

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

Attention: Mr Matthew Rose

Dear Mr Stoneham

Planning Proposal to reclassify 26 lots from 'community' land to 'operational' land at St Marys.

I refer to Council's letter requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Penrith Local Environmental Plan 2010 to reclassify 26 parcels of land from 'community' land to 'operational' land at St Marys.

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

I have considered Council's request to exercise the Minister's plan making functions. As the planning proposal requires the Governor's approval to extinguish interests on certain lots of land, I am unable to delegate the Minister's plan making functions in this instance.

The Gateway determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal is in a form that can be made available for community consultation.

A copy of Practice Note PN09-003 should also be included with the exhibition material. I note that Council is awaiting confirmation regarding property details of one of the lots proposed to be reclassified. Council should update the planning proposal with this information prior to publicly exhibiting the 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 within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (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 s54(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 Tessa Parmeter, of the Metropolitan (Parramatta) Office of the Department of Planning and Environment on 9860 1555.

Yours sincerely

R Cumming
10/6/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)
Planning Services

Gateway Determination

Planning Proposal (Department Ref: PP_2015_PENRI_002_00): to amend the Penrith Local Environmental Plan 2010 to reclassify 26 lots of Council owned land from 'community' land to 'operational' land at St Marys.

I, the Director, Metropolitan Region (Parramatta), as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Penrith Local Environmental Plan 2010 should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
 - a. provide property details for Kokoda Place, and address the matters identified in Attachment 2 of PN09-003 for the site. If required, Council should consult the Land and Property Information and Roads and Maritime Services; and address the planning proposal's consistency with Section 117 Direction 6.2 – Reserving Land for Public Purposes.
 - b. Confirm in Appendix 4, the property name or property description for Kokoda Court, and include the property details for Kokoda Place.
 2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
 - (a) the planning proposal must be made publicly available 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 planning proposals as identified in Section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013).
 3. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act 1979:
 - Office of Strategic Lands
- Each relevant 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.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. However a public hearing is required to be held into the matter in accordance with the Department's practice note PN09-003 as the planning proposal involves the reclassification of land from community to operational.
 5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 10th day of June 2015.



Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services

Delegate of the Minister for Planning

PP_2015_PENRI_002_00