

Ms Gail Connolly
General Manager
Georges River Council
PO Box 2015,
Hurstville NSW 2220

Our ref: PP_2017_GRIVE_001_00
Your ref: D16/155624

Dear Ms Connolly

Planning proposal to amend Hurstville Local Environmental Plan 2012

I am writing in response to your Council's request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal seeking to rezone and amend the building height, floor space ratio and minimum lot size controls for 108, 112 and 124 Forest Road and 1, 3 Wright Street, Hurstville.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

It has been noted that Council does not wish to exercise its Plan making delegation in relation to the planning proposal.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Olivia Hirst of the Department's regional office to assist you. Ms Hirst can be contacted on (02) 9274 6583.

Yours sincerely


Karen Armstrong
Director, Sydney Region East
Planning Services

Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2017_GRIVE_001_00): to rezone and amend the building height, floor space ratio, and minimum lot size controls for 108, 112 and 124 Forest Road and 1, 3 Wright Street, Hurstville.

I, the Director, Sydney Region East at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hurstville Local Environmental Plan (LEP) 2012 to rezone and amend the building height, floor space ratio, and minimum lot size controls for 108, 112 and 124 Forest Road and 1 and 3 Wright Street, Hurstville should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to include:
 - (a) justification of the proposal's inconsistency with Section 117 Direction 1.1 Business and Industrial Zones;
 - (b) a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines, to meet the requirements under *State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)*;
 - (c) a revised Urban Design report illustrating the proposed built form taking into consideration the requirement for a minimum non-residential floor space of 0.5:1. The report is to be placed on public exhibition with the planning proposal and the planning proposal is to be updated to reflect the revised Urban Design report; and
 - (d) a revised Economic Impact Assessment taking into consideration the requirement for a minimum non-residential floor space of 0.5:1. The report is to be placed on public exhibition with the planning proposal and the planning proposal is to be updated to reflect the revised Economic Impact Assessment report.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 LEPs (Department of Planning and Environment 2016)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW,
- Roads and Maritime Services,
- Department of Education and Communities,
- Sydney Airport Authority,
- Civil Aviation Safety Authority and
- Commonwealth Department of Infrastructure and Regional Development.

Each public authority 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 56(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 timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *24th* day of *FEBRUARY* 2017


Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission