

MR David Tuxford
General Manager
Georges River Council
24 MacMahon Street
HURSTVILLE NSW 2220

Our ref: IRF23/2637

Dear Mr Tuxford

Planning proposal PP-2023-811 to amend Georges River Local Environmental Plan 2021

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 28 June 2023 in respect of the planning proposal seeking to make housekeeping amendments of the Georges River Local Environmental Plan 2021.

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

I understand that Council has proposed non-residential FSR and active street frontage requirements within the E2 Commercial Core to limit the build-to-rent housing provisions of *State Environmental Planning Policy (Housing) 2021* (the Housing SEPP).

I acknowledge Council's desire to balance the priorities of housing and jobs, however the proposed non-residential FSR provisions to limit build-to-rent housing is not supported as it is inconsistent with:

- the NSW Government's priorities for:
 - housing delivery in response to the Housing Crisis;
 - meeting the goals of the National Housing Accord; and
 - intention to allow more housing development near existing public transport, infrastructure, and services.
- the objectives and intended outcomes of the Housing SEPP. Please be aware that the Housing SEPP's non-discretionary standards would preclude Council's proposed amendments from having any effect.

To ensure the proposed housekeeping amendments are not subject to unnecessary delay, a Gateway condition requires the proposed non-residential FSR provisions to be deleted from the planning proposal prior to exhibition. I also note that the Housing SEPP provides for build-to-rent housing providing active street frontages.

I have determined not to authorise Council to be the local plan-making authority noting Council's request and the proposed limitation on built-to-rent housing provisions in the Housing SEPP.

The amending local environmental plan (LEP) is to be finalised on or before 25 April 2024.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning and Environment, 2023) 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. Council should aim to commence the exhibition of the planning proposal in accordance with the enclosed Guidance on Timeframes.

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.

Should you have any enquiries about this matter, I have arranged for William Pruss to assist you. Mr Pruss can be contacted on 02 8229 2978

Yours sincerely



Amanda Harvey
Executive Director
Metro East and South Districts

25 October 2023

Encl: Gateway determination
Encl: Guidance on Timeframes