

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

Dear Mr Robinson

Planning proposal PP_2019_BLACK_003_00 to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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) and additional information received on 29 January 2019 in respect of the planning proposal to purpose of planning proposal.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Direction 1.1 Business and Industrial Zones and 2.3 Heritage Conservation is justified in accordance with the terms of the Direction. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the alteration of land reserved for public purposes on the basis that the rezoning reconciles the land to be acquired with reconfigured land uses. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 4.3 Flood Prone Land. Council should ensure this occurs prior to finalisation.

I have determined not to condition the Gateway for Council to be the local plan-making authority as the planning proposal seeks to amend a State Policy.

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 for the Department of Planning and Environment to draft and finalise the LEP should be made eight 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 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 Mr Dimitri Gotsis to assist you. Mr Gotsis can be contacted on 8217 2053.

Yours sincerely



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

23/4/2019

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2019_BLACK_003_00): to amend the Growth Centres SEPP for land at Veron Road, Schofields.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* for land at Veron Road, Schofields should proceed subject to the following conditions:

1. Prior to finalisation, Council is to confirm that the planning proposal is capable of complying with section 9.1 Direction 4.3 Flood Prone Land.
2. Prior to finalisation, the proponent and Roads and Maritime Services must resolve the need for the SP2 zoned road on the eastern boundary of the site along the T1 Rail corridor.
3. Public exhibition 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).
4. Consultation is required with the following public authorities / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Department of Education;
 - Roads and Maritime Services;
 - Transport for NSW;
 - State Emergency Services;
 - Office of Environment and Heritage – Heritage Division; and
 - Office of Environment and Heritage.

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.

5. 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).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.
7. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.

Dated 23rd day of April 2019.



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

Delegate of the Minister for Planning
and Public Spaces