Lot 1 DP 539856, 34 Queen Street, Campbelltown.

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.

As delegate of the Secretary, I have considered the applicable directions of the Minister under section 9.1 of the Act and determine that the inconsistency with section 9.1 Direction 7.1 Employment Land Zones is justified in accordance with the terms of the Direction. No further approval is required.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 4.1 Flooding.

I have determined not to authorise Council to be the local plan-making authority as the site is located within the Glenfield to Macarthur Urban Renewal Corridor.

The amending local environmental plan (LEP) is to be finalised on or before 30 September 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Sung Pak to assist you. Ms Pak can be contacted on 02 8289 6755.

Yours sincerely

16/9/2024

Chantelle Chow
Acting Director, Southern, Western & Macarthur Regions
Local Planning & Council Support

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP-2023-1344): to amend the land use zoning, Height of Buildings (HOB) and Floor Space Ratio (FSR) controls in the Campbelltown LEP 2015 to facilitate redevelopment for Lot 1 DP 539856, 34 Queen Street, Campbelltown.

I, the Acting Director, Southern, Western and Macarthur Regions at the Department of Planning, Housing and Infrastructure, 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 2015 to rezone land at 34 Queen Street, Campbelltown from MU1 Mixed Use to part MU1 Mixed Use (front) and part R4 High Density Residential (rear); amend the maximum building height control from 26m to 28m and 52m; and apply an FSR control of 2.85:1 should proceed subject to the following conditions.

Gateway Conditions

1. Prior to public exhibition, the planning proposal should be updated to further address the flooding impacts on the site including:
 - a) Existing and impacted flood behaviour, flood constraints and flood risk;
 - b) Consideration of changes due to the proposed development and climate change;
 - c) Consideration of how the site will maintain natural flood functions; and
 - d) Management of flood risk effectively including to future residents of the site.
2. Prior to public exhibition, the planning proposal is to be revised to address conditions 1 and forwarded to the Department for review and approval.
3. The draft site-specific development control plan for the site should be concurrently exhibited with the planning proposal.
4. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

5. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Transport for NSW
- Sydney Trains
- Department of Climate Change, Energy, the Environment and Water
- NSW State Emergency Service
- Sydney Water
- Endeavour Energy
- Department of Education
- South Western Sydney Local Health District
- NSW Environmental Protection Authority
- Department of Communities and Justice
- NSW Police

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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 LEP should be completed on or before 30 September 2025.

Dated 16 September 2024

Chantelle Chow
Acting Director, Southern, Western
and Macarthur Regions
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces