

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-6630):** 143 Stoney Creek Road, Beverly Hills – to rezone the subject site from part SP2 and part R2 to R4 High Density Residential; introduce a FSR of 1.4.1:1; introduce a maximum height of building of 16m; introduce a minimum lot size of 1000m<sup>2</sup>; and introduce ‘office premises’ and ‘business premises’ as additional permitted uses under Schedule 1 of the Georges River Local Environmental Plan 2021.

I, the Executive Director, Metro East and South, at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Georges River Local Environmental Plan 2021 to rezone the land and introduce FSR, height of building, minimum lot size controls and additional permitted uses, should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
  - (a) Include reference to ‘office premises’ as a proposed additional permitted use, to accord with the standard definitions in the Standard Instrument (Local Environmental Plans) Order 2006.
  - (b) address the consistency of the proposal with the Georges River Community Strategic Plan (*Working Together for a better future – Community Strategic Plan 2022-2032*)
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).

Exhibition should commence within 3 months following the date of the gateway determination.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - i. Transport for NSW
  - ii. Sydney Water
  - iii. NSW State Emergency Service
  - iv. NSW Department of Planning and Environment’s, Environment and Heritage branch

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. Prior to any finalisation, the proposal and relevant technical studies must be updated (as required and in consideration of agency comments received during consultation) to address the following flood matters in the context of potential high density residential development and the land uses permitted in the R4 High Density Residential zone:
  - i. Consistency and/or justification with all applicable Direction 4.1 Flooding requirements;
  - ii. The full range of flooding events on the site, up to a Probable Maximum Flood (PMF) event;
  - iii. Identify and map all flooding hazards associated with the full range of flooding events up to PMF;
  - iv. Any flooding impacts which may arise from cut and fill on the site;
  - v. Any flooding impacts (on and off-site) which may arise from development which may occur within a 1% AEP and PMF impacted area of the site;
  - vi. Climate change impacts; and
  - vii. Evacuation management for the site.
5. 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 EP&A Act. This does not discharge the planning proposal authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. Given the nature of the proposal, the Sydney South Planning Panel is not authorised to be the local plan-making authority.
7. The timeframe for completing the LEP is 9 months from the date of Gateway determination.

Date 2<sup>nd</sup> day of March 2023.



**Amanda Harvey**  
**Executive Director, Metro East and South**  
**Planning and Land Use Strategy**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Homes**