

Gateway Determination

Planning proposal (Department Ref: PP_2018_GRIVE_005_00): to increase the floor space ratio and maximum height controls and implement a minimum non-residential floor space ratio at 9 Gloucester Road, Hurstville.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hurstville Local Environmental Plan (LEP) 2012 to amend development standards applying to land at 9 Gloucester Road, Hurstville should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - (a) amend the economic impact assessment to reflect the new minimum non-residential FSR control of 0.5:1;
 - (b) demonstrate that the proposal is consistent with section 9.1 Directions 1.1 Business and Industrial Zones and 3.5 Development Near Regulated Airports and Defence Airfields; and
 - (c) conduct consultation requirements under Section 9.1 Direction 3.5 Development Near Regulated Airports and Defence Airfields.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Roads and Maritime Services;
 - Transport for NSW;
 - NSW Department of Education;
 - Sydney Airport Corporation; and
 - Civil Aviation Safety Authority.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 26th day of February 2019.



Ann-Maree Carruthers
Acting Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning