



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2011_LPOOL_003_00 (11/01681)
Your ref: RZ-6/2011-217990.2010

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

Dear Mr Portelli,

Re: Planning Proposal to rezone land on Orange Grove Road, Warwick Farm, from B5 Business Development to B6 Enterprise Corridor and to amend Clause 7.23 of Liverpool LEP 2008

I am writing in response to your Council's letter dated 23 December 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 2008 to rezone land on Orange Grove Road, Warwick Farm, from B5 Business Development to B6 Enterprise Corridor and to amend Clause 7.23 of Liverpool LEP 2008 to increase maximum gross floor area of retail development in the B6 Enterprise Corridor Zone from 1,000 sq. meters to 1,600 sq. meters

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

Further consideration is to be given to the relationship of the subject precinct to the strategic direction of the Metropolitan Strategy, paying particular attention to item 12 of the Strategic Employment Lands in the South West section (p30 – 34) in the draft South West Subregional Strategy. Consistency with this policy is to be included in the planning proposal for exhibition purposes.

Council are reminded that the Enterprise Corridor zone has a very specific role in the context of both the Metropolitan Strategy and the Standard Instrument LEP. If the objectives for the site can be achieved through an alternative zone, then that zone should be used or adequate justification provided for the use of the B6 zone.

It is acknowledged that Clause 7.22 Development in Zone B6 of Liverpool LEP 2008 applies to certain residential development in the B6 zone and that limited forms of residential development are permissible in the B6 Enterprise Corridor zones under Liverpool LEP 2008. The planning proposal should therefore address S117 Direction 3.1 Residential Zones in the planning proposal for exhibition purposes.

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 within four (4) weeks from the week following this determination. 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 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 Amar Saini of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,



16/2/11

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_LPOOL_003_00): to rezone land on Orange Grove Road, Warwick Farm, from B5 Business Development to B6 Enterprise Corridor and to amend Clause 7.23 of Liverpool LEP 2008

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 an amendment to the Liverpool Local Environmental Plan 2008 to rezone land on Orange Grove Road, Warwick Farm, from B5 Business Development to B6 Enterprise Corridor and to amend Clause 7.23 of Liverpool Local Environmental Plan 2008 to increase maximum gross floor area of retail development in the B6 Enterprise Corridor Zone from 1,000 sq. meters to 1,600 sq. meters should proceed 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:
 - Ministry of Transport
 - NSW Fire Brigades
 - NSW Police Service
 - NSW Transport and Infrastructure
 - Roads and Traffic 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.

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 is to be **9 months** from the week following the date of the Gateway determination.

Dated 16th day of February 2010.

A handwritten signature in blue ink, appearing to read "Tom Gellibrand".

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