



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

16/02379

Attention: Wint Khin Zaw

Dear Mr Robinson

Draft Blacktown LEP 2015 (Draft Amendment to State Environmental Planning Policy (Sydney Growth Centres) 2006 (PP_2016_BLACK_001_00))

I am writing in response to Council's request of 8 January 2016 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act), in respect of the planning proposal to amend State Environmental Planning Policy (Sydney Growth Centres) 2006 to rezone land at (part of Lots 1 and 2 in DP 218794) at Junction Road, Riverstone from SP2 Infrastructure (Local Drainage) to E2 Environmental Conservation.

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 agreed that the planning proposal's inconsistency with item (8) of Section 117(2) Direction – 6.2 Reserving Land for Public Purposes, is of a minor significance. No further approval is required in relation to this direction.

Plan making powers were delegated to councils in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal to amend the State Environmental Planning Policy (Sydney Growth Centres) 2006 and have not issued an authorisation for Council to exercise delegation to make this plan.

I note that Council proposes to rezone the entire privately owned land to E2 zone. This contains the riparian corridor and the adjoining land. The Department agrees with the riparian land being rezoned to E2. However, it is noted the planning proposal has no information on Council's consideration of the remaining land for E2 zone. Considering the restrictive nature of the proposed E2 zone, Council is requested to investigate and assess whether any part of the site, not within the riparian corridor is

suitable to accommodate additional uses. Council is to amend and update the planning proposal, if required and for submission to the Department.


Further, Council's planning proposal has stated the site is flood prone, however, there is no information in the planning proposal of the extent of flood, suitability of additional uses or justification as to why a floodplain risk management plan has not been prepared as required by Section 117 Direction Flood Prone Land. Council is requested to consider the proposal's consistency with the requirements of the direction and accordingly amend and update the planning proposal, if necessary.

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 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.

If you have any queries in regard to this matter, please contact Cho Cho Myint of Sydney Region West office on 02 9860 1507.

Yours sincerely

 19 February 2016
Stephen Murray
Acting Executive Director
Regions
Planning Services



Gateway Determination

Planning proposal (Department Ref: PP_2016_Black_001_00): Draft Amendment to Blacktown Local Environment Plan 2015 to amend State Environmental Planning Policy (Sydney Growth Centres) to rezone land at (part of Lots 1 and 2 in DP 218794) Junction Road, Riverstone from SP2 Infrastructure (Local Drainage) to E2 Environmental Conservation zone.

I, the Acting Executive Director, Regions, 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* (EP&A Act), to amend State Environmental Planning Policy (Sydney Growth Centres) 2006 to rezone land at (part of Lots 1 and 2 in DP 218794) at Junction Road, Riverstone from SP2 Infrastructure (Local Drainage) to E2 Environmental Conservation should proceed subject to the following conditions:

1. Prior to community consultation, Council is to further investigate the suitability of E2 zoning and assess whether any part of the site outside the riparian corridor is suitable for a different zone to accommodate additional use, and submit the outcomes of the investigation.
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 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 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 – Environment Protection Authority
 - Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and be 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 19th day of February 2016.


Stephen Murray
Acting Executive Director
Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission