

**Frankie Liang**

Manager Place and Infrastructure, Western District  
Greater Sydney, Place and Infrastructure  
Department of Planning, Industry and Environment

Sent by email: [Frankie.Liang@planning.nsw.gov.au](mailto:Frankie.Liang@planning.nsw.gov.au)

**Re: Draft Liverpool Local Environmental Plan Amendment 71 – Gateway  
Alteration Request**

Dear Mr Liang,

Council resolved at its ordinary meeting on 26 August 2020 to proceed with Amendment 71 and to liaise with the NSW Parliamentary Counsel's Office and DPIE to finalise the amendment. Subsequently Council staff have liaised with Parliamentary Counsel and received a first draft of Liverpool Local Environmental Plan 2008 (Amendment No 71) that is in accordance with the Gateway Determination (as amended).

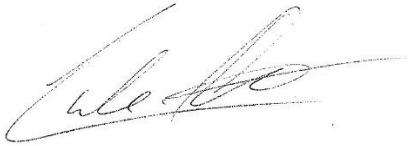
The Gateway determination was amended on 1 November 2018 that involved the inclusion of a new condition 5 that stated "*the proposal is to include a savings provision to ensure that the proposed amendments do not affect any development applications or appeal processes.*" The Gateway determination received numerous Gateway extensions due to the ongoing court case appeal processes that delayed a final Council decision. The current time frame for completing the LEP is by 6 November 2020 in accordance with the latest Gateway alteration dated 7 July 2020.

As advised in correspondence with DPIE, Council wishes to seek a final amendment to the Gateway determination to remove the need for a savings provision. This is because no development applications or appeal processes are active anymore, with all appeals now being determined by the court. A summary of the history of court proceedings is provided in the attached Council report.

Regarding a further time extension for the Gateway alteration, it is requested that a one month extension is provided, with the final date being 6 December 2020.

If you have any queries regarding this request, please contact me to discuss.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Luke Oste', with a stylized, flowing script.

**Luke Oste**  
Executive Planner