



Ms Manjeet Grewal  
General Manager  
Sutherland Shire Council  
Locked Bag 17  
SUTHERLAND NSW 1499

Dear Ms Grewal,

**Planning proposal PP-2020-1313 to amend Sutherland Shire Local Environmental Plan 2015**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone No. 101-151 Port Hacking Road, Sylvania (Frank Vickery Village) from R2 Low Density Residential to R4 High Density Residential and introduce specific height, floor space ratio (FSR) and additional permitted uses to facilitate an intensification of the site for seniors housing purposes.

As delegate of the Minister for Planning and Public Spaces, I have now 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 section 9.1 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions. Council should ensure this occurs prior to public exhibition.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have determined not to condition the Gateway for Council to be authorised as the local plan-making authority as the relevant section 9.1 Directions remain unresolved.

The amending local environmental plan (LEP) is to be finalised within nine (9) months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Kris Walsh to assist you. Mr Walsh can be contacted on 9274 6299.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'L. Locke', written over a faint grey rectangular stamp.

**8 August 2021**  
**Laura Locke**  
**Director**  
**Eastern and South District**

Encl: Gateway determination