

Gateway Determination

Planning proposal (Department Ref: PP-2023-2012) allow for limited rural residential development and new conservation areas at the site known as Macarthur Grange.

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 to allow for limited rural residential development and new conservation areas at the site known as Macarthur Grange in Kearns should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be amended:
 - (a) to provide the current and proposed maps associated with the Land Reservation Map and Clause Application Map.
 - (b) to include additional information to clarify the intended management of the biodiversity on the site, particularly in relation to the potential public access and walking trails through conservation areas.
 - (c) to confirm if a secondary access to Macarthur Grange is proposed in the southern half of the site and the proposed location of this.
 - (d) as necessary following consultation with NSW Rural Fire Service required under Ministerial Direction 4.3 Planning for Bushfire Protection
2. 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 standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 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 Guidelines* (Department of Planning and Environment, 2022).

Exhibition must commence before the end of August 2024.
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 EP&A Act:
 - Transport for NSW
 - Environment and Heritage Group

- NSW Rural Fire Service
- DPE - Water
- Sydney Water
- Endeavour Energy
- Telstra
- Gas pipeline operators – Jemena and Gorodok Pty Ltd
- Camden Council

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 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 Council as 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.
6. The LEP should be completed on or before 6 December 2024.

Dated 6 December 2023



Adrian Hohenzollern
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Planning, Land Use Strategy &
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Delegate of the Minister for Planning and
Public Spaces