



Dr Eddie Jackson
A/Chief Executive Officer
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

Dear Dr Jackson

Planning proposal PP_2019_LPOOL_008_00 to amend Liverpool Local Environmental Plan 2008

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* for the planning proposal which seeks to amend the Liverpool Local Environmental Plan 2008 by applying certain planning controls to the site at 2 Macarthur Drive, Holsworthy.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 3.5 Development Near Regulated Airports and Defence Airfields and 4.4 Planning for Bushfire Protection. Council is to consult with the Department of Defence in relation to the Holsworthy Defence Airfield and NSW Rural Fire Service on the bushland prone land, prior to the public exhibition.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to the potential impacts on the Department of Defence land.

I would also recommend that as Council has adopted the planning proposal, for clarity, the cover page of the proposal is amended to include Council's name, logo and details. Further, so that the process is not flawed, I would recommend that Council gives consideration to reformatting the proposal, including section numbering, to be consistent with 'A guide to preparing local environmental plans' (Department of Planning, Industry and Environment, 2018), particularly ensuring that

reference is made to current sections of the Act and that the parts of the proposal clearly follow the requirements of section 3.33(2) of the Act.

To assist with the community's understanding of the proposal, Council should consider including thumbnail mapping of the existing and proposed controls under the explanation of provision section of the planning proposal.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight 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 Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Cho Cho Myint to assist you. Ms Myint can be contacted on 9860 1507.

Yours sincerely



15/07/20

Catherine Van Laeren
Executive Director
Central River City and Western Parkland City

Encl: Gateway determination