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Our ref: PP_2016_PENRI_007_00 (16/14146)
Your ref: 7389221

Mr Alan Stoneham
General Manager
Penrith City Council
PO Box 60
Penrith NSW 2751

Attention: Ms Danielle Fox

Planning proposal to amend Penrith City Council *Local Environmental Plan 2010*, PP_2016_007_00 - Reclassification of Public Land in the Union Road and Welch Place Car Park, Penrith City Centre.

I am writing in response to your Council's letter dated 31 October 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify parcels of land in the Union Road and Welch Place Car Parks from 'community' to 'operational' land.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council is reminded of its obligations for undertaking a public hearing and providing adequate information regarding the discharge of any interests in relation to the proposed reclassification of land in accordance with the department's practice note PN16-001), *Classification and reclassification of public land through a local environmental plan* (issued 5 October 2016).

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Alicia Hall of the Department's regional office to assist you. Ms Hall can be contacted on phone no. (02) 9860 1587.

Yours sincerely

A. W. Albury 14-11-2016
Ashley Albury
Acting Executive Director, Regions
Planning Services

Incl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_PENRI_007_00): to reclassify land in the Union Road and Welch Place Car Parks from 'community' to 'operational' land.

I, the Acting Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Penrith Local Environmental Plan (LEP) 2010* to reclassify three (3) parcels of land in the Union Road and Welch Place Car Parks should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the planning proposal under 'Part 1 - Objectives and Intended Outcomes' is to be amended to include identified interests proposed to be removed for each parcel of land and an explanation for the proposed extinguishment.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 LEPs (Department of Planning and Environment 2016)*.
3. No consultation is required with public authorities under section 56(2)(d) of the Act
4. While a public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act, Council is not discharged from its obligation to conduct a public hearing under the Local Government Act.
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 14th day of November 2016



Ashley Albury
Acting Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission