

Our ref: IRF25/25

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

24th March 2025

Dear Mr Tuxford

Planning proposal PP-2024-2474 to amend Georges River Local Environmental Plan (LEP) 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) on 11 November 2024. The planning proposal seeks to implement recommendations of local studies regarding biodiversity and foreshore scenic character and create capacity for additional and diverse housing across the residential zones of the Georges River Local Government Area (LGA).

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.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act in relation to Directions - 4.1 Flooding, 4.2 Coastal Management, 4.3 Planning for Bushfire Protection, 4.5 Acid Sulfate Soils, 5.1 Integrating Land Use and Transport, 5.3 Development Near Regulated Airports and Defence Airfields, 6.1 Residential Zones and 7.1 Employment Zones. Council should ensure this occurs prior to the LEP being made.

I note that Council is seeking an exemption or deferral from the NSW Government's Low and Mid-Rise Housing Policy. The Department does not support the planning proposal as a replacement for the Low and Mid-Rise Housing Policy. The Gateway determination requires updates to the planning proposal to reflect this.

I have determined **not** to authorise Council to be the local plan-making authority given the nature and policy implications of the planning proposal and the inconsistencies with certain section 9.1 Directions.

The amending LEP is to be finalised on or before **26 May 2026**. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made **16 weeks** in advance of the date the LEP is projected to be made.

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, Housing and Infrastructure, August 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.

Should you have any enquiries about this matter, I have arranged for Pengfei Cheng to assist you. Mr Cheng can be contacted on 02 8289 6686.

Yours sincerely



Daniel Thompson
A/Executive Director Local Planning and Council Support
Planning, Land Use Strategy, Housing and Infrastructure

Encl: Gateway determination