

Blacktown Local Environmental Plan 1988 (Amendment No 233) - Planning Proposal to adjust zonings of land at Riverbank Drive and The Ponds Boulevard, The Ponds.

Proposal Title : **Blacktown Local Environmental Plan 1988 (Amendment No 233) - Planning Proposal to adjust zonings of land at Riverbank Drive and The Ponds Boulevard, The Ponds.**

Proposal Summary : **The Planning Proposal seeks to:**

- Rezone Lot 1071 DP 1119679 from 3(a) General Business to 5(a) Special Uses;
- Rezone Lot 1074 DP 1119679 from 5(a) Special Uses to 3(a) General Business;
- Rezone Part of Lot 1075 DP 1119679 from 2(a) Residential to 3(a) General Business; and
- Delete Clause 20(c)(3) under the Blacktown LEP 1988.

PP Number : **PP_2011_BLACK_007_00**

Dop File No : **11/21234**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 3.1 Residential Zones
 - 3.2 Caravan Parks and Manufactured Home Estates
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 6.1 Approval and Referral Requirements
 - 6.3 Site Specific Provisions
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the Planning Proposal proceed with the following conditions**

CONDITIONS

1. The Director General determine that the inconsistency with Direction 3.1 - Residential Zone is of minor significance.

2. A revised planning proposal is to be submitted to the Department's regional team prior to community consultation incorporating the following changes:

(a) A revised explanation of provisions which:

- reflect the objectives of the Planning Proposal; and
- replace the terminology of "realign" with "changing".

(b) Include an outline and description on the increase in retail area (both in net site area and available development opportunity) as a result of the rezoning.

(c) Amend map (Figure 2) clearly identifying the sites with legible property description.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for 14 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

Blacktown Local Environmental Plan 1988 (Amendment No 233) - Planning Proposal to adjust zonings of land at Riverbank Drive and The Ponds Boulevard, The Ponds.

4. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act:

- Road and Transport Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

1. The rezoning will assist in achieving employment targets in the North West Subregion.
2. The rezoning of the site is consistent with both State and local strategic framework and is likely to have minimal environmental, social and economic on the locality.
3. The deletion of Clause 20(c)(3) of the Blacktown Local Environmental Plan is unlikely to jeopardise the viability of any existing centres.
4. The rezoning will provide shopping opportunities for residents of the Pond estate and will reduce the need for local residents to travel to undertake their daily needs.

Panel Recommendation

Recommendation Date : 08-Dec-2011

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is revise the planning proposal as follows:
 - a. Provide a more detailed explanation of the objectives of the planning proposal which include providing additional retail floor space on the subject site;
 - b. Replace terminology in the planning proposal relating to the retail component from 'adjusting' the amount of floor space to 'changing' the amount of retail floor space;
 - c. Provide additional information relating to the increase in retail area that will be provided as a result of the proposed zone amendments;
 - d. Replace terminology in the planning proposal relating to zoning from 'realigning' zone boundaries to 'changing' the zoning of the subject sites;
 - e. Update mapping to clearly identify the site subject to the planning proposal, proposed zone changes, and property descriptions.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Roads and Traffic Authority (RTA)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

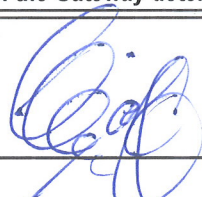
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4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____



Neil McGaffin

Date: _____

14.12.11