

Gateway Determination

Planning proposal (Department Ref: PP-2023-701): *To reclassify public open space from 'community' land to 'operational' land and rezone to R2 Low Density Residential and apply corresponding development controls at 22 Box Road, Casula.*

I, the Director, Agile Planning 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 the Liverpool Local Environmental Plan 2008 to reclassify public open space from 'community' land to 'operational' land and rezone to R2 Low Density Residential and apply corresponding development controls at 22 Box Road, Casula should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) Address the proposed changes to development standards associated with the rezoning,
 - (b) Clarify that the site is a Council owned public reserve and that as part of the planning proposal Council is extinguishing interests,
 - (c) Remove the Land Reclassification (Part Lots) Map,
 - (d) Provide a copy of the Deposited Plan and the details of all the dealings, interests and easements registered on the Title for Lot 1103 DP 1051233 and clarify what the planning proposal is seeking to extinguish and the justification for this.
 - (e) Address Ministerial Direction 5.2 Reserving Land for Public Purposes and 5.1 Integrating Land Use and Transport.
 - (f) Attached a copy of the Local Planning Panel advice and Practice Note 16-001.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (g) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 working days; and
 - (h) 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 Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
 - Relevant utility providers, including Sydney Water.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. A public hearing is required to be held in accordance with the Local Government Act 1993 and the Department's Practice Note PN 16-001.
5. 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 EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.
6. Given the nature of the proposal, Council is not authorised to be the local plan-making authority.
7. The LEP should be completed on or before 28 March 2024.

Dated 6th day of June 2023.

A handwritten signature in black ink, appearing to read 'LMcMahon', is positioned above the printed name and title.

Louise McMahon
Director, Agile Planning
Digital, Coordination, Digital and Insights
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces