



Dr Eddie Jackson
Chief Executive Officer
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

Attn: Mr Luke Oste

Dear Mr Jackson,

Planning Proposal PP-2021-3686 to amend Local Environmental Plan 2008 (Amendment No 91)

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) received on 20 May 2021 in respect of the planning proposal to amend Liverpool Local Environmental Plan (LEP) 2008 to permit 'business premises' on land at 10 Orange Grove Road, Warwick Farm and to increase the existing gross floor area cap for 'retail premises' at 5 Viscount Place, Warwick Farm.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 2.1 Environmental Protection Zones and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to finalisation.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months from the date of the Gateway Determination. Council should aim to commence exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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 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 3.32(2)(d) of the Act if the timeframes outlined in this determination are not met.

Should you have any enquiries about this matter, please contact Cho Cho Myint on 98601507 or via chocho.myint@planning.nsw.gov.au.

Yours sincerely



1 July 2021

Adrian Hohenzollern
Director, Western
Central River City and Western Parkland City

Encl: Gateway determination
Plan-making reporting Template