

Mr Warwick Winn  
General Manager  
Penrith City Council  
PO Box 60  
PENRITH NSW 2751

Attn: Breannan Dent

Dear Mr Winn

**Planning proposal PP\_2018\_PENRI\_009\_00 to amend Penrith Local Environmental Plan 2010**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 11 April 2019 in respect of the planning proposal to alter the development controls for land at 351 and 359 High Street, Penrith (the site) by amending the Penrith Local Environmental Plan (LEP) 2010 as follows:

- amend the maximum building height from 12m to a split height control of 12m over the Australian Arms Hotel heritage item and 24m over the remainder of the site; and
- increase the maximum floor space ratio from 3:1 to 3.5:1.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.


It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Minister for Planning and Public Spaces may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Chantelle Chow to assist you. Ms Chow can be contacted on 9860 1548.

Yours sincerely

  
10/5/2019

**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**

Encl: Gateway determination  
Local plan-making authority reporting template