



Contact: Amar Saini
Phone: (02) 9860 1560
Email: Amar.Saini@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001

Our ref: PP_2013_LPOOL_005_00 (13/15377)
Your ref: 196178.2013, RZ-3/2013

Mr Farooq Portelli
General Manager
Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Dear Mr Portelli,

Planning proposal to amend Liverpool Local Environmental Plan 2008

I am writing in response to your Council's letter dated 6 September 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal (Amendment No. 35) to rezone part of Tree Valley Golf Course at 2162 Camden Valley Way, Edmondson Park to B6 Enterprise Corridor and realign zone boundaries on the subject site, amend maximum floor space ratio and maximum building height standards, and reduce the area and amend the minimum dwelling density on the Dwelling Density Map for the subject land.

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

The Minister delegated his plan making powers 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 directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

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 54(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 Amar Saini of the regional office of the department on 02 9860 1560.

Yours sincerely,



10/10/2013

for

Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations & Regional Delivery

Encl:

Gateway determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated plan making reporting template

Gateway Determination

Planning proposal (Department Ref: PP_2013_LPOOL_005_00): to rezone part of Tree Valley Golf Course to B6 Enterprise Corridor and amend applicable development standards.

I, the Acting Executive Director, Metropolitan Planning at the 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 part of Tree Valley Golf Course at 2162 Camden Valley Way, Edmondson Park to B6 Enterprise Corridor and realign zone boundaries on the subject site, amend maximum floor space ratio and maximum building height standards, and reduce the area and amend the minimum dwelling density on the Dwelling Density Map for the subject land should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the Economic Impact Assessment to consider the impact of the proposal on surrounding existing and proposed centres, including the approved ALDI supermarket along Camden Valley Way, Prestons and the proposed supermarket at 1975-1985 Camden Valley Way, Prestons, Prestons Shopping Village and planned Edmondson Park town centre.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to demonstrate the proposal's consistency with the Edmondson Park Conservation Agreement under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, and the Growth Centres Biodiversity Certification and Strategic Assessment.
3. 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 a minimum of **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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
4. 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
 - NSW Trade and Investment

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.

5. 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).



6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *Tenth* day of *October* 2013.

M. Selman

Dr

**Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations & Regional Delivery
Department of Planning & Infrastructure**

**Delegate of the Minister for Planning &
Infrastructure**



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Liverpool City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_LPOOL_005_00	Planning proposal to rezone part of Tree Valley Golf Course at 2162 Camden Valley Way, Edmondson Park to B6 Enterprise Corridor and realign zone boundaries on the subject site, amend maximum floor space ratio and maximum building height standards, and reduce the area and amend the minimum dwelling density on the Dwelling Density Map for the subject land.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 10 October 2013

 **Daniel Keary**
Acting Executive Director
Metropolitan Planning
Planning Operations & Regional Delivery
Department of Planning & Infrastructure

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_LPOOL_005_00
Date Sent to Department under s56	06/09/2013
Date considered at LEP Review Panel	03/10/2013
Gateway determination date	10/10/2013

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: