



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2019_PENRI_001_00)

I, Acting Director, Central (Western) at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 17 February 2020 for the proposed amendment to the Penrith Local Environmental Plan 2010 as follows:

1. Delete:

“condition 1”

and replace with:

a new condition 1 as follows:

1. Prior to public exhibition, the planning proposal is to be amended as follows:

(a) update Amendment 1 of the planning proposal to include the following:

- i. the number of potential lots that would be achieved under the minimum standards within the Low Rise Medium Density Housing Code considering the Codes SEPP exclusions (such as sites below the minimum lot size and land subject to heritage provisions);
- ii. the number of potential lots under the proposed development standards;
- iii. the number of dual occupancy and multi-dwelling housing developments approved in the R3 Medium Density Residential and R4 High Density Residential zones in the LGA in the past five years; and

Note: These numbers are to be shown under each relevant zone and by housing type.

- iv. include the intention to introduce a new savings and transitional clause to ensure that proposed amendments do not affect any development applications or appeal processes;

(b) include the consideration of a minimum lot size for dual occupancy development in the RU5 Village zone;

(c) identify Amendment 6A as a separate amendment within the planning proposal and not part of the ‘housekeeping’ amendment section;

(d) remove Amendment 7 from the planning proposal and any references seeking to prohibit cemeteries and crematoriums in the Mulgoa Valley and parts of Wallacia;

(e) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process;

- (f) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency;
- (g) update the consistency of the planning proposal with the relevant section 9.1 Directions as outlined in this report and address the consistency with Direction 7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan; and
- (h) update the consistency of the planning proposal with the State Environmental Planning Policy (Affordable Rental Housing) 2009 and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 as outlined in this report.

Dated

11 March 2020



**Gina Metcalfe
Acting Director Central (Western)
Central River City and Western
Parkland City
Department of Planning, Industry and
Environment**

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