



PENRITH

PLANNING PROPOSAL

DEFERRED MATTERS FROM PENRITH LOCAL
ENVIRONMENTAL PLAN 2010

PENRITH
CITY COUNCIL

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Executive Summary

Amendment 4 to *Penrith Local Environmental Plan (LEP) 2010* became law on 28 January 2015 and commenced on 25 February 2015. This LEP sets out the land use and planning controls for most of the City, including the City's residential and commercial areas. However, certain areas were deferred from the LEP by the Minister for Planning to enable further community consultation to occur. These areas are broadly:

- Land in Werrington Business Park and French Street, Werrington;
- Land in Glossop Street and Chapel Street, St Marys;
- Additional lands identified in the Hornseywood Heritage Conservation Area; and
- Additional lands required by the Roads and Maritime Services for road widening.

This Planning Proposal has been prepared to enable further community consultation on the deferred matters and subsequent inclusion of these areas into Penrith LEP 2010.

The Planning Proposal will also enable the development of a business park at Werrington. The business park will be within the catchments of key transport infrastructure, major institutions such as the University of Western Sydney and the Western Sydney Institute of TAFE, as well as the catchments of Penrith City Centre and Kingswood.

Introduction

A. Background

Amendment 4 to *Penrith Local Environmental Plan (LEP) 2010* became law on 28 January 2015 and commenced on 25 February 2015. This LEP sets out the land use and planning controls for most of the City. However, in making the LEP, certain matters were deferred by the Minister for Planning to enable further community consultation to occur.

A Gateway Determination was issued by the Department of Planning and Environment (DP&E) on 18 May 2015 under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) which determined that the Planning Proposal should proceed to public exhibition subject to the conditions of the Gateway Determination. The Gateway Determination is included in **Appendix 1**.

B. Purpose of the Planning Proposal

The purpose of this Planning Proposal is to undertake further community consultation on the matters deferred from Penrith LEP 2010 and subsequently, to enable the inclusion of these areas into Penrith LEP 2010 so that a single LEP applies to the City. In order for this to occur, an amendment to Penrith LEP 2010 is necessary.

This Planning Proposal has been prepared in accordance with Section 55 of the Act and relevant DP&E guidelines, including “*A guide to preparing local environmental plans*” and “*A guide to preparing planning proposals*”.

C. Deferred Matters of Planning Proposal

Generally, the deferred matters apply to the following lands:

- Land in Werrington Business Park, Werrington;
- Land in French Street, Werrington, known as the Werrington Signals Site;
- Land in Glossop Street, St Marys (east of Glossop Street and south of Chapel Street);
- Land in Castlereagh Street, Penrith in the Hornseywood Heritage Conservation Area; and
- Land in Claremont Meadows and Orchard Hills required by the Roads and Maritime Services (RMS) for road widening.

Specifically, the deferred matters apply to the following properties:

Precinct	Properties
Werrington Business Park	▪ Part Lot 100, DP 1194481, Great Western Highway, Werrington. ▪ Part Lot 56, DP 1069025, 731-739 Great Western Highway, Werrington. ▪ Part Lot 101, DP 1140594, 653-729 Great Western Highway, Werrington. ▪ Part Lot 50, DP 1069025, French Street, Werrington.
Werrington Signals Site	▪ Lots 57 and 58, DP 1069025, 741-753 and 755-769 Great Western Highway, Werrington. ▪ Part Lot 50, DP 1069025, French Street, Werrington.
Glossop Street Precinct, St Marys	▪ Lot 1B, DP 396619, 83 Hobart Street, St Marys.

Precinct	Properties
	▪ Lot 1A, DP 396619, 96 Glossop Street, St Marys. ▪ Lots 2 and 3, DP 9969, 98 and 100 Glossop Street, St Marys. ▪ SP40701 and SP633347, 102a Glossop Street, St Marys ▪ Lots 5 and 6, DP 9969, 104 and 106 Glossop Street, St Marys ▪ Part SP 82152, 13 Australia Street, St Marys ▪ Part Lot 877, DP 1119527, 15 Australia Street, St Marys ▪ Part SP 86744, 17 Australia Street, St Marys ▪ Lots 100, 101 and 102 DP 1181750, 114, 116 and 118 Glossop Street, St Marys ▪ Lot 13, DP 9969, 120 Glossop Street, St Marys ▪ SP 84253, 171 – 173 Brisbane Street, St Marys ▪ Lot 14B, DP 407719, 169 Brisbane Street, St Marys ▪ Lot 150, DP 1156890, 124 Glossop Street, St Marys ▪ Lots 16 - 19, DP 9969, 126, 128, 130 and 132 Glossop Street, St Marys ▪ SP 72950, 134 Glossop Street, St Marys ▪ Lots 21 – 23, DP 9969, 136, 138 and 140 Glossop Street, St Marys ▪ SP 83512, 142-144 Glossop Street, St Marys ▪ Lot 87, DP 35970, 2 Chapel Street, St Marys ▪ Lot 86, DP 35970, 4 Chapel Street, St Marys ▪ Lot 85, DP 35970, 6 Chapel Street, St Marys ▪ Lot 84, DP 35970, 8 Chapel Street, St Marys ▪ Lot 83, DP 35970, 10 Chapel Street, St Marys ▪ Lot 82, DP 35970, 12 Chapel Street, St Marys ▪ Lot 81, DP 35970, 14 Chapel Street, St Marys ▪ Lot 80, DP 35970, 16 Chapel Street, St Marys ▪ Lot 79, DP 35970, 18 Chapel Street, St Marys ▪ Lot 78, DP 35970, 20 Chapel Street, St Marys ▪ Lot 77, DP 35970, 22 Chapel Street, St Marys ▪ Lot 132, DP 872756, 31 Lethbridge Street, St Marys ▪ Lot 131, DP 872756, 24 Chapel Street, St Marys ▪ Lot L, DP 90858, 26 Chapel Street, St Marys ▪ Lot K, DP 37987, 28 Chapel Street, St Marys ▪ Lot J, DP 37987, 30 Chapel Street, St Marys ▪ Lot 1, DP 1203872, 32 Chapel Street, St Marys ▪ Lot F, DP 37987, 36 Chapel Street, St Marys ▪ SP 67052, 38-40 Chapel Street, St Marys ▪ Lot 3, DP 157408, 42 Chapel Street, St Marys ▪ Lot 2, DP 157408, 26 Gidley Street, St Marys ▪ Lot 1, DP 157408, 28 Gidley Street, St Marys
Additional lands in Hornseywood Heritage Conservation Area	▪ Lot 41, DP 809919, 34 Castlereagh Street, Penrith. ▪ Lot 1, DP 929966, 32 Castlereagh Street, Penrith. ▪ Lot B, DP 408431, 13 Castlereagh Street, Penrith. ▪ Lot 910, DP 771823, 15-17 Castlereagh Street, Penrith.
Additional lands required by the Roads and Maritime Services (RMS)	Land adjacent to: ▪ 34 – 102 Gipps Street, Claremont Meadows (Lot 11, DP 1194036)

Precinct	Properties
	61-69 Blackwood Street, Claremont Meadows (Lots 208, 207, 206, 205 and 204, DP DP 1192955). 332-338 Caddens Road, Orchard Hills (Lot 40, DP 1195683). 52-56 Kent Road, Orchard Hills (Lot 10, DP 1195473). Note: The above property description reflects that the lands required by the RMS have now been acquired and are part of Gipps Street.

D. Current Planning Controls

The deferred areas in Werrington and St Marys are currently subject to the provisions of *Penrith LEP 1998 (Urban Land)* and *Penrith LEP 1991 (Environmental Heritage Conservation)*.

The Hornseywood Heritage Conservation Area and the additional lands required by the RMS for road widening are subject to the provisions of Penrith LEP 2010.

Penrith Development Control Plan (DCP) 2014, which took effect on 17 April 2015, provides additional planning and design guidelines for development across the City, including the deferred areas. Penrith DCP 2014 will continue to apply to these areas once they have been incorporated into Penrith LEP 2010.

E. Planning Controls Previously Exhibited

The deferred areas in Werrington and St Marys were previously exhibited as part of Stage 2 of Penrith LEP 2010 from 13 May 2013 until 5 July 2013.

At that time, the Werrington Signals Site and the University of Western Sydney campuses at Kingswood and Werrington were exhibited entirely as B7 Business Park. However, Council, at its Ordinary Meeting of 25 November 2013, resolved to delay its decision on the land proposed to be zoned B7 Business Park and to organise a stakeholder meeting involving Council, relevant landowners, the Penrith Business Alliance and representatives from the (then) Department of Planning and Infrastructure to investigate and test an alternative selection of appropriate land use zones. Following the completion of this analysis, Council, at its Ordinary Meeting of 28 April 2014, resolved to zone the Werrington Signals Site to R3 Medium Density Residential, E2 Environmental Conservation and B7 Business Park. Justification of this decision is discussed in Part 3 of this document.

The land east of Glossop Street and south of Chapel Street in St Marys (that is subject to this Planning Proposal) was exhibited as R4 High Density Residential with maximum building heights of 12m and 15m. During the exhibition period, Council received a number of submissions from the community opposing high density housing in St Marys, concerned about the negative impact on the area's character, the lack of sufficient infrastructure and the impact on property values. A number of submissions also requested that the maximum building height in Brock Avenue, St Marys (south of Chapel Street) be reduced to 8.5m. Subsequently, Council, at its Ordinary Meeting of 25 November 2013, resolved that the land east of Glossop Street and south of Chapel Street be rezoned to R3 Medium Density Residential with a maximum building height of 8.5m. This land is on the fringes of a larger area generally bounded by Gidley, Chapel and Glossop Streets and the Western Railway Line, which was exhibited and is now zoned as R4 High

Density Residential in Penrith LEP 2010. Amending the exhibited zone boundaries so that the land east of Glossop Street and south of Chapel Street is zoned R3 Medium Density Residential will only result in a small reduction of the area exhibited as R4 High Density Residential, and remains consistent with Council's centres based strategy of providing high density housing close to St Marys Town Centre and Railway Station.

Further, amending the boundaries so the area zoned R4 High Density Residential is west of Glossop Street and north of Chapel Street will result in zone boundaries that align with existing roads. This will provide a better urban design outcome when this area is developed for high density housing in the future. Further justification of this decision is also discussed in Part 3 of this document.

Part 1 – Objectives or Intended Outcomes

The objectives of this Planning Proposal are to:

- a) undertake further community consultation on the matters deferred from Penrith LEP 2010;
and
- b) rezone the deferred areas or amend some of the provisions relating to them for inclusion in Penrith LEP 2010.

Part 2 – Explanation of Provisions

The intended outcome is to amend Penrith LEP 2010 to include the deferred matters in Penrith LEP 2010. This involves rezoning or amending some of the provisions relating to the deferred areas.

Amendments are proposed to the following maps of Penrith LEP 2010:

- Land Application Map
- Clause Application Map
- Land Zoning Map
- Height of Buildings Map
- Lot Size Map
- Heritage Map
- Land Reservation Acquisition Map

The amending LEP maps are included in **Appendix 2**.

