

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

Attention: Mr Matthew Rose

Dear Mr Winn

Planning proposal PP_2018_PENRI_002_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) in respect of the planning proposal to facilitate the redevelopment of land at 57 Henry Street, Penrith by identifying the site as a key site and applying the existing incentive clause and a bonus floor space ratio of 6.5:1 to the site. The proposal also seeks to facilitate residential uses by applying additional permitted uses to the site.

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

In making this determination I have given careful consideration to the potential overshadowing of the local heritage item and proposed open space. While I can appreciate the inherent merits associated with this proposal, I am also mindful of the need to ensure that proposed development of the site is managed to suitably address the concept of liveability. I have accordingly conditioned the determination to allow Council to further consider this issue.

I have also agreed, as delegate of the Secretary, any technical inconsistency with section 9.1 Direction 1.1 Business and Industrial Zones and Direction 6.3 Site Specific Provisions are justified in accordance with the terms of these directions. No additional approval is required in relation to this direction.

I have considered Council's request to be the local plan-making authority and the nature of the planning proposal and have determined not to issue an authorisation for Council to exercise delegation to make this plan.

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 for the

Department of Planning and Environment to draft and finalise the LEP should be made 8 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 Greater Sydney Commission 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 further enquiries about this matter, I have arranged for Miss Charlotte Lowe to assist you. Miss Lowe can be contacted on 02 9373 2875.

Yours sincerely



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

26/10/18

Encl: Gateway determination