

IRF17/74

Mr Scott Phillips  
General Manager  
Sutherland Shire Council  
Locked Bag 17  
Sutherland NSW 1499

Attn: Jordan Widenstrom

Dear Mr Phillips

**Planning Proposal PP\_2017\_SUTHE\_002\_00 to amend Sutherland Shire Local Environmental Plan 2015**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 3 November 2017 and 16 November 2017 in respect of the planning proposal to introduce a minimum lot size requirement for the construction of dual occupancies in the E4 Environmental Living zone and R2 Low Density Residential zone and for multi dwelling housing in the R2 Low Density Residential zone.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant Section 117 Directions 3.1 Residential Zones and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Greater Sydney Commission may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Douglas Cunningham to assist you. Mr Cunningham can be contacted on (02) 92746357.

Yours sincerely



**Catherine Van Laeren** 6/12/17  
**Interim Director, Sydney Region East**  
**Planning Services**

Encl: Gateway Determination  
Written Authorisation to Exercise Delegation  
Delegated Plan Making Reporting Template