A new clause is also proposed in Part 7 of Penrith LEP 2010.

2.1 Land Application Map

The Land Application Map (as published) excludes the deferred areas at Werrington and St Marys. Therefore, this map is proposed to be amended to include the deferred areas, which are subject to this Planning Proposal.

2.2 Clause Application Map

The Penrith Health and Education Precinct (PHEP), as currently shown on the Clause Application Map, only applies to the land in and around the Nepean Hospital.

The Clause Application Map is proposed to be amended to also include the following additional land to the area marked as “Penrith Health and Education Precinct”:

- Part Lot 56, DP 1069025, 731-739 Great Western Highway, Werrington.
- Part Lot 50, DP 1069025, French Street, Werrington.
- Lot 101, DP 1140594, 653-729 Great Western Highway, Werrington.
- Part Lot 100, DP 1194481, Great Western Highway, Werrington.

2.3 Land Zoning Map

2.3.1 Current zoning of deferred areas in Werrington and St Marys

The deferred areas in Werrington and St Marys are currently zoned under the provisions of *Penrith LEP 1998 (Urban Land)*. The current zones that apply are:

- **Werrington** 5(a) Special Uses and 10(b) Mixed Use – Employment (refer to **Figure 1**).
- **St Marys:** 2(c) Residential (Low – Medium Density) and 2(d) Residential (Medium Density) (refer to **Figure 2**).

Figure 1: Current zoning of deferred area at Werrington

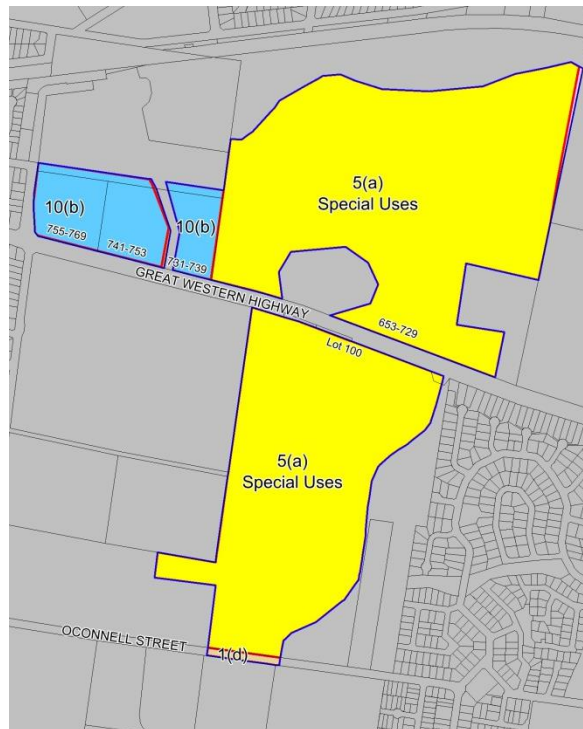


Figure 2: Current zoning of deferred area at St Marys



2.3.2 Proposed Zoning

The land use zones proposed for the deferred areas at Werrington and St Marys are:

- B7 Business Park and R3 Medium Density Residential at Werrington (refer to **Figure 3**).
- R3 Medium Density Residential at St Marys (refer to **Figure 4**).

Tiles LZN_013 and LZN_019 are proposed to be amended.

Figure 3: Proposed zoning to deferred lands in Werrington

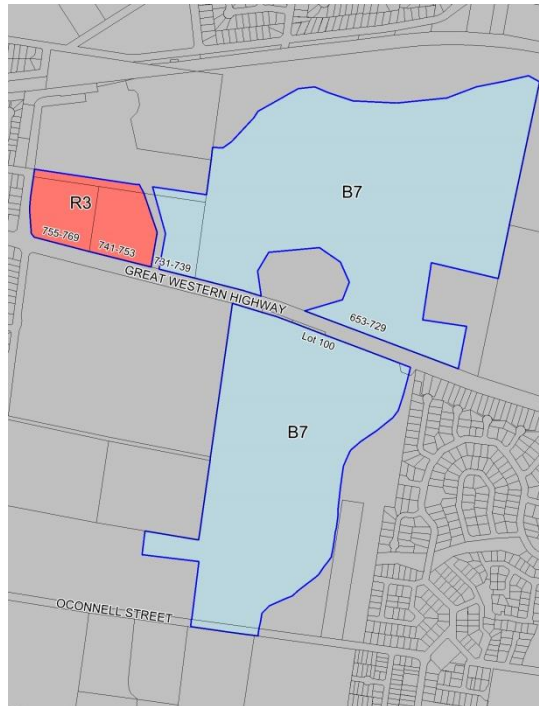


Figure 4: Proposed zoning of deferred lands in St Marys



The additional properties identified for the Hornseywood Heritage Conservation Area and those lands required by the RMS are already zoned under Penrith LEP 2010. Therefore, no zoning changes are proposed for these properties.

2.4 Height of Buildings Map

The following building heights are proposed for the deferred areas at Werrington and St Marys:

- 12.5m for the land proposed as B7 Business Park.
- 8.5m for the land proposed as R3 Medium Density Residential.

Refer to **Figures 5 and 6**. Tiles HOB_013 and HOB_019 are proposed to be amended.

Figure 5: Proposed building heights for deferred area of Werrington

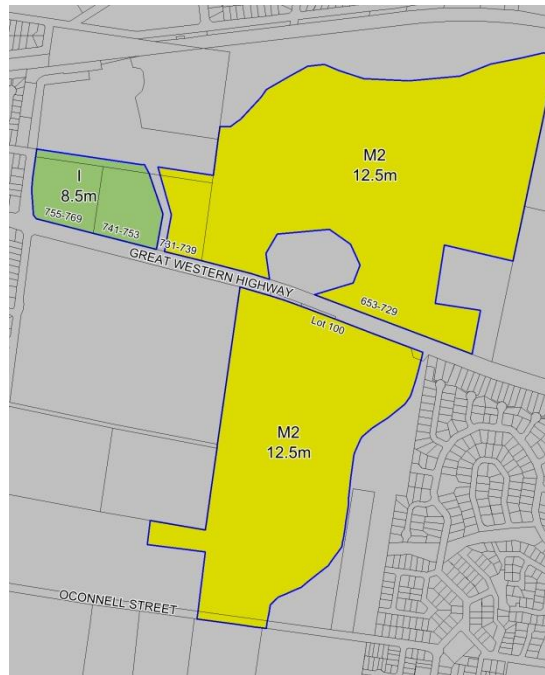
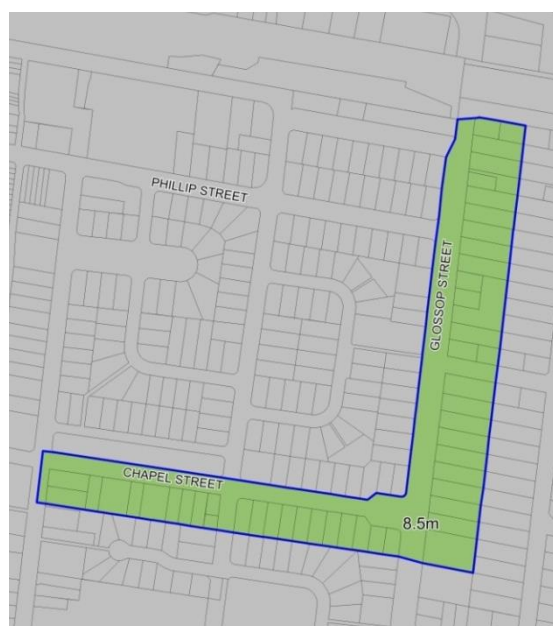


Figure 6: Proposed building height in deferred area of St Marys



As there is no proposal to rezone the additional properties identified for the Hornseywood Heritage Conservation Area or the additional lands required by the RMS, no changes are proposed for the height of buildings for these properties.

2.5 Lot Size Map

No minimum lot size is proposed for the deferred area at Werrington proposed as B7 Business Park. A 400m² minimum lot size is proposed for the deferred areas at Werrington and St Marys proposed as R3 Medium Density Residential.

Refer to **Figures 7 and 8**. Tiles LSZ_013 and LSZ_019 are proposed to be amended.

Figure 7: Proposed lot size for deferred area of Werrington

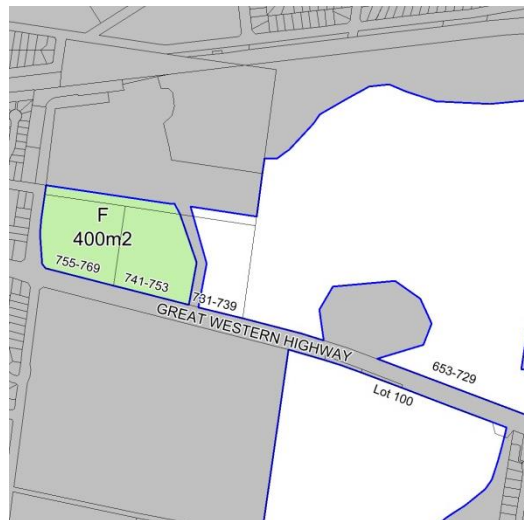
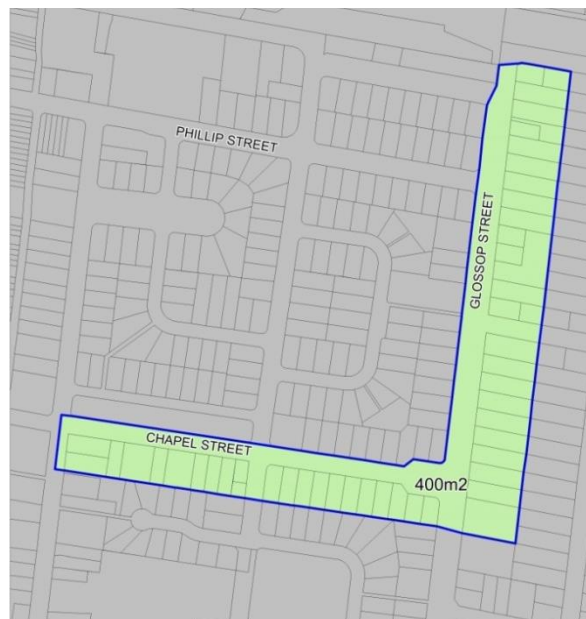


Figure 8: Proposed lot size for deferred area of St Marys



As there is no proposal to rezone the additional properties identified for the Hornseywood Heritage Conservation Area or the additional lands required by the RMS, no changes are proposed for the Lot Size Map for these properties.

2.6 Heritage Map

The Heritage Map is proposed to be amended to incorporate the entire property at Lot 101, DP 1140594, 653-729 Great Western Highway, Werrington (Werrington Park House) as heritage item '315'. The Heritage Map is also proposed to be amended to include the additional properties in the Hornseywood Heritage Conservation Area.

Werrington Park House

The Werrington Park House, garden and poplar avenue is currently listed as item 315 within Schedule 5 of Penrith LEP 2010. The listing refers to the entire property at 653 – 729, Great Western Highway, Werrington but is only mapped to reflect that part of the property currently zoned under Penrith LEP 2010. The property is also identified as a heritage item under *Penrith LEP 1991 (Environmental Heritage Conservation)*. This LEP currently applies to that part of the property deferred under Penrith LEP 2010.

