

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-4949): Schedule 1 Amendment to permit an animal boarding or training establishment at 40 Ramsay Road, Rossmore***

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 permit an animal boarding or training establishment at 40 Ramsay Road as an additional permitted use under schedule 1 should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal should be updated to include the following information:
  - (a) additional justification in relation to the reduction in accessible public open space as a result of the planning proposal, such as how Council plans to manage the residual RE1 zoned land.
  - (b) option analysis of potential locations within the RE1 zoned land taking into account any flooding, bushfire, Aboriginal and European heritage, land contamination or other constraints, amenity impact on the surrounding residential properties, future operational requirements of the facility (such as access) and with a view to minimise impact on the RE1 Public Recreation zoning objectives.
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 must be made publicly available for a minimum of 28 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 Rural Fire Service (RFS) under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions. The RFS 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.



16 September 2021

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

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