



Office of the Director General

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Our ref: PP_2012_LPOOL_003_00 (12/18387-1)
Your ref: 261298.2012

Dear Mr Portelli,

Planning proposal to amend Liverpool Local Environmental Plan 2008

I am writing in response to your Council's letter dated 9 November 2012 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 (LEP) 2008 to rezone land at Hoxton Park Road, Prestons for commercial purposes.

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 that the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial zones and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 to meet the 9 month timeframe. 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 NSW 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 9860 1560.

Yours sincerely,

Sam Haddad
Director General

8/12/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_LPOOL_003_00): to amend Liverpool Local Environmental Plan 2008 to rezone land at Hoxton Park Road, Prestons for commercial purposes.

I, the Director General, 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 Lot 5 DP 1036695 Hoxton Park Road, Prestons from IN2 Light Industrial and IN3 Heavy Industrial to B6 Enterprise Corridor should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the planning proposal to include a map at an appropriate scale that shows the proposed zones to achieve Council's intended outcomes.
2. 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available 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 planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW – Roads and Maritime Services
 - Hawkesbury-Nepean Catchment Management 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.

4. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

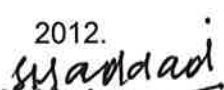
Dated

8th

day of

December

2012.


Sam Haddad

Director General

Delegate of the Minister for Planning and
Infrastructure