

Mr Kerry Robinson  
General Manager  
Blacktown City Council  
62 Flushcombe Road  
BLACKTOWN NSW 2148

Dear Mr Robinson

**Planning proposal to amend Blacktown Local Environmental Plan 2015  
(PP\_2018\_BLACK\_004\_00)**

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 24 April 2018 in respect of the planning proposal to amend Blacktown LEP 2015 to revitalise Riverstone Town Centre.

As delegate of the Greater Sydney Commission, 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 inconsistency with section 9.1 Direction 1.1 Business and Industrial Zone is justified in accordance with the terms of the Direction.

In relation to section 9.1 Direction 4.3 Flood Prone Land, the Gateway determination requires Council to prepare a flood study to ensure the suitability of proposed zoning. The study should be prepared in consultation with the NSW State Emergency Service, Infrastructure NSW (Flood Risk Directorate) and Roads and Maritime Services. Council is to obtain the agreement of the Secretary in relation to this Direction prior to finalisation, and seek the Department's endorsement of any revised proposal prior to community consultation.

I have considered the nature of Council's planning proposal and have determined not to condition the Gateway for Council to be the local plan-making authority in this instance.

The amending LEP is to be finalised within 18 months of the date of the Gateway determination. Council should aim to commence the flood study in consultation with the above agencies as soon as possible.

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 act 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 Ms Cho Cho Myint to assist you. Ms Myint can be contacted on 98601507.

Yours sincerely



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**

6/8/18

Encl: Gateway Determination

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_BLACK\_004\_00): to amend Blacktown Local Environmental Plan 2015 to revitalise the Riverstone Town Centre***

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 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Blacktown Local Environmental Plan (LEP) 2015 to revitalise the Riverstone Town Centre bounded by King, Piccadilly and Elizabeth Streets and Riverstone Parade, Riverstone should proceed subject to the following conditions:

1. Prior to public exhibition, Council is required to:
  - (a) prepare a flood study in consultation with the NSW SES, Infrastructure NSW (Flood Risk Directorate) and the RMS;
  - (b) consult with the Government Architect of NSW and obtain the endorsement of the Secretary (or delegate) for the proposed Design Excellence Guidelines;
  - (c) work with the Department to refine infrastructure funding, undertake sensitivity testing and consider if contributions towards State and Regional Infrastructure should be captured;
  - (d) clarify that the proposed new incentive clause, to be inserted into Part 7 of the Blacktown LEP 2015 is only a draft clause to state Council's intent and is subject to changes when the LEP is finalised by Parliamentary Counsel; and
  - (e) submit a revised proposal to the Department for endorsement.
2. 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).
3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and to comply with the requirements of relevant section 9.1 Directions:
  - Sydney Water
  - Office of Environment and Heritage
  - Transport for NSW
  - Transport for NSW – Roads and Maritime Services
  - Relevant service providers;

- NSW SES;
- Infrastructure NSW (Flood Risk Directorate); and
- Government Architect of NSW.

Each public authority or 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.

4. 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).
5. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated                      6<sup>th</sup> day of August 2018.



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and Environment**  
  
**Delegate of the Greater Sydney Commission**