

File no: RZ-11-1348/2

20 March 2014

Tony Polvere
CT Group
GPO Box 4399
SYDNEY NSW 2000

Dear Tony,

**Planning Proposal to amend Blacktown LEP 1988/Draft Blacktown LEP 2013 -
Cnr Vardys and Sunnyholt Roads, Kings Langley (Lot 1 DP 1097685)**

I write to confirm that Council has received the following Planning Proposals in relation the abovementioned land:

1. Planning Proposal dated November 2013, seeking a dual zoning (i.e. R3 Medium Density Residential for the northern half of the site and R4 High Density Residential for the southern half of the site) and a dual height control (i.e. 9 metres and 16 metres respectively).
2. Planning Proposal dated December 2013, seeking to zone the entire site R4 High Density Residential with a dual height control (i.e. 9 metres for the northern part of the site and 16 metres for the southern half of the site).

Council notes in your email of 5 December 2013 you request that the second Planning Proposal replace the earlier one.

I wish to advise that this Planning Proposal is not supported by Council as it is inconsistent with the scale of development recommended by the Sydney West Joint Regional Planning Panel (JRPP) on 27 August 2013 and endorsed by the Department of Planning and Infrastructure (P&I).

As you are aware, in a letter dated 24 September 2013, the Deputy Director General, as delegate of the Minister, requested that Council prepare a Planning Proposal under section 55 of the *Environmental Planning and Assessment Act 1979* and submit the Planning Proposal to P&I for Gateway Determination. The letter clearly stipulates that the proposal must reflect the building typology recommended by the JRPP, being:

- *Two (2) storey town house typology on that section of the site generally on the northern side of the existing watercourse, interfacing with Evan Place*
- *Three (3) storey residential unit typology to Vardys Road and the southern element of Sunnyholt Road frontages, rising to four (4) storeys where appropriately recessed, on that section of the site generally south of the existing watercourse.*

The latter Planning Proposal acknowledges the above requirement yet seeks to rezone the entire site R4 High Density Residential. Multi-dwelling houses (i.e. 2 storey townhouses) are not permitted in the R4 Zone.

As the nominated Relevant Planning Authority, Council has a responsibility to ensure the content of the Planning Proposals is accurate, current and sufficient for the issuing of a Gateway Determination and detailed enough for the purposes of consulting with agencies and the general community. Further, in correspondence from Planning and Infrastructure dated 5 March 2014, Council has been advised to:

"amend the planning proposal to reflect the JRPP's recommendation. That is, the northern section of the land being zoned R3 Medium Density Residential with height limitation of two storeys and the southern section being zoned R4 High Density Residential with a height limitation of up to 4 storeys."

Council will therefore only proceed with a rezoning request which is consistent with the Pre-Gateway Determination. In this regard, the document dated December 2013 should be amended to reflect the reduced scale of development recommended by the JRPP, as well as P&I Guidelines on how to prepare a Planning Proposal.

For your assistance, Council will provide you with a broad outline of the types of amendments necessary to the submitted Planning Proposal to enable this matter to progress. In the event an amended Planning Proposal is not received within 14 days from receipt of Council's suggested amendments, Council Officers will proceed with referral of the document to P&I for a Gateway Determination.

In addition, Council Officers note that the initial fee of \$10,000 for the Planning Proposal for 2 storey town house typology on the northern part of the site and 3 – 4 storey residential flat building typology to Vardys Road remains outstanding. In accordance with Council's resolution at its Ordinary Meeting of 30 October 2013, the Planning Proposal will not be placed on public exhibition until payment of this fee.

Should you have any queries or concerns in relation to this matter, please contact Council's Team Leader, Planning Policy, Sue Galt on 9839 6126.

Yours faithfully,



Trevor Taylor
MANAGER DEVELOPMENT POLICY AND REGULATION