



Ms Manjeet Grewal
Chief Executive Officer
Sutherland Shire Council
Locked Bag 17
SUTHERLAND NSW 1499

Dear Ms Grewal

Planning proposal PP-2020-4079 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) and additional information received on 8 February 2021 in respect of the planning proposal to amend the Sutherland Shire LEP 2015 to align with policy directions of the Sutherland Shire Local Strategic Planning Statement and make other housekeeping amendments.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 and 3.4, and certain aspects of section 9.1 Directions 2.1 and 3.1, are justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 2.3, 2.6, 4.4 and 6.2, and certain aspects of section 9.1 Directions 2.1 and 3.1. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the creation of land for public purposes on the basis the amendments are required to reflect Council's acquisition of land for a public park and recent land swap agreement to extend existing open space. Despite this, the planning proposal is to be amended to address this Direction 6.2 prior to public exhibition.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority. The Department considers that in this circumstance it is best placed to implement LEP drafting requirements such as matters associated with the proposed Green Grid.

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 Ms Chloe Desgrand to assist you. Ms Desgrand can be contacted on 8275 1248.

Yours sincerely

A handwritten signature in black ink, appearing to be 'LR' or similar initials, followed by a horizontal line.

Laura Locke
Director, Eastern and South District
Greater Sydney, Place and Infrastructure

Encl: Gateway determination