This Planning Proposal proposes to consolidate all of the property into Penrith LEP 2010, as heritage item 315. No amendment to Schedule 5 of Penrith LEP 2010 is required as the current description is adequate.

Refer to **Figures 9 and 10** for the current and proposed heritage mapping of Item 315.

Figure 9: Current Heritage Map for Item 315

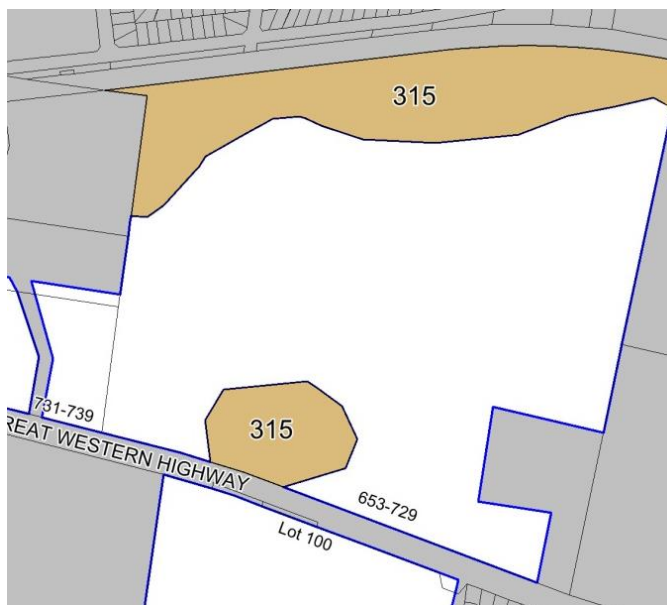
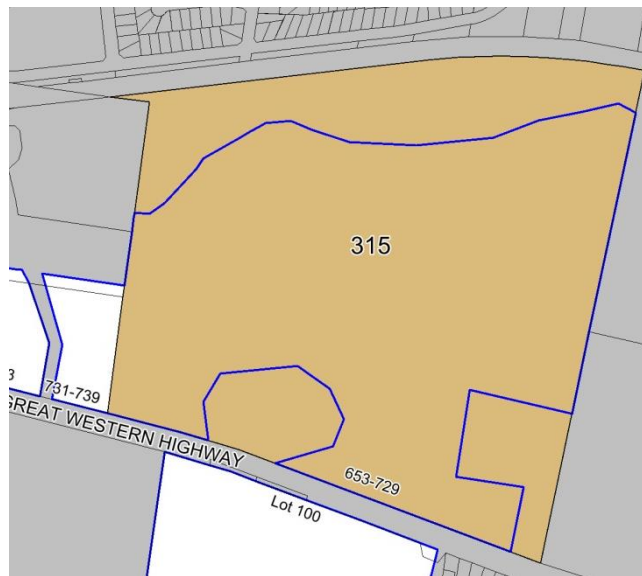


Figure 10: Proposed heritage listing of entire property as Item 315.



Hornseywood Heritage Conservation Area

The Planning Proposal proposes to expand the Hornseywood Heritage Conservation Area in Penrith by including the following properties in the heritage conservation area:

- 13 Castlereagh Street, Penrith.
- 15 – 17 Castlereagh Street, Penrith.
- 32 Castlereagh Street, Penrith.
- 34 Castlereagh Street, Penrith.

These additions will ensure consistency with Council's *Heritage Study (2007)*.

The Hornseywood Heritage Conservation Area is currently mapped as "HCA1" and crosses Tiles HER_006 and HER_013. However, the proposed additional properties to be included in the Hornseywood Heritage Conservation Area are located entirely within Tile HER_013. Therefore, only Tile HER_013 is proposed to be amended.

An amendment to Schedule 5 of Penrith LEP 2010 is not proposed as the description of the Hornseywood Heritage Conservation Area refers to the Heritage Map.

The current and proposed Hornseywood Heritage Conservation Area is shown on **Figures 11 and 12**.

Figure 11: Current Hornseywood Heritage Conservation Area

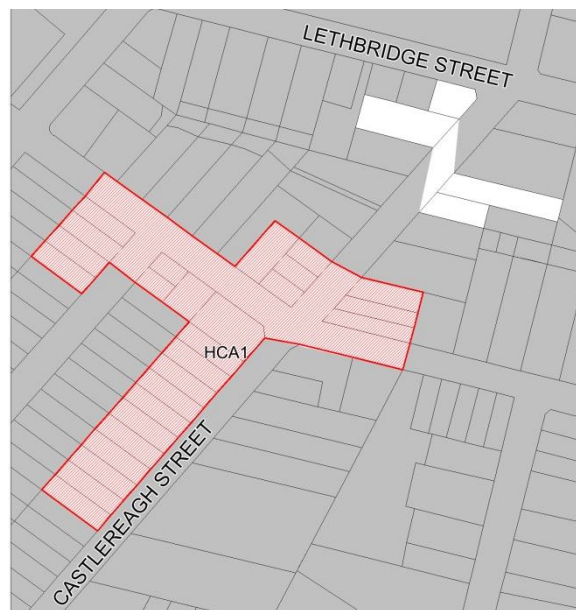
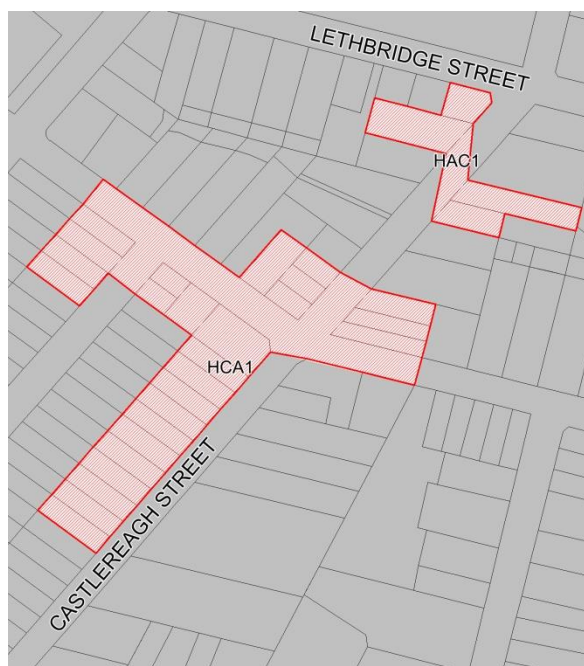


Figure 12: Proposed Hornseywood Heritage Conservation Area



2.6 Land Reservation Acquisition Map

Following the exhibition of Stage 2 of Penrith LEP 2010 in 2013, the RMS identified additional lands for acquisition, which are required to be identified on the Land Reservation Acquisition Map. These lands are adjacent to the following properties:

- 34 – 102 Gipps Street, Claremont Meadows (Lot 11, DP 1194036)

- 61-69 Blackwood Street, Claremont Meadows (Lots 208, 207, 206, 205 and 204, DP DP 1192955).
- 332-338 Caddens Road, Orchard Hills (Lot 40, DP 1195683)
- 52-56 Kent Road, Orchard Hills (Lot 10, DP 1195473)

The land for acquisition is mapped in **Figure 13**.

As this request was made after the conclusion of the LEP exhibition, the Minister for Planning determined that the owners of the (then) affected properties needed to be re-notified, and subsequently, deferred the identification of the land for acquisition from the publication of Amendment 4 to Penrith LEP 2010. This requirement is included in the Gateway Determination issued by the DP&E on 18 May 2015.

The RMS has now acquired the relevant land. The land, however, has been included in the Planning Proposal to satisfy the requirements of the Gateway Determination.

Tile 13 (LRA_013) is proposed to be amended.

Figure 13: Additional land required by the RMS



2.8 Additional Local Provisions

A new clause is proposed in Part 7 of Penrith LEP 2010 to manage the development of warehouse and distribution centres on the land proposed as B7 Business Park within the Werrington Business Park.

The following clause is proposed:

7.24 Warehouses and Distribution Centres on land zoned B7 Business Park

- (1) The objective of this clause is to promote business activity within land zoned B7 Business Park that comprises higher order health, cultural and high technology industries.*
- (2) This clause applies to all land zoned B7 Business Park on the [Land Zoning Map](#).*
- (3) Development consent must not be granted to development for the purposes of warehouse or distribution centres unless they are ancillary to higher order health, cultural and technology industries and occupy no more than 50% of the gross floor area of the development.*

Warehouse and distribution centres need to be managed because these types of development generally have low employment densities. Council's intent, consistent with the objectives of the B7 zone, is to encourage and maximise employment opportunities within the Business Park. It is also important that these types of development do not compete with the higher order health, cultural and high technology uses that this Business Park aims to promote.

Part 3 – Justification

SECTION A – NEED FOR THE PLANNING PROPOSAL

(1) Is the planning proposal the result of any strategic study or report?

The Planning Proposal is not the result of any strategic study or report. The amendments included in this Planning Proposal are those matters which were deferred from Penrith LEP 2010 (Amendment 4) by the Minister for Planning for further community consultation.

(2) Is the planning proposal the best way of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the best means of achieving the objectives and intended outcomes. The proposed changes will result in the inclusion of the deferred matters in Penrith LEP 2010 after additional community consultation has occurred.

In addition, the Planning Proposal will enable the deferred matters to be included in an LEP prepared in accordance with the NSW Standard LEP Instrument. The deferred areas in Werrington and St Marys are currently subject to *Penrith LEP 1998 (Urban Land)* and *Penrith LEP 1991 (Environmental Heritage Conservation)*. These LEPs were prepared well before the Standard LEP Instrument was introduced in 2006. Therefore, the deferred areas at Werrington and St Marys are currently subject to planning controls which are not consistent with the Standard LEP Instrument.

Unless the changes are initiated through a planning proposal, these areas will continue to be subject to the provisions of *Penrith LEP 1998 (Urban Land)* and *Penrith LEP 1991 (Environmental Heritage Conservation)*, which are inconsistent with the Standard LEP Instrument. The Planning Proposal will enable a single, City-wide LEP to apply to most of the land in Penrith City.

SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

(3) Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?

The following regional and subregional strategies are applicable:

- A Plan for Growing Sydney
- Draft North West Subregional Strategy

A Plan for Growing Sydney (December 2014)

In December 2014, the NSW Government released *A Plan for Growing Sydney* (the Metropolitan Strategy) which is the NSW Government's 20-year plan for the Sydney Metropolitan Area. Penrith is identified as a Regional City in the Metropolitan Strategy.

The Plan consists of a number of directions and actions focused around four goals:

- **Economy:** A competitive economy with world class services and transport.
- **Housing:** A city of housing choice with homes that meet our needs and lifestyles.
- **Liveability:** A great place to live with communities that are strong, healthy and well connected.

- **Environment:** A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Planning Proposal is broadly consistent with the intended outcomes and actions of the Metropolitan Strategy. The Planning Proposal's consistency with the applicable directions are detailed below.

