

Mr Kerry Robinson
General Manager
Blacktown City Council
PO Box 63
BLACKTOWN NSW 2148

Attention: Chris Shannon

Dear Mr Robinson

**Planning proposal to amend Blacktown Local Environmental Plan 2015 –
Blacktown and Mount Druitt Village (PP_2017_BLACK_001_00)**

I am writing in response to Council's request of 23 December 2016 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act), in respect of a planning proposal to amend *Blacktown Local Environmental Plan (LEP) 2015* by rezoning land in the Blacktown and Mount Druitt CBD to B3 Commercial Core and B4 Mixed Use, and associated amendments.

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, that the planning proposal's inconsistencies with Section 117 Direction 4.3 Flood Prone Land is of minor significance. No further approval is required in relation to these Directions.

Plan making powers were delegated to Councils in October 2012. It is noted that Council has requested to be issued with authorisation to exercise the delegation for this planning proposal. I have considered the nature of Council's planning proposal and I have decided to not issue an authorisation for Council to exercise delegation to make this plan, in this instance.

The amending LEP is to be finalised within 12 months of the week following 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 and Environment to draft and finalise the LEP should be made 6 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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you wish to clarify my letter, please contact Mr Stuart McIntosh, Planning Officer, Sydney Region West, Planning Services, on (02) 9860 1551.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Catherine Van Laeren', with a small dot to its right.

12/04/17

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2017_BLACK_001_00): to amend Blacktown Local Environmental Plan 2015 by rezoning land in the Blacktown and Mount Druitt CBD to B3 Commercial Core and B4 Mixed Use, and increasing the height of buildings, removing the floor space ratio controls, and introducing Incentive of Height of Building Maps and a new clause to provide incentive heights for Key Sites and Gateway Sites in the subject area.

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 56(2) of the *Environmental Planning and Assessment Act 1979*, that an amendment to the *Blacktown Local Environmental Plan 2015* should proceed subject to the following conditions:

1. Prior to community consultation, Council is to amend the planning proposal, to:
 - (a) include an approximate maximum residential and commercial yield generated by the proposal in each CBD;
 - (b) remove references to Map 009 (page 31-34 of the proposal);
 - (c) include additional information on the capacity of community infrastructure for the proposed growth including the impacts on the following:
 - parks and public spaces;
 - community buildings including local schools and child care;
 - car parking, pedestrian links and cycleway; and
 - local road networks and railways stations;
 - (d) include shadow diagrams to identify the extent of overshadowing generated by the proposed height increases;
 - (e) include 3D massing models to demonstrate conceptual building envelopes generated by the proposal;
 - (f) identify a community consultation period of 28 days (Part 5 of the proposal); and
 - (g) include the Development Guideline for the Architectural Design Competition.

The amended proposal is to be submitted to the Department for information purposes.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning 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).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Transport for NSW - Sydney Trains;
 - Transport for NSW - Roads and Maritime Services;
 - Energy Australia;
 - Sydney Water; and
 - Telstra.

Each public authority 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 56(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).
5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 12th day of April 2017



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission