

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_LPOOL\_001\_00):** to allow multi dwelling housing as additional permissible use with consent on land at 123 Epsom Road, Chipping Norton, Liverpool (Lot 3 DP 602936).

I, the Director, Sydney Region West, Planning Services, at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to Schedule 1 Additional permitted uses of the Liverpool Local Environmental Plan (LEP) 2008 to permit multi dwelling housing as additional permissible use with consent for land at 123 Epsom Road, Chipping Norton, Liverpool (Lot 3 DP 602936) should proceed subject to the following conditions:

1. Prior to community consultation:
  - a) Council is required to undertake the following studies to support the proposal as follows:
    - i. a Heritage Impact Assessment study to address heritage constraints and potential impacts of future development;
    - ii. Traffic Impact Assessment study to address potential impacts and improvement to the existing road network; and
    - iii. an Acid Sulfate Soils study.
  - b) Council is to update the planning proposal, if required, consistent with the outcomes of the studies as referred in part (a); and
  - c) Council is to update the planning proposal to remove the Key Sites Map as it is considered that it is not required.

The revised planning proposal and completed studies are to be forwarded to the Department for review and approval.

2. Community consultation is required under Sections 3.34(2)(c) and Schedule 1, Clause 4 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
  - a) the planning proposal must be made publicly available for a minimum of 14 days; and
  - b) the planning proposal authority must comply with the notice of 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 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- NSW Office of Environment and Heritage – Heritage Division;
- Road and Maritime Services;
- Sydney water;
- Endeavour Energy;
- Telstra; and
- other relevant service provider.

Each public authority/organisation 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 into the matter by any person or body under section 3.34(2)(e) of the 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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
- a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - c) there are no outstanding written objections from public authorities.
6. The timeframe for completing the LEP is to be **12 months** from the date of the Gateway Determination.

Dated 14<sup>th</sup> day of May 2019.



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**