Goal 1: A competitive economy with world-class services and transport

The Planning Proposal is consistent with the objectives of **Goal 1**, which aims to sustain strong growth for Sydney, improve its productivity and foster higher living standards.

Applicable directions and the Planning Proposal's consistency with these directions are:

- **Direction 1.7: Grow Strategic Centres – providing more jobs closer to home.**

This direction aims to concentrate office development in strategic centres that are easy to get to, benefit businesses and provide the opportunity for workers to access specialist jobs.

The PHEP has been identified as a 'strategic centre' in the Metropolitan Strategy. The Planning Proposal will zone approximately 73.5 hectares of land in Werrington to B7 Business Park to provide higher order employment opportunities that contribute to, and benefit from, its proximity to the University of Western Sydney (Kingswood/Werrington Campus) (UWS), the Western Sydney Institute of TAFE and the Nepean River.

The B7 Business Park zone also permits a range of land uses to create higher order employment opportunities in health, cultural and creative enterprises. This will contribute to meeting the State Government's target of 689,000 new jobs by 2031.

The previous metropolitan plan for Sydney, *Metropolitan Plan for Sydney 2036* (released in 2010), provided criteria for business park locations, which are relevant. These criteria include:

- access to public transport corridors (preferably rail);
- links to freight corridors and major transport nodes;
- a land area of 50 – 180 hectares to allow expansion to accommodate 8,000 – 40,000 employees;
- proximity to workforce (within 30 minutes commute); and
- have a relationship to adjoining economic infrastructure, such as hospitals, universities, educational facilities, research institutes or clusters of knowledge-based activity.

The proposed zoning of the UWS campuses at Kingswood and Werrington to B7 Business Park satisfies the above criteria as it:

- has access to the Western Railway Line and can be accessed by Werrington Railway Station;
- has links to nearby freight corridors and transport nodes such as the Great Western Highway and the M4 Motorway;
- has an area of over 70 hectares;
- has access to a large workforce within a 30 minute commute; and
- has a relationship to the UWS, TAFE and Nepean Hospital.

The proposed R3 Medium Density Residential zone in part of the Werrington Signals Site will enable increased housing capacity adjacent to the business park to provide diverse housing opportunities in the area and co-locate housing and employment. The zoning of 6.1 hectares of

land, previously exhibited as B7 Business Park, will not affect the benchmark for land area set by the above criteria, as the proposed business park will still have an area of over 70 hectares. The business park is capable of generating substantial employment opportunities by permitting a range of uses relating to the health, cultural and high technology industries with large floor spaces. The proposed reduction in the B7 Business Park zone will not significantly impact on the total potential employment yield of the business park. The proposed clause to manage warehouse and distribution centres will also contribute to maximising employment opportunities within the business park.

- **Direction 1.9: Support Priority Economic Sectors.**

This direction aims to create a setting for sufficient well-located and well-serviced land to be available to meet the needs of identified priority economic sectors including creative industries, digital economy (such as information technology and communications technology), professional services and international education and research.

This Planning Proposal is consistent with this direction as it promotes health, cultural and high technology industries in the Werrington Business Park supported by a range of development that relates to university activities, creative and cultural industries, and business incubators.

- **Direction 1.10: Plan for education and health services to meet Sydney's growing needs.**

The aim of this direction is to identify future land use needs and supporting infrastructure for new or expanded services. In particular, schools, tertiary education facilities and health facilities will be required to meet the needs of Sydney's growing and changing population.

This Planning Proposal is consistent with this direction as it supports the growth of complementary health and tertiary education activities in the strategic centre of the PHEP. The proposed B7 zoning in the Werrington Business Park is considered to best implement the results of Council's planning exercises for the Werrington Enterprise Living and Learning (WELL) Precinct and the 2011 Strategic Vision for the PHEP. It will permit a range of land uses that support the creation of higher order employment opportunities in health, cultural and creative enterprises. This will enable planning controls which encourage and promote clusters of related activity around the UWS.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles

The Planning Proposal is consistent with the objectives of **Goal 2**, which aims to remove barriers which impede the delivery of more housing, to stimulate competition among developers and to influence the location and type of new homes being built.

Applicable directions and the Planning Proposal's consistency with these directions are:

- **Direction 2.1: Accelerate housing supply across Sydney**

This direction aims to facilitate the provision of additional housing. Projections indicate that an additional 664,000 dwellings will be required in Sydney over the next 20 years, which forms the basis for planning for new housing in Sydney.

This Planning Proposal is consistent with this direction as it will enable the development of medium density housing in and around the existing and planned centres of the St Marys Town Centre and the planned Werrington Business Park within the PHEP.

The proposed R3 Medium Density Residential zone in these areas reflects their good access to public transport, local services and schools, and strong employment provision (the UWS, planned business park and St Marys Town Centre). These areas also have the capacity to accommodate additional growth.

The proposed rezoning of part of the Werrington Signals Site to R3 Medium Density Residential will provide additional housing capacity close to the planned business park, with access to good transport infrastructure. It will also provide more diverse housing choice.

- **Direction 2.3: Improve housing choice to suit different needs and lifestyles**

This direction requires local housing strategies to plan for a range of housing types, enable the subdivision of existing homes and lots in areas suited to medium density housing and deliver more opportunities for affordable housing.

The Planning Proposal is consistent with this direction as the proposed R3 Medium Density Residential zone in Glossop Street and Chapel Street in St Marys as well as in French Street, Werrington will enable a variety of housing types close to existing centres, public transport and jobs. The R3 Medium Density Residential zone permits a range of housing types including dwellings, dual occupancies and multi-dwelling housing.

Goal 3: A great place to live with communities that are strong, healthy and well connected

The Planning Proposal is consistent with the objectives of **Goal 3**, which aims to create more vibrant places and revitalised suburbs.

Applicable directions and the Planning Proposal's consistency with these directions are:

- **Direction 3.1: Revitalise existing suburbs**

The Planning Proposal is consistent with this direction as it enables the development of housing (medium density) close to jobs, centres and public transport. The proposed R3 Medium Density Residential zone in French Street, Werrington is close to the planned business park at Werrington and in Chapel Street and Glossop Street, St Marys is within walking distance (800m) from the town centre and railway station. These areas are also well-served by road infrastructure.

The additional medium density housing will support these centres and allow more people to live close to work and existing services, as well as making best use of existing infrastructure.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources

The Planning Proposal is consistent with the objectives of **Goal 4**, which seeks to build a more sustainable, resilient city that responds to the potential threat of natural hazards such as flooding and bushfires.

Applicable directions and the Planning Proposal's consistency with these directions are:

- **Direction 4.1: Protect our natural environment and biodiversity**

This direction is not directly relevant to the Planning Proposal as the 'actions' under this direction do not directly relate to the intended outcomes of this Planning Proposal. Nevertheless, the Planning Proposal aims to protect the natural environment and biodiversity by focusing the

development of medium density housing and higher order employment opportunities in and around existing centres.

In particular, the northern bushland area along the Main Western Railway Line, which has been identified as having high conservation values has been zoned E2 Environmental Conservation under Penrith LEP 2010 and is not subject to this Planning Proposal.

▪ **Direction 4.2: Build Sydney's resilience to natural hazards**

The Architectus Report *WELL Precinct Refined Concept Plan* (October 2006) has assessed that the area proposed as B7 Business Park and R3 Medium Density Residential is not within the 100 year ARI flood extent. This has also been confirmed by the Cardno Report *WELL Precinct Hydrology and Catchment Management Study* (August 2006).

Some land along French Street, Werrington and within the planned business park at Werrington are classified as "bushfire prone". Under Section 117 of the Act, planning proposals are required to address a number of directions as part of the preparation of new LEPs. Direction 4.4: Planning for Bushfire Protection has been addressed in Section B – Relationship to Strategic Planning Framework of this document, in particular in item 6 *Is the planning proposal consistent with applicable Ministerial Directions (S.117 Directions)?*

The bushfire risk can also be managed at the development application stage. Penrith DCP 2014 contains provisions to manage development on land identified as bushfire prone, including submission of a bushfire assessment report and a requirement to address the NSW Rural Fire Service's document *Planning for Bushfire Protection 2006*.

▪ **West Subregion**

The Penrith Local Government Area (LGA) is situated in the West Subregion, along with the Hawkesbury and Blue Mountains LGAs. The focus for the West Subregion is a competitive economy, accelerated housing supply, choice and affordability, and the protection of the natural environment.

The Planning Proposal is consistent with the priorities outlined in the West Subregion section of the Metropolitan Strategy. The Planning Proposal:

- Supports education-related uses around the UWS campuses at Kingswood and Werrington by proposing the B7 Business Park zone, which permits educational establishments as well as information and education facilities.
- Provides capacity for additional mixed-use development in the PHEP. Whilst the B4 Mixed Use zone is not proposed, the proposed R3 Medium Density Residential zone over part of the Werrington Signals Site (corner of French Street and Great Western Highway, Werrington) will enable the co-location of housing and employment opportunities.
- Provides additional housing supply to meet housing projections, which are close to the regional and strategic centres of Penrith and the PHEP, as well as transport infrastructure through the zoning of 6.1 hectares of land within the Werrington Signals Site to R3 Medium Density Residential.
- Accelerates housing supply by enabling the owners of the Werrington Signals Site to develop the land for residential uses. The owners have indicated a commitment to expediting the delivery of housing on the site.
- Presents an integrated approach to the delivery of housing given the location of the Werrington Signals Site adjacent to other residential areas, which are to its west, south

west and north. In the broader context, the additional land within the Werrington Signals Site which is proposed to be zoned as R3 Medium Density Residential, is in close proximity to both infill and greenfield housing, such as Claremont Meadows and the Caddens Release Area, which are situated to the south.

- Supports the proposed business park through contributing housing opportunities for future workers.

North West Subregion – Draft Subregional Strategy

Subregional plans, which will articulate the intentions of the Metropolitan Strategy at the subregional level, have not yet been completed for the recently – released Metropolitan Strategy. The State Government is currently working with local councils and government agencies to prepare these plans.

In the absence of a subregional delivery plan for the current Metropolitan Strategy, the Planning Proposal addresses the *North West Subregion – Draft Subregional Strategy* (Draft North West Subregional Strategy), which was released by the State Government in December 2007 to support the 2005 Metropolitan Strategy, *City of Cities: A Plan for Sydney's Future*.

The Draft North West Subregional Strategy consists of a number of actions and directions focused around 7 strategies:

- Economy and Employment
- Centres and Corridors
- Housing
- Transport
- Environment, Heritage and Resources
- Parks, public places and culture
- Implementation and governance

The Planning Proposal's consistency with the applicable directions and actions of the Draft North West Subregional Strategy are detailed below.

A. Economy and Employment

The Planning Proposal is consistent with this direction as it protects and enhances employment lands of state significance as well as establishing a framework for the development of business parks.

The proposed business park at Werrington will also support existing centres (such as Penrith City Centre and St Marys Town Centre) rather than compete with these centres by permitting a range of employment uses in the areas of health, cultural and creative enterprises to encourage learning and innovation. These uses are typically larger scale businesses which are not suited to a CBD location and wish to locate to a campus style environment.

The proposed business park will also make more efficient use of existing public transport infrastructure to reduce car dependence through its close proximity to Kingswood and Werrington Railway Stations.

The Planning Proposal also improves access to jobs by permitting medium density housing opportunities close to existing and proposed centres (i.e. in St Marys and Werrington). The proposed R3 Medium Density Residential zone over part of the Werrington Signals Site will also facilitate the co-location of housing and employment.

B. Centres and Corridors

The Planning Proposal is consistent with this direction as it concentrates a range of activities close to one another, particularly locating housing close to centres. The Planning Proposal provides a minor increase in densities around the St Marys Town Centre by proposing a R3 Medium Density Residential zone within close proximity to the Town Centre and Railway Station. The R3 Medium Density Residential zone also improves liveability by serving as a “buffer” between the adjacent R4 High Density Residential and R2 Low Density Residential zones.

The R3 Medium Density Residential zone in Werrington also provides housing opportunities close to the UWS, TAFE and planned business park. It will also ensure that housing is accessible to employment lands.

The proposed B7 Business Park zone will provide opportunities for additional commercial office space in the strategic centre of the PHEP. Additionally, the rezoning of part of the Werrington Signals Site to R3 Medium Density Residential will not compromise the ability of the proposed business park to provide employment as the proposed B7 Business Park zone not only retains the existing employment area (the UWS Campuses) but will increase the total potential floor space for employment in the area. The B7 Business Park zone will also enable an expanded range of employment-generating uses than what is currently permitted in the 5(a) Special Uses zone.

C. Housing

The Planning Proposal is consistent with this direction as it will enable increased housing capacity in existing areas.

Glossop Street Precinct, St Marys:

The proposed R3 Medium Density Residential zone in St Marys provides some greater housing capacity as it allows the development of multi dwelling housing up to a maximum height of 8.5m.

The deferred area proposed to be rezoned in St Marys is currently zoned 2(c) Residential (Low-Medium Density Residential) and 2(d) Residential (Medium Density) under *Penrith LEP 1998 (Urban Land)*. Whilst the 2(d) Residential zone allows multi-unit housing to be developed with a two-storey appearance, the 2(c) Residential zone only permits multi-unit housing with a single storey appearance. Applying a maximum building height of 8.5m across the deferred area will enable some increased housing capacity close to the St Marys Town Centre, whilst maintaining the amenity of the area. The proposed R3 Medium Density Residential zone in St Marys will also assist in renewing the St Marys Town Centre by allowing opportunities for medium density housing close to the Town Centre within a walkable catchment. The R3 zone will permit a mix of housing types, including dual occupancies, dwelling houses and multi-unit housing.

Most of the area in the Glossop Street Precinct which was exhibited as R4 High Density Residential has been retained. Amending the zone boundaries so that the land east of Glossop Street and south of Chapel Street is zoned to R3 Medium Density Residential will only result in a small reduction of the area exhibited as R4 High Density Residential, and remains consistent with Council's centres based strategy of providing high density housing close to St Marys Town Centre and St Marys Railway Station.

In addition, amending the zone boundaries so the area zoned R4 High Density Residential is west of Glossop Street and north of Chapel Street will result in zone boundaries that align with existing roads. This will provide a more desirable design outcome when the area is redeveloped for high density housing in the future.

Werrington Signals Site:

The Planning Proposal focuses residential development around centres by proposing an R3 Medium Density Residential zone on part of the Werrington Signals Site. This will provide additional housing capacity in the WELL Precinct, which has good access to health and education facilities as well as road and rail infrastructure. The R3 Medium Density zone also permits a diverse range of housing opportunities including dwelling houses, dual occupancies and multi dwelling housing and may assist in improving housing affordability. It also presents an integrated approach to the delivery of housing given the Werrington Signals Site is adjacent to other residential areas to its west, south west and north.

D. Transport

This direction is not relevant to this Planning Proposal. The actions in this direction generally relate to State Government initiatives to improve transport infrastructure and travel modes.

E. Environment, Heritage and Resources

The Planning Proposal is consistent with this direction.

The Planning Proposal does not propose to rezone land in the City's rural or resource areas, or land which has environmental or heritage significance.

The Planning Proposal aims to identify the entire site at 653 – 729 Great Western Highway, Werrington as a heritage item under Penrith LEP 2010 – to recognise the site's heritage value. The site is an existing heritage item under Penrith LEP 2010, however, as part of the lot is within the deferred area, it is not entirely identified in Penrith LEP 2010. (It is instead captured by *Penrith LEP 1991 (Environmental Heritage Conservation)*). The Planning Proposal will consolidate the heritage listing of the item into the one LEP.

This proposed inclusion, as well as the proposed inclusion of four additional properties within the Hornseywood Heritage Conservation Area in Penrith, will help to conserve the City's cultural heritage.

F. Parks, Public Places and Culture

This direction is not relevant to this Planning Proposal. The actions in this direction generally relate to the need to plan for the cultural, social and recreation needs of the community. The needs of new residents in the proposed R3 Medium Density Residential zones are proposed to be met by existing facilities given their proximity to existing centres.

G. Implementation and Governance

The Planning Proposal is consistent with this direction. Penrith has been nominated as a Regional City. Council has been working with the NSW Government, through the DP&E, to plan for the future growth of Penrith Regional City. The aims and objectives of the Planning Proposal will enable the development of housing and employment to ensure Penrith continues to be of regional significance in Western Sydney.

(4) Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Penrith Community Plan 2013

The *Penrith Community Plan* was adopted by Council on 24 June 2013 and represents the community's vision for the Penrith LGA over the next 20 years. It establishes the strategies that

will need to be prioritised by a range of agencies, groups and government departments in order to achieve this vision.

The key messages from the community, presented as seven 'community outcomes', are:

- Outcome 1 – we can work close to home;
- Outcome 2 – we plan for our future growth;
- Outcome 3 – we can get around the city;
- Outcome 4 – we have safe, vibrant places;
- Outcome 5 - we care for our environment;
- Outcome 6 – we are healthy and share strong community spirit; and
- Outcome 7 – we have confidence in our Council.

Table 1 below identifies relevant outcomes for consideration and demonstrates how this Planning Proposal is consistent with those outcomes.

Table 1: Penrith Community Strategic Plan 2013 Review

Outcome	Consistency
Strategy 2.1 Facilitate development that encourages a range of housing types – <i>Council develops and enforces zoning and building controls to encourage a range of housing types. Council also works with developers in delivering new communities.</i>	The Planning Proposal will facilitate a greater variety of housing by proposing an R3 Medium Density Residential zone in the deferred area in St Marys (Glossop & Chapel Street) as well as in Werrington (741 – 753 and 755 – 769 Great Western Highway, Werrington and Part Lot 50, DP 1069025, French Street, Werrington).
Strategy 2.2 Protect the City's natural areas, heritage and character – <i>Council has defined the urban and rural boundaries of the City through land use zonings. Important built heritage assets are protected as heritage items or form part of heritage conservation areas.</i> <i>Council is the owner of several heritage properties, buildings and items, and is responsible for protecting and maintaining those places.</i>	The Planning Proposal does not seek to rezone any rural or natural areas for urban purposes. The Planning Proposal seeks to include four additional properties in the existing Hornseywood heritage conservation area and to consolidate the heritage listing of Werrington Park House in Penrith LEP 2010.
Strategy 2.3 Ensure services, facilities and infrastructure meet the needs of a growing population – <i>Council has defined the urban and rural boundaries of the City through land use zonings. Important built heritage assets are protected as heritage items or form part of heritage conservation areas.</i>	The Planning Proposal will allow for a more efficient use of existing infrastructure. The Planning Proposal seeks to rezone land in existing areas so there will be a better utilisation of existing infrastructure.

Penrith City Strategy

The *Penrith City Strategy* provides directions for the City's future over the next 20 years and beyond and informs the *Community Strategic Plan*.

The *City Strategy* addresses the seven themes of housing, jobs and economy, transport and access, infrastructure delivery, community wellbeing, the environment and places.

Table 2 below identifies the relevant outcomes for consideration and demonstrates how this Planning Proposal is consistent with those outcomes.

Table 2: Penrith City Strategy Review

Outcome	Consistency
1. Housing In planning for the future of Sydney's metropolitan area, Penrith City needs to accommodate population growth of an additional 40,000 people and 25,000 more dwellings by 2031. Council has planned to accommodate the additional 25,000 dwellings with around 50% of new housing development in centres and established areas, and 50% in planned new housing estates.	The Planning Proposal improves housing opportunities by permitting medium density housing close to existing and proposed centres (in St Marys and Werrington). The additional 6.1 hectares of land in the Werrington Signals Site, proposed to be zoned R3 Medium Density Residential, will also provide additional housing supply to meet the housing projections in established areas.
2. Jobs and Economy In the future, as a Regional City, Penrith is expected to be a focal point for regional transport, jobs and services. Council has set a target of an additional 40,000 jobs by 2031. This includes around 18,000 jobs in new housing areas – 11,150 in the Penrith City Centre and St Marys Town Centre, and 8,600 in the Western Sydney Employment Hub.	The Planning Proposal will enable the development of a business park at Werrington similar to Macquarie Park and Norwest. The business park will be within the catchments of key transport infrastructure, major institutions such as UWS and TAFE, as well as within the catchments of Penrith City Centre and Kingswood. A range of land uses will be permitted to support the creation of higher order employment opportunities in health, cultural and creative enterprises. This will enable planning controls which encourage and promote clusters of related activity around UWS.
3. Transport and Access This theme focuses on providing an improved transport network.	This theme does not directly apply to this Planning Proposal, other than to allow for the acquisition of lands required by the RMS for the Werrington Arterial.
4. Infrastructure Delivery	This theme does not directly apply to this Planning Proposal since no infrastructure is being proposed.
5. Community Wellbeing	This theme does not directly apply to this Planning Proposal.
6. Environment This theme focuses on protecting the City's natural heritage by ensuring that development has a minimal impact on the natural	This Planning Proposal is consistent with this theme. Areas with high vegetation value are not proposed to be rezoned for urban development.

Outcome	Consistency
environment, and the City's iconic landscapes and natural features are protected. It is important that the protection of existing biodiversity, remnant Cumberland Plain Woodland, and areas of natural significance are managed as the City grows.	The areas proposed to be rezoned are already zoned for urban development under current planning controls.
7. Places This theme focuses on ensuring that new development respects the scenic and cultural landscapes of Penrith, and that urban growth is managed to retain our identity and sense of place.	The Planning Proposal does not propose to rezone rural land. The Planning Proposal focuses employment and housing around key transport nodes.

(5) Is the planning proposal consistent with applicable state environmental planning policies?

The Planning Proposal is consistent with applicable state environmental planning policies.

Many of the SEPPs are not applicable to this Planning Proposal, whilst a number of SEPPs can be addressed at the development application stage. These include SEPP (Building Sustainability Index) 2004 and SEPP (Exempt and Complying Development Codes) 2008.

The applicable SEPPs and the Planning Proposal's consistency with these SEPPs are addressed below:

Table 3: Consistency with applicable State Environmental Planning Policies

SEPP	Comment
State Environmental Planning Policy No. 1 – Development Standards.	SEPP 1 does not apply. Exceptions to development standards are considered under Clause 4.6 of Penrith LEP 2010.
State Environmental Planning Policy No 14 – Coastal Wetlands	Not applicable. The area is not within an identified coastal wetland area.
State Environmental Planning Policy No 15 – Rural Land Sharing Communities	Not applicable. The Planning Proposal does not apply to rural land.
State Environmental Planning Policy No 19 – Bushland in Urban Areas	Not applicable. There are no identified areas of urban bushland within the deferred areas.
State Environmental Planning Policy No 21 – Caravan Parks	Not applicable. The Planning Proposal does not affect the development of caravan parks.
State Environmental Planning Policy No 26 – Littoral Rainforests	Not applicable. There are no littoral rainforests within the deferred areas.
State Environmental Planning Policy No 29 – Western Sydney Recreation Area	Not applicable. The deferred areas are not within the Western Sydney Recreation Area.
State Environmental Planning Policy No 30 – Intensive Agriculture	Not applicable. The Planning Proposal does not seek to convert any land from rural to urban use.
State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)	This Planning Proposal promotes the orderly and economic use of land by enabling urban development in established centres for multi-dwelling housing, by proposing to zone certain land in Werrington and St Marys to R3 Medium Density Residential.

SEPP	Comment
	The Planning Proposal also enables the development of this housing in areas where there is existing public infrastructure, transport and community facilities and increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities. The proposed R3 Medium Density Residential zone in Werrington and St Marys will also facilitate increased housing availability and diversity in these areas.
State Environmental Planning Policy No 33—Hazardous and Offensive Development	Not applicable. The Planning Proposal does not affect the application of this SEPP.
State Environmental Planning Policy No 36—Manufactured Home Estates	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy No 39—Spit Island Bird Habitat	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy No 44—Koala Habitat Protection	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy No 47—Moore Park Showground	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy No 50—Canal Estate Development	Not applicable. The Planning Proposal does not incorporate a Canal Estate.
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy 55 – Remediation of land	Clause 6 of the SEPP states that all planning proposals to rezone land are to consider whether the subject land is contaminated and if remediation is required. All land subject to rezoning in this Planning Proposal is either a current residential or business/ employment use and proposed changes are not expected to present contamination issues.
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy – Exempt and Complying Development	Consistent. The Planning Proposal ensures that exempt and complying development can continue to occur.
State Environmental Planning Policy No 62—Sustainable Aquaculture	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy No 64—Advertising and Signage	The Planning Proposal is consistent with SEPP 64 as no additional provisions relating to signage are proposed. SEPP 64 will continue to apply to the deferred areas.

SEPP	Comment
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	Not applicable. The Planning Proposal does not propose to permit residential flat buildings. There are no additional provisions relating to residential flat buildings.
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	Consistent. The Planning Proposal will facilitate a greater number of affordable housing options than is currently possible.
State Environmental Planning Policy No 71—Coastal Protection	Not applicable. The deferred areas are not within a coastal zone.
State Environmental Planning Policy (Affordable Rental Housing) 2009	Consistent. The Planning Proposal does not affect the application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	The Planning Proposal is consistent as the BASIX SEPP, which will continue to apply to the deferred areas.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Exempt and complying development under this SEPP will continue apply to the deferred areas.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	The Planning Proposal does not affect the application of this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	The Planning Proposal does not affect the application of this SEPP.
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Kurnell Peninsula) 1989	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Major Development) 2005	Consistent. The Planning Proposal does not affect the application of this SEPP.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable. The Planning Proposal does not affect the application of this SEPP.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	Consistent. The Planning Proposal does not include any provisions which impede operation of this SEPP over the deferred areas.
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Port Botany and Port Kembla) 2013	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Rural Lands) 2008	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	Not applicable. This SEPP does not apply to the deferred areas.
State Environmental Planning Policy	Not applicable. The Planning Proposal does not affect

SEPP	Comment
(State and Regional Development) 2011	the application of this SEPP.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Three Ports) 2013	Not applicable. The SEPP does not apply to the deferred areas.
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable as there are no Urban Renewal Precincts in the deferred areas.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable. The deferred areas are not within the Western Sydney Employment Area.
State Environmental Planning Policy (Western Sydney Parklands) 2009	Not applicable. The SEPP does not apply to the deferred areas.
Regional Environmental Plans (deemed SEPPs)	
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	Consistent. The Planning Proposal does not affect the application of this SEPP.
Sydney Regional Environmental Plan No 16—Walsh Bay	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 18—Public Transport Corridors	Not applicable. This SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No. 2 – 1997)	The Planning Proposal is consistent with this REP. Future development is able to occur in a manner which is in keeping with the requirements of the REP.
Sydney Regional Environmental Plan No 24—Homebush Bay Area	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 26—City West	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 30—St Marys	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 33—Cooks Cove	Not applicable. The SEPP does not apply to the deferred areas.
Sydney Regional Environmental Plan No 33—Cooks Cove	Not applicable. The SEPP does not apply to the deferred areas.

(6) Is the planning proposal consistent with applicable Ministerial Directions (S.117 Directions)?

The Planning Proposal is consistent with the following applicable Ministerial Directions (S.117 Directions).

1. EMPLOYMENT AND RESOURCES

DIRECTION 1.1 BUSINESS AND INDUSTRIAL ZONES

The objectives of this direction are to:

- Encourage employment growth in suitable locations;
- Protect employment land in business and industrial zones; and
- Support the viability of identified strategic centres.

Where this direction applies, a planning proposal must:

- a) Give effect to the objectives of this direction,
- b) Retain the areas and locations of existing business and industrial zones,
- c) Not reduce the total potential floor space area for employment uses and related public services in business zones,
- d) Not reduce total potential floor space area for industrial uses in industrial zones, and
- e) Ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

Werrington Business Park

The proposed rezoning of the Werrington Business Park to B7 Business Park is **consistent** with this Direction.

The proposed B7 Business Park zone retains the existing employment area (i.e. the UWS North and South Werrington/Kingswood Campuses) and will also increase the total potential floor space for employment uses in business zones. This is because approximately 73.5 hectares of land is proposed to be rezoned B7 Business Park from 5(a) Special Uses under *Penrith LEP 1998 (Urban Land)*. Currently, the 5(a) Special Uses zone only permits the site to be used as a University/educational establishment as well as some public infrastructure uses including roads and drains.

The proposal to rezone this site to B7 Business Park will enable the site to be developed for an expanded range of employment generating uses which will support the University and Hospital, including business premises, educational establishments and health services facilities.

The Metropolitan Strategy has identified the PHEP as a “strategic centre”. The B7 Business Park zone adequately supports the Department’s goal of developing the PHEP as a strategic centre and supports Action 1.7.1, which is “invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity”. The proposed zones will enable employment creation in the PHEP in areas including business and office premises, information and education facilities as well as health services facilities. These uses will provide a large number of jobs and increase jobs close to where people live as well as provide a range of services in the LGA.

Werrington Signals Site:

The proposed rezoning of part of the Werrington Signals Site to R3 Medium Density Residential is **justifiably inconsistent** with this direction.

The inconsistency relates to the proposed rezoning of approximately 6.1 hectares of land in French Street, Werrington from an employment zone to a residential zone (i.e. from its current

10(b) Mixed Use – Employment zone under *Penrith LEP 1998 (Urban Land)* and its exhibited B7 Business Park zone, when Stage 2 of Penrith LEP 2010 was exhibited as a draft in 2013, to a proposed R3 Medium Density Residential zone). The Direction states that a planning proposal must “not reduce the total potential floor space for employment uses and related public services in business zones”. This makes the Planning Proposal inconsistent with this direction, as it appears to reduce the total potential floor space area for employment uses.

The Direction also states that a planning proposal can be inconsistent with the Direction if the planning proposal can be justified by a strategy, a study prepared in support of the planning proposal, is in accordance with the relevant Regional Strategy or Subregional Strategy prepared by the Department of Planning which gives consideration to the objective of this Direction, or is of minor significance.

The inconsistency can be justified in accordance with the Direction as the land which is proposed to be rezoned to R3 Medium Density Residential zone is within a “strategic centre” identified in the Metropolitan Strategy (2014) as well as the draft North West Subregional Strategy (2007). That strategic centre is the PHEP.

The consistency of the proposed R3 Medium Density Residential zone for Werrington with the Metropolitan Strategy and draft North West Subregional Strategy has been addressed in Section B – Relationship to Strategic Planning Framework, in particular, in item 3 *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies?*

Further, that part of the Werrington Signals Site that is proposed to be zoned R3 Medium Density Residential is unsuitable for the development of a well-designed business park for a number of reasons. Firstly, the land is separated from the majority of the land proposed to be zoned B7 Business Park by a E2 Environmental Conservation corridor which runs through the site. This will result in the isolation of 6.1 hectares of land west of the E2 corridor which will restrict the development of a well-designed business park, given business parks typically require large floor plates with opportunities for expansion.

Secondly, should the Werrington Signals Site be zoned entirely as B7 Business Park, there is a potential for land use conflicts between the business park and the residential land immediately to the west of the site. The proposed zoning of the western portion of the Werrington Signals Site to R3 Medium Density Residential would have a natural buffer (the E2 Environmental Conservation corridor) separating it from the proposed business park to the east.

Additionally, the proposed rezoning of part of the Werrington Signals Site to R3 Medium Density Residential will not compromise the ability of the proposed business park to provide employment opportunities and contribute to overall employment targets. This is because the Planning Proposal proposes a local clause to manage the development of warehouse and distribution centres because these types of development generally have low employment densities. Council’s intent, consistent with the objectives of the B7 zone, is to encourage and maximise employment opportunities within the business park.

The R3 Medium Density Residential zone will also implement and support Action 1.7.1 of the Metropolitan Strategy as it will enable the development of diverse housing opportunities (from dwelling houses to multi-dwelling housing) to support the adjoining employment uses. The E2

Environmental Conservation zone along the riparian corridor also provides a barrier between the R3 Medium Density Residential zone and B7 Business Park zone.

The rezoning of 6.1 hectares of land, previously exhibited as B7 Business Park, will not affect the benchmark for land area for a proposed business park, as it will still have an area of over 70 hectares. The business park is capable of generating substantial employment opportunities by permitting a range of uses relating to the health, cultural and high technology industries with large floor spaces. The proposed reduction in the B7 Business Park zone will not significantly impact on the total potential employment yield of the business park. The proposed clause to manage warehouse and distribution centres will also contribute to maximising employment opportunities within the business park.

For the reasons outlined above, it is considered appropriate to zone the Werrington Signals Site to R3 Medium Density Residential.

The following directions do not apply to this Planning Proposal (and, therefore, have not been addressed):

- 1.2 Rural Zones,
- 1.3 Mining, Petroleum Production and Extractive Industries
- 1.4 Oyster Aquaculture
- 1.5 Rural Lands

2. ENVIRONMENT AND HERITAGE

DIRECTION 2.1 ENVIRONMENT PROTECTION ZONES

The objective of this direction is to protect and conserve environmentally sensitive areas.

Where this direction applies, a planning proposal must:

- Include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- A planning proposal that applies to land within an environmentally sensitive zone or land otherwise identified for environmental protection purposes in a LEP must not reduce the environmental standards that apply to the land (including by modifying development standards for minimum lot size for a dwelling in accordance with Clause 5 of direction 1.5 'Rural Lands').

The Planning Proposal is consistent with this direction as it does not reduce the environmental protection purposes that apply to the land.

The Planning Proposal also does not relate to any environmentally sensitive areas. The northern bushland area extending along the Main Western Railway Line, which is situated north of the boundary to the Werrington Business Park and land in French Street, has been identified as having high conservation values, has already been zoned E2 Environmental Conservation and is not subject to this Planning Proposal.

DIRECTION 2.3 HERITAGE CONSERVATION

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous significance.

Where this direction applies, a planning proposal must contain provisions that facilitate the conservation of:

- Items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to the area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of an item, area, object or place, identified in a study of the environmental heritage of the area,
- Aboriginal objects or Aboriginal places that are protected under *National Parks and Wildlife Act 1974*, and
- Aboriginal Areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant public authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

The Planning Proposal is consistent with this direction as it proposes to amend the Heritage Map in Penrith LEP 2010 to identify the entire site at 653-729 Great Western Highway as a heritage item (item number “315” in Schedule 5 of Penrith LEP 2010).

The Planning Proposal also proposes to expand the Hornseywood Heritage Conservation Area in Penrith to include four additional properties. These are 13, 15-17, 32 and 34 Castlereagh Street, Penrith. This will ensure consistency with Council's *Heritage Study (2007)*.

The Heritage Study identified the four properties (situated north of Derby Street) as part of the Hornseywood Conservation Area, however, these properties were not identified on the Heritage Map at the time Penrith LEP 2010 was exhibited. The Hornseywood Heritage Conservation Area consists of a small group of buildings along Castlereagh Street, Derby Street and Brown Street, Penrith, as shown in Figure 14.

Figure 14: Map showing boundary of the Hornseywood Conservation Area. Source: Penrith Heritage Study 2007



The Hornseywood Area is significant because Derby, Brown and Castlereagh Streets have a large group of weatherboard and brick cottages in the Victorian, Federation and California Bungalow styles which provide interesting representative examples of the period and collectively provide a sense of historic streetscape at the elevated eastern edge of town. These are generally well maintained and display their historical design.

The following directions do not apply to this Planning Proposal (and, therefore, have not been addressed):

- 2.2 Coastal Protection
- 2.4 Recreation Vehicle Access

3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

DIRECTION 3.1 RESIDENTIAL ZONES

The objectives of this direction are:

- To encourage a variety of housing types to provide for existing and future housing needs,
- To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure services, and
- To minimise the impact of residential development on the environment and resource lands.

Where this direction applies, a planning proposal must include provisions that will:

- a) broaden the choice of building types and locations available in the housing market, and

- b) make more efficient use of existing infrastructure and services, and
- c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- d) be of good design.

This Planning Proposal is consistent with this direction as it will enable the development of medium density housing in French Street, Werrington and Chapel Street and Glossop Street, St Marys. The R3 Medium Density zone in Penrith LEP 2010 provides for a range of housing types including attached dwellings, dwelling houses and multi-dwelling housing.

The locations where the R3 Medium Density Residential zone is proposed are within close proximity to existing services and facilities as they are within established areas. These areas will be able to utilise existing services and infrastructure.

The proposed R3 Medium Density Residential zone in Glossop Street and Chapel Street in St Marys is also situated within 800m-1km of St Marys Railway Station and within walking distance to St Marys Town Centre.

The proposed rezoning of part of the Werrington Signals Site to R3 Medium Density Residential is also consistent with this Direction as it will:

- Provide opportunities for additional housing to support the housing needs of the community and needs of major institutes in the WELL Precinct;
- Broaden the choice of housing in the area by permitting a range of housing types including dwelling houses, dual occupancies and multi –dwelling housing;
- Make more efficient use of existing infrastructure and services by permitting medium density housing close to existing road and rail infrastructure as well as health and education facilities;
- Provide an opportunity for a good design outcome given the site has not yet been developed;
- Accelerate the supply of housing close to a strategic centre by enabling the owners of the site to develop the land for residential uses. The owners have indicated a commitment to expediting the delivery of housing on the site;
- Consolidate the provision of housing at the eastern end of the PHEP;
- Provide a transition between the proposed business park to the site's east and the residential area to the site's south, south west and north;
- Present an integrated approach to the provision of housing given the location of the Werrington Signals Site adjacent to other residential areas to the west, south west and north. In the broader context, the additional land within the Werrington Signals Site, which is proposed to be zoned as R3 Medium Density Residential, is in close proximity to both infill and greenfield housing, such as Claremont Meadows and the Caddens Release Area, which are situated to the south; and
- Support the proposed business park through contributing housing opportunities for future workers.

DIRECTION 3.2: CARAVAN PARKS AND MANUFACTURED HOME ESTATES

The objectives of this direction are to:

- Provide for a variety of housing types, and
- Provide opportunities for caravan parks and manufactured home estates.

The Planning Proposal does not alter any provision relating to caravan parks and manufactured home estates and is therefore consistent with this direction.

DIRECTION 3.3: HOME OCCUPATIONS

The objective of this direction is to encourage carrying out low-impact small business in dwelling houses.

Where this direction applies, a planning proposal must permit home occupations to be carried out in dwelling houses without the need for development consent.

The Planning Proposal is consistent with this direction as it does not alter any provisions relating to home occupations.

DIRECTION 3.4: INTEGRATING LAND USE AND TRANSPORT

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- Improving access to housing, jobs and services by walking, cycling and public transport, and
- Increasing the choice of available transport, and
- Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- Supporting the efficient and viable operation of public transport services, and
- Providing for the efficient movement of freight.

Where this direction applies, a planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- a) *Improving Transport Choice – Guidelines for planning and development (DUAP, 2001)*, and
- b) *The Right Place for Business and Services – Planning Policy (DUAP, 2001)*.

The Planning Proposal is consistent with this direction. It will enable the provision of greater housing choice close to the centres of the PHEP and St Marys with access to good public transport links.

The areas where the R3 Medium Density Residential zone is proposed in St Marys is within walking distance to St Marys Railway Station and the Town Centre. By permitting a range of housing types close to St Marys Railway Station, it will support the operation of public transport services and reduce travel demand, especially by car.

In Werrington, the area where the R3 Medium Density Residential zone is proposed will support the WELL Precinct's objectives by facilitating the development of diverse housing opportunities to support the needs of major institutes and the local community in an area with good access to public transport options.

The location of the proposed R3 Medium Density Residential zone adjacent to the proposed B7 Business Park zone in Werrington will also improve local access to both housing and jobs.

With regards to *Improving Transport Choice – Guidelines for planning and development* (DUAP, 2001), the Planning Proposal is consistent with the following applicable principles:

- **Principle 1: Concentrate in centres:** The Planning Proposal provides a mix of housing and employment opportunities within walking distance of public transport nodes. The size of the activity centres is also consistent with the existing levels of public transport.
- **Principle 2: Mix Use in Centres:** The Planning Proposal co-locates compatible land uses (e.g. medium density residential adjacent to the proposed business park). Higher densities of housing are also permitted within walking distance of public transport.
- **Principle 3: Align Centres with Corridors:** The proposed business park at Werrington is well-serviced by road and rail corridors/infrastructure, such as the M4 Motorway, Great Western Highway and the Western Railway Line.

The Planning Proposal is also consistent with *The Right Place for Business and Services – Planning Policy* (DUAP, 2001) as it:

- Concentrates employment and housing in centres well serviced by road and rail infrastructure,
- Encourages continuing private and public investment in centres, and
- Fosters growth, competition, innovation and investment confidence in centres.

The following directions do not apply to this Planning Proposal (and, therefore, have not been addressed):

- 3.5 Development near licensed aerodromes
- 3.6 Shooting Ranges

4. HAZARD AND RISK

DIRECTION 4.3 FLOOD PRONE LAND

The objectives of this direction are:

- To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*, and
- To ensure that the provisions of an LEP is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The Architectus Report *WELL Precinct Refined Concept Plan* (October 2006) has assessed that the area proposed as B7 Business Park and R3 Medium Density Residential is not within the 100 year ARI flood extent. This has also been confirmed by the Cardno Report *WELL Precinct Hydrology and Catchment Management Study* (August 2006).

DIRECTION 4.4: PLANNING FOR BUSHFIRE PROTECTION

The objectives of this direction are:

- To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- To encourage sound management of bush fire prone areas.

This direction requires Council to consult with the Commissioner of the NSW Rural Fire Service (RFS) following receipt of a Gateway Determination (Section 56) and prior to undertaking

community consultation (Section 57). It also requires Council to take into account the comments of the RFS and to have regard to the document *Planning for Bushfire Protection 2006*.

The Rural Fire Service's *Planning for Bushfire Protection 2006* provides a number of considerations in planning for bushfire protection. LEP amendments that affect bushfire prone areas need to address the planning principles in the document. The planning principles for rezoning land for residential purposes are:

- a) Provision of a perimeter road with two way access which delineates the extent of the intended development.
- b) Provision, at the urban bushland interface, for the establishment of adequate establishment of asset protection zones for future housing;
- c) Specifying the minimum residential lot depths to accommodate asset protection zones for lots on perimeter roads;
- d) Minimising the perimeter of the area of the land, interfacing the hazard, which may be developed;
- e) Introducing the controls which avoid placing inappropriate developments in hazardous areas; and
- f) Introduction of controls on the placement of combustible materials in asset protection zones.

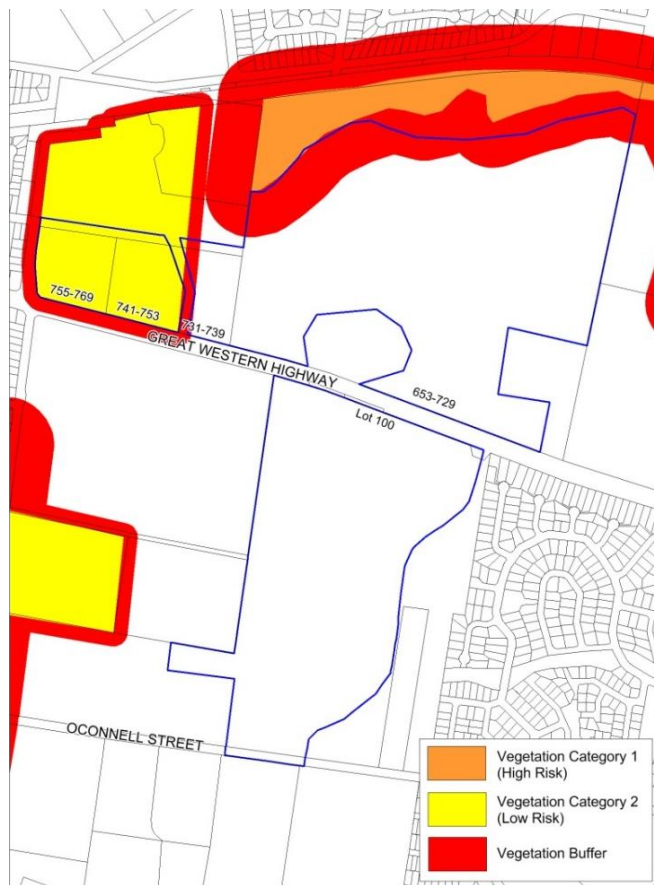
The Planning Proposal is **justifiably inconsistent** with this direction.

