



IRF24/2294

Gateway determination report – PP-2024-748

84D Roberts Avenue Mortdale

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal Report (Think Planners, May 2024)
Traffic Report (Varga Traffic Planning, February 2024)
Mortdale Plaza Medical Needs Assessment - Memo (February 2024)
Indicative Floor Layout - Medical Centre (May 2022)
Unconfirmed Minutes of Council Meeting (26 August 2024)
Assessment Report – Environment and Planning Committee Meeting Agenda (Georges River Council, 12 August 2024)
Environment and Planning Committee Meeting Minutes to be Adopted (Georges River Council, 26 August 2024)

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Georges River
PPA	Georges River Council
NAME	84D Roberts Avenue Mortdale
NUMBER	PP-2024-748
LEP TO BE AMENDED	Georges River Local Environmental Plan 2021
ADDRESS	84D Roberts Avenue, Mortdale
DESCRIPTION	Lot 21 DP 542051
RECEIVED	28/08/2024
FILE NO.	IRF24/2294
POLITICAL DONATIONS	There are no known donations or gifts to disclose, and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no known meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are:

- *To enable a medical centre to operate at the Mortdale Plaza as a complementary use to the existing and service offerings*

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to facilitate the operation of a medical centre within the existing shopping centre at 84D Roberts Avenue, Mortdale.

To achieve this, the planning proposal seeks to add 'medical centre' as an additional permitted use at the subject site. The planning proposal seeks to amend the Georges River LEP 2021 as shown in the table below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	E4 General Industrial	No change
Maximum height of the building	12m	No change
Floor space ratio	1:1	No change
Number of dwellings	0	0
Number of jobs	Not known	19 FTE (approx.)
Additional Permitted Uses	Retail premises and centre-based child care facilities	Medical centre

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Concept plan

An indicative concept plan submitted with the proposal (May 2022) demonstrates that the proposal could facilitate the operation of a medical centre within a retail tenancy in the existing shopping centre.

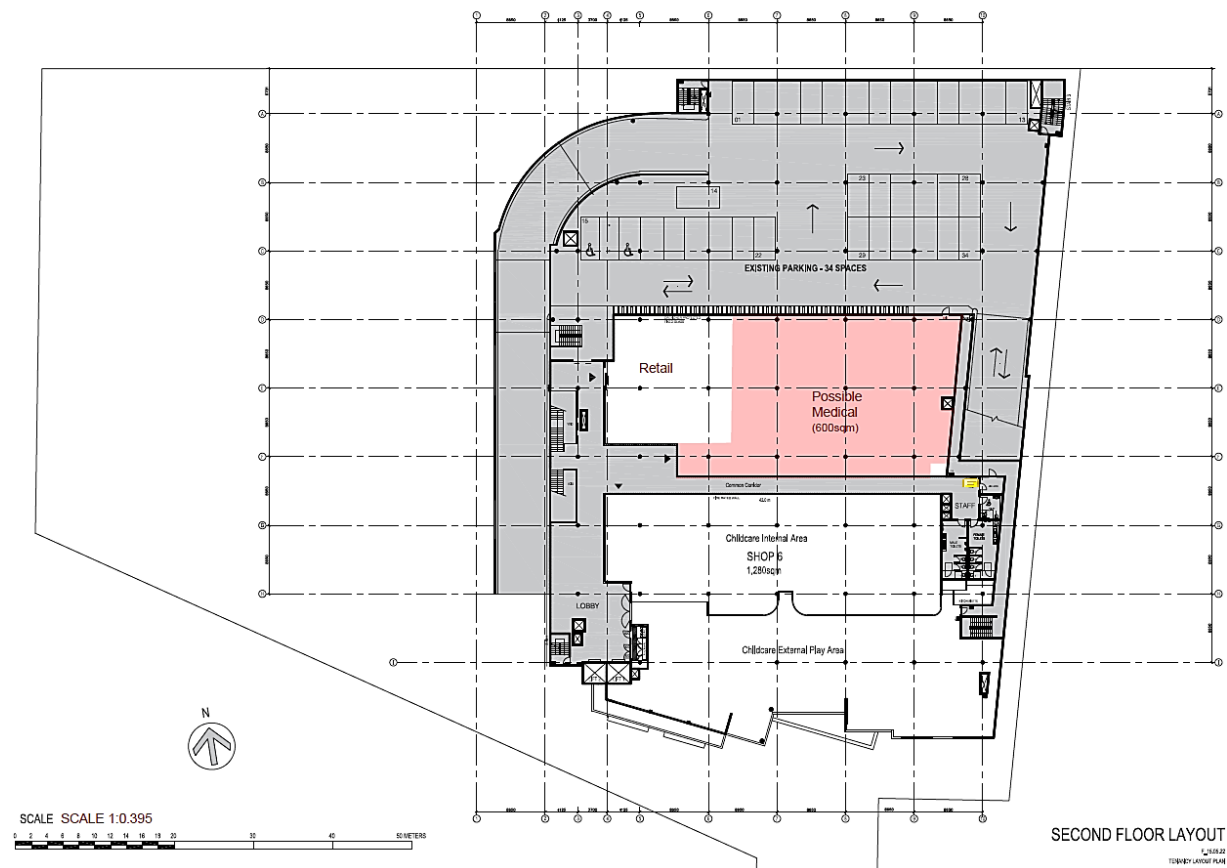


Figure 1: Indicative floor plan (Source: Planning Proposal package)

1.5 Site description and surrounding area

The subject site is located at 84D Roberts Avenue, Mortdale and has a site area of approximately 11,170m².

The site is an irregular battle-axe shaped parcel of land with a narrow frontage to Roberts Avenue.

Existing on the site is a shopping centre known as Mortdale Plaza, a three storey building located along the northern and eastern boundaries of the site. The centre is anchored by a supermarket and includes a gym and retail floor space over three levels. The centre provides more than 400 parking spaces within the building footprint. The western portion of the site contains a landscaped creek / drainage area which transitions into the public bushland area.

The site is located on the southern edge of the Peakhurst Industrial Area. The site is adjoined by the St George Masonic Club located at No.86 Roberts Avenue, a reserve to the west, and open space and residential suburbs to the immediate south and southeast.

The closest centres to the site are located 4km to the east at Hurstville, 7km to the northeast at Campsie and 6km to the northwest at Bankstown.



Figure 2: The site outlined in blue (Source: Planning Proposal)



Figure 3: Entry to the subject site (Source: Planning Proposal)



Figure 4: View to the opposite side of the road from the subject site (Source: Planning Proposal)



Figure 5: Roberts Avenue looking west from the roundabout in front of the subject site (Source: Planning Proposal)



Figure 6: Roberts Avenue looking east from the roundabout in front of the subject site (Source: Planning Proposal)

1.6 Mapping

The planning proposal is not seeking to amend any maps.

1.7 Background

Table 4 Timeline

Date	Event
2009	Development application approved for a three storey mixed use development comprising supermarket, bulky goods retail, gymnasium and office with basement parking at 84D Roberts Avenue, Mortdale.
September 2019	<i>Hurstville Local Environmental Plan 2012 (Amendment No 17)</i> permitted additional permitted uses for retail premises and centre-based child care facilities uses in relation to 84D Roberts Avenue, Mortdale.
October 2021	Georges River LEP 2021 is made. This LEP harmonised planning controls into a single instrument and transferred the APU controls for the site from the former HLEP 2012.
April 2023	Planning proposal (PP-2024-748) submitted to Georges River Council.
12 August 2024	Planning proposal considered by the Environmental and Planning Committee.
26 August 2024	Council considered the planning proposal for land at 84D Roberts Avenue Mortdale as well as the recommendation of the Environmental and Planning Committee. Council resolved that: <ul style="list-style-type: none"> (a) <i>Support the proposed amendment to Schedule 1 of the Georges River Local Environmental Plan 2021;</i> (b) <i>Endorse the forwarding of the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) to request a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979 for an amendment to the Georges River Local Environmental Plan 2021 by introducing medical centre as an additional permitted use on the land at 84D Roberts Avenue, Mortdale (Lot 21, DP542051).</i>
28 August 2024	Planning proposal submitted to the Department for Gateway.

