

Gateway Determination

Planning proposal (Department Ref: PP-2024-963): to amend the Liverpool LEP 2008 to allow for a retail premises of 4,000m² at Lot 1, 146 Newbridge Road Moorebank ('Georges Cove Village')

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 Liverpool Local Environmental Plan 2008 to allow for a retail premises of 4,000m² at Lot 1 146 Newbridge Road Moorebank ('Georges Cove Village') 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 28 March 2025.

Gateway Conditions

1. The planning proposal is to be updated to:
 - Clarify the mechanism in which the site-specific clause permitting a maximum of 4,000m² for retail premises is to be introduced into the LEP (ie Part 7 Additional Local Provisions or Schedule 1 Additional Permitted Uses of the Liverpool LEP and whether an amendment to the Key Site Map is required).
 - Clarify whether the development of the subject site as per the existing provisions in the Liverpool LEP have been considered within Georges River Evacuation Study (Molino Stewart 2022) evacuation modelling. If this is unable to be clarified, Council should proceed on the basis that the 'spare' evacuation vehicle capacity needs to be reduced to accommodate the development of this site and amend the proposal accordingly.
 - Identify the split between the number of employees, and associated car parking, and visitor car parking figures to support the current proposal.
 - Address the SES comments dated 21 May 2024.
 - Include an updated Ecological Impact Assessment.
 - Include an Acid Sulfate Soils Study to address section 9.1 direction 4.5 Acid sulfate soils.
2. Prior to exhibition, consultation with the NSW Rural Fire Service under section 3.34(2) 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 and Condition 2 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).
5. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act:
 - Transport for NSW
 - NSW SES
 - NSW Department of Climate Change, Energy, the Environment and WaterEach 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.
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 31 July 2024



Rukshan de Silva
Acting Director, Local Planning
(Metro Central, West and South)
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning
and Public Spaces