

Gateway Determination

Planning proposal (Department Ref: PP_2019_BLACK_004_00): to rezone land at Lots 1-8 SP 13502 and part lots 24 and 25 DP 11543, Alpha Street, Blacktown from B3 Commercial Core to RE1 Public Recreation, remove the height of building and floor space ratio controls for the land, and to identify the land for future acquisition.

I, the Acting Executive Director, Eastern Harbour 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 Blacktown Local Environmental Plan (LEP) 2015 to rezone land at Lots 1-8 SP 13502 and part lots 24 and 25 DP 11543, Alpha Street, Blacktown from B3 Commercial Core to RE1 Public Recreation, remove the height of building and floor space ratio controls, and to identify the land for future acquisition, should proceed subject to the following conditions:

1. Prior to exhibition, the proposal should be updated to:
 - a. identify the removal of the maximum height of building and floor space ratio controls and corresponding LEP mapping for the land;
 - b. address and expand on the consistency with the Central City District Plan Planning Priority C4;
 - c. consider the possibility of street elevations to clearly show the desired future character of the land, in particular the interaction between the RE1 zoned land and the potential future shopfronts to the south;
 - d. show an accurate and current project timeline; and
 - e. identify Council as the plan-making authority.
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 classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016) and 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, Industry and Environment 2016).

3. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act
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 authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 13th day of August 2019.



**Ann-Maree Carruthers
Acting Executive Director,
Eastern Harbour City
Department of Planning, Industry and
Environment**

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