

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2017_GRIVE_004_02) to amend Hurstville Local Environmental Plan 2012 to reclassify Lot 2 DP 1200178 and Part Lot 1 DP 1200178 at Taylors Reserve, Lugarno from Community Land to Operational Land.

I, Acting Director, Eastern and South District at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 14 September 2017 (as since altered) for the proposed amendment to the Hurstville Local Environmental Plan 2012 as follows:

1. Change the description of the planning proposal

from “to reclassify Taylor Reserve, Lime Kiln Road and Woodlands Avenue, Lugarno (Lot 2 DP 1200178) from Community to Operational Land.”

to “to amend Hurstville Local Environmental Plan 2012 to reclassify Lot 2 DP 1200178 and Part Lot 1 DP 1200178 at Taylors Reserve, Lugarno from Community Land to Operational Land.”

2. Delete:

“condition 1”

and replace with:

a new condition 1 “prior to community consultation the planning proposal is to be updated to:

- (a) amend the project timeline to reflect the anticipated time frames for the plan-making process;
- (b) address consistency with the endorsed Georges River Local Strategic Planning Statement;
- (c) provide details of the trees recommended to be removed as a result of the construction of a future public road and how the reduction of tree canopy and open space will be offset or mitigated;
- (d) clarify the number of trees intended to be removed in the planning proposal and road concept plan; and
- (e) clarify the vehicular access arrangements from the proposed public road to adjoining lots.”

3. Delete:

“condition 2”

and replace with:

a new condition 2 “community consultation is required under sections 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**;

- (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, Industry and Environment, 2018)”; and
 - (c) a copy of practice note PN 16-001 Classification and reclassification of public land through a local environmental plan is to be included in the public exhibition material.
 - (d) write to the residents and landowners that made a submission to the original planning proposal.”
4. Delete:
- “condition 3”
- and replace with:
- a new condition 3 “consultation is required with the NSW Rural Fire Service to address Ministerial Direction 4.4 – Planning for Bushfire Protection. This is to be undertaken during community consultation. This agency is to be provided with a copy of the planning proposal with any relevant supporting material and given at least 21 days to comment on the proposal.”
5. Delete:
- “condition 4”
- and replace with:
- a new condition 4 “a public hearing is required to be held into the matter by any person or body under section 3.34 of the *Environmental Planning and Assessment Act 1979* and Section 29 of the *Local Government Act 1993*. After the community consultation period has ended, at least 21 days public notice is to be given before the hearing is held.”
6. Insert:
- new condition 5 “the time frame for completing the LEP is by 30 November 2020”

Dated 30 day of March 2020.



Brendan Metcalfe
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Greater Sydney, Place and Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces