

Mr. Peter Fitzgerald
General Manager
Council
16 Memorial Avenue
Merrylands NSW 2160

Our ref: PP-2022-2534

Dear Mr. Fitzgerald

Planning proposal PP-2022-2534 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 3 March 2023 in respect of the planning proposal to enable the redevelopment of 245-247 Great Western Highway South Wentworthville. The proposal seeks to increase the height of buildings from 9 meters to 27 meters, introducing a floor space ratio of 1:1 and providing additional permitted uses for hotel/motel accommodation and a food and drink premises.

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 applicable directions of the Minister under section 9.1 of the *Environmental Planning & Assessment Act 1979* 1.4 Site Specific Provisions and 6.1 Residential Zones are justified in accordance with the terms of the Direction.

No further approval is required in relation to the Directions.

Considering the nature of the planning proposal, I have also 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 28 January 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 and Environment.

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 and Environment, 2021) 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 Peter Pham to assist you. Mr Pham can be contacted on (02) 9860 1593.

Yours sincerely

A handwritten signature in black ink, reading "LMcMahon", is centered below the "Yours sincerely" text. The signature is fluid and cursive.

Louise McMahon
Director
Agile Planning

Encl: Gateway determination