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Our ref: PP_2015_LPOOL_008_00 (15/17880)
Your ref: 257079.2015

Mr Carl Wulff
Chief Executive Officer
Liverpool City Council
Locked Bag 7064
LIVERPOOL NSW 1871

Attention: Graham Matthews

Dear Mr Wulff

Planning proposal to amend Liverpool LEP 2008 (Amendment No 53)

I am writing in response to your Council's letter dated 12 October 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning rezoning of part of Copeland Street, Liverpool (adjacent to 10-16 Copeland Street and 93-95 Campbell Street) from SP2 Classified Road to R4 High Density Residential zone.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

In relation to Section 117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes. No further approval is required in relation to this Direction.

I note the site is identified as flood prone land (1 in 100 year flood, 1% Annual Exceedance Probability) by Council. Section 117 Direction 4.3 Flood Prone Land requires Council to prepare a Floodplain Risk Management Plan in accordance with the principles and guidelines of the Floodplain Development Manual 2005. This will ensure flood mitigation measures, infrastructure or services to be implemented for the proposed high density residential on the site as well as protect flood impacts on other properties. Council is requested to prepare this plan prior to the planning proposal being exhibited.

I understand the land has no property details which can be identified in the draft LEP. As such, Council will need to prepare a Key Sites Map to identify the subject land as a reference to other development control maps.

Plan making powers were delegated 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 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 Commission may take action under section 54(2)(d) of the EP&A Act if the time frame outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Amar Saini of the Metropolitan Region (Parramatta) office on 02 9860 1531.

Yours sincerely,


5/2/2016

Rachel Cumming
Director, Metropolitan Region (Parramatta)

Gateway Determination

Planning proposal (Department Ref: PP_2015_LPOOL_008_00): an amendment to Liverpool Local Environmental Plan 2008 concerning rezoning of part Copeland Street, Liverpool (adjacent to 10-16 Copeland Street and 93-95 Campbell Street) from SP2 Classified Road to R4 High Density Residential zone.

I, the Director, Metropolitan Region (Parramatta), at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), that an amendment to the Liverpool Local Environmental Plan 2008 should proceed subject to the following conditions:

1. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be publicly exhibited for 14 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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans* (Department of Planning and Environment 2013).
2. In relation to the requirements under Section 117 Directions 4.3 Flood Prone Land, Council is to prepare and submit a Floodplain Risk Management Plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005 prior to plan being exhibited.
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:

Transport of NSW - Roads and Maritime Services
Endeavour Energy
Office of Environment and Heritage
Sydney Water
Telstra

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. A public hearing is not required to be held in relation to this matter by any person or body under section 52(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).

5. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated 5th day of February 2016

R Cumming

Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services

Delegate of the Greater Sydney Commission