



Our ref: 16/12803
Your ref: MA2016/0003

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

Attention: Brian Malouf

Dear Mr Robinson

Planning proposal to amend Blacktown LEP 2015 (Amendment No 5)

I am writing in response to your Council's request of 7 September 2016 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to allow 'recreation facilities (outdoor)' as an additional permitted use on land owned by Blacktown Workers Sports Club (the Club) at 215-221 (Lot 14 Sec 4 DP6796 and Lot 10 DP818679) Walters Road, Arndell Park.

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 the planning proposal's inconsistencies with Section 117(2) Directions Direction 1.1 Business and Industrial zones, 2.1 Environment Protection Zones, 4.3 Flood Prone Land and 6.3. Site Specific Provisions, are of a minor significance. No further approval is required in relation to these Directions. However, prior to public exhibition, Council is to update the planning proposal to demonstrate consistency of the planning proposal with Section 117 Direction 3.4 Integrating Land use and Transport. The updated planning proposal must be submitted to the Department prior to community consultation.

I understand that recent subdivisions have occurred on the site and the land descriptions need to be confirmed prior to community consultation.

The Minister delegated his plan making powers to councils in October 2012. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

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 Minister 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 the Sydney Region West office on 02 9860 1507.

Yours sincerely,



14/10/16

Catherine Van Laeren
Director
Sydney Region West
Planning Services
Delegate of the Greater Sydney Commission

Gateway Determination

Planning proposal (Department Ref: PP_2016_BLACK_006_00): to amend Blacktown Local Environmental Plan 2015 to allow 'recreation facilities (outdoor)' as an additional permitted use on land owned by Blacktown Workers Sports Club (the Club) at 215-221 (Lot 14 Sec 4 DP6796 and Lot 10 DP818679) Walters Road, Arndell Park.

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* (EP&A Act), that the proposal should proceed subject to the following conditions:

1. Prior to community consultation, Council is to:
 - (a) update the planning proposal to establish consistency (or justify any inconsistency) of the planning proposal with Section 117 Direction 3.4 Integrating Land use and Transport; and
 - (b) confirm the land descriptions subject to the planning proposal.
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 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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans (Department of Planning and Environment, as updated in 2016)*.
3. The Secretary's delegate pursuant to:
 - (a) item (5) (d) of section 117(2) Direction – 1.1 Business and Industrial Zones;
 - (b) Item (6)(d) of Section 117(2) Environment Protection Zones;
 - (b) item (9)(b) of the Section 117(2) Direction – 4.3 Flood Prone Land; and
 - (c) item (6) of the Section 117(2) Direction – 6.3 Site Specific Provisions

agrees that the provisions of the planning proposal that are inconsistent are of minor significance.

4. 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:

Transport for NSW – Roads and Maritime Services
Endeavour Energy
Jemena Gas West
Office of Environment and Heritage
NSW Department of Primary Industries (Water)
Sydney Catchment Management Authority
Sydney Water
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.

5. 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).
6. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated day of September 2016.



14/10/16

Catherine Van Laeren
Director
Sydney Region West
Planning Services
Delegate of the Greater Sydney Commission

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Blacktown City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_BLACK_006_00	Planning proposal to amend Blacktown Local Environmental Plan 2015 to allow 'recreation facilities (outdoor)' as an additional permitted use on land owned by Blacktown Workers Sports Club (the Club) at 215-221 (Lot 14 Sec 4 DP6796 and Lot 10 DP818679) Walters Road, Arndell Park.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated

2016



14/10/16

Catherine Van Laeren
Director
Sydney Region West
Planning Services

Delegate of the Greater Sydney Commission

Delegated plan making reporting template

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2016_BLACK_006_00
Date Sent to DoP&E under s56	7 September 2016
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: