



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

Attention: Mr Craig Butler

Dear Mr Stoneham

Planning Proposal to resolve deferred matters from Penrith Local Environmental Plan 2010 (Amendment 4).

I am writing in response to Council's request for a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") to amend the Penrith Local Environmental Plan 2010 and resolve a number of deferred matters. The deferred matters include:

- insertion of additional properties in Hornseywood Heritage Conservation Area;
- identifying land for acquisition by Roads and Maritime Services;
- rezoning of part of the Glossop Street, St Marys Precinct;
- rezoning of the Werrington Business Park and insertion of a local clause to manage warehouse and distribution centres in the B7 Business Park zoned land in Werrington; and
- proposed change of zone in the 'Werrington Signals Site' to R3 Medium Density Residential.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination. The proposed rezoning of the 'Werrington Signals Site' should proceed concurrently subject to further assessment and justification against relevant Section 117 Directions and *A Plan for Growing Sydney*.

Council is to be aware the proposed local clause to manage warehouse and distribution centres in the B7 Business Park zoned land in Werrington has not been agreed to by Legal Services Branch or Parliamentary Counsel. The wording of this proposed clause may change through the drafting process.

Council is to ensure that the exhibition material clearly identifies the intended planning outcomes, and means to achieve the intended planning outcomes, including Local Environmental Plan maps suitable for exhibition, if necessary.

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

The amending Local Environmental Plan (LEP) is to be finalised within nine (9) months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tessa Parmeter, of the Metropolitan (Parramatta) Office of the Department of Planning and Environment on 9860 1555.

Yours sincerely



Simon Manoski
Acting General Manager, Metropolitan
Planning Services



Gateway Determination

Planning Proposal (Department Ref: PP_2015_PENRI_001_00): to resolve deferred matters from Penrith Local Environmental Plan (Amendment 4) including insertion of additional properties in Hornseywood Heritage Conservation Area, identifying land for acquisition by Roads and Maritime Services, rezoning of part of the Glossop Street, St Marys Precinct, rezoning of the Werrington Business Park to B7 Business Park zone and insertion of a local clause to manage warehouse and distribution centres in the B7 Business Park zoned land in Werrington, and the proposed zoning of the 'Werrington Signals Site' to zone R3 Medium Density Residential.

I, the Acting General Manager, Metropolitan, Planning Services, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Penrith Local Environmental Plan 2010* should proceed subject to the following conditions:

1. Prior to exhibition of the proposed rezoning of the Werrington Signals Site to R3 Medium Density Residential, the proposal be assessed against the following:
 - a. Section 117 Direction 1.1 – Business and Industrial Zones;
 - b. Section 117 Direction 3.1 – Residential Zones;
 - c. Section 117 Direction 7.1 – A Plan for Growing Sydney; and
 - d. *A Plan for Growing Sydney*
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of *A Guide to Preparing Local Environmental Plans* (Department of Planning & Infrastructure 2013).
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 18th day of May 2015.

Simon Manoski
Acting General Manager
Metropolitan, Planning Services

Delegate of the Minister for Planning