2 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

The planning proposal is not the result of a study or strategy. The planning proposal is a result of a request from the landowner to introduce additional permitted use on the site to complement the existing retail uses and to respond to a need for medical centres in the area.

However, the proposal was supported by an assessment of medical centres within the Georges River local government area which confirms a need for medical centres within the vicinity of the site.

The site is some considerable distance from other neighbourhood centres which provide for the day to day needs of residents and workers. Accordingly, the subject site is well placed to continue providing services that nearby residents and workers require without driving further distances to other centres.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is considered to be the most effective way of achieving the objectives and intended outcomes for the site in a manner that will provide for ongoing employment and well-located medical services.

3 Strategic assessment

3.1 Region Plan

The Greater Sydney Region Plan – a metropolis of three cities (the Region Plan), released by the NSW Government in 2018, integrates land use, transport and infrastructure planning and sets a 40-year vision for Greater Sydney as a metropolis of three cities. The Region Plan contains objectives, strategies and actions which provide the strategic direction to manage growth and change across Greater Sydney over the next 20 years.

Under section 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) a planning proposal is to give effect to the relevant District Plan. By giving effect to the District Plan, the proposal is also consistent with the Regional Plan. Consistency with the District Plan is assessed in section 3.2 below.

Table 5 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 23. Industrial and urban services land is planned, retained and managed	<ul style="list-style-type: none"> The planning proposal retains the site's industrial zoning, whilst permitting an additional use that is consistent with other strategic objectives and actions of the Plan (and District Plan) by facilitating the provision of well-located health services in conjunction with other complementary land uses, and co-locating services and infrastructure to enhance accessibility and walkability. This is further discussed under Section Error! Reference source not found.2. below.

3.2 District Plan

The site is within the South District Plan and the Greater Sydney Commission released the South District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal's consistency with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan is outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 6 District Plan assessment

District Plan Priorities	Justification
<p>Planning Priority S1: Planning for a city supported by infrastructure</p>	<p>The proposal is consistent with this priority, as the 944 bus route travels along Roberts Avenue with a stop at Mortdale Plaza. The proposal will facilitate a medical centre co-located with other retail services which will be accessible via public transport.</p>
<p>Planning Priority S3: Providing services and social infrastructure to meet people's changing needs</p> <p>Planning Priority S4: Fostering healthy, creative, culturally rich and socially connected communities</p> <p>Planning Priority S5: Planning housing supply, choice and affordability, with access to jobs, services and public transport</p>	<p>The site is located on the southern edge of the Peakhurst Industrial Area and is adjoined by the St George Masonic Club located at No.86 Roberts Avenue, a reserve to the west, along with open space and residential suburbs to the immediate south and south east.</p> <p>The proposal is consistent with these priorities, as it seeks to co-locate a medical service within an existing mixed use development that includes retail premises, which is walkable from residential neighbourhoods and is serviced by public transport infrastructure.</p>
<p>Planning Priority S10: Retaining and managing industrial and urban services land</p>	<p>The site is zoned as industrial land which is required to be retained and managed under the District Plan.</p> <p>The proposed APU for a medical centre is inconsistent with the retain and manage policy for industrial lands as it introduces a land use that is currently prohibited in the industrial zone. However, the inconsistency with this Planning Priority is considered minor and justified as:</p> <ul style="list-style-type: none"> the site currently contains an approved mixed use premises and the operation of a supermarket and retails premises has occurred on site since 2009. These uses were approved and existing prior to the District Plan the GRLEP 2021 Schedule 1 already includes retail premises and centre based child care facilities as additional permitted uses on the site the proposed additional permitted use for a medical centre is a non-residential land use and generally compatible with the existing land uses on the site. It responds to the needs of the community and will provide an important health service for the community the proposal will maintain the existing industrial zoning for the site.
<p>Planning Priority S12: Delivering integrated land use and transport planning and a 30-minute city</p>	<p>The proposal is consistent with this priority as it will support the provision of medical services within an existing shopping centre to reduce time spent travelling and increasing access to jobs and services.</p> <p>The site is serviced by public transport with a bus stop located immediately east of the site.</p>

