



Planning & Infrastructure

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Our ref: 11/08652

Dear Mr Portelli

Planning Proposal to rezone land at Denham Court and reduce minimum lot size

I refer to your letter on 4 April, 2011 forwarding a revised planning proposal to amend *Liverpool Local Environmental Plan 2008* (the "LEP") by rezoning certain land at Denham Court from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential, and reducing the minimum lot size of that land from 2 ha to 1 ha.

As delegate of the Minister for Planning and Infrastructure, I have now determined under s.56(2) of the *Environmental Planning and Assessment Act 1979* (the "EP&A Act") that the revised planning proposal (PP_2011_LPOOL_008_00) should proceed subject to the conditions in the attached Gateway Determination.

I have also altered my determination of 15 February 2011, under s.56(7) of the EP&A Act by determining that the planning proposal forwarded to the Department on 22 December 2010 (PP_2011_LPOOL_002_00) should not proceed.

The amending instrument is to be finalised within 9 months from the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the revised Planning Proposal within four (4) weeks from receiving the Gateway Determination.

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 a 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.

If you have any questions in relation to this matter, please contact Ms Cho Cho Myint, of the Department of Planning and Infrastructure's Sydney West Region on (02) 9873 8583.

Yours sincerely

Tom Gellibrand 4/7/11
Deputy Director General
Plan Making and Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_LPOOL_008_00): to amend the *Liverpool Local Environmental Plan 2008* by rezoning certain land at Denham Court from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential and reducing the minimum lot size of that land from 2ha to 1ha.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that a planning proposal to amend the *Liverpool Local Environmental Plan 2008* by rezoning certain land at Denham Court from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential and reducing the minimum lot size of that land from 2ha to 1ha should proceed without variation, subject to the following conditions:

1. 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 **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Catchment Management Authority – Sydney Metro
 - Department of Agriculture
 - Department of Transport
 - Integral Energy
 - NSW Fire Brigades
 - NSW Health
 - NSW Roads and Traffic Authority
 - Office of Environment and Heritage
 - State Water Corporation
 - Sydney Water

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.

3. 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).



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4. The timeframe for completing the LEP under s.56(2)(f) of the EP&A Act is to be **9 months** from the week following the date of the Gateway determination.

Dated

4th

day of

July

2011.

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure