

APPENDIX 22

**Altered Gateway Determination (DP&E, 23 June
2017)**

Mr Alan Stoneham
General Manager
Penrith City Council
PO BOX 60
PENRITH NSW 2750

Attention: Abdul Cheema

Dear Mr Stoneham

Alteration of Gateway determination to amend the Penrith Local Environmental Plan 2010 – Penrith Panthers Site (PP_2016_PENRI_005_00)

I refer to Council's request to alter the Gateway determination for PP_2016_PENRI_005_00 (issued on 20 December 2016), to amend Condition No. 2 to enable Council to publicly exhibit the planning proposal whilst addressing the issues in the letter from the Hawkesbury-Nepean Valley Flood Management Directorate.

I have determined, as delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination, dated 20 December 2016, for the planning proposal PP_2016_PENRI_005_00, which seeks to amend the Penrith Local Environmental Plan 2010 by adjusting the planning controls for land at Mulgoa Road and Retreat Drive, Penrith (Penrith Panthers Site).

I enclose the Alteration of Gateway Determination, for your attention.

I have taken this decision on the basis of recent advice received from the Hawkesbury-Nepean Valley Flood Management Directorate of InfrastructureNSW and State Emergency Service.

Following an initial assessment of the response provided by Council in May 2017 to the matters raised in the Directorate's letter of 5 December 2016, InfrastructureNSW has provided the following comments for Council's consideration:

- The primary option for managing flood risk is evacuation with shelter-in-place as a backup option in case full evacuation is not able to be completed in time.
- Local flooding on internal roads within the precinct should be considered to help ensure that internal egress routes to Mulgoa Road are robust for evacuation purposes.
- With regards to available evacuation routes – given the evacuation of nearby subsectors, evacuation traffic from the Panthers Precinct will need to be directed to proceed via Mulgoa Road southwards towards either Jamison Road egress route or to the M4 regional evacuation route. Moving northwards on Mulgoa Road would potentially conflict with evacuation from the lower part of the Penrith CBD area. This operational arrangement for evacuation traffic would be reflected in a future revision of the Hawkesbury-Nepean Flood Plan.

In satisfying amended condition 2, Council may accordingly care to revise its advice prepared during May 2017 in response to these comments.

If you have any questions in relation to this matter, please contact Mr Terry Doran of the Sydney West Regional Office on (02) 9860 1579.

Yours sincerely



23/0617

Catherine Van Laeren
Director
Sydney Region West
Planning Services

Delegate of the Greater Sydney Commission

Encl: Alteration to Gateway Determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2016_PENRI_005_00): to amend Penrith Local Environmental Plan 2010 to adjust the planning controls for land at Mulgoa Road and Retreat Drive, Penrith (Penrith Panthers Site).

I, the Director, Sydney Region West, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 20 December 2016 for the proposed amendment to the Penrith Local Environmental Plan 2010 as follows:

1. Delete:

condition "2"

and replace with:

a new condition 2:

"A detailed assessment of flood risk management, including the issues outlined in the letter from the Hawkesbury-Nepean Valley Flood Management Directorate dated 5 December 2016, is required to be prepared. This will include an assessment of flood evacuation capacity in consultation with NSW State Emergency Service, Roads & Maritime Services and the Office of Environment & Heritage. A copy of this assessment with the planning proposal must be referred to the Hawkesbury-Nepean Valley Flood Management Directorate for final advice to the Department of Planning and Environment.

The proposal must also be amended to address section 117 Direction 4.3 - Flood Prone Land."

Dated 23rd day of June 2017



Catherine Van Laeren
Director
Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission