



## Gateway Determination

**Planning proposal (Department Ref: PP-2020-4117):** to amend the Hurstville Local Environmental Plan 2012 and Kogarah Local Environmental Plan 2012 to rezone the Narwee Housing Investigation Area (HIA); introduce amendments for 'manor house' and 'multi dwelling housing (terraces)' in the R3 and R4 residential zones; and make housekeeping mapping amendments.

I, the Director, Eastern and South Districts at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hurstville Local Environmental Plan (LEP) 2012 and Kogarah LEP 2012 should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be updated:
  - (a) to remove the proposed permissibility amendments to the land use tables for 'manor house' and 'multi dwelling housing (terraces)' as these are inconsistent with the Codes SEPP and Standard Instrument;
  - (b) to note that complying development under the Codes SEPP does not give regard to the minimum lot width in a LEP for 'manor house' and 'multi dwelling housing (terraces)';
  - (c) to ensure the explanation of provisions identifies that the Hurstville LEP 2012 and Kogarah LEP 2012 will be amended unless the Georges River Comprehensive LEP is subsequently notified; and
  - (d) in accordance with the recommendations of the Narwee Housing Investigation Area Risk Assessment prepared by Arriscar and dated 23 December 2020. The identification of sensitive land uses is to be in accordance with those defined under Hazardous Industry Planning Advisory Paper No 4 – Land use Safety Planning Criteria (HIPAP 4).
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 minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Transport for NSW;

- APA Group - Pipeline Operator; and
  - Canterbury Bankstown Council.
4. 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).
  5. The timeframe for completing the LEP is to be **4 months** from the date of the Gateway determination. Council is required to adhere to the specified milestone dates as follows:
    - (a) Public-exhibition of the planning proposal and supporting documentation – by February 2021
    - (b) Post exhibition report to Council by March 2021
    - (c) Council to send package to the Department for consideration of finalisation – no later than 31 March 2021

Dated 23<sup>rd</sup> day of December 2020



**Laura Locke**  
**Director, Eastern and South Districts**  
**Eastern Harbour City**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**