



## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_CAMPB\_003\_00):** to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 26m, 32m, 38.5m and 45m.

I, the Acting Executive Director, 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 amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 26m, 32m, 38.5m and 45m; apply a floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments (it is noted that the FSR is subject to change following further testing); insert a new local clause; and insert a requirement for a site-specific development control plan (DCP) that requires the site to be master planned should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:
  - (a) under the Introduction section of the proposal, identify the number of additional dwellings, jobs and commercial floor space, and carparking spaces generated by the proposal;
  - (b) under Part 2 – Explanation of Provisions, include the following:
    - i. where applicable, amend the proposed floor space ratio controls and building height(s) for the site based on Council's consideration of any additional findings;
    - ii. expand the description of the proposed clauses to explain in detail the intent of the controls;
    - iii. include a local clause, and plain English explanation, to permit structures higher than 1.5 metres to be erected on the open space areas within the subject site, provided such structures:
      - are open; and,
      - do not constitute a building; and,
      - are erected for shading and/or recreation purposes; and,
      - do not exceed three metres in height, measured from the existing ground level of the adjacent heritage item;and, clarify within the proposal whether development consent is proposed;
    - iv. include a note that the proposed clauses may be subject to change following legal drafting;
    - v. indicate that satisfactory arrangements for the site may apply to ensure contributions for State infrastructure is provided as the site is located within the Glenfield to Macarthur Urban Renewal Precinct; and in terms of Greater Macarthur 2040;

- (c) update the following studies supporting the planning proposal to reflect the proposed development controls:
    - i. urban design report, including the shadow diagrams;
    - ii. traffic and parking impact assessment;
    - iii. heritage impact statement;
    - iv. economic analysis, including the validation of the proposed commercial and retail floor space and an assessment of any impacts upon the core CBD;
    - v. landscape design report; and
    - vi. visual report to address the impacts on the internal public areas and surrounding area, in both the current low-scale environment and the transition to a high-density centre;
  - (d) prepare a social impact assessment to address the impacts of the proposal on the existing services;
  - (e) prepare a flood assessment to ensure that flooding impacts can be adequately mitigated and appropriate measures are proposed;
  - (f) explore options to increase the size of the proposed local open space, together with opportunities for increased solar access, and where found necessary, introduce amendments into the planning proposal;
  - (g) update the consistency of the planning proposal with section 9.1 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions;
  - (h) prepare a draft site-specific development control plan and concurrently exhibit this plan with the planning proposal addressing, but not limited to, the following matters:
    - i. green connections linking the adjacent school's open space with the adjoining heritage item;
    - ii. public pedestrian connectivity through the site and to the surrounding land;
    - iii. building separations and setbacks to the surrounding properties;
    - iv. interface with the adjacent State heritage item and school;
    - v. active street frontages and increased setbacks to Queen Street;
    - vi. deep soil landscaping and tree planting to enhance the public domain;
    - vii. adequate solar access to the plaza/open space and surrounding properties through building orientation and layout; and
    - viii. street pattern and orientation of the central access street and intersection arrangement with Queen Street.
2. The revised planning proposal is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to exhibition.
  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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016).

4. 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:

- Roads and Maritime Services;
- Transport for NSW;
- Environment, Energy and Science Group;
- Heritage Division at the Department of Premier and Cabinet;
- State Emergency Services;
- Department of Education and Communities;
- Department of Health;
- NSW Emergency Services;
- NSW Police;
- Sydney Water;
- Telstra;
- Jemena Gas; and
- 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 time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 17<sup>th</sup> day of January 2020.



**David McNamara**  
**Acting Executive Director, 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**