



Planning & Environment

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Mr Carl Wulff
Chief Executive Officer
Liverpool City Council
Locked Bag 7064
LIVERPOOL NSW 1871

Our ref: PP_2015_LPOOL_005_00 (15/10607)
Your ref: 153456.2015

Attention: Benny Horn

Dear Mr Wulff

Planning proposal to amend Liverpool LEP 2008 (Amendment No 55)

I am writing in response to your Council's letter dated 23 June 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to permit additional uses (service station and take away food and drink premises) at 1-5 Yato Road, Prestons.

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.

I have also agreed the planning proposal's inconsistency with Section 117 Direction 6.3 Site Specific Provisions is of minor significance. No further approval is required in relation to this Direction.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has not 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 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.

If you have any queries in regard to this matter, please contact Amar Saini of the Metropolitan Region (Parramatta) office on 02 9860 1130.

Yours sincerely,

RJammie
27/7/2015

**Director, Metropolitan Region (Parramatta)
Planning Services**

Gateway Determination

Planning proposal (Department Ref: PP_2015_LPOOL_004_00): to amend draft Liverpool Local Environmental Plan 2008 to permit additional uses (service station and take away food and drink premises) at 1-5 Yato Road, Prestons.

I, the Director, Metropolitan Region (Parramatta), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), that an amendment to the draft Liverpool Local Environmental Plan 2008 to permit additional uses (service station and take away food and drink premises) at 1-5 Yato Road, Prestons, should proceed subject to the following conditions:

1. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be publicly exhibited for 14 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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans* (Department of Planning and Environment 2013).
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

Road and Maritime Services
Endeavour Energy
Office of Environment and Heritage
Sydney Water
Telstra

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.
3. A public hearing is not required to be held in relation to this matter by any person or body under section 52(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).
4. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated 27th day of July 2015.



Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services

Delegate of the Minister for Planning