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Our ref: PP_2012_LPLNS_001_00 (12/09843)
Your ref: RVK:DA 12/0202

Mr Robert Hunt
General Manager
Liverpool Plains Shire Council
PO Box 152
QUIRINDI NSW 2343

Dear Mr Hunt,

Liverpool Plains Local Environmental Plan 2011 Amendment No. 2

I am writing in response to your Council's letter dated 4 June 2012 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 Plains Local Environmental Plan 2011 to:

- enable minor anomalies, mis-descriptions and errors to be rectified as part of a 'housekeeping amendment';
- facilitate proposals that were identified as part of the LPLEP 2011 exhibition process;
- rezone certain additional lands identified in, or that are in accordance with the strategic objectives of the Liverpool Plains Growth Management Strategy 2009; and
- permit certain additional site-specific uses.

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

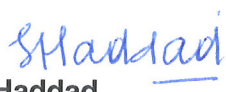
I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 Jon Stone of the Regional Office of the Department on 02 6701 9689.

Yours sincerely,


Sam Haddad
Director-General

10/7/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_LPLNS_001_00): Liverpool Plains Local Environmental Plan 2011 Amendment No. 2

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Liverpool Plains Local Environmental Plan 2011 to

- enable minor anomalies, mis-descriptions and errors to be rectified as part of a 'housekeeping amendment';
- facilitate proposals that were identified as part of the LPLEP 2011 exhibition process;
- rezone certain additional lands identified in, or that are in accordance with the strategic objectives of the Liverpool Plains Growth Management Strategy 2009; and
- permit certain additional site-specific uses.

should proceed subject to the following conditions:

1. Prior to community consultation, Council needs to ensure that appropriate LEP Maps are included with the planning proposal that clearly show the proposed changes to the subject land. All maps are to be prepared in accordance with the Department's Standard Technical Requirements for LEP Maps for the purposes of public exhibition. Council needs to provide a copy of the maps to the Department's Regional Team prior to exhibition.
2. The Department supports Council's intention to provide alternative accommodation options for workers related to the resources sector, which can offer accommodation solutions and facilitate development in appropriate areas. However, the proposed amendment to the 'tourist and visitor accommodation' definition is not supported as this is a mandated definition under the Standard Instrument LEP. It is considered that a draft local provision for 'Temporary workers accommodation' that includes a suitable definition and heads of consideration for this matter, is the best way to achieve Council's intent and distinguish development from other forms of accommodation. Council is to consult the department's Regional Team on the form and content of the clause, and amend the planning proposal prior to the commencement of public exhibition.
3. 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 **28 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)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage – Heritage Branch
 - Office of Environment and Heritage – Floodplain Management Team
 - Transport for NSW – Roads and Maritime Services
 - NSW Rural Fire Service
 - Australian Rail Track Corporation

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. Further to Condition 2 above, Council is to consult the Commissioner of the NSW Rural Fire Service, prior to undertaking community consultation. Council is to take into account any comments made and amend the planning proposal (if necessary) as per the requirements of S117 Direction Planning for Bushfire Protection.
6. 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).
7. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 10th day of July 2012.



Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure