



## Department of Planning, Housing and Infrastructure

Mr Peter Fitzgerald  
General Manager  
Cumberland City Council  
PO Box 42  
Merrylands NSW 2160

Our ref: IRF23/3356

Dear Mr Fitzgerald

### **Planning proposal (PP-2022-2040) to amend Cumberland Local Environmental Plan 2021**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 28 November 2023 in respect to this planning proposal. I note the planning proposal seeks to insert 'medical centre' and 'office premises' as additional permitted uses and apply an 11m Height of Buildings control to the land at 25 South Parade, Auburn.

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

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with the applicable directions of the Minister under section 9.1 of the Act, being 1.4 Site Specific Provisions, 3.2 Heritage Conservation and 7.1 Employment Zones, is justified or of minor significance in accordance with the terms of the Directions.

No further approval is required in relation to the Directions.

Considering the nature of the planning proposal, I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 29 October 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Mr Peter Pham to assist you. Mr Pham can be contacted on 02 9860 1593.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Schramm', with a stylized, cursive flourish at the end.

**Leah Schramm**  
**A/Executive Director**  
**Metro Central and North**

Encl: Gateway determination