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Our ref: PP_2010_LPOOL_004_00 (10/20836)
Your ref: 2010/0495 – 11572.2010

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

Dear Mr Portelli,

Re: Planning Proposal to reclassify and rezone various Council sites within the Liverpool LGA

I am writing in response to your Council's letter dated 2 July 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 reclassify and rezone various Council owned sites which are identified as being significantly underutilised and surplus to requirements, and to facilitate disposal.

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.

The Director General's delegate has agreed that the planning proposal's inconsistencies with S117 Direction 6.2 Reserving Land for Public Purposes are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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_004_00): to reclassify and rezone various Council owned sites which are identified as being significantly underutilised and surplus to requirements, and to facilitate disposal.

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 reclassify and rezone various Council owned sites which are identified as being significantly underutilised and surplus to requirements, and to facilitate disposal, listed as follows:

1. Cnr Junction & Heathcote Rds, Moorebank (Lot 138 DP 917207) - also requires rezoning - RE1 Public Recreation to R2 Low density Residential
2. 46 Apex St, Liverpool (Lot 100 DP 30136) - also requires rezoning - RE1 Public Recreation - R3 Medium Density Residential
3. 9 Grimson Crescent, Liverpool (Lot 101 DP 30136)
4. 20 First Ave, Hoxton Park (Pt Lot 1 DP 510863)
5. 54 Nineteenth Ave, Hoxton Park (Lot 536 DP 865435)
6. Skipton Lane, Prestons (Pt Lot 3 DP 1045043)
7. Rear 9 Monica Close, Lurnea (Lot 16 DP 248376)
8. 9 McLean Street, Liverpool (Lot 7 DP 238364) - also requires rezoning - RE1 Public Recreation to R3 Medium Density
9. 24 Bulbul Ave, Liverpool (Lot 2028 DP 809931)
10. 7C Lewis Road, Liverpool (Lot 52 DP 23856)
11. Part Lot 400 CS 10/23 (Rear 37 Carboni Street, Liverpool (Pt Lot 42 DP 230194)) - also requires rezoning - RE1 Public Recreation to R4 High Density Residential
12. 1A & 2 Robin Street, Hinchinbrook (Lot 850 DP 803527) - also requires rezoning - RE1 Public Recreation to R2 Low Density Residential
13. 181 Elizabeth Drive, Liverpool (Lot 1 DP 534648)

should proceed subject to the following conditions:

1. 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)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Environment, Climate Change and Water
 - Department of Local Government
 - Roads and Traffic Authority

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.

3. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated *3rd* day of *November* 2010.



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