



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

Our ref: 16/02705  
Your ref: ECM 7340451

Dear Mr Stoneham *Alan*

**Penrith Local Environmental Plan 2010 (Amendment No. 14)**

I refer to Council's submission under the *Environmental Planning and Assessment Act 1979* (the Act), requesting the Greater Sydney Commission make Penrith Local Environmental Plan (LEP) 2010 (Amendment No. 14).

I am writing to notify you that as the Greater Sydney Commission's delegate, I have made the LEP Amendment under section 59(2) of the Act, and under section 34(5) it will take effect when published on the NSW Legislation website.

As a result of the preliminary investigation into the Penrith CBD Flood Evacuation, sites 1, 2, 3, 5, 9 and 10 have been deferred from the plan due the potential flood and evacuation risks. To progress these sites, it will be necessary for Council, in conjunction with the State Emergency Services, to adequately address the flood risk and evacuation. You are advised that further community consultation to progress these sites will not be required by the Department unless there are substantial changes to proposed planning controls as outlined in the Gateway determination issued on the 14 April 2016.

In making the Plan, the definition of 'community infrastructure' has been amended to be consistent with the requirements of the Act by removing the requirement for public use of the facility.

Further increases in residential density in the CBD will require resolution of evacuation planning. I encourage Council to continue to work with Hawkesbury-Nepean Taskforce, Roads and Maritime Services, and State Emergency Services on this matter.

Further, I note that Council intends to undertake a review of development controls within the Penrith City Centre. As part of this review, I advise that Council should consult RMS with a view to undertaking a traffic and capacity study of the road network within the City centre in this review.

Should you have any questions regarding this matter, I have arranged for Catherine Van Laeren, Director, Sydney Region West of the Department to assist you. Mrs Van Laeren may be contacted on telephone number (02) 9860 1520.

Yours sincerely

Marcus Ray  
Acting Deputy Secretary  
Growth Design and Programs

*21/06/2017*