

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

Our ref: PP\_2016\_GRIVE\_003\_00 (16/11464)

Your ref: PP2014/0003

*Gail*  
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 to amend the height and FSR controls for 29-31 MacMahon 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.

While the Department notes Council's recommendation for studies in urban design, traffic, heritage, and additional demand for facilities, it has determined the existing information provided is sufficient for the purpose of the planning proposal.


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 9 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

 28 September 2016  
**Stephen Murray**  
**Executive Director, Regions**  
**Planning Services**

Encl: Gateway Determination

## Gateway Determination

**Planning proposal (Department Ref: PP\_2016\_GRIVE\_003\_00): to amend the height and FSR controls for 29-31 MacMahon Street Hurstville.**

I, the Executive Director, Regions 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 amend the height and FSR controls for a site at 29-31 MacMahon Street Hurstville should proceed subject to the following conditions:

1. 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 Infrastructure 2013)*.
2. 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,
  - NSW Ministry of Health,
  - NSW Office of Environment and Heritage,
  - 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.

3. 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).



4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 20<sup>th</sup> day of September 2016

A handwritten signature in black ink, appearing to read "Stephen Murray".

Stephen Murray

Executive Director, Regions  
Planning Services  
Department of Planning and Environment

Delegate of the Greater Sydney Commission