

Gateway Determination

Planning proposal (Department Ref: PP-2021-7338): to amend Schedule 1 of the Georges River Local Environmental Plan 2021 to introduce 'residential flat building' as an additional permitted use on "Area A" of part of land at 9 Gloucester Road, Hurstville (subject site) and to exclude the application of Clause 6.13 from "Area A" of the subject site.

I, the Director, Eastern and South Districts, at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Georges River Local Environmental Plan 2021 to introduce 'residential flat building' as an additional permitted use on "Area A" of part land at 9 Gloucester Road, Hurstville (the subject site) and to exclude the application of Clause 6.13 from "Area A" of the subject site, should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be updated to:
 - a) include a plain English and clear Explanation of Provisions (with mapping as may be relevant) that demonstrates the intended outcome of the Planning Proposal, in accordance with the Principal Local Environmental Plan Standard Instrument and the Department's Local Environmental Plan Making Guideline (December 2021)
 - b) address the consistency of the proposal with all the relevant planning priorities of the South District Plan
 - c) address the consistency of the proposal with the Georges River Council's 'Working together for a better future – Community Strategic Plan 2022-2032'
 - d) address the requirements of Ministerial Direction's 1.1 'Implementation of Regional Plans', 4.4 'Remediation of Contaminated Land' and 5.3 'Development Near Regulated Airports and Defence Airfields'
2. Public exhibition 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 maximum of 20 working days; and
 - b) 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 Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2021).
3. 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).
4. 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.
5. The planning proposal must be placed on exhibition not more than 2 months from the date of Gateway determination.
 6. The planning proposal must be reported to council for a final recommendation 4 months from the date of the Gateway determination.
 7. The timeframe for completing the LEP is to be **6 months** from the date of the Gateway Determination.

Dated 5 day of August 2022.



Laura Locke
Director, Eastern and South Districts
Metro East and South
Department of Planning and Environment
Delegate of the Minister for Planning and
Homes