

Gateway Determination

Planning proposal (Department Ref: PP-2022-2380) to facilitate midrise mixed-use development (residential and maximum 1,200m² of business and retail premises combined) at 93-145 Hoxton Park Road, 49 and 51 Maryvale Avenue, and 260 Memorial Avenue, Liverpool. The planning proposal will also incorporate 20 and 48 Dale Avenue, Liverpool to be used for access.

I, the Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, 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 2008 to facilitate midrise mixed-use development (residential and maximum 1,200m² of business and retail premises combined) at 93-145 Hoxton Park Road, 49 and 51 Maryvale Avenue, and 260 Memorial Avenue, Liverpool should proceed subject to the following-

The LEP should be completed on or before 27 August 2025.

Gateway Conditions

1. Prior to exhibition, the following needs to be undertaken:
 - a. all documents for the planning proposal are to include Lot 5A DP 396839 (49 Maryvale Avenue) including any concept designs.
 - b. all documents for the planning proposal are to refer to consistent information (dwelling, job numbers, proposed controls etc)
2. Prior to exhibition, consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the Act to comply with the requirements of applicable directions of the Minister under section 9 of the Act. NSW Rural Fire Service is to be provided with a copy of the amended planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
3. Prior to exhibition, the planning proposal is to be amended to address condition 1 above and forwarded to the Minister under s 3.34(6) of the Act.
4. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

The draft Voluntary Planning Agreement and Draft Development Control Plan for 93-145 Hoxton Park Road, 49 and 51 Maryvale Avenue, and 260 Memorial Avenue,

Liverpool is to be exhibited at the same time and in the same way as the planning proposal (as far as practicable).

5. Consultation is required with Transport for New South Wales (TfNSW) under section 3.34(2)(d) of the Act. TfNSW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
6. 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).

Dated 12 November 2024



Rukshan de Silva
Director, Local Planning and Council
Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces