



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_LPOOL_005_00 (10/19868)
Your ref: 2010/1197

Mr Farooq Portelli
General Manager
Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Dear Mr Portelli,

Re: Planning Proposal to amend Liverpool Local Environmental Plan 2008 Clause 7.5 Design Excellence (Architectural Design Competition)

I am writing in response to your Council's letter dated 23 September 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Liverpool Local Environmental Plan 2008 to amend Clause 7.5 Design Excellence (Architectural Design Competition).

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Those parts of the planning proposal relating to proposed amendments to the Director General's Design Excellence Guidelines have been removed by this Determination. These issues will be considered as a separate matter.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 14 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (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 Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Cho Cho Myint of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_LPOOL_005_00): to amend Clause 7.5 Design Excellence (Architectural Design Competition).

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Liverpool Local Environmental Plan 2008 to amend Clause 7.5 Design Excellence (Architectural Design Competition) should proceed subject to the following conditions:

1. Remove the following from the planning proposal:

Revise the Director General's Design Excellence Guidelines so that:

- (a) *three design proposals are submitted by only one architectural design firm in lieu of three architectural design firms (as currently required under the guidelines) and*
- (b) *change the guideline requirement for the composition of a design competition jury.*

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.

3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 1st day of November 2010.



**Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning**