



Liverpoolcity council
creating our future together

CPO9/408

Our Ref: 2009/1406 – 135527.2009
Contact: Grace Houw
9821 9285
g.houw@liverpool.nsw.gov.au
Date: 1 September 2009

Mr Peter Goth
Regional Director, Sydney West
Department of Planning
GPO Box 5020
PARRAMATTA NSW 2124



Dear Peter

**RE: GATEWAY DETERMINATION
DRAFT LIVERPOOL LOCAL ENVIRONMENTAL PLAN (AMENDMENT NO. 4) -
BADGERYS CREEK AIRPORT**

In accordance with Clause 56 of the *Environmental Planning and Assessment Act 1979*, Council is forwarding a planning proposal for Draft Liverpool Local Environmental Plan 2008 (Amendment No. 4) – Badgerys Creek Airport for gateway determination.

In December 2008, the Federal Government confirmed that Badgerys Creek will no longer be considered as an option for Sydney's Second Airport. Despite this announcement, landowners within the vicinity of the Commonwealth owned land at Badgerys Creek continue to be subject to aircraft noise controls, which are being imposed through Liverpool Local Environmental Plan 2008 (LLEP 2008).

The purpose of Draft Amendment No. 4 is to allow the consideration of residential development on land within the vicinity of the former airport site and to alleviate the requirement for noise attenuation measures in the construction of dwellings. The draft plan will essentially improve development certainty for landowners affected by current planning restrictions. Council has considered *Section 117 Direction 5.8 Second Sydney Airport: Badgerys Creek*, however these provisions are considered inappropriate given the Federal Government's announcement that the construction of an airport at Badgerys Creek is no longer an option.

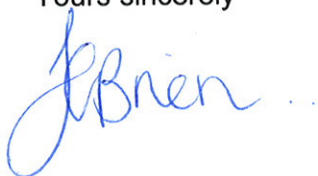
Furthermore, at its meeting on 24 August 2009, Council resolved to:

1. *Proceed with the making of Draft Liverpool Local Environmental Plan 2008 (Amendment No. 4); and*
2. *Forward a copy of the planning proposal to the Department of Planning, seeking gateway determination.*

A copy of the Planning Proposal and Council Report for Draft Amendment No. 4 is enclosed for your consideration and gateway determination. A timely response to this matter would be much appreciated.

Should you have any questions or require further information, please contact Grace Houw, Strategic Planner on 9821 9285.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'T. O'Brien', with a stylized flourish at the end.

Tanya O'Brien
Manager Strategic Planning