

Ms Kiersten Fishburn  
Acting Chief Executive Officer  
Liverpool City Council  
Locked Bag 7064  
Liverpool BC NSW 1871

Our ref: 17/02587-1  
(PP\_2017\_LPOOL\_001\_00)  
Your ref: 289302-2016

Dear Ms Fishburn

**Planning proposal to amend Liverpool LEP 2008 (Amendment No 66)**

I am writing in response to your Council's request of 30 January 2017 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to amend the *Liverpool Local Environmental Plan 2008* to allow residential use as an additional permitted use and an amendment to the zone boundary on the approved Georges Cove Marina development site at 146 Newbridge Road, Moorebank.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with Section 117(2) Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approvals are required in relation to these Directions.

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 Cho Cho Myint of the Sydney Region West office on 02 9860 1507.

Yours sincerely,

  
Stephen Murray  
Executive Director, Regions  
Planning Services

9 March 2017

**Delegate of the Greater Sydney Commission**

## Gateway Determination

**Planning proposal (Department Ref: PP\_2017\_LPOOL\_001\_00):** to amend *Liverpool Local Environmental Plan 2008* to allow residential use as an additional permitted use and an amendment to the zone boundary on the approved Georges Cove Marina development site at 146 Newbridge Road, Moorebank.

I, the Executive Director, Regions, Planning Services at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), that the proposal should proceed subject to the following conditions:

1. Prior to community consultation, Council is to revise the planning proposal to:
  - (a) update the Lot and Deposited Plan numbers for the site to correctly reflect the land subject of the planning proposal; and
  - (b) address the Draft West Central District Plan.
2. Prior to community consultation, Council is required to consult with the NSW Rural Fire Service and give consideration to the provisions of S117 Direction 4.4 - Planning for Bushfire Protection to demonstrate consistency with the direction.
3. 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:
  - Office of Environment and Heritage;
  - Sydney Catchment Authority;
  - NSW Department of Primary Industries - Agriculture;
  - NSW Department of Primary Industries - Fishing and Aquaculture;
  - Transport for NSW;
  - NSW Rural Fire Service
  - Transport for NSW;
  - Transport for NSW - Roads and Maritime Services;
  - State Emergency Service;
  - Sydney Water; and
  - Bankstown City Council

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.

4. Community consultation is required under sections 56(2)(c) and 57 of the 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 *A Guide to Preparing Local Environmental Plans* (Department of Planning and Infrastructure 2016).
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 9<sup>th</sup> day of March 2017.

  
**Stephen Murray**  
Executive Director, Regions  
Planning Services

**Delegate of the Greater Sydney Commission**