

Gateway Determination

Planning proposal (Department Ref: PP_2018_GRIVE_001_00): to amend schedule 1 of the Hurstville Local Environmental Plan 2012 to allow retail premises, specialised retail premises and centre-based child care facilities as additional permitted uses at 84D Roberts Avenue, Mortdale.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 allow retail premises, bulky goods premises and centre-based child care facilities as additional permitted uses at 84D Roberts Avenue, Mortdale should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to consider the final Greater Sydney Region Plan and South District Plan.
2. Prior to community consultation, the planning proposal is to be updated to replace references to 'bulky goods premises' with 'specialised retail premises'.
3. Community consultation 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 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).
4. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act.
5. 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).
6. 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.
7. The time frame for completing the LEP is to be **nine months** following the date of the Gateway determination.

Dated *31st* day of *October* 2018.



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission