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Department Generated Correspondence (Y)

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Our ref: PP_2011_LPOOL_012_00 (11/22599-1)
Your ref: 231185.2011

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

Dear Mr Portelli,

Re: Planning Proposal to rezone the old Council Chambers site at Hoxton Road, Liverpool to part B6 Enterprise Corridor and part RE1 Public Recreation.

I am writing in response to your Council's letter dated 21 December 2011 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 the old Council Chambers site on Hoxton Park Road, Liverpool to part B6 Enterprise Corridor and part RE1 Public Recreation.

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

It is noted that Council currently has several planning proposals involving bulky goods retail proposals in 'out of centre' locations. Given the nature of this and other planning proposals currently before Council, consideration should be given to preparing a commercial centres review to ensure the viability of centres and to ensure there is a strategic basis for future planning decisions.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes, are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway 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 Cho Cho Myint of the Regional Office of the Department on 02 9873 8583.

Yours sincerely,



25/1/12

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

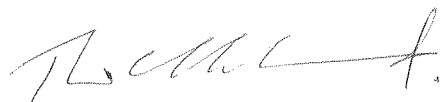
Planning Proposal (Department Ref: PP_2011_LPOOL_012_00): to rezone the site to part B6 Enterprise Corridor and part RE1 Public Recreation. The existing RE1 zone is proposed to be expanded to align with the boundaries of Council's flood risk map.

I, the Deputy Director General, Plan Making & Urban Renewal 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 2008 to rezone the site to part B6 Enterprise Corridor and part RE1 Public Recreation 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available 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 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:
 - NSW Maritime and Roads
 - NSW Office of Environment and Heritage

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).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 25th day of January 2012



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