

## Appendix 12: Gateway Determination – 12 December 2021



PP-2021-7034/IRF21/4857

Mr Ron Moore  
General Manager  
Camden Council  
PO Box 183  
CAMDEN NSW 2570

Dear Mr Moore

**Planning proposal PP-2021-7034 to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to insert a new additional local provision into Part 6, Appendix 9 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) to facilitate an increased maximum building height for residential development surrounding Oran Park House.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 6.3 – *Site specific provisions* is justified in accordance with the terms of the Direction. No further approval is required in relation to this.

I have determined not to condition the Gateway determination for Council to be the local plan-making authority, as the proposal is for an amendment to the Growth Centres SEPP.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Neala Gautam to assist you. Ms Gautam can be contacted on 02 8289 6881.

Yours sincerely

12 December 2021

**Adrian Hohenzollern**  
**Director Western District**  
**Central River City and Western Parkland**  
Encl: Gateway determination

## Gateway Determination

**Planning proposal (Department Ref: PP\_2021-7034):** to amend the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) by inserting a new additional local provision under Part 6, Appendix 9 to facilitate an increase in maximum building height for residential development surrounding Oran Park House.

I, the Director Western District at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces and Minister for Transport and Roads, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Growth Centres SEPP to insert a new additional local provision to increase maximum building height for residential development surrounding Oran Park House should proceed subject to the following conditions:

1. Prior to public exhibition Council is to:
  - a. included a note in the planning proposal that indicates the proposed clause under Part 6 will be subject to legal drafting and the wording may alter under this process.
  - b. Amend the proposed Height of Building Map sheets (HOB\_004 and HOB\_009) to reflect the correct clause number for the new local provision under Part 6
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 must be made publicly available for a minimum of 14 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 Heritage NSW under section 3.34(2)(d) of the Act. Heritage NSW 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.
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 exhibited 2 months from the date of the Gateway determination
6. The planning proposal must be reported to council for a final recommendation 6 months from the date of the Gateway determination
7. The time frame for completing the LEP is to be 9 months following the date of the Gateway determination.

12 December 2021.



**Adrian Hohenzollern  
Director, Western District  
Central River City and Western  
Parkland  
Department of Planning, Industry and  
Environment**

**Delegate of the Minister for Planning  
and Public Spaces and Minister for  
Transport and Roads**