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Our ref: PP_2015_LPOOL_005_00 (15/12832)
Your ref: 152992.2015

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

Attention: Ash Chand

Dear Mr Wulff

Planning proposal to amend Liverpool LEP 2008 (Amendment No 54)

I am writing in response to your Council's letter dated 5th August 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning rezoning and reclassification of part of Hammondville Park (Part Lot 10, DP 1162812), Heathcote Road, Hammondville.

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.

In relation to Section 117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes. No further approval is required in relation to this Direction.

In relation to Section 117 Direction 4.1 Acid Sulfate Soils Council is required to undertake an Acid Sulfate Soils Study, prior to exhibition. The study is to be submitted to the Department and the planning proposal is to be amended if required.

Council is also required to obtain the agreement of the Secretary to comply with the requirements of Section 117 Direction 4.3 – Flood Prone Land. Council should ensure this occurs following consultation with the Office of Environment and Heritage.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

Council is reminded of its obligations for undertaking a public hearing and providing adequate information regarding the discharge of any interests in relation to the proposed reclassification of land, in accordance with the Department's Practice Note *PN09-003, Classification and reclassification of public land through a local environmental 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 1160.

Yours sincerely,



24/9/2015

Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services



Gateway Determination

Planning proposal (Department Ref: PP_2015_LPOOL_005_00): to amend draft Liverpool Local Environmental Plan 2008 concerning rezoning and reclassification of part of Hammondville Park (Part Lot 10, DP 1162812), Heathcote Road, Hammondville.

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 concerning rezoning of part of Hammondville Park (Part Lot 10, DP 1162812), Heathcote Road, Hammondville from RE1 Public Recreation to RE2 Private Recreation and B6 Enterprise Corridor and reclassification of the land from community to operational, should proceed subject to the following conditions:

1. Prior to exhibition, Council is to:
 - undertake Acid Sulfate Soils study and amend the planning proposal if required. This study is to be submitted to the Department to satisfy the condition in respect of section 117 Direction 4.1 Acid Sulfate Soils;
 - consult with NSW Rural Fire Service and take into account any comments made in relation to Bushfire Prone land in respect of section 117 Direction 4.4 Planning for Bushfire Protection.
2. 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 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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans* (Department of Planning and Environment 2013).
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:

Department of Primary Industries - Lands
Transport of NSW - Roads and Maritime Services
Endeavour Energy
Office of Environment and Heritage
Sutherland Shire Council
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.

4. 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).
5. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated 24th day of September 2015



Rachel Cumming
Director, Metropolitan Region (Parramatta)

As Delegate of the Minister for Planning