

Gateway Determination

Planning proposal (Department Ref: PP-2024-923): to amend development standards on IN2 Light Industrial zoned land in Austral Light Industrial Precinct

I, the Acting Director, Local Planning (Metro Central, West and South) 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 State Environmental Planning Policy (Precincts - Western Parkland City) 2021 to amend development standards on IN2 Light Industrial zoned land in Austral should proceed subject to the following conditions.

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:

- (1) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (2) 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
- (3) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 28 March 2025.

Gateway Conditions

1. Updates to the planning proposal are required including the following:
 - Update Explanation of Provisions to include the following amendments to the *State Environmental Planning Policy (Precincts - Western Parkland City) 2021, Appendix 4 Liverpool Growth Centres Precinct Plan*:
 - Amend the IN2 Light Industrial land use zone table to:
 - Prohibit food and drink premises; and
 - Permit with consent take away food and drink premises, restaurants and cafes; and
 - Remove hotel or motel accommodation as a permissible land use
 - Investigate a local provision applying to the Austral Industrial Precinct to:
 - set maximum floor space areas on ancillary land uses with the intent that the caps apply to a parent lot/whole development. Appropriate supporting justification and evidence for maximum floor space areas is to be provided; and
 - introduce additional provisions relating to childcare centre proposals to minimise land use conflict (similar to cl 3.24 of the SEPP (Transport and Infrastructure) 2021).
 - The format of explanation of provisions should focus on the intent of a provision, a detailed statement of how the objectives or intended outcomes will be achieved.
 - Update Objectives and Intended Outcomes of the proposal to be in line with amendments referred to above.
 - Update remaining sections of the planning proposal, where appropriate, to reflect the above amendments.
2. The updated planning proposal as per Condition 1 is to be forwarded to the Minister under S 3.34(6) of the Act for review. Council is also to advise the Department if it

wishes to undertake any of the suggested strategic planning work outlined in Section 1.3.2 of the Gateway Assessment report and if this would result in amendments to the proposal.

3. 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.
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).
5. No further consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.
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).

Dated 22 July 2024



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(Metro Central, West and South)
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Department of Planning, Housing and
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Delegate of the Minister for Planning
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