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Our ref: PP_2013_LPOOL_004_00 (13/14786)
Your ref: 177050.2013

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

Attention: Lisa Mackay

Dear Mr Portelli,

Planning proposal to amend Liverpool Local Environmental Plan 2008

I am writing in response to your Council's letter dated 12 August 2013 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 rezone part Lot 29 DP 1044841, 501 Cowpasture Road, Len Waters Estate from IN2 Light Industrial to B6 Enterprise Corridor zone.

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 the planning proposal's inconsistency with S117 Direction 1.1 Business and Industrial zones is justified on basis that it is of a minor nature. No further approval is required in relation to the above Direction.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

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 as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

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 section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any enquiries in regard to this matter, please contact Amar Saini of the Sydney West Regional office of the Department on 02 9860 1130.

Yours sincerely,

3/9/2013

Rachel Cumming
**Acting Regional Director
Sydney Region West**

Gateway Determination

Planning proposal (Department Ref: PP_2013_LPOOL_004_00): to rezone part Lot 29 DP 1044841, 501 Cowpasture Road, Len Waters Estate from IN2 Light Industrial to B6 Enterprise Corridor.

I, the Acting Regional Director, Sydney Region West, at the 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 Local Environmental Plan (LEP) 2008 to rezone part Lot 29 DP 1044841, 501 Cowpasture Road, Len Waters Estate from IN2 Light Industrial zone to B6 Enterprise Corridor, should proceed subject to the following conditions:

1. Additional information regarding the Traffic Study is to be placed on public exhibition with the planning proposal.
2. The Director General agrees to inconsistencies to s117 Directions 1.1 Business and Industrial Zones.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Office of Environment and Heritage
 - Transport for NSW – Road and Maritime Services
 - Sydney Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. NSW Rural Fire Service is to be consulted in accordance with S.117 Direction 4.4 Planning for Bushfire Protection, prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments made;
5. 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 a minimum of **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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
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 3rd day of September 2013.



Rachel Cumming
Acting Regional Director
Sydney West Region
Planning Operations and Regional Delivery
Department of Planning and Infrastructure