

Gateway Determination

Planning proposal (Department Ref: PP_2018_PENRI_007_00): to reclassify Council owned land at corner of Rodgers and Somerset Streets, Kingswood (Lots 137 to 143 DP 14333 from Community Land to Operational Land and rezone the land from RE1 Public Recreation to B4 Mixed Use.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Penrith Local Environmental Plan (LEP) 2010 to reclassify and rezone land at corner of Rodgers and Somerset Streets, Kingswood should proceed subject to the following conditions:

1. prior to exhibition, Council is to amend the planning proposal in the following manner:
 - (a) Part 1 – Objective or intended outcomes, by including projected dwelling numbers that would be achieved under the proposal and provide advice over anticipated employment generation;
 - (b) Part 2 - Explanation of Provisions, clarify whether any interests apply to the subject land and, if necessary, amend the note at the foot of page 11 accordingly
 - (c) relocate the heading – ‘Section D – State and Commonwealth Interests’ so that it appears above Q10. on page 35 of the planning proposal; and
 - (d) amend Part 4 – Mapping, by:
 - providing a key to the existing and proposed maps (where applicable) so that these maps can be readily understood; and
 - on pages 33 and 34, alter the legend to clearly indicate the location of the subject land.
2. Prior to finalisation, Council is to:
 - (a) review the supporting traffic and transport study applying appropriate data and, if appropriate, revise traffic generation and assess the need for intersection works;
 - (b) address to Council’s satisfaction that it has complied with clause 6 of State Environmental Planning Policy No 55 – Remediation of Land.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **28 days**; and

- (b) the planning proposal 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 and Environment 2016).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Roads and Maritime Services;
 - Transport for NSW;
 - NSW Department of Education;
 - State Emergency Service;
 - Health – Nepean Blue Mountains Local Heath District;
 - Sydney Water; and
 - relevant service providers.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from the obligation to conduct a public hearing for the reclassification of the land.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 16th day of October 2018.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission