



Planning

Mr Victor Lampe
General Manager
Hurstville City Council
PO Box 205
HURSTVILLE BC NSW

10/07869

Attn: Brett Daintry, Director, Planning and Development

Dear Mr Lampe

**RE: draft Amendment No. 73 to the Hurstville Local Environmental Plan 1994
(Hurstville City Centre)**

I am aware that Council is continuing to progress draft LEP Amendment No. 73 – Hurstville City Centre while also undertaking its Comprehensive DLEP in the Standard Instrument format (SI). The projected time line for the Comprehensive DLEP is to have it completed by June 2011, as was advised in the Ministers' letter of 10 August 2009. Council has been working on both matters for some time, and I note that 14 months remain in the time frame for the preparation of the SI DLEP.

I consider that the City Centre DLEP should now progress under the new Part 3 of the Environmental Planning and Assessment Act, as a preliminary step to Council's Standard Instrument, by using that format, rather than continuing as an amendment of the current LEP. This will ensure a substantial step is in place to enable Hurstville to realise its dwelling and employment targets set for the area to 2031 under the Metropolitan Strategy and Draft Subregional Strategy for the South Subregion.

I am aware that this approach was previously considered and that the Department suggested a resolution to prepare a DLEP that covered the whole of Council's area, with a holistic approach to its centres commencing with the Major Centre of Hurstville. Council resolved in November 2008 to prepare a SI to cover the whole of its area.

As the delegate of the Director-General, I am advising Council that I have decided under clause 12(2) of the Environmental Planning and Assessment Regulation, that the provisions of Part 3 of the Environmental Planning and Assessment Act in force immediately before July 2009 no longer apply to draft Amendment No. 73 – Hurstville City Centre, and that the current provisions of Part 3 now apply. By so doing this will allow the Minister to dispense with the conditions precedent to the making of the plan under the new Part 3.

As this plan has not yet been exhibited or certified, it should now be progressed in the Standard Instrument format and a draft of the material to be placed on exhibition first should be sent to me for my comment. When making the submission of the exhibition material the dwelling and employment capacity of the DLEP's proposed controls should be strategically demonstrated in the context of the total capacity for re-development of Hurstville's other centres, in order to evaluate compliance with meeting the targets. Council should ensure that relevant section 117 Directions are adequately addressed.

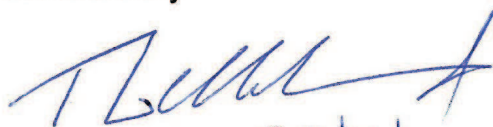
Community consultation should be by placing the planning proposal on exhibition for a period of 4 weeks and the DLEP should be completed within 9 months of the date of this letter. ie by end of January 2011.

Previous delegations for draft Amendment No. 73 – Hurstville City Centre are withdrawn.

The LEP, when finalised, will be incorporated into the Hurstville Comprehensive LEP 2011.

Should you have any queries in regard to this matter please contact Michael File, Acting Regional Director of the Sydney Region East Office of the Department on 9228 6113 or michael.file@planning.nsw.gov.au.

Yours sincerely



Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal

22/4/10