While the deferred area in St Marys and the additional properties in the Hornseywood Heritage Conservation Area are not identified as being bushfire prone land, part of the deferred area in Werrington is identified as bushfire prone.

Under Council's Bushfire Prone Land Map (2014), the northern part of 653-729 Great Western Highway is within Vegetation Category 1 (the most hazardous vegetation category) and is zoned E2 Environmental Conservation under Penrith LEP 2010. The properties on the corner of French Street and the Great Western Highway, which are proposed to be rezoned R3 Medium Density Residential, are within Vegetation Category 2 (a lesser hazard than Category 1)..

The bushfire prone areas in Werrington are shown in **Figure 15** below.

Figure 15: Bushfire Prone land in Werrington



Consultation with the NSW Rural Fire Service (RFS) is being undertaken by Council and any comments will be considered concurrently with the public exhibition of the Planning Proposal. Bushfire affectation will also need to be addressed as part of any development proposal.

The following directions do not apply to this Planning Proposal (and, therefore, have not been addressed):

- 4.1 Acid Sulfate Soils
- 4.2 Mine Subsidence and Unstable Land

5. Regional Planning

Direction 5.8 Second Sydney Airport: Badgerys Creek

The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.

The deferred areas are not in the vicinity of the site of the Second Sydney Airport or within the 20 ANEF contour as shown on the map entitled “Badgerys Creek – Australian Noise Exposure Forecast – Proposed Alignment – Worst Case Assumptions”. Therefore this direction does not apply.

The following directions also do not apply to this Planning Proposal (and, therefore, have not been addressed):

- 5.1 Implementation of Regional Strategies
- 5.2 Sydney Water Drinking Catchments
- 5.3 Farmland of State and Regional Significance on the NSW Far North Coast
- 5.4 Commercial and Retail Development along the Pacific Highway, North Coast
- 5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)
- 5.6 Sydney to Canberra Corridor (Revoked 10 July 2008)
- 5.7 Central Coast (Revoked 10 July 2008)
- 5.9 North West Rail Link Corridor Strategy

6. Local Plan Making

Direction 6.1 Approval and Referral Requirements

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

The Planning Proposal is consistent with this direction as it does not alter any concurrence, consultation or referral requirements.

Direction 6.2: Reserving Land for Public Purposes

The objectives of this direction are:

- To facilitate the provision of public services and facilities by reserving land for public services, and
- To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

The Planning Proposal is consistent with this direction.

Following the exhibition of Stage 2 of Penrith LEP 2010 in 2013, the RMS identified additional lands for acquisition, which are required to be identified on the Land Reservation Acquisition Map. These lands are adjacent to the following properties:

- 34-102 Gipps Street, Claremont Meadows.
- 61-69 Blackwood Street, Claremont Meadows.
- 332 – 338 Caddens Road, Claremont Meadows.
- 52-56 Kent Road, Orchard Hills.

As this request was made after the conclusion of the LEP exhibition, the Minister for Planning determined that the owners of the (then) affected properties needed to be re-notified, and subsequently, deferred the identification of the land for acquisition from Stage 2 of Penrith LEP 2010. This requirement is included in the Gateway Determination issued by the DP&E on 18 May 2015.

The RMS has now acquired the relevant land. The land, however, has been included in the Planning Proposal to satisfy the requirements of the Gateway Determination.

The following directions do not apply to this Planning Proposal (and, therefore, have not been addressed):

- 6.3 Site Specific Provisions

7. Metropolitan Planning

Direction 7.1: Implementation of a Plan for Growing Sydney

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

Planning proposals are required to be consistent with the NSW Government's *A Plan for Growing Sydney*, published in December 2014.

The Planning Proposal's consistency with the Metropolitan Strategy has been addressed in Section B – Relationship to Strategic Planning Framework, in particular, item 3 *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies?*.

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

(7) Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal is unlikely to affect critical habitat or threatened species as the deferred areas are within established areas and already zoned for urban purposes.

In addition, the Planning Proposal will not alter the provisions of Penrith LEP 2010 relating to the 'preservation of trees or vegetation' or 'development on natural resources sensitive land'.

The Office of Environment and Heritage will be consulted during exhibition and community consultation of the Planning Proposal.

(8) Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No significant environmental effects are anticipated as a result of the Planning Proposal. The Planning Proposal seeks to rezone or amend some of the provisions relating to the deferred areas which are already zoned for urban purposes.

The Planning Proposal does not propose to amend any of the provisions of Penrith LEP 2010 that aim to minimise the likely environmental impacts of future development. These provisions include:

- Clause 7.2 Flood Planning Land
- Clause 7.3 Development on natural resources sensitive land.
- Clause 7.4 Sustainable Development
- Clause 7.5 Protection of scenic character and landscape values
- Clause 7.6 Salinity.

Penrith LEP 2010 is supported by Penrith DCP 2014 which provide additional controls to minimise and manage the environmental effects of development.

(9) Has the planning proposal adequately addressed any social and economic effects?

It is considered that the Planning Proposal will have a positive social and economic effect on the community and other stakeholders.

The changes proposed by the Planning Proposal will enable the development of additional housing and employment close to existing centres and transport infrastructure. The proposed B7 Business Park zone at Werrington, as part of a broader aim of developing a business park, will promote health, cultural and high technology industries supported by a range of development that relates to university activities, creative and cultural industries, and business incubators. This will provide economic benefits such as the creation of additional higher employment opportunities.

The proposed R3 Medium Density Residential zone in St Marys and Werrington will also provide a social benefit by providing additional diverse housing opportunities close to centres and employment to cater for a range of households.

The proposed controls relating to height of buildings in the proposed R3 Medium Density Residential area (maximum height of 8.5m) and proposed business park (maximum height of 12.5m) will also ensure that the amenity of the surrounding residential areas is not compromised.

SECTION D – STATE AND COMMONWEALTH INTERESTS

(10) Is there adequate public infrastructure for the planning proposal?

The deferred areas in this Planning Proposal are located in established areas which are already serviced by infrastructure and services.

The lands in Glossop Street and Chapel Street in St Marys which are proposed to be zoned R3 Medium Density Residential are within walking distance (800m-1km) of St Marys Railway Station and St Marys Town Centre.

The proposed B7 Business Park zone in Werrington is well serviced by road and rail infrastructure, notably the Great Western Highway, M4 Motorway and Werrington Railway Station.

The proposed additional properties within the Hornseywood Heritage Conservation Area do not generate the need for additional infrastructure.

(11) What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Public authorities will be consulted as part of the exhibition and community consultation of the Planning Proposal. This section of the Planning Proposal will be updated following the conclusion of the exhibition period and assessment of the submissions received.

Part 4 – Mapping

This Planning Proposal is seeking to amend a number of the Penrith LEP 2010 maps. These include:

- Land Application Map
- Clause Application Map
- Land Zoning Map
- Height of Buildings Map
- Lot Size Map
- Heritage Map
- Land Reservation Acquisition Map

The proposed maps are included in **Appendix 2: Maps** to this Planning Proposal.

Part 5 – Community Consultation

No early consultation has been carried out with State or Commonwealth public authorities. Consultation with public authorities will be undertaken, in conjunction with community consultation, by giving notice of the public exhibition of the Planning Proposal:

- a) In a newspaper that circulates in the area affected by the Planning Proposal;
- b) On the Penrith City Council website;
- c) In writing to adjoining landowners advising of the exhibition and how to make a submission;
- d) In fact sheets available at exhibition venues highlighting the key features of the Planning Proposal, the closing date for the exhibition and how to make a submission;
- e) In writing to the relevant public authorities.

The Gateway Determination issued by the Minister for Planning on 18 May 2015 requires the Planning Proposal to be exhibited for a period of **28 days**.

A report on submissions will be presented to Council for its consideration following the exhibition period.

A number of supporting documents will be exhibited with the Planning Proposal to assist in understanding the planning documents. The supporting documents include:

- Gateway Determination.
- Penrith LEP 2010 (written instrument and accompanying maps).
- Penrith Development Control Plan 2014.
- A full list of relevant State Government policies, plans and directions, which have been taken into account when developing the Planning Proposal.
- Penrith Heritage Study (2007).
- WELL Precinct Strategy (2004) and supporting WELL Precinct studies.
- A fact sheet to explain the intent of the Planning Proposal, where to view the Planning Proposal, and how to make a submission.

Part 6 – Project Timeline

The following timeline is proposed and is based on the estimated timeframe in which the Planning Proposal is expected to be finalised. It should be noted that the timeframe is also reliant on the State Government's commitment to publish the Plan within their timeframes.

Milestone	Timeframe
Date of Gateway Determination	18 May 2015
Anticipated timeframe for completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway)	27 July 2015 to 24 August 2015 <i>Concurrent with public exhibition</i>
Commencement and completion dates for public exhibition period	27 July 2015 to 24 August 2015
Timeframe for consideration of submissions	August and September 2015
Timeframe for consideration of a proposal post – exhibition	September and October 2015
Date of submission to the department to finalise the LEP	December 2015
Anticipated date relevant planning authority (RPA) will forward to the Department for notification	February 2015

Conclusion

This Planning Proposal has been prepared to enable further community consultation on the deferred matters from Penrith LEP 2010 and their subsequent inclusion into the LEP.

The Planning Proposal has been prepared in accordance with Section 55 of the Act and relevant DP&E guidelines, including *“A guide to preparing local environmental plans”* and *“A guide to preparing planning proposals”*.

The Planning Proposal is consistent with the current strategic planning framework, including:

- Regional and subregional strategies
- Council’s community strategic plan
- Applicable State Environmental Planning Policies (including deemed SEPPs)
- Applicable Ministerial Directions (S.117 Directions).

The Planning Proposal also demonstrates that the proposed changes will not result in any significant adverse environmental, social or economic impacts. The deferred areas in Werrington and St Marys are within established areas in the City which have already been zoned for urban purposes. Therefore, the impacts are considered minimal.

There is also adequate public infrastructure to cater for the additional development which is likely to result from the proposed changes, particularly in St Marys and Werrington. The areas are well serviced by public transport, roads, and other services as well as health and education facilities.

Appendix 1 – Gateway Determination

Appendix 2 – Maps

The following maps are proposed to be amended by this Planning Proposal:

- Land Application Map
- Clause Application Map
- Land Zoning Map
- Height of Buildings Map
- Lot Size Map
- Heritage Map
- Land Reservation Acquisition Map