

Ms Gail Connolly
General Manager
Georges River Council
PO Box 205
Hurstville BC NSW 1481

Dear Ms Connolly,

Planning proposal PP-2021-6749 to amend Georges River Local Environmental Plan 2021

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to permit (with consent) a residential care facility with a maximum FSR of 1.6:1 and maximum permissible height ranging from 12m, 14m and 16.9m at 53A-59A Gloucester Road, Hurstville.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I note Council's resolution at the Ordinary Meeting on 25 October 2021 that Council request as a condition of the Gateway Determination that:

- a. *the increase in FSR and maximum building height on the subject site is linked to a residential care facility land use only; and*
- b. *a limit on the intensification of the new residential care facility is restricted to 110 beds, being bedroom space of 3,850sqm of a total development floorspace of 8,203sqm.*

Please note that a condition of Gateway is included requiring the planning proposal to update the Explanation of Provisions to provide a clear mechanism to achieve the intended outcomes of the planning proposal. This provides the opportunity to clarify the intended outcomes of permitting the proposed increase in FSR and height to a residential care facility.

The Department does not agree it is appropriate to condition the Gateway determination to mandate the intended number of beds and floorspace as outlined in Council's resolution of 25 October 2021. This is a matter to be addressed as part of any future development assessment or within the accompanying development control plan.

I also note that Council has requested to be authorised as the local plan-making authority. I have determined to authorise Council to be the local plan-making authority in this instance, as the proposal is of local significance.

The amending local environmental plan (LEP) is to be finalised within 9 months of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning, Industry and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Claire Mirow, Senior Planning Officer, Eastern and South districts, to assist you. Miss Mirow can be contacted on (02) 9274 6472 or at claire.mirow@planning.nsw.gov.au.

Yours sincerely



28 February 2022
Laura Locke
Director, Eastern and South Districts
Greater Sydney, Place and Infrastructure

Enclosed: Gateway determination
Authorised plan-making reporting template