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 7 Local strategic planning assessment

Local Strategies	Justification
<p>Local Strategic Planning Statement 2040</p>	<p>Council's Local Strategic Planning Statement (LSPS) notes that the strategic direction for all existing industrial land is that they will be retained and safeguarded from conversion to residential development, including conversion to mixed-use zones. The LSPS acknowledges local population-serving industrial precincts are also essential to a growing population and evolving business practices and changes in needs over time will be considered in relation to industrial lands.</p> <p><u>Department comment</u></p> <p>The proposal is seeking an extension of existing additional permitted uses and does not alter the current nature of the site which is currently being used for retail uses.</p> <p>The planning proposal is supported by a Mortdale Plaza Medical Centre Needs analysis (Macroplan, 2024). It identifies a current and projected undersupply of medical centres and general practitioners within the catchment. Further assessment is detailed below in section 6.2.1 Community and Social.</p> <p>As discussed in section 2 Need for the planning proposal, there is strategic and site-specific merit to progressing this proposal.</p> <p>Whilst the proposal is inconsistent with the LSPS objective to retain and safeguard industrial land from conversion to residential development (including conversion to mixed-use zones), the inconsistency is considered minor and justified as the subject site already contains an approved mixed-used development which includes retail uses. The LEP also already contains site specific provisions to permit non-industrial land uses on the site.</p> <p>In addition, the proposal is considered to contribute to the objectives of the LSPS for the following reasons:</p> <ul style="list-style-type: none"> • It will provide a medical service in conjunction with public transport infrastructure to meet community needs. • The concept scheme provided with the proposal will provide an estimated 19 additional jobs.
<p>Georges River Industrial Land Review</p>	<p>The subject site is located with the Peakhurst Industrial precinct, as identified by the Review.</p> <p>The precinct is identified to contain 56.1 hectares of industrial land. The Review considers that the precinct could be classified as light industrial, containing a mix of retail and industrial uses, and</p>

Local Strategies	Justification
	<p>being proximity to local centres, local populations and public transport access.</p> <p>The review recommended the precinct retain its existing industrial zoning.</p> <p><u>Department comment</u></p> <p>The proposal does not seek to rezone the site, rather permitting an additional use that is proposed to facilitate a medical centre within an existing retail development.</p>
Georges River Economic Study 2019	<p>The study did not place the site within the current or future retail and centre hierarchies. However, the study identified the subject site as a stand-alone supermarket operating within an industrial area, and a competitor to the Oatley (Mulga Road), Mortdale, and Riverwood centres and the Penshurst local centre which are some distance from the site.</p> <p>The planning controls proposed for the site comprise an additional permitted use for a medical centre which is unlikely to impact the role of existing nearby centres.</p>
Georges River Employment Lands Study	<p>The study identified the subject site as located within the Peakhurst industrial precinct, which comprises a total of 56 hectares. The subject site, also known as Mortdale Plaza, is also identified to be anchored by a large Woolworths supermarket. The study recommended the precinct retain its existing IN2 Light Industrial zoning (now E4 General Industrial zone).</p> <p><u>Department comment</u></p> <p>The proposal does not propose to rezone the site. The proposal seeks only to permit an additional use to facilitate a medical centre, which the concept scheme identifies to be located within the existing mixed use built form on the site.</p>

4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 8 9.1 Ministerial Direction assessment

Directions	Consistent/ not applicable	Reasons for consistency or inconsistency
1.1 Implementation of Regional Plans	Inconsistent, minor significance	<p>The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>The planning proposal is inconsistent with this Direction as it does not meet District Plan planning priorities to 'retain and manage industrial land', however, the inconsistency is or</p>

