

Gateway Determination

Planning proposal (Department Ref: PP_2020_LPOOL_004_00): to amend the dwelling density from 4 lots per site to five lots per site over Sites 1 to 4 at Pleasure Point Road, Pleasure Point.

I, the Director Western at the Department of Planning, Industry 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 the Liverpool Local Environmental Plan (LEP) 2008 to amend the dwelling density on Sites 1 to 4 from four lots per site to five lots per site should proceed subject to the following conditions:

1. Prior to public exhibition, Council is required to prepare a bush fire report in consultation with the Rural Fire Service, and update the planning proposal to address the unresolved inconsistency with Section 9.1 Direction 4.4 Planning for Bushfire Protection.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018) and must be made publicly available for a minimum of **14 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and to comply with the requirements of relevant section 9.1 Directions:
 - Sydney Water;
 - Department of Planning, Industry and Environment – Environment, Energy and Science Group;
 - NSW Rural Fire Service;
 - State Emergency Services; and
 - Endeavour Energy and Jemena Gas Works (NSW) Limited.

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; and
 - (b) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 23 day of September 2020.



Adrian Hohenzollern
Director
Central River City and Western Parkland
City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces