



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

Dear Mr Robinson

Planning proposal PP_2018_BLACK_010_00 to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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) in respect of the planning proposal to increase the maximum building height from 16m to 26m where it applies to land at 34-72 Tallawong Road, Rouse Hill.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

In relation to section 9.1 Direction 2.3 Heritage Conservation further information is required to address consistency with this direction. Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of this requirement.

I have also determined not to use an authorisation to exercise delegation to finalise the plan as the planning proposal is to amend the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of 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 8 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 for Planning may take action 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 Mr Rodger Roppolo to assist you. Mr Roppolo can be contacted on 8289 6876.

Yours sincerely



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2018_BLACK_010_00): to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 by amending the height of building controls from 16m to 26m for land at 34-72 Tallawong Road, Rouse Hill.

I, the Director, Sydney Region West, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to amend the height of building controls from 16m to 26m for land at 34-72 Tallawong Road, Rouse Hill should proceed subject to the following conditions:

1. The planning proposal shall be updated to:
 - (a) address any need for open space and community infrastructure for the additional residential yield;
 - (b) address any potential impact of the additional height on the view corridors from Rouse Hill House and Estate; and
 - (c) assess the proposals consistency with section 9.1 Direction 2.3 Heritage Conservation.
2. The revised planning proposal should be forwarded to the Department for review and approval prior to exhibition.
3. 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).

4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Roads and Maritime Services;
- Transport for NSW;
- NSW Department of Education;
- Sydney Living Museums; and
- Relevant utility and service providers.

Each public authority/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.

5. 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).
6. The authorisation to exercise delegation for local plan-making authority not be granted as the planning proposal relates to a State Environmental Planning Policy.
7. The time frame for completing the Plan is to be **9 months** following the date of the Gateway determination.

Dated 23rd day of January 2019.



Ann-Maree Carruthers
Director
Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning