

Gateway Determination

Planning proposal (Department Ref: PP-2023-1943): to amend the Maximum Height of Buildings and Floor Space Ratio for 80 O'Sullivan Road – Campbelltown Local Environmental Plan 2015

I, the Director, Western at the Department of Planning 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 2015 should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be amended as follows and forwarded to the Minister under s 3.34(6) of the Act:
 - (a) Updated to remove all references to the previous B2 Local Centre zone and refer to the current MU1 Mixed Use zone; and
 - (b) Include further flood analysis in relation to the Probable Maximum Flood showing pre and post development scenario to determine risk and potential impact (this is to enable consideration of issues such as flood duration, velocity and safe evacuation and how these can be mitigated, prior to any final decision being made post exhibition).
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 is categorised as standard 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 20 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).

The planning proposal is to be exhibited 3 months from the date of the Gateway determination.

3. 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:
 - NSW Rural Fire Service;
 - Transport for NSW;
 - Sydney Water;
 - Endeavour Energy;

- School Infrastructure NSW;
- NSW Ministry of Health (South Western Sydney Local Health District); and
- 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 20 working 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 must be reported to Council for a final recommendation 6 months from the date of the Gateway determination.
6. The Council as planning proposal authority planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
7. The LEP should be completed on or before 12 July 2024.



10 October 2023

Adrian Hohenzollern
Director Western
Metro West
Department of Planning and
Environment

Delegate of the Minister for Planning
and Public Spaces