

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-1920):** New Liverpool Local Environmental Plan

I, the Executive Director 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 prepare a new Liverpool Local Environmental Plan should proceed subject to the following :

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 27 August 2026.

### Gateway Conditions

1. Prior to exhibition, the planning proposal including mapping and supporting documentation is to be amended and forwarded to the Minister under s 3.34(6) of the Act as below-
  - a. Remove relevant references and mapping for-
    - i. Rezoning of R3 medium density residential to R2 Low Density Residential for land at Moorebank, Carnes Hill Centre, Wattle Grove, Prestons and Cecil Hills
    - ii. Rezoning of R4 High Density land identified as smaller scale local centre, faced interface issues and are located out of a centre area.
    - iii. All commercial land amendments which seek to reduce height and, as a consequence, floor space ratio.
    - iv. Endeavour Energy Sites rezoned under PP-2024-1481
    - v. 24 Willowie Way, Pleasure Point
  - b. Update description and/or mapping-
    - i. Include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process.

- ii. Address inconsistency with Ministerial Direction 4.4 Remediation of Contaminated Land by confirming that the residential zoned sites proposed to have density increase were not subject to land uses or activities which may cause contamination
- iii. Update discussion for new provisions-
  - Public Art Installation
  - Urban Heat
  - Waste as Essential Service
- iv. Remove all references to Build-to-rent as a land use under the Land use table
- v. Ensure that the indicated number of Council owned land parcels to be rezoned to recreation zone is consistent
- vi. Include amendments requested by Transport for New South Wales (TfNSW) for
  - 300-304 and 318-324 Hume Highway Liverpool and 310-316 Hume Highway, Liverpool
  - Gimes Park - 27, 29, and 37 Grove Street Casula, and Lot 100 DP880218

In this regard, include TfNSW's request as part of the public exhibition package.

- vii. Amend description rectifying discrepancy in zoning reference for proposed RE2 Private Recreation zoned land at Moorebank area (table 84 of the mapping report)
- viii. Include mapping of all privately owned land proposed for acquisition
- ix. Include mapping for Middleton Grange and Edmonson Park under clause 7.11 amendment
- x. Include mapping for all new land mapped under clause 7.25 amendment
- xi. Confirm and provide further details (if relevant) on associated development standards proposed to be amended for Moorebank Voluntary Acquisition Scheme
- xii. Relocate items under table 32 of the mapping report to a relevant section and provide proposed mapping for each item at
  - Leacocks Ln, Casula
  - 73 Woodlands Rd, Liverpool
  - Bernera Road, Prestons

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 principal 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 30 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).
  - (c) Council is to write to all affected landowners providing notice of the proposal and public exhibition for any proposed amendments associated with:
    - a. Transport for NSW land at Gimes Park
    - b. Privately owned land identified for acquisition.
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 Act:
  - Department of Climate Change, Energy, the Environment and Water – Environment and Heritage
  - Department of Climate Change, Energy, the Environment and Water – Water
  - Transport for NSW
  - Sydney Water
  - WaterNSW
  - Department of Planning, Housing and Industry- Western Sydney Aerotropolis
  - Western Sydney International Airport
  - Civil Aviation Safety Authority (CASA)
  - NSW Health
  - Adjoining Councils

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 40 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 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. As part of the post exhibition package submitted to the Department for the LEP finalisation, Council is to include –
  - a. a draft DCP for Medium Density development on corner lots
  - b. discussion on the consultation outcome for the TfNSW requested land rezoning at Casula

Dated 22 April 2025

A handwritten signature in blue ink, appearing to read 'D Thompson', with a long horizontal flourish extending to the right.

**Daniel Thompson**  
**A/Executive Director**  
**Local Planning and Council Support**  
**Department of Planning, Housing and**  
**Infrastructure**

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