



Planning & Infrastructure

Office of the Director General

Mr J W Rayner
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Our ref: 12/04204
Your ref: LP/06/376734
Robyn Williams

Dear Mr Rayner

Planning Proposal to amend Sutherland Shire Local Environmental Plan 2006 for 121 Georges River Road, Jannali (Lot 1 DP 205183) – Gateway Determination

I refer to your letter of 22 November 2011 seeking reconsideration of the Gateway Determination for the Planning Proposal to permit 'medical facilities' and 'shop top housing' as well as an increased floor space ratio at 121 Georges River Road, Jannali.

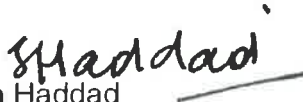
I note that Council does not support the condition in the Gateway Determination to change the zone of the land from a residential to a centre zone. Following further consideration of the local conditions associated with the site and its surrounds, I support Council's request for the use of a schedule to permit additional uses on the site as described in Council's Planning Proposal report dated 7 November 2011.

Consequently, I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination dated 21 September 2011 for PP_2011_SUTHE_004_00.

The Local Environmental Plan (LEP) is now to be finalised by 28 September 2012. Council should aim to commence the exhibition of the Planning Proposal within four weeks from the week following this revised determination. Council's request for the Department to draft and finalise the LEP should be made six weeks prior to the projected publication date.

If you have any questions in relation to this matter, please contact Juliet Grant, Regional Director of the Department of Planning and Infrastructure's Sydney East Office on (02) 9228 6113.

Yours sincerely


Sam Haddad
Director General

21/4/2012.



Gateway Determination

Planning Proposal (Department Ref: PP_2011_SUTHE_004_00): to amend the Sutherland Shire Local Environmental Plan 2006 to permit 'medical/ facilities' and 'shop top housing' as well as an increased floor space ratio at 121 Georges River Road, Jannali (Lot 1 DP 205183).

I, the Director General, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Sutherland Shire Local Environmental Plan 2006 to permit 'medical facilities' and 'shop top housing' as well as an increased floor space ratio at 121 Georges River Road, Jannali (Lot 1 DP 205183) should proceed subject to the amendments outlined in 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for 14 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 original Gateway Determination (21 September 2011).

Dated 21st day of April 2012.


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