



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

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

Our ref: PP_2013_LPOOL_002_00 (13/10036-1)
Your ref: RZ-1/2013

Dear Mr Portelli,

Planning proposal to amend Liverpool Local Environmental Plan 2008

I am writing in response to your Council's letter dated 5 June 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. 31) to rezone land at 1975 - 1985 Camden Valley Way, Prestons from B6 Enterprise Corridor to B2 Local Centre.

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.

While the proposal to rezone land at Camden Valley Way, Prestons to B2 Local Centre is supported, additional strategic work is to be undertaken before the planning proposal can proceed to public exhibition. The department has received advice from UrbanGrowth NSW which indicates that the first stage of the Edmondson Park Town Centre will be open in 2016, consequently the Economic Impact Assessment (EIA) prepared by MacroPlanDimasi (March 2013) is to be updated to address the proposal's impact on the Edmondson Park Town Centre, Prestons Village Shopping Centre and other nearby centres.

Council may still need to obtain the Director General's agreement to satisfy the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

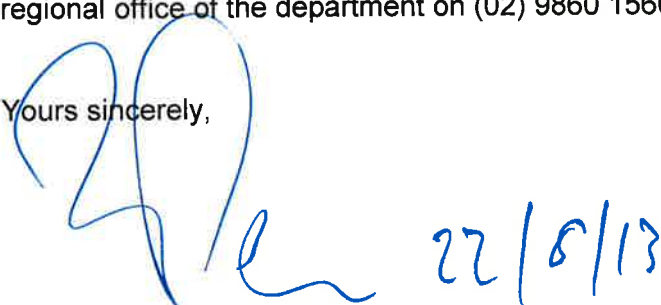
The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation, however has asked not to be issued with delegation for the making of this plan. I have considered the nature of Council's planning proposal and have decided to support Council's position and not issue an authorisation for Council to exercise delegation in this instance.

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 for the department 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 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 Ms Cho Cho Myint of the regional office of the department on (02) 9860 1560.

Yours sincerely,

A handwritten signature in blue ink, followed by the date 22/8/13, also in blue ink.

Richard Pearson
Deputy Director General
Planning Operations & Regional Delivery

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2013_LPOOL_002_00): to rezone land at Prestons from B6 Enterprise Corridor to B2 Local Centre.

I, the Deputy Director General, Planning Operations and Regional Delivery 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 land at 1975 - 1985 Camden Valley Way, Prestons from B6 Enterprise Corridor to B2 Local Centre should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the Economic Impact Assessment (EIA) prepared by MacroPlanDimasi (March 2013) is to be updated to address the impacts of the proposal on the Edmondson Park Town Centre, Prestons Village Shopping Centre and other nearby centres. The planning proposal is also to be updated to demonstrate that the proposed development cannot be accommodated in existing or planned centres. This additional information and any submissions received prior to public exhibition, regarding the proposal for a supermarket at the subject site, are to be placed on public exhibition with the planning proposal.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below S117 Directions and other relevant documents:
 - 1.1 Business and Industrial Zones
 - 3.4 Integrating Land Use and Transport
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036
 - draft Metropolitan Strategy for Sydney 2031
 - draft South West Subregional Strategy
3. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
4. 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).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Trade and Investment
 - Transport for NSW
 - Roads and Maritime Services



Planning & Infrastructure

- UrbanGrowth NSW
- Adjoining LGAs

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.

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

Dated 22 day of August 2013.

Richard Pearson
Deputy Director General
Planning Operations & Regional Delivery
Department of Planning & Infrastructure

Delegate of the Minister for Planning & Infrastructure