

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

15/16242

Dear Mr Robinson *Kerry*

Planning proposal to amend Blacktown LEP 2015 (Amendment No 2)

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act), concerning rezoning of land at Lot 1268 DP 803528, Denis Winston Drive, Doonside from R2 Low Density Residential to E2 Environmental Conservation Zone.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I note that Council seeks to rezone the whole site as E2 Environmental Conservation to conserve the site's ecological values. I understand that part of the site is cleared. In this context the Gateway determination also requires Council to consider and assess whether any part of the site is suitable to accommodate additional uses. The outcome of this assessment should be reflected in the planning proposal when exhibited. The council should consider relevant principles set out in the recent Northern Councils E Zone Review Final Recommendations Report in making that assessment.

The Minister delegated plan making powers to councils in October 2012. I have considered the local nature of Council's planning proposal and have decided to issue an authorisation for delegation in this instance.

The amending Local Environmental Plan (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 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 Minister may take action under section 54(2) (d) of the *Environmental Planning & Assessment Act 1979* if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Rachel Cumming, Director, Metropolitan Region (Parramatta) office on 02 9860 1174.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

08/01/2016
Department of Planning & Environment



Gateway Determination

Planning proposal (Department Ref: PP_2015_BLACK_003_00): to amend Blacktown Local Environmental Plan 2015 by rezoning of land at Lot 1268 DP 803528, Denis Winston Drive, Doonside from R2 Low Density Residential to E2 Environmental Conservation Zone, amend development standards corresponding to the proposed changes in land use.

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), that the proposal should proceed subject to the following conditions:

1. Council is to consider and assess whether any part of the site is suitable to accommodate additional use and should reflect this in the planning proposal when exhibited.
2. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be publicly exhibited for a minimum of 28 days.
 - (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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans (Department of Planning and Environment 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Office of Environment and Heritage
 - Department of Education and Communities

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 in relation to this matter by any person or body under section 52(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 local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated 8th day of January 2016.

Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Minister for Planning