

17/03536

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 –
Rezoning and reclassification Alpha Park (PP_2017_BLACK_003_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 reclassifying land at Alpha Park to operational and rezoning land to B4 Mixed Use and increasing the height of buildings.

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.

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 as the planning proposal will require the Governor's approval to remove public status and discharge interests affecting public land, delegation to Council to exercise plan making functions cannot be given.

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.

If you have any questions, please contact Mr Stuart McIntosh, Planning Officer, Sydney Region West, Planning Services, on (02) 9860 1551.

Yours sincerely



Catherine Van Laeren 21/4/17
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2017_BLACK_003_00): to amend *Blacktown Local Environmental Plan 2015* by reclassifying land at Alpha Park to operational and rezoning land to B4 Mixed Use and increasing the height of buildings.

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. address Section 117 Direction 6.2 Reserving Land for Public Places and the checklist in Practice Note PN 16-001;
 - b. update solar access and shadow diagrams to show the surrounding development; and
 - c. included dwellings and employment estimates.

The amended planning proposal is to be forwarded to the Department for endorsement prior to commencing exhibition.

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).
 - c. a copy of practice note 16-001 is to be included in the public exhibition materials.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Endeavour Energy;
 - Transport for NSW - Roads and Maritime Services;
 - 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 its obligation to conduct a public hearing regarding reclassifying land.
5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 21st day of April 2017



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

Delegate of the Greater Sydney
Commission