

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-2610):** to amend the Penrith Local Environmental Plan 2010 to reclassify three council-owned sites in St Marys from 'community' land to 'operational' land.

I, the Director, Local Planning & Council Support (Central, West, South) at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, 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 2010 to reclassify land at 12A, 32A Champness Crescent and 110A Dunheved Circuit, St Marys from 'community' land to 'operational' land should proceed subject to the following:

Given the nature of the planning proposal dealing with Council land, I have determined that authorisation not be issued for Council to act as the local plan making authority under section 3.36 of the Environmental Planning and Assessment Act 1979 in this instance.

The LEP should be completed on or before **27 February 2026**.

### Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to revise the timeline to accord with this Gateway determination and forwarded to the Minister under s 3.34(6) of the Act.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act
4. 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 any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 15 May 2025

A handwritten signature in black ink, appearing to read 'T Chappell', written in a cursive style.

**Tina Chappell  
Director  
Local Planning & Council  
Support (Central, West,  
South)  
Department of Planning,  
Housing and  
Infrastructure**

**Delegate of the Minister  
for Planning and Public  
Spaces**