Directions	Consistent/ not applicable	Reasons for consistency or inconsistency
		<p>minor significance taking into consideration existing use of the site, existing LEP provisions for other uses on the site and retention of the primary industrial zoning for the land.</p> <p>Refer to report section 3.2 District Plan.</p>
1.4 Site Specific Provisions	Inconsistent, minor significance	<p>This Direction applies as the planning proposal will amend another environmental planning instrument to allow the particular development to be carried out.</p> <p>The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls. Clause (1)(c) states that a planning proposal must “<i>allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</i>”</p> <p>The direction is applicable as the planning proposal seeks to include a site-specific provision for the following:</p> <p><u>Schedule 1 Additional permitted uses</u></p> <p>a) Permit ‘medical centre’ as an additional permitted use on the subject site.</p> <p><u>Department’s comment</u></p> <p>The proposed site-specific provision is considered necessary to support the intended outcomes of the proposal to meet the day to day needs of the community and provide a medical centre that is co-located with complementary retail and other services.</p> <p>The proposal is inconsistent with this Direction, but the inconsistency is of minor significance.</p>
4.1 Flooding	Consistent	<p>This Direction seeks to ensure development of flood prone land is consistent with the Flood Risk Management Manual and ensure LEP provisions are commensurate with the flood behaviour and consider the potential impacts on and off the land.</p> <p>This Direction applies as the proposal seeks to alter development standards that apply to a site identified as flood prone.</p> <p>The subject site is identified as flood prone land, being subject to the 1% AEP and PMF. The proposal states that no additional floor area is being sought as a result of this proposal.</p> <p><u>Department comment</u></p> <p>The planning proposal is accompanied by a concept scheme that seeks to facilitate the use of a medical centre within the existing built form of the approved and currently operating shopping centre at 84D Roberts Avenue, Mortdale.</p>

Directions	Consistent/ not applicable	Reasons for consistency or inconsistency
		<p>It is noted that the subject site is flood prone.</p> <p>The proposal is considered consistent with this Direction for the following reasons:</p> <ul style="list-style-type: none"> • it does not propose rezoning of the land • it seeks an additional use which may be accommodated within the existing building footprint • it does not introduce any sensitive land uses • it does not intensify the density or use of the land • the Georges River LEP contains existing and applicable flood provisions. <p>Further consideration of this matter can be undertaken at the development application stage. The Georges River LEP contains controls which minimise flood risk, allow development compatible with flood function and behaviour and address the safe occupation and efficient evacuation of people in the event of a flood.</p>
4.4 Remediation of Contaminated Land	N/A	<p>This Direction seeks to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning authorities.</p> <p><u>Department comment</u></p> <p>The planning proposal is accompanied by a concept scheme that seeks to facilitate the use of a 'medical centre' within the existing shopping centre.</p> <p>The proposal will not result in any activities that would be likely to expose humans or the environment to risks of contamination.</p> <p>Matters regarding potential soil contamination could be addressed as part of any future development application.</p>
4.5 Acid Sulfate Soils	Consistent	<p>The objective of the Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>This planning proposal relates to land identified as being affected by Class 2 and 5 acid sulfate soils.</p> <p><u>Department comment</u></p> <p>The planning proposal is accompanied by a concept scheme that seeks to facilitate the use of a 'medical centre' within the existing shopping centre.</p> <p>Further consideration of this matter could be addressed as part of any future development application.</p> <p>The Georges River LEP contains provisions which prevent environmental damage arising from exposure of acid sulfate soils.</p> <p>The proposal is consistent with this Direction.</p>

Directions	Consistent/ not applicable	Reasons for consistency or inconsistency
5.1 Integrating Land Use and Transport	Consistent	<p>This Direction seeks to ensure that land use and development improve access to housing, jobs, and services by means of public transport and improved walkability and to support the efficient and viable operation of public transport services.</p> <p><u>Department comment</u></p> <p>The planning proposal is supported by a Traffic Report (Varga Traffic Planning, 2024). It identified that there are bus zones located at regular intervals along both sides of Roberts Avenue including immediately east of the site.</p> <p>Further assessment is detailed below in section 6.3.2 Public Transport and Traffic.</p> <p>The proposal is consistent with this Direction.</p>
7.1 Employment Zones	Consistent	<p>This Direction seeks to encourage employment growth in suitable locations, protect employment land in employment zones and support the viability of identified centres.</p> <p>The Direction applies as the proposal relates to land zoned E4 Local Centre.</p> <p>The proposal states it is consistent with this Direction as it:</p> <ul style="list-style-type: none"> retains the existing area of industrial land preserves the availability of existing industrial land supply enables a medical centre to collocate within an existing shopping centre that services the neighbourhood and employment area improves the diverse employment uses on the site, creating more local jobs and potential for living and working local. <p><u>Department comment</u></p> <p>The GRLEP 2021 includes other additional permitted uses on this site, being retail premises and centre-based child care facilities. In addition, there is an existing development application (for a three-storey mixed use development including a supermarket), which has been developed and operated since 2009.</p> <p>The proposal is considered consistent with this Direction for the following reasons:</p> <ul style="list-style-type: none"> the proposal retains the area and location of the E4 General Industrial employment zone the proposed land use is for a medical centre which is an employment generating land use that will complement the existing employment uses on the site. <p>It is considered that the likelihood of the site being used for industrial purposes is low, given the existing approval for mixed use development, the site's current use, its contribution</p>

Directions	Consistent/ not applicable	Reasons for consistency or inconsistency
		to local demand and provision of local services to surrounding suburbs.

5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs and does not hinder the application of any SEPPs.

Table 9 Assessment of planning proposal against relevant SEPPs

SEPPs	Consistent/ not applicable	Reasons for consistency or inconsistency
SEPP (Resilience and Hazards) 2021	Consistent	<p>It is noted that the subject site is flood prone, however the concept scheme submitted with the proposal relates to an additional permitted use operating within the footprint of the existing shopping centre building and will not require any external works.</p> <p>Any future development application would be able to address any key requirements of the SEPP (Resilience and Hazards) 2021.</p>
SEPP (Transport and Infrastructure) 2021	Consistent	<p>The SEPP aims to facilitate the effective delivery of infrastructure across the State and establishes requirements for development that is likely to increase demand for infrastructure, services and facilities.</p> <p>The concept scheme submitted with the proposal is for the operation of a medical centre with the existing built form of the shopping centre.</p> <p>Any future development application would be able to address any key requirements of the Transport and Infrastructure SEPP 2021.</p>

6 Site-specific assessment

6.1 Environmental

The planning proposal is not considered to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitat as the site is within an established urban area. The proposal would facilitate the use of a medical centre within the built form of the existing development, by introducing an additional permitted use for the site.

6.2 Social and economic

6.2.1 Social

The planning proposal is unlikely to result in any adverse social impact.

The proposal will have positive social outcomes as it enhances the liveability and vibrancy of Mortdale and contributes to social infrastructure of the surrounding area and meets the needs of residents through the provision of a medical centre.

6.2.2 Economic

The proposal will have positive economic effects as it contributes to:

- the protection of an important local shopping centre by ensuring it remains economic viable in a manner consistent with the existing approval for the site;
- the projection of important local services, close to a residential area;
- the increase of permitted services that can be undertaken on-site.

6.3 Infrastructure

6.3.1 Community and Social

The planning proposal is supported by a Mortdale Plaza Medical Centre Needs Analysis (Macroplan, 2024). It identifies an existing and projected future undersupply of general practitioners when compared to benchmarks provided by the Department of Health and Aged Care GP Workforce Statistics. The provision of a medical centre over the subject site is expected to provide a facility that is in demand, and beneficial to the local area. The Analysis further advises that 19 FTE jobs could be created by a medical centre development at the subject site.

The proposal will have a positive social and economic impact by contributing to the provision of services within an accessible location that currently provides retail services to the surrounding suburbs.

6.3.2 Public Transport and Traffic

The planning proposal seeks to include a medical centre as an additional permitted use on the subject site, resulting in the potential for the fitout of the existing level 2 tenancy for a 600m² medical centre.

The proposal is supported by a Traffic Report prepared by Varga Traffic Planning.

The Report advises that the future vehicular access arrangements will be via the existing vehicular access driveway in Roberts Avenue with no changes proposed. The Report indicates that:

- there are bus zones located at regular intervals along both sides of Roberts Avenue including immediately east of the site.
- the Mortdale Plaza development provides for a total of 422 cars within the existing building. The parking requirements of Georges River Development Control Plan 2021 (Amendment No.3) Chapter 3.13 –Parking Access and Transport are satisfied by the proposed provision of 20 car parking spaces within the existing off-street car parking areas on site. There will be adequate parking provided on-site for the medical centre as outlined in the planning proposal and all other existing uses.
- analysis based on the traffic generation rates published by TfNSW indicates that the proposed development will result in a nett increase in the traffic generation potential of the site of approximately 41 vph when compared with the previously approved uses on the site
- the SIDRA capacity analysis of the public road intersections in the vicinity of the site indicates that:
 - the projected “additional” traffic flows expected to be generated by the planning proposal (i.e. assuming that the site is currently vacant) indicates that there will be

- no change in current Levels of Service to any of the intersections located around the perimeter of the site, and
- no road improvements or intersection upgrades would be required as a consequence of the planning proposal
- the planning proposal will not have any unacceptable implications in terms of road network capacity or off-street parking/access requirements.

Based on the analysis, the potential traffic arising from the planning proposal is unlikely to have a significant impact on the existing condition of the road network.

6.4 Community

Council proposes a community consultation period of 20 days.

The planning proposal is categorised as standard under the LEP Making Guidelines (August 2023). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

6.5 Agencies

Given the administrative nature of the proposal, no consultation with government agencies is recommended.

7 Timeframe

Council proposes a 5 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as standard.

The Department recommends an LEP completion date of 6 months from the date of the Gateway determination in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

8 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

The Department recommends that Council be authorised to be the local plan-making authority for this proposal as the planning proposal is generally consistent with section 9.1 Ministerial directions. This is with the exception of direction 1.1 Implementation of Regional Plans and 1.4 Site Specific Provisions where the inconsistency is considered to be of minor significance and is justified.

The Department's Plan Making Guideline notes that The Minister may withdraw an authorisation for a council to make a LEP if the conditions set out in the Gateway determination are not met. This can occur if:

- Council has not satisfied all the conditions of the Gateway determination.
- the planning proposal is inconsistent with the relevant section 9.1 Directions or the Planning Secretary has not agreed that the inconsistencies are justified.
- there are outstanding written objections from authorities and government agencies.

9 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- it is generally consistent with the planning objectives and priorities of the Greater Sydney Region Plan, South District Plan and Council's local strategic plans, except for consistency with the 'retain and manage' industrial lands policy which is considered minor and justified in this instance.
- it is generally consistent with the Georges River Council LSPS
- it represents no change to built form controls
- it will facilitate colocation of a medical centre complementary to the retail services already available within the existing shopping centre
- the inconsistency with Section 9.1 Directions - 1.1 Implementation of Regional Plans and 1.4 Site Specific Provisions is considered to be of minor significance and is justified
- is generally consistent with relevant SEPPs
- It will not result in any unreasonable adverse environmental, social or economic impacts on the locality

10 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistency with section 9.1 Direction 1.1 Implementation of Regional Plans and 1.4 Site Specific Provisions is justified in accordance with the terms of the Direction.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following condition(s) are recommended to be included on the Gateway determination:

1. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 6 months from the date of the Gateway determination be included on the Gateway.



(Signature)

20 September 2024 (Date)

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30 September 2024

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