

Gateway Determination

Planning proposal (Department Ref: PP-2023-633): to amend clause 6.32 of the Inner West Local Environmental Plan 2022 to allow the Enmore Road Special Entertainment Precinct to continue permanently.

I, the Director, Eastern and South Districts 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 Inner West Local Environmental Plan 2022 to allow the Enmore Road Special Entertainment Precinct to continue permanently should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to public exhibition to:
 - (a) remove commentary on the State Environmental Planning Policy (Industry & Employment) 2021 which refers to consistency with planning provisions that are only applicable to the Western Sydney Employment area.
2. 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 Guidelines* (Department of Planning and Environment, 2022) 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 Guidelines* (Department of Planning and Environment, 2022).

Exhibition must commence within 2 months following the date of the Gateway determination.

3. Consultation is required with the following public authorities, government agencies and organisations 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:
 - City of Sydney Council
 - NSW Police
 - NSW Live Music Office
 - Liquor and Gaming NSW
 - Transport for NSW
 - Office of the 24-Hour Economy Commissioner
 - Office of Local Government

- Department of Customer Service

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 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 (for example, in response to a submission or if reclassifying land).
5. The Council as planning proposal authority planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A 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 applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed on or before 28 August 2023.

Dated 28th day of April 2023.



Laura Locke
Director, Eastern and South Districts
Planning and Land Use Strategy
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces