

Gateway Determination

Planning proposal (Department Ref: PP_2019_SUTHE_007_00): to rezone land at No. 153R Gannons Road, Caringbah South from Zone R2 Low Density Residential to Zone E2 Environmental Conservation.

I, the A/Director, Eastern and South Districts, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Sutherland Shire Local Environmental Plan (LEP) 2015 to rezone land at No. 153R Gannons Road, Caringbah South from Zone R2 Low Density Residential to Zone E2 Environmental Conservation, should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
2. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
3. The planning proposal mapping is to be prepared in accordance with the Department's technical guidelines prior to Council making its request to draft and finalise the LEP.
4. Council is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - a. Council has satisfied all the conditions of the Gateway determination;
 - b. the planning proposal is consistent with all section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - c. there are no outstanding written objections from public authorities.

5. The time frame for completing the LEP is to be **six months** following the date of the Gateway determination.

Dated 11 day of September 2019.



Laura Locke
A/Director, Eastern and South
Districts
Department of Planning, Industry and
Environment
Delegate of the Minister for Planning
and Public Spaces