

Gateway Determination

Planning proposal (Department Ref: PP-2021-5786): to amend Hurstville Local Environment Plan 2012 to facilitate the redevelopment of the Hurstville Civic Precinct for a mixed use civic, cultural, commercial and residential destination by rezoning the site to B4 Mixed Use, increasing the maximum permissible height and floor space ratio development standards, introducing an additional local provision, listing an item of heritage significance and reclassifying land.

I, the Executive Director, Eastern Harbour City at the Department of Planning, Industry and Environment, 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 Hurstville Local Environment Plan 2012 to facilitate the redevelopment of the Hurstville Civic Precinct for a mixed use civic, cultural, commercial and residential destination by rezoning the site to B4 Mixed Use, increasing the maximum permissible height and floor space ratio development standards, introducing an additional local provision, listing an item of heritage significance and reclassifying land should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated and amended to:
 - a) note that the proposed additional local provision is subject to the legal drafting process by Parliamentary Counsel;
 - b) include discussion of the endorsed Georges River Local Housing Strategy; and
 - c) include the supporting documentation as resolved at the 26 July 2021 Georges River Council Meeting, being:
 - i. A Civic Precinct Public Amenities and Facilities Strategy;
 - ii. A Civic Precinct Public Domain Plan Strategy;
 - iii. A Conservation Management Plan (CMP) prepared for the Hurstville City Museum and Gallery; and
 - iv. A revised Traffic Impact Assessment.
2. Prior to the commencement of community consultation, Council must consult with Sydney Airport and the Commonwealth Department of Infrastructure, Regional Development and Cities. Should Council be advised that permission is required in accordance with (5)(d) of s9.1 Direction 3.5 and/or the Airports Act 1996, this permission must be granted prior to the commencement of community consultation. The planning proposal must be updated with the outcomes of this consultation prior to community consultation.
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act:

- Transport for NSW;
- Heritage NSW; and
- Sydney Water

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.

- Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - the planning proposal must be made publicly available for a minimum of **28 days**;
 - 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018); and
 - a copy of practice note PN 16-001 Classification and reclassification of public land through a local environmental plan is to be included in the public exhibition material.
- A public hearing is required to be held into the matter by any person or body under section 3.34 of the *Environmental Planning and Assessment Act 1979* and Section 29 of the *Local Government Act 1993*. After the community consultation period has ended, at least 21 days public notice is to be given before the hearing is held.
- The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.
- Given the nature of the proposal, Council is not authorised to be the local plan-making authority.

Dated 28th day of September 2021.



Malcolm McDonald
Executive Director,
Eastern Harbour City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces