

Mr Kerry Robinson
General Manager
PO Box 63
BLACKTOWN NSW 2148

Dear Mr Robinson

Planning proposal PP_2018_BLACK_005_00 to amend Blacktown Local Environmental Plan 2015

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 amend the zoning and reclassify land at 40 Kildare Road and Balmoral Street (Jim Filmer Reserve and part of Reserve 23).

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 6.2 Reserving Land for Public Purposes is of minor significance. No further approval is required in relation to this Direction.

It is noted that Council has requested to be authorised as the local plan-making authority. Delegation cannot be provided in this instance as the planning proposal is in relation to Council owned land.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 to the Department to draft and finalise the LEP should be made 8 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 Greater Sydney Commission 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 further enquiries about this matter, I have arranged for Ms Cho Cho Myint to assist you. Ms Myint can be contacted on (02) 9860 1507.

Yours sincerely



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

13/7/18

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2018_BLACK_005_00): to reclassify two Council owned land parcels from 'Community' to 'Operational' at 40 Kildare Road and Balmoral Street and part of Reserve 23, Balmoral Street, Blacktown, and rezone both land parcels from RE1 Public Recreation to R4 High Density Residential under the Blacktown Local Environmental Plan 2015.

I, the Director, Sydney Region West, Planning Services at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 reclassify two Council owned land parcels from 'Community' to 'Operational' and rezone both parcels from RE1 Public Recreation to R4 High Density Residential under the Blacktown LEP 2015, should proceed subject to the following conditions:

1. Community consultation 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities and the planning proposal is to be updated to include any comments received where appropriate:
 - Transport for NSW
 - Roads and Maritime Services (RMS)
 - Relevant electricity providing agency
 - Sydney Water
 - NSW Health

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.

3. 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 in relation to reclassifying land under other legislation.
4. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 13th day of July 2018.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission