



Planning & Infrastructure

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Our ref: PP_2012_SUTHE_003_00 (12/12903)
 Your ref: LPIO61879122

Mr John Rayner
 General Manager
 Sutherland Shire Council
 Locked Bag 17
 SUTHERLAND NSW 1499

Dear Mr Rayner,

Planning proposal to amend the Sutherland Shire Local Environmental Plan (LEP) 2006

I am writing in response to your Council's letter dated 19 July 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal (Amendment 17) to amend the Sutherland Shire Local Environmental Plan (LEP) 2006 to facilitate three rezonings and a reclassification of land at Caringbah South and Miranda.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that the planning proposal's inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes is of minor significance. No further approval is required in relation to this Direction.

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department's Practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following 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 to draft and finalise the LEP should be made six (6) 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Margaret Kirton of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,


 Sam Haddad
 Director-General

15/8/2012.

Gateway Determination

Planning proposal (Department Ref: PP_2012_SUTHE_003_00): to rezone land at Caringbah South and Miranda under the Sutherland Shire Local Environmental Plan (LEP) 2006.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that (Amendment 17) to amend the Sutherland Shire Local Environmental Plan (LEP) 2006 to facilitate three rezonings and a reclassification of land at Caringbah South and Miranda should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No Consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 15th day of August 2012.


Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure