

DATE OF DECISION	28 June 2017
PANEL MEMBERS	Sean O'Toole (Chair), Mary-Lynne Taylor and Ben Price
APOLOGIES	Paul Mitchell and Glenn McCarthy
DECLARATIONS OF INTEREST	None

REZONING REVIEW

2017SWT006 – Penrith – PGR_2017_PENRI_001_00 AT 1147-1175 and 1177 and 1187 Mulgoa Road, Mulgoa (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
 - ☒ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

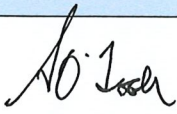
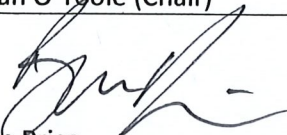
The Panel has not found that this Planning Proposal has demonstrated consistency with a Plan for Growing Sydney because the site is within the Metropolitan Rural Area and no strategic plan has been carried out in accordance with the objectives of the Draft District Plan. This proposal not supported yet by strategic planning work and is therefore too early.

A subdivision of this form does not respond to the scenic values of the Mulgoa Valley. Council is currently working on a local housing strategy and a rural villages study and development on this site would be assisted by the completion of this strategic work.

The proposal has not satisfactorily demonstrated that it contributes to the environmental, social and economic values sufficiently to warrant change to the Metropolitan Rural Area.

In light of the above, the proposal did not demonstrate sufficient strategic merit

The Panel supports the Council officers' assessment of this proposal against the Department's strategic and site specific merit test (under the Department's Guide to Preparing Local Environment Plans) contained in the letter addressed to the Department dated 8 May 2017.

PANEL MEMBERS	
 Sean O'Toole (Chair)	 Mary-Lynne Taylor
 Ben Price	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2017SWT006 – Penrith – PGR_2017_PENRI_001_00 AT 1147-1175 and 1177 and 1187 Mulgoa Road, Mulgoa
2	LEP TO BE AMENDED	Penrith Local Environmental Plan 2010
3	PROPOSED INSTRUMENT	The proposal seeks to rezone the land from zone E3 Environmental Management to zone RU5 Village and amend the minimum lot sizes controls.
4	MATERIAL CONSIDERED BY THE PANEL	- Rezoning review request documentation - Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site inspection and briefing meeting with Department of Planning and Environment: 28 June 2017 - Panel members in attendance: Sean O'Toole (Chair), Mary-Lynne Taylor and Ben Price - Department of Planning and Environment (DPE) staff in attendance: Terry Doran and Alicia Hall Briefing meeting with Council: 28 June 2017, 2:40 pm - Panel members as above in attendance. - DPE staff as above in attendance. - Council representatives in attendance: Krishti Akhter and Matthew Rose. Briefing meeting with Proponent: 28 June 2017, 3:10 pm - Panel members as above in attendance. - DPE staff as above in attendance. - Council staff as above in attendance. - Proponent representatives in attendance: Mark Raikhman, Rohan Dickson and Andrew Luckhurst-Smith.