



Planning

COPY

Mr Alan Stoneham
General Manager
Penrith City Council
PO Box 60
PENRITH NSW 2751

Dear Mr Stoneham,

Re: Draft Penrith LEP (Environmental Heritage Conservation) 2010.

I refer to the above LEP, and your advice that it will not be finalised and be able to be made prior to 1 July 2010 as required for making of draft plans where a S65 certificate has been issued prior to 1 July 2009, under the previous provisions of the EP&A Act.

I am writing to notify you that I have determined (as the delegate of the Director-General) under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the EP&A Act now apply.

Furthermore I have, as the delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 to the EP&A Act to dispense with all the conditions precedent up to section 58 of the EP&A Act for the making of this draft LEP. Given that the draft LEP has already been exhibited, the draft LEP may now be submitted to the Director-General for finalisation.

As part of this determination Council must ensure that the draft LEP can be published within 3 months of the week following the date of this letter. You should note that 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.

Should you have any queries in regard to this matter, please contact Derryn John of the Sydney West Office of the Department on (02) 9873 8543.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
(as delegate of the Minister